



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, THURSDAY, JUNE 21, 2018

No. 104

## Senate

The Senate met at 9:45 a.m. and was called to order by the Honorable DEAN HELLER, a Senator from the State of Nevada.

### PRAYER

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

Let us pray.

Our Father in Heaven, thank You for the light of Your truth that provides a lamp for our feet and illumination for our paths.

Give strength to our Senators. Provide them with courage to live a life that honors You, faith to believe that all things are possible, and reverence that brings wisdom. Give them the grace to receive with gratitude the many blessings You richly bestow upon them daily, empowering them to serve You with active zeal and humble confidence. May they wait with patient expectation for the triumphant and amazing unfolding of Your powerful providence.

We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 21, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable DEAN HELLER, a Senator from the State of Nevada, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. HELLER thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### ENERGY AND WATER, LEGISLATIVE BRANCH, AND MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2019

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 5895, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 5895) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

Pending:

Shelby amendment No. 2910, in the nature of a substitute.

Alexander amendment No. 2911 (to amendment No. 2910), to make a technical correction.

### RECOGNITION OF THE MAJORITY LEADER

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

Mr. MCCONNELL. Madam President, this week, we have been considering a regular appropriations package and voting on amendments.

Many of us have wanted this return to regular order in appropriations for quite some time. It didn't happen over-

night. We owe thanks to Chairman SHELBY and Ranking Member LEAHY for the transparent, bipartisan process that has produced this bill. Thanks to the leadership of our colleagues at the subcommittee level, more bills will be on their way to the floor for prompt consideration.

The package before us today will cross three important items off the Senate's appropriations to-do list: funding for Energy and Water, for Military Construction and the VA, and for the Legislative Branch.

As I have discussed on the floor this week, the first set of funding measures attend to a number of major national priorities. The Energy and Water title allocates critical resources for the safety, security, and readiness of our Nation's nuclear arsenal. It delivers record funding for cutting-edge scientific research, and it directs support for mitigating flood damage, protecting shorelines, and upkeep for America's inland waterways, like those that support 13,000 jobs in my home State alone.

The Military Construction and VA title offers targeted resources to causes that are near and dear to servicemembers and their families: upgrades to military housing and school systems, improvements to training facilities, reinforcement of overseas partnerships and alliances, and maintenance of veterans' healthcare facilities.

There is so much important work contained in this package, and it is just the first step in this year's regular appropriations process.

With additional cooperation today, we will be able to continue processing amendments on both sides of the aisle and complete work on these bills.

### TAX REFORM

Now, Madam President, on another matter, yesterday marked 6 months since Congress passed our overhaul of America's Tax Code. Tomorrow is 6 months since the President signed it into law.

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



Printed on recycled paper.

S4313

I remember debating the Tax Cuts and Jobs Act back in December. There were two different philosophies on display. Republicans believed working families should keep more of what they earn and send less to the IRS. We believe you don't build a healthy society or a growing economy by piling up money and power here in Washington, DC. We need to leave more money and power in the hands of individuals, families, and small businesses.

Our Democratic friends put forward a different view. They seem to think government knows best, so higher taxes, more regulations, and more restrictions on free enterprise are the way to go. As a result, they stood in lockstep opposition to these historic tax cuts, and I mean opposition.

The Democratic leader in the House said it was—and this is a direct quote—“the worst bill in the history of the United States Congress.” So Republican majorities in the House and Senate passed the tax cuts with zero Democratic votes—not one.

Six months later, who was right? What has happened in America since this major policy shift began taking effect?

Just ask the men and women this law is affecting.

Mark Guilbeau in Louisiana says this of his tax cuts:

It's bigger than crumbs like the politicians were saying. I plan to pay down some credit card debt.

Try Brett Lancy in Ohio who has a 1-year-old son, Grayson. Brett said:

Due to the extra takehome pay in my paycheck—it's about \$125 a month—we've been able to move him into one of the better daycares in our area. And it's just fabulous.

In addition to the tax cuts themselves, the business side of tax reform has helped employers raise pay and benefits for employees.

Chelsea Hatfield works at First Farmers Bank & Trust in Indiana. She has been taking college courses online and says the raise and bonus she received will help her pay tuition now and save for her kids to go to college. She said: “These steps taken as a result of tax reform are specifically affecting me and small communities like my hometown.”

Bonnie Brazzeal from Missouri received a bonus too. She works in the cafeteria at the College of the Ozarks and got to share the news with President Trump when he visited the State earlier this year: “I put mine in savings for my retirement.”

Families are immediately benefiting from this law, but what about the long-term impact?

We designed tax reform to lay the foundation for more investment, business growth, job creation, and higher wages for decades to come.

It is already doing just that. In my home State of Kentucky, Novelis is pushing ahead with a \$300 million factory in Guthrie. They say their decision was caused by this “favorable economic environment,” reinforced by

“the significant positive impact of tax reform.”

It is a national trend. Just yesterday, the National Association of Manufacturers released data showing that optimism among many American manufacturers is above 95 percent—the highest level ever recorded.

Small business owners agree. An industry survey shows that more of them are looking to hire than at any time since the year 2000.

No wonder the job market is already better than it has been in years. Unemployment is at an 18-year low. More than two-thirds of Americans are saying it is a good time to find a quality job—the highest in 17 years.

Here is a remarkable fact: There are now more job openings all across this country than there are Americans looking for work. It is the first time that has ever happened since we started tracking the relevant data, and the optimism and prosperity unleashed by tax reform are part of the reason why.

The worst legislation in history? Armageddon? Our friends across the aisle should get their crystal balls checked.

Historically, tax reform had been a bipartisan priority. In 1986, the last major tax reform passed the House by a 100-vote margin. It sailed through the Senate. How times have changed.

Unlike in 1986, this time our historic proposal to let Americans keep more of their own money faced complete partisan opposition—not one Democratic vote, not one. Republicans had to go it alone.

But the people's Republican Senate, Republican House, and Republican President got the job done for the families who were counting on us.

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 Democratic leader is recognized.

Mr. SCHUMER. Madam President, first, as the Senate continues to process appropriations bills on the floor, I thank Chairman SHELBY and Ranking Member LEAHY for their hard work on the appropriations process.

The Republican leader and I have both committed to work through appropriations in a bipartisan way, through regular order, which is something the Senate hasn't achieved in some time. Chairman SHELBY and Ranking Member LEAHY are leading the way. We want to continue along this road in a bipartisan, cooperative way, wherein what we bring to the floor basically has approval from both sides of the aisle.

#### FAMILY SEPARATION POLICY

Madam President, on immigration, let me address the humanitarian crisis at our southern border.

For a little over a month, President Trump's family separation policy has resulted in more than 2,300 children being separated from their families. Young children, toddlers, babies are being held alone. I have seen the pictures of these tiny, little girls with forlorn looks on their faces—it breaks your heart—and they are being placed into what are being called tender age facilities. That is an Orwellian term if there ever were one. Other minors have been flown, scattershot, to different parts of the country to live in foster homes that are hundreds of miles away from their parents. A 5-year-old is sent hundreds of miles away from his or her parents? What kind of country are we?

Yesterday the President signed an Executive order that made it 100-percent clear that what the Democrats have been saying—that the President can fix this problem on his own—has been correct. The President vindicated everything we had been saying and undid everything he had been saying when he said only Congress could fix this problem. Of course, he made it partisan.

It is a relief that the President has reversed himself and recognized the cruelty of his policy of separating children from their parents. I would like to believe he found it in the goodness of his heart. We certainly know there was a ton of pressure on him to do this and that he didn't do it when he first looked at the problem.

After weeks of acting like his administration bore no responsibility for this policy—contravening all fact and all reality—I hope this represents a turning point with the President. I hope it means this President will stop blaming others for problems he creates and will start fixing them himself. I hope it means the President realizes, just because he says something, it doesn't make it so. So often, more than any other President many times over, what he says is just outright false, made up. It pops into his head, and he says it. Yet this Executive order raises several questions. That means the President must continue to deal with these problems, which, again, he can do on his own.

First, the way the Executive order was drafted means it will not go into effect until a court rules on its legality. What is the President's policy on family separation in the meantime? Will he continue to insist that these heartbreaking separations continue?

Second, the Executive order allows for the indefinite detention of families who are apprehended at the border. The U.S. Government cannot be in the business of indefinitely detaining minors.

Third, the Executive order is silent on the more than 2,300 families who have already been split apart. Will the President and his administration work to reunite those families? We believe he must do that immediately. What exactly is the President's plan to accomplish this? Leader PELOSI and I are sending a letter to the President this

morning that will demand he use all the necessary resources to reunite the separated families.

At his rally in Minnesota last night, which is the kind of red meat thing the President likes—gathering 10,000 people together in a State of 5, 6, 7, or 8 million so he is a hero with everyone, which is the way he thinks—the President acted as if he had taken care of the border crisis, as if all of the problems were in the rearview mirror.

He said: “I signed an executive order keeping families together because I think that’s probably a very important thing to be doing.”

The only thing is, we in Congress and the American people have a whole bunch of questions the President hasn’t answered, questions which are listed above that I will repeat. How many kids are in these facilities now? What are their conditions? Why hasn’t the media been allowed to go in, see, and verify that the conditions are humane? The Department of Defense has been asked whether it can house 20,000 unaccompanied children from now until the end of the year. How will that work? Is it even feasible? How is the administration keeping track of the families who have already been separated? What are the plans and timetable for their being reunited?

President Trump hasn’t taken care of the problem, not by any stretch of the imagination, but he has certainly admitted that his administration does have the power to take action. He, in a sense, by what he did yesterday, increases the burden on himself to solve these other problems. I urge him to continue to use his power to address these serious, unresolved issues. Legislation in Congress remains unlikely and far more difficult to achieve than the simple corrective actions the President can take immediately and administratively.

Let us not forget that immigration has been the graveyard of legislation for years in this Congress. Saying Congress can act and getting Congress to act are two different things, particularly when, on the House side, we have a group of Congress Members in the Freedom Caucus—way out of the mainstream by any polling standard, by any real standard on immigration—that insists that poison pills be added to anything we do on immigration. Speaker RYAN, thus far, has shown no ability or desire to resist them. So having Congress get it done is not going to solve the problem, unfortunately, because immigration is such a contentious and divisive issue. The President has to do it himself, and let us hope he does.

#### TRADE WITH CHINA

Madam President, on our trade relationship with China, for too long, China has taken advantage of America’s unwillingness to strongly confront its rapacious trade policies. For too long, China has dumped artificially cheap products into our market, stolen the intellectual property of startup and blue-chip American companies, and de-

nied our companies access to its markets. When companies have good products that China wants to copy, it has denied our companies access to its markets so China can steal the know-how of how to do it and then compete with us. China alone, by its rapacious, unfair trade policies, has accounted for the loss of millions of American jobs and the decline in pay of millions of other American jobs.

So I am heartened that President Trump, after making a debacle of the deal on ZTE, has taken a tougher approach to China in recent days. His instincts to be tough on China are right on the money. As I said before, on China, my views are closer to President Trump’s than they were to President Obama’s or President Bush’s, both of whose administrations, anyway, let China get away with economic murder.

Now President Trump needs to stay strong. If he backs off at the first sign of trouble, after the first company calls to complain or after President Xi calls to complain, then China will know we are weak and unserious. I am worried China already thinks that because of what the President has done on ZTE. China is waiting to see if we are tough enough to ride this out. We need to show China that America means business because the stakes are too high. Business relocations to China have cost too many American jobs. The theft of our intellectual property has been called the greatest transfer of wealth in history by former four-star general and Commander of the U.S. Cyber Command GEN Keith Alexander.

The lifeblood of the American economy is on the line, so I urge President Trump to stay strong on China. At the first sign of complaint, if we turn, China will know it can push us over, and the number of jobs we will lose—the amount of wealth we will lose—will far exceed the kind of damage these tariffs might do.

Please don’t mistake my support on this issue as a license for the President to be reckless or as an endorsement of what the President is doing to our allies. The tariffs leveled against Canada and our European allies are misguided and poorly timed. We should be rallying our allies to work with us against China, which is what they want to do. Instead, we are poking them. China is our No. 1 economic trade enemy, and I use the word “enemy” advisedly. We have to have the whole world on our side, and these other actions are poorly timed at best.

#### REPUBLICAN TAX BILL

Madam President, 6 months ago, in the dead of night, the Republican majority jammed through a partisan tax bill that lavished tax cuts on big corporations and the wealthiest few—the old theory of trickle-down that the Republican Party embraced. My friend from Pennsylvania is one of the few who will actually say that is what he believes, which I appreciate, even though I strongly disagree.

It is an appropriate time now to look back on how the tax bill is faring.

While the Republican leader, on a daily basis, celebrates vague statistics about business confidence, here are some hard, cold facts.

Since the beginning of 2018, corporations have announced plans to repurchase more than \$475 billion in stock buybacks—a record pace. In the past week, the Washington Post has reported “wages aren’t just flat, they are falling” for a strong majority of American workers. According to a recent analysis by JUST Capital, only 7 percent of the capital allocated by companies from the tax bill’s savings has gone to employees while 57 percent has gone to shareholders—just what we Democrats predicted.

When the vast majority of the tax cuts goes to the very wealthy and to the largest and most powerful corporations, the average worker sees very little gain—trickle-down—certainly, a smaller proportion of the gain than the cut. The kind of plan we would have advocated, which would have helped the middle class predominantly, not the wealthy, would have been far better for average workers.

Remember what President Trump promised the American people? He said the Republican tax bill would give a \$4,000 raise to the average American family. In reality, American families are not seeing close to that figure. A recent Washington Post headline sums it up best: “The Republican tax bill’s promises of higher wages and more jobs haven’t materialized.”

The truth is that the tax law has failed to deliver for American workers and American families, and the American people are realizing it. The polling data shows it is becoming more unpopular. It started out being very unpopular with all of those little publicity bonuses that many of them arranged. In January, it was at about 50-50, but now it is declining again. American families know they are getting the short end of the stick in this tax bill. Corporations are reaping record profits as a result of the tax bill, and they refuse to pass much of those savings on to their workers.

Whatever benefits American families are getting from the tax bill, if they are getting benefits at all, are starting to get wiped out by the skyrocketing healthcare costs—the result of Republican sabotage, some of which was in the tax bill itself. There are millions of American families now whose tax breaks are far exceeded by the increases in premiums they are paying for healthcare.

All in all, that is why today, just 6 months since its passage, the Republicans’ signature legislative accomplishment is so deeply unpopular with the American people and why Republican pundits are saying we had better go over to the area of immigration because this tax bill thing isn’t working for us.

I yield the floor.

The PRESIDING OFFICER (Mr. SUL-LIVAN). The Senator from Pennsylvania.

## TAX REFORM

Mr. TOOMEY. Mr. President, I appreciate the minority leader's teeing up my comments today and introducing what I am going to be speaking about, which is a topic he addressed briefly, and that is the 6-month period of time since we passed tax reform. It was this week, 6 months ago, that we had a historic vote—the biggest tax reform in over 30 years. We are beginning to get some data that is really worth discussing and analyzing, and I would strongly disagree with the characterization by the minority leader.

I was home in Pennsylvania recently, traveling around the State, as we all do when we are not in this town. On one recent occasion, I was talking to small business owners in Lock Haven, PA, and Bloomsburg, PA. At one of the companies, the small business owner was there, and he was really enthusiastic about how this tax reform is helping his small business. It is actually a very typical story that I am hearing across Pennsylvania. I mention him because, as it happens, his company is in the carpet business, and they happen to make the very carpet that I am standing on right now. They provide the carpeting for the floor of the U.S. Senate.

He talked about the fact that, because our tax reform really totally redid the rules—especially on the business side, but on the individual side as well—it allows him to access new capital and purchase new equipment. The equipment that he needs to expand his business is more affordable under our tax rules now. So that is exactly what he is doing. He is expanding his business, and he is very enthusiastic about it.

This, of course, is not an anomaly and it is not specific to Pennsylvania. It is across the country. Already we have had companies—over 600 businesses employing over 4 million American workers—announce that they will immediately start paying bonuses, increasing wages, making larger pension contributions, but directly sharing their tax savings with their workers. This started within days of passage of the bill, and it has continued.

By the way, I am only counting the companies that specifically cited tax reform as the reason they are able to do this and only companies that are so big that they are picked up by the press when they make these announcements. There are thousands and thousands of companies that have done the same thing, but we will never hear about it because the Washington Post and the New York Times doesn't report when Sal's Pizza Shop makes a change in its compensation policy but, the fact is that it is happening.

By the way, there is also another not very widely reported benefit that Pennsylvania families are enjoying, and that is, again, directly as a result of our tax reform and the lower tax burden that we now have on our utilities. Electric and gas company rates have declined. There has been a very signifi-

cant rate reduction. In fact, it is \$320 million at an annual pace in Pennsylvania. That means that every family who has to buy electricity as a way to heat their homes is experiencing this savings as well.

Those are kind of anecdotal facts. But what is the big picture result so far? The facts and the data are overwhelming. The economy is on fire. That is what is going on right now. This economy is growing at a tremendous pace, and it is really on fire by any meaningful measure. One of the most important measures is with jobs. That is the whole point of a booming economy—isn't it?—to really create opportunities for individuals and families to earn a living and support themselves and improve their standard of living.

The most recent jobs report that came out in May posted a 3.8-percent unemployment rate. Unemployment is just 3.8 percent. That is the lowest level we have had since April of 2000. It remains a mystery to me how our Democratic colleagues and the Senate minority leader can somehow think it is a bad thing when the unemployment rate is the lowest it has been in more than 18 years.

It is not just the overall unemployment rate. The African-American unemployment rate in May was 5.9 percent. That is the lowest rate ever recorded since we started breaking out different ethnic groups in the unemployment numbers. The Hispanic unemployment rate is very close to an all-time low at 4.9 percent. Another amazing statistic that came out in this May's jobs report is that we now have more job openings in America—6.7 million—than all of the unemployed people. I am not sure that this has ever happened before, and certainly not in decades, but there are more job openings, more "help wanted" signs, and there are more job possibilities than there are people seeking jobs. That is just a fact of our economy right now.

What does that mean? That means there are a lot of opportunities for people. If you are unemployed right now, there is a chance to go to work today, because that is the amount of demand for workers that is exactly what we said would happen if we would encourage the kind of economic growth that we are seeing.

I must say, I don't know where our colleague from New York, the minority leader, gets his data from. That is completely contrary to what he said. All of the data consistently show that there are increases in hourly earnings and wages. Wages are going up.

We have waited way too long for this to happen, but it is happening now. There was a 2.7-percent increase in hourly earnings in May. This is a wage increase of 2.8 percent for people who are in nonsupervisory work. So wage earners who are working on an hourly basis in a nonsupervisory capacity are seeing an even somewhat faster acceleration in their wage growth. That means workers are going to have a bet-

ter standard of living. That is what it means.

When we passed our tax reform, we had two big goals. One was to lower the tax burden on individual Americans. How well did we do on that? Well, 93 percent of all the individuals and families filing owe less in taxes this year than they would have if we hadn't reformed the Tax Code—93 percent. For most of the 7 percent who don't have a savings, it is because they are higher income people who live in jurisdictions where they pay high State and local taxes, and we diminished the ability to deduct that. So there are wealthy individuals—a handful—who are paying a little bit more.

It is also a fact that the wealthier people pay a larger percentage of the tax bill now as a result of our tax reform, because we made sure that the folks at the low and medium end of the wage spectrum would get the biggest percentage benefits, and they have. We also wanted to make sure that we are making business competitive and encouraging investment in the United States instead of somewhere else in the world.

One of the standard measures in how that is working is how our economy is growing overall, what our GDP number looks like. Well, it has been amazing. Year after year, we were happy if we could get to 2 percent growth, and our friends on the other side were suggesting: Well, we may just have to accept the fact that America can't grow very fast any more. The boom years are behind us, and now we just have to accept that we have this secular stagnation.

There was this whole theory about how it was inevitable that America would have slower and meager growth and few opportunities in the future. Some of us said: That is nonsense. The reason we have slow growth is because we don't have the policies that will allow the natural entrepreneurial energy and spirit of Americans who invest in us and encourage excellent growth. That was the debate. We said tax reform will encourage that growth.

What has been happening? We are on track to have over 3 percent growth this year. It will be more than 50 percent above the kind of growth we have been getting. The Atlanta Fed GDP Tracker is projecting that for this quarter, growth could be as high as 4.7 percent, which would be absolutely stunning. The CBO is projecting that for the full year, growth will be 3.3 percent. This is an economy that we were told could never really manage to eke out better than 2 percent. We are proving that wrong. The American people are proving that wrong.

Another aspect of our reform was that we said it didn't make sense to create the dynamic where a company's overseas subsidiary, after they earn a profit and pay taxes on that profit in the local jurisdiction in which they are operating, if they return that money home, pay another tax on it. We said

we have to get away from that system because nobody else in the world punishes multinationals that way, and it discourages investment in the United States. Companies will try to avoid that second layer of taxes by leaving the money overseas. Well, the money sitting and piling up overseas doesn't help to create American jobs. So we made new reforms that we thought we should and, lo and behold, what is happening? The foreign earnings that had been retained abroad are coming home.

It is already happening. There is now more money being shifted from overseas subsidiaries of American-based multinational companies, coming back into this country, than the money they are earning. It is because not only are they shifting back home their profits, but they are taking their past profits and they are sending that back home as well.

Dividends received from abroad, money taken from overseas and invested back in America is \$340 billion in the first quarter of this year alone. That is an all-time record—a huge amount of money being invested back into the United States.

Why is this happening? Why are we getting all of this economic growth and this return of money? I would state that I can think of two big categories that are contributing. One is just the overall optimism about the business environment, the economy's strength. Why are businesses making the decision now, today, in 2018 to invest more than they did before, to hire more, to increase wages, and to bring back this money? Well, it is because we lowered the cost of investing, hiring, and bringing back this money. We have created an environment that is just more conducive. There is optimism about our economy and the belief that this is a good time to invest in America and to grow a business. The numbers are off the charts.

In fact, the National Federation of Independent Business, a small business organization across the country representing probably hundreds of thousands, maybe millions, of businesses, including really small mom-and-pop operations, but also more substantial businesses, measured the confidence in our economy and our ability to continue to grow and thrive. It is off the charts. The index of overall confidence in May was 107.8. That is the second highest reading in 45 years. That is what we are talking about. That is unprecedented optimism. We have an 18-month streak now of what the NFIB, the National Federation of Independent Business calls "unprecedented optimism."

We are at an all-time high of small business owners reporting increasing wages for the people that work for them. There has never been a time when there has been a higher number of small business owners actually raising the wages of their workers.

As to sales trends, the growth in sales for small businesses is at the highest level since 1995, 23 years ago.

The expansion plans—plans to build new factories, to open up new facilities, and to increase the capacity that they have now—are the most robust in the history of the survey. Never before have we seen stronger numbers than this.

The top concern or the top worry that small business owners have used to be the burden of taxes and regulation. It isn't anymore. Now it is whether they will be able to find the workers they need to fill the openings they have in their companies. Fifty-eight percent of firms are actively trying to add workers right now. Right now, they are out looking to employ more people—58 percent. It is really amazing.

By the way, this optimism isn't just from small businesses, it is also consumers. Retail sales in May were up 5.9 percent above 1 year ago. That is almost a 6-percent growth from a year to the next in retail sales. That is consumer confidence. That is all of us going to the store and buying whatever we buy.

The University of Michigan consumer confidence index was the highest it has been in years in May, and March of this year was the only recent time that it was even near this level. That is because workers are seeing an increase in their paychecks. They are seeing less money withheld, and they are seeing wage increases. They are feeling good about their economic future, and that is really important.

So optimism is an important part of it, as well as an attitude that government isn't hostile to business and that the regulatory environment isn't in the "gotcha" mode but in a cooperative mode, with a tax code that encourages investment. All of this clearly contributes to optimism.

Let's drill down a little bit into one of the biggest drivers of this economic growth, and that is business investment. When we decided to make the reforms to our Tax Code on the business side, we said one of the things we have to acknowledge is business investment—the investment in new equipment, in capital. That had really dropped off badly. Without new equipment and capital, workers don't become more productive. If workers aren't more productive, they can't get higher wages over time. We felt like that was the heart of what was holding back our economy back in the Obama era and, to some degree, before. We stated that we can lower the cost of investing more in your business, investing more in equipment, and spending and deploying capital. We can lower costs by treating it more rationally from a tax point of view, specifically, by allowing full expensing in the year in which the capital is deployed. Capex spending has responded even better than I actually had hoped. To be honest, I can't express how really thrilling it is to see the kind of growth we are having.

Let's start with the broader measure of this. The broader measure of this is

business investment. This is a broader category that includes things like equipment, but it also includes things like structures, like a new building. It is really amazing.

CBO said that the first quarter of this year—they said that for the first quarter of 2018—before tax reform, they said: Maybe you can get to 4 percent. I think their estimate was 4.4 percent. After tax reform, they said: Maybe you can get that up to 5.6 percent. The actual number was 6.8 percent.

What is really amazing is the acceleration we have seen. These were the quarter-over-quarter changes in business investment during the latter part of the Obama years. That last year of the Obama administration, 2016, is negative. That means that every quarter, businesses were actually investing less than they were investing the same quarter the previous year. Our capital pool was shrinking. The amount of investment was going in the absolute wrong direction.

Look what happened. The tax reform wasn't passed in these first two quarters. You might say: Well, why did it improve then? I think that was because of confidence. I think that was because people realized that we had a new government, a new administration, and that we were going to work hard on trying to get tax reform done and that we were going to begin lowering the regulatory burden. Look what happened. We had a total turnaround from a lack of investment, a decline in capital spending, to an increase. Then when we passed tax reform, look how much higher it surged still. These are huge numbers. That is overall business investment.

The second chart—we can drill down into what I think is the subset of business investment, the category of business investment that is probably most responsive to our changes in tax policy, and that is equipment. That is where a small business owner or a big business can really turn the dial. They can decide to buy a new piece of equipment, buy another machine, buy another truck, buy the equipment that they need to grow. That is an easier decision to make than building an entirely new plant.

Let's look at this subset. These are tools, machines, technology, trucks, computers. That is the on-the-ground spending of capital that goes right into the hands of workers so that workers can become more productive. What has happened to this?

Again, look at what was happening. The spending from one year to the next in the latter part of the Obama administration was going down. These are negative numbers because the capital being spent on business equipment was actually declining.

Look at what has happened since. We changed the environment, changed the regulatory environment, changed the mood, and it turned positive. Then when the tax reform kicked in—and it is true that we didn't pass the tax reform until the end of December, but we

wrote in from the beginning and we made it clear that we would make the expensing provisions retroactive to earlier in the quarter. People saw that, and this has taken off.

I think the picture illustrates extremely well the tremendous change, the tremendous acceleration, the growth in equipment investment.

The reason I want to underscore this is because this is a very strong indicator of future growth. This isn't some sugar high—that the economy just got a lot of cash thrown on it, and so there is a little, temporary blip. This is the kind of stuff that allows an economy to continue to grow and create more because what we are doing is we are expanding the productive capacity of our economy. We are building new plants. We are deploying new equipment, new tools, new machines, new software, new computers, new vehicles. All of those things allow us to produce more goods and services. So not only do you get the surge from when you actually build and put those items to work, but those items continue to be used by workers for years. A new piece of equipment at a factory is going to be there for many years to come. A new truck lasts for a number of years before it has to be replaced.

This kind of growth is exactly the growth we were hoping for, and it is really the powerful driver and the reason we can be optimistic. I think this is the reason businesses and consumers are increasingly optimistic about the future. They see a strong economy, and intuitively they understand that this strength is real and that it is likely to be enduring.

The important thing about this—and I can't stress this enough—is that when a business decides to invest more in its business, to buy more modern equipment, to buy new equipment, what happens is the workforce becomes more productive. A company doesn't go out and invest capital to make its workers less productive. That never happens. It invests capital so that its workers can produce more.

It is the more productive workers who get higher wages. The example I like to use is, if you ever go to a construction site and they are digging the foundation for a building, you might very typically see somebody who is operating a backhoe, and you might very typically see a guy with a shovel. He is doing some of the work too. They are both digging a hole in the ground. Who is getting paid more? It is always the guy operating the backhoe because he is much more productive than any human being can ever be swinging a shovel and he has a set of skills that allow him to be productive. So when we are encouraging this kind of investment, we are creating more opportunities for people to earn more.

This is very encouraging news about the first 6 months of this year, the first 6 months after the tax reform. I think it is going to continue to get better.

By the way, there is good news on the Federal revenue side as well. We have

numbers through the end of May. June is not finished yet. For the first 5 months of 2018, the tax revenue collected by the Federal Government in the environment of our tax reform was \$26 billion more than the same period last year. So we lowered rates, we reformed the Tax Code, and we are collecting more revenue than we were collecting before we did the tax reform.

By the way, April was off the charts. April's numbers came in for the actual tax revenue, and it was \$30 to \$40 billion more than what CBO was projecting. It was the biggest surplus month in the history of the country.

It is only June. We have to see how the rest of the year plays out. But the fact is, we have wages growing, we have employment growing, we have businesses growing, and that means that all of the above are paying taxes, and they are going to be paying more. This is exactly what we said to our colleagues. We said: If we can create the incentives for stronger economic growth, we are going to have a bigger economy. When there is a bigger economy, you can tax it at slightly lower rates and still get more revenue because of the added size of the economy. This, folks, looks to be exactly what is happening, and this is what is so exciting.

For my constituents, it means that if you are out of work, you have choices. There are more job openings today in America than there are unemployed Americans. There are opportunities. If you have a job, wages are probably moving up. That is what the data shows. Overall, wages are rising at an accelerated pace. Businesses are as confident as they have ever been. That means they are likely to continue to invest and continue to create more opportunities.

I would just say that 6 months into this, our tax reform is working. It is working for our constituents. It is working for our economy. American business is more competitive. American workers are more competitive. The benefits are widely shared. I am very enthusiastic about this, and I am looking forward to the data that is continuing to come in response to the most dramatic tax reform in over 31 years.

I yield the floor.

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

TRIBUTE TO GREG BROWN

Mr. SULLIVAN. Madam President, it is Thursday, and it is one of the best times of the week for me. I know the Parliamentarians and others who work in the Senate know, and now the pages are going to learn this, too, because it is the time every week when I get to talk about what I call the Alaskan of the Week. I am referring to someone who has made a difference in my State, someone who is doing a great job, and someone who is oftentimes an unsung hero and doesn't get a lot of attention but deserves it. That is what I do here.

As I like to say, Alaska is a very beautiful State. I think it is the most

beautiful State in the country, probably the most beautiful place in the world. Now summer has arrived, and the Sun hardly ever sets. The fish are running. The air is drenched in the energy of summer, so now is the time to visit. Everybody who is watching or watching on TV, you have to come visit. The Presiding Officer came a couple summers ago. We had a great time. Her father was out there during World War II, which was a great honor. So you will have the trip of a lifetime.

By the way, you will also have the best food in the world. Interestingly enough, in the Senate on Thursdays, one Senator typically hosts a lunch. Today, I am hosting. I think my colleagues will like this. You can almost smell the aroma. Right now, we are making it in the kitchen here—salmon, halibut, reindeer sausage. We are all going to be treated to that in a little bit.

What is truly amazing about my State is the people who call it home—smart, creative, energetic, caring people, folks helping each other.

Today, I want to talk about our Alaskan of the Week, Mr. Greg Brown. He comes at the suggestion of quite a few members of my staff, who call him Mr. Brown. The lobbying campaign in my office for Mr. Brown to be the Alaskan of the Week has been intense.

Mr. Brown, as he is known far and wide among those who went to Anchorage's Dimond High School, is a legend among his former students at Dimond, where for 25 years he taught European and U.S. history, art history, philosophy, and student government.

Many of us are fortunate enough to have had that teacher or person—usually, it is a teacher—who really changed our lives and showed us the pure joy of learning; as my director of constituent relations, Rachel Bylsma, put it, that person “that made history come alive,” that person who made an “indelible impact” on someone's life or many lives. For Rachel, Andrew—one of my interns, who is here with me on the floor—and five members of my staff in DC and back home in Alaska, that person is Mr. Brown. So let's talk a little bit about Mr. Brown.

Originally from Texas, when he was 15 years old, his family moved to Alaska when his father, who was in the oil business, got transferred to Alaska. A lot of Texans up in Alaska fall in love with it, as he did. He moved back to Texas as a teenager, but Alaska stilled beckoned, and it was never really out of his mind, so in 1989, when his father moved back again, he went back—now with a master's degree and a few years of teaching—and he never left. He was a substitute teacher for a while and in 1993 got a full-time position at Dimond High, where he has stayed, learned, taught, and where he has inspired thousands of students—think about it: 25 years.

What makes a good teacher? According to Mr. Brown, it is vital that you, the teacher, fall in love with the subject and also, just as importantly, that

you listen sympathetically, and you should know how to reach your students. Sometimes that is through books, Mr. Brown said, and sometimes the most important thing you can do is just play a game of chess with a student. I think that is what Andrew and Mr. Brown did. According to his students, Mr. Brown did these kinds of things.

Mr. Brown was a demanding and exacting teacher. The papers they wrote for him were graded hard—graduate school-quality. He demanded excellence, which is another great attribute of a teacher. Because of his passion for the subjects he taught and the way he treated the students—he treated them like adults who were ready to learn and deliver—he made a huge impact. And learn they did. They read the classics—John Locke, Thomas Hobbes, Socrates, Plato, Machiavelli, Marx, Martin Luther, Patrick Henry, Thomas Paine, and on and on. They learned about the profound impact the Reformation had on Europe. They learned about the ramifications of governmental authority. They learned about how art can be a language that reflects the present. They learned about how alliances are formed, how leaders are born, and how the clashing of events can lead to devastating wars and world-altering peace treaties. They learned about the roots of all different forms of government. They learned to love—or at least appreciate and understand—our own government and the importance of institutions like the U.S. Senate.

This year was Mr. Brown's last year as a teacher. He is, unfortunately, retiring. He bought a plot of land in Willow, AK, the part of the Alaska we call the Mat-Su Valley. He is going to garden, he is going to fish, he is going to read, and he is going to travel, but he is still going to be with us, and he can do that in part because of a gift he received from his students at his retirement party.

This is quite unusual. This party, which was thrown for him by his students at his retirement, was quite amazing. Hundreds of his past students showed up to pay tribute to Mr. Brown. Some of them gave speeches. Many of them cried. At the end, they handed him a picture that one of his students painted. It was a reinterpretation of the School of Athens by the 16th-century artist Raphael, but it substituted Mr. Brown for Plato in that very famous painting.

Then something really amazing happened at that party. The students also handed Mr. Brown a voucher. They had individually raised \$16,500 for him to travel the world. Think about that. Motivated and inspired students, over 25 years, came together, threw a party, and raised money for their beloved teacher just to show him their deep admiration and abiding appreciation. That is very special for a special teacher.

What was his reaction to the gift? Mr. Brown said:

I wanted to go somewhere and gently weep. My students have always given me more than I have given them.

Now, Mr. Brown, I am not sure that is true. You have given so much. In fact, at the party, one of my staffers—I already mentioned Rachel—in her speech about Mr. Brown said, “Each student you taught . . . carries a piece of the precious gift you gave, learning the contours of history and the trends that have defined the course of humankind.” Powerful stuff.

So, Mr. Brown, thank you for all you have done for our young people, for our State—really, for the country—producing great Alaskans with a sense of civic duty and history. Thank you for being such a great teacher—and we have so many in our great State—and thank you, on your retirement, for being our Alaskan of the Week.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

MEASURES PLACED ON THE CALENDAR—S. 3093  
AND S. 3100

Mr. CORNYN. Madam President, I understand there are two bills at the desk due for a second reading en bloc.

The PRESIDING OFFICER. The Senator is correct.

The clerk will read the bills by title for the second time.

The bill clerk read as follows:

A bill (S. 3093) to amend the Immigration and Nationality Act to address the protective custody of alien children accompanied by parents, and for other purposes.

A bill (S. 3100) to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington.

Mr. CORNYN. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

RESCISSIONS BILL

Mr. CORNYN. Madam President, I wish to first address the vote we held yesterday—one that unfortunately failed but I believe was important nonetheless. It would have set in motion a series of spending reductions—not on bills where we had appropriated money for programs and we knew where it was going to be used, but these were essentially surplus funds which were not being used for the intended purpose and which I believe should have been used to reduce our annual deficits and ultimately our national debt.

I want to express my gratitude to Senator LEE, the Senator from Utah, who spearheaded the effort to take up a bill that the House had already passed.

What we were attempting to do was rescind nearly \$15 billion in previously appropriated money that has gone unspent, as I said a moment ago. This was just one small way to show the American people that we are serious—as the majority leader put it yesterday—about tightening our belts finan-

cially and taking small steps that hopefully would add up to big steps to live within our collective means.

I voted for the rescissions package because I believe strongly that the government should prioritize keeping its fiscal house in order, one that constantly works to improve and implement fiscal discipline.

I am concerned now that as interest rates are starting to rise, we are going to see more and more Federal spending go to pay debt service or interest payments on bonds that have been issued to secure our national debt.

So I hope we can come back to the table soon with new ideas, and I am disappointed in the outcome of that particular vote.

KEEP FAMILIES TOGETHER AND ENFORCE THE  
LAW ACT

Madam President, I have also been speaking this week about the ongoing situation at the U.S.-Mexico border. Of course, this is my backyard. I come from Texas, and Texas has a 1,200-mile common border with Mexico. We know, because we have all seen in the news and been moved by these scenes of people illegally crossing the border with children or individuals they claim to be their children and being separated as they have been processed, consistent with current law, including laws Congress had passed, signed by the President—not necessarily this President, in fact—consent decrees, and other court judgments that necessitated that children be treated differently than people who illegally enter the country as adults.

I will be traveling to the Rio Grande Valley tomorrow. Senator CRUZ and I both will be in Brownsville and McAllen so we can learn from the people who are working on behalf of all of us to make sure everybody is treated with dignity and compassion. But we also enforce our laws against illegal immigration.

President Trump yesterday issued an Executive order, which I viewed as an emergency measure, that does not substitute for congressional action. In fact, I am confident that the Executive order will be the target of lawsuits. I think the only thing that could really settle the matter once and for all is legislation, which I know the Presiding Officer and I and others have cosponsored, to keep families together and to maintain enforcement of our laws.

Executive orders, of course, as I said, are always subject to legal challenge, and I think we ought to view this as more of a belt-and-suspenders. The President decided he wanted to do what he could on a temporary basis, but it is just a temporary basis, and we need to make sure, as I said, that this is finally settled so that no parent will be separated from their child even if they enter the country illegally. They will be treated both humanely and with compassion while they are presented to a judge who will make a decision on whether they qualify for a legal immigration benefit like asylum, for example.



The legislation I am referring to is led by the junior Senator from North Carolina and is called the Keep Families Together and Enforce the Law Act. As the title of the bill suggests, there are two parts: treating families with compassion while allowing them to remain together and enforcing the laws on the books. They don't have to be mutually exclusive, and our bill would ensure that they are not. It will allow children to stay with their families in a safe facility while they await their court proceedings.

It will also set mandatory standards of care for family residential centers where immigrant families are placed and keep children safe by requiring that they are removed from the care of any individual who poses a danger to them. Just as importantly, it will require more than 200 new immigration judges and require the Department of Homeland Security to expedite the court proceedings for these children and families.

Some have rightfully asked questions about the families who have already been separated: What happens now to the children who have already been separated from their parents?

I can tell you our bill requires the administration to take steps to reunify as many families as possible who remain in the custody of Immigration Customs Enforcement or Health and Human Services.

I have to tell you, this is an old movie in many respects. We have seen this movie before, particularly in 2014, when we saw a flood of unaccompanied children coming across the southwestern border. President Obama, at the time, called it a humanitarian crisis, and I agree. We simply weren't prepared for this flood of children from Central America coming to our border and seeking refuge or asylum. We worked hard to try to make sure they were treated compassionately and humanely, but the law, similar to the law in effect now before the President's Executive order and the law that would be modified by the new bill I mentioned a moment ago—the current law requires those children to be processed by the Border Patrol, to then be handed over to Health and Human Services, and ultimately placed with a sponsor in the United States pending their hearing on their immigration case. Because of the huge backlog of cases, it could be literally months or years before those cases are heard.

It shouldn't surprise anybody that the overwhelming majority of individuals don't show up for their court hearing. That is why it is important for us to move these cases to the head of the line, to maintain a humane detention while they are awaiting their court hearing—hopefully, in a matter of days or weeks, at most.

This is a huge problem that frankly was exposed, in part, by the New York Times. It recently reported that based on the tens of thousands of children who came across the border as unac-

companied minors who had been placed with sponsors, in a check of where those children are now, at least 1,500 of them are unaccounted for.

That should surprise no one because the sponsors were not required to be citizens. They weren't required to be relatives. They weren't even required to have a criminal background check. When the U.S. Government places these children with sponsors in the United States with such inadequate supervision and review, it should not surprise anyone that, unfortunately, some of them will be unaccounted for; hopefully not recruited into gangs, hopefully not trafficked for sex, hopefully still alive. This is a huge humanitarian crisis, and the latest episode having to do with separation of families is just the latest version of that story.

Who benefits from status quo when we fail to correct our laws to make sure that both individuals coming across the border are treated humanely and that we enforce our immigration laws? Who benefits the most? It is the transnational criminal organizations, the cartels, which make money off the status quo. As one person called it the other day, when they were referring to the situation, these organizations are commodity agnostic. As long as they can make money, they will traffic in people, drugs, weapons, and other contraband. They don't really care as long as they make money.

Until Congress acts, as we must, these cartels, these criminal organizations, will continue to exploit these gaps in American law, and the people who will be hurt the most are these children and immigrants who do have a case to make before the immigration courts.

I hope we will act. Frankly, our track record is not good when it comes to fixing our broken immigration system, but I know Mrs. FEINSTEIN, the Senator from California, and Senator TILLIS have been talking, and a lot of us have been putting our heads together to figure out how we can come up with a narrow bill that will keep families together and allow us to enforce the laws of the land. I hope we keep trying until we get it done and get it done right.

Other proposals have been made, including one by our friend the senior Senator from California. She and I have worked together on many issues, but on this one, I think her bill has a lot of problems. In fact, there is a huge question about what sort of enforcement, if any, would ever be permitted under her bill. In effect, her bill would make it impossible to enforce the law against an adult illegally crossing the border unless the child is able to go to jail with that adult. I don't want a child to have to go to jail and be exposed to hard and potentially violent criminals. This is a big problem with our friend's bill, Senator FEINSTEIN.

By the way, every single Democrat on that side of the aisle has signed on to that bill. Did they intend this re-

sult? No, I don't think they intended it, but it is a big problem with their bill. Children should not go to a jail run by the Bureau of Prisons. No one, I would think, would think that is a good idea. So that is essentially what the bill results in.

Again, I am not saying this was their intention, but the result is to reinstate this catch-and-release program, which has been a failure of our immigration system for a long time. When there is nowhere for the families to be detained and when they can't go to Department of Justice facilities, basically, the authorities simply have to let them go and say: Come on back in a few months, maybe a couple of years, when your case comes up on the immigration court docket.

That is the result. As I said earlier, in the vast majority of cases, people do not reappear because they understand, if they made it that far, they are basically off scot-free. The cartels and the transnational criminal organizations that traffic in people and facilitate this sort of illegal immigration are the ones cashing in on these vulnerabilities and on these gaps in American law. We need to fix it.

Let me correct one other misconception from all of the emotional news we have seen recently. Sometimes the facts get lost. If an immigrant family crosses the border outside of a designated port of entry, they have broken the law, unless they are authorized. If you release these individuals without any consequences, you send a clear message that it is acceptable to cross our borders illegally. Once you have sent the message to the criminal organizations—to people in Central America and elsewhere—that it is OK to break the law and you will be released without any consequence, it should come as no surprise that a huge percentage of illegal immigrants fail to show up at immigration court hearings and that it is a magnet attracting more illegal immigration if there are no consequences associated with it.

With all due respect to my friend, the senior Senator from California, her bill has these unintended effects, and I think simply will not do. I want to be clear, we want to work together to try to address what she wants to accomplish and what we want to accomplish. Let's keep families together, but let's not inadvertently or unintentionally reinstate the broken catch-and-release policies, which simply serve as a magnet for more illegal immigration.

Some commentators have pointed out the problem I have identified. It is not just me. They have said Senator FEINSTEIN's bill would present law enforcement with a terrible choice of either keeping children with parents or criminals in the middle of being prosecuted or not prosecuting those violations of the law at all. That is not really a choice. We know what the decision would be. Those cases would not be prosecuted. There would not be enforcement. Then, again, the



transnational criminal organizations, the people who try to take advantage of our laws, will have won.

With these and other shortcomings, I think the much better option would be the bill introduced by Senator TILLIS, which I, the Presiding Officer, and others have cosponsored. It would achieve two important goals: continued enforcement of our immigration laws and the unification of families. Some of our friends on the left seem to want one but not the other. They want to unify families, but they don't want to enforce our immigration laws. They say they want to see zero tolerance ended—zero tolerance for violating immigration laws, and, of course, they cast a lot of aspersions on the President and the Attorney General for implementing this policy, along with the Secretary of the Department of Homeland Security.

Let's think about their criticism for a second. What does that really mean? If you aren't happy with zero tolerance of violating our immigration laws, that means you are happy with tolerating exemptions for lawbreakers. You tolerate not enforcing immigration laws under some, perhaps many, circumstances. We can all see where that leads us. It encourages illegal immigration by sending a message by saying we will not enforce our laws. We should not stand for that and neither should the American people. It would be a big mistake.

Tomorrow Senator CRUZ, my colleague from Texas, and I will be traveling to Brownsville and Weslaco, once again, so we can get eyes on the situation there and learn from the people who are charged with making sure our policies are carried out.

As I mentioned, Texas has 1,200 miles of common border with Mexico, and we are ground zero when it comes to the border security challenge. I look forward to talking with our Federal and local officials about the situation, along with faith-based organizations and other groups who are trying to help out. We need their help and welcome their help.

Ultimately, I urge colleagues on both sides of the aisle to continue talking urgently and to support the bill Senator TILLIS and others have introduced. We can come together, we can fix this problem swiftly, and ensure these children are kept together with their families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

#### IMMIGRATION

Mr. RUBIO. Madam President, few issues have bedeviled our country and our political process more than immigration. It is well known by now how difficult it is to get anything done on the topic. Later today, the House will have a vote. I don't know how that will turn out, but we have seen how difficult it is to even get to that point.

The reason it is a difficult issue is multifaceted. The first is, it involves people. It is easy to throw around num-

bers—100,000, 1.1 million a year, 2,000, but these are human beings who, by and large, want to come to America because it is the best country in the world. That is one of the things that makes it difficult; we are talking about human beings. It is not trade. It is not dollars. It is people. The other reason it is difficult is because we are a nation in which few, if any of us, are but a few generations removed at most from someone who came here from somewhere else. The closer you are to that reality, the more you identify with those who want to come here. I was blessed to be born in the United States, but I didn't do anything to earn that. I happen to have benefited from the fact that my parents lived 90 miles away from the greatest Nation on Earth. They could have been born somewhere else. They could have made a different decision in their lives. I am not sure what would have happened, quite frankly, since my parents had me in their forties, and I am not even sure I would have been born. I am a beneficiary of that incredible blessing.

The flip side of it is, I am also a lawmaker, and I understand that every Nation on this planet has immigration laws. Mexico has immigration laws. Canada has immigration laws. Canada, earlier this week, sent out a statement to TPS recipients in America that if your TPS expires, don't come to Canada because we are not going to let you in.

I have personally witnessed the immigration laws in places like Honduras—one of the source countries of some of our migration. I was there 2 years ago, and I visited a migration place. Basically, Honduras's policy is this: We detain you, we feed you, and we give you 48 hours to get out of the country.

Every country in the world has immigration laws, and anytime those laws are challenged by large numbers of people who want to enter outside of those laws, it creates friction and problems. It has throughout the history of this country, and it is doing it all over the world right now. The governing coalition in Germany could collapse over the issue. Multiple elections in Europe have been decided. In fact, the very future of the EU itself is under duress over the issue of migration and a common border.

So this is not just a difficult issue in America. It is a difficult issue around the world. One of the reasons that it is so difficult here is that we have long prided ourselves on being a nation of immigrants, and we remain that. One of the things that isn't repeated enough—and you will never get this if you listen to some of the ways this issue is covered on either side of this debate—is that every single year, over 1 million human beings enter the United States legally, and many of them, within 3 to 5 years, swear an oath to become American citizens. I believe, with all of my heart, that that strengthens our country. With all of

this noise that you are hearing, just remember the baseline, which is that every single year over 1 million people come to this country legally. That has happened, and it will happen again this year. I will tell you that no other nation on Earth even comes close to extending that level of generosity.

The problem we have is that in our region there are countries of incredible instability. This ebbs and flows. I live in South Florida, a majority minority community that is deeply influenced by migration waves of Cubans who have come in multiple waves to flee communism; of Haitians who have come through during different periods of instability; of people who fled instability in Nicaragua, for example, in the 1980s and called this home; of Colombians who fled in the 1990s because of violence there; or of Venezuelans who seek asylum now because of the situation there. Every time there is a hemispheric problem, people in these countries seek to go to the greatest Nation on Earth, which is the closest to them, by the way. That is the United States.

So this is not new for us. Our challenge is how we can accommodate that and accommodate our legacy as a nation of immigrants but also do it through a system of law. There is nothing wrong with having ordered compassion. We have safety net programs in America that provide people who come upon tough times with healthcare and housing and money for food, but there is a process by which to get it. There are qualifications that you have to meet, there is an application that you have to fill out, and there is a limit as to how long you can use it. That is true with most charities as well. So you can be generous, and you can be ordered. Yet every time there is any sort of instability in a region, it places migratory pressure on the United States.

One of the ones that has arisen lately over the last few years is the instability in Honduras, in Guatemala, and in El Salvador. You can watch the documentaries. You can read the books and the articles. You can interview the people.

I can tell you that I know people personally. I don't know them like I met them at an event. I know them. I know their families, and I know their stories because they live in South Florida. I know.

I know people who have left because some local gang, thug, or organized crime group went to them and said: Unless you pay us 10 percent of what you make this month, we are going to kill your daughter; we are going to kill your wife; and we are going to burn your store. When people are told that, they leave. I know people who have left because they can't feed their families. So they come because they are going to work and send back money so that their kids can eat.

I ask everyone: If you are a parent and your children are hungry and if you are fearful that your children or your wife or your family could be

killed by a gang, would you not do almost anything to help them?

We understand that part. Yet that has to be balanced with the reality that America is a country that is proud of its heritage of being a nation of immigrants that continues to be generous in welcoming them but that it also has to have a system. It can't be disordered because, otherwise, it strains our capacity. It also overlooks another obligation we have, and that is the obligation to our own people.

No nation on Earth, not even one as wealthy and as great as America, can welcome every single human being on the planet who wants to come here. That is not harsh. That is true. What other country does? Canada doesn't do that. Mexico doesn't do that. No other nation on Earth, including the ones that are criticizing us, has a policy like that, and many are much more restrictive than the United States. In most of the nations in Europe, you can go there, but they don't ever let you become a citizen. Every country has its own set of rules, and our rules have fluctuated. There have been times in our history when we have been much more restrictive than now in terms of immigration.

So we have this situation. We have this incredible instability in places like Honduras, El Salvador and Guatemala. One of the responses to it, which I strongly support—we will fund it again this year—is something called the Alliance for Prosperity. In the long term, it is probably the best thing we can do to deal with the problem we have right now. What that does is to build the capacities of the governments in those countries to deal with those gangs that are threatening people. It creates economic opportunities so people don't have to leave.

By the way, this migration isn't good for those countries. If you are the country of Honduras and your youngest, hardest working people are leaving, how are you going to build your economy in the future? It doesn't like it either. We need to help Honduras. We are trying to, and we are doing that, but it takes time for it to work.

If you don't think that will work, then, I ask you: Why don't we have migratory crises from Peru or Chile or Uruguay or Colombia or Brazil or Argentina or Costa Rica or Panama? We don't have migratory crises from those countries because, while they don't have America's wealth, you can find a job and you are not being threatened every day by a gang. The more we can do to help countries reach that point, the less migratory pressure we will have. That is, by far, the most effective border security measure we could take, if it works. We have to make sure that it works.

So now we have this situation, and it is a difficult one. I hear these people on television, and I have to tell you that I don't know where some people get their information or even care about how they get their information, but

they just say things that aren't true, and they make it sound like it is so simple.

Here is the bottom line. Imagine, for a moment, that a family arrives unlawfully at the U.S. border, meaning that the family doesn't have a permit to enter and it doesn't have a visa. The family just unlawfully crosses the border. You are now apprehended. You have children with you, and you are an adult.

The law says—something called the Flores settlement, which is binding, which the White House is challenging with this Executive order—that you can hold the children for 20 days. You can detain the adults. They violated the law. It could be a misdemeanor. If it is a repeated offense, it is a felony. It could even be a civil offense, potentially. You can detain the adults if you need to, but you can't detain the children.

This is the dilemma because, if you don't detain people, we know that a substantial percentage—and I mean a very high percentage of people—once apprehended and released, never shows up for the hearing. People are scheduled for hearings before immigration judges, but it could take a couple of years. When the hearings come, we don't even know where they are to even notify them of the hearings. They just don't show up. They don't show up at all. If you let them go, you will never see them again. You are basically passing them through.

Yet you can't detain the kids they came with. So you are left with this choice: I can't detain the kids; therefore, I can't detain the family together. So either I let them all go and never hear from them again or I detain the adults and separate them from their children. That is the decision the administration made along with saying: We are going to enforce every single one of these cases. Yet I already told you that if you let them go, your chances of ever having them show up again are virtually nil in many cases. That has led to the problem because, even though we are a nation of laws, we are also a nation with deep Judeo-Christian principles.

You are watching it on television, and you are seeing kids who are crying. Forget about being a Senator now. You are a parent, and you are thinking to yourself: This is horrifying that this is happening in America. It has to end.

So the administration says: We are going to end it, and we are going to detain them together, and someone is going to sue us under the Flores settlement, which is why Congress must act.

I watched some of the speeches on the floor last night by some of my colleagues on the other side of the aisle, and the best way I can describe the argument is that I understood it, and, if I am wrong, then somebody should tell me. I listened to the arguments carefully because I was thinking that there has to be a way to deal with this because it is a tough issue.

This was their argument: No. 1, do not detain the children at all. Keep the Flores settlement in place, and don't detain the children.

No. 2, don't separate the families. That means, not only can you not detain the children, but don't detain the parents. Let them go.

No. 3, if they don't show up for their hearings and you eventually run into them, don't deport them either.

If we are not going to detain children and if we are not going to detain parents and if they don't show up for the hearings and we are not going to deport them unless they are violent criminals, then, the de facto policy is this: If you come to the United States alone, you will be detained and returned, but if you come to the United States with children, you will be released and, potentially, never be deported.

Now, this is not conjecture. I already told you that I know people. I want to tell you the perception that that creates. People can argue about whether dividing families is a deterrent or not. I don't even want to make that argument because I don't think that is a deterrent that we should use as a nation. It is not who we are. We should never say that we are going to punish your kids in order to keep you from doing something. Yet I can tell you that, whether or not it is a deterrent, it is most definitely an incentive to have a policy that says: If you come alone, you will be apprehended, detained, and returned, but if you come with kids, we are going to let you in.

It is true that I find it cruel to separate these kids from their parents. I want to tell you what else is cruel, and that is the journey that people have to undertake in the hands of some of the most horrible human beings on this planet who traffic human beings through Mexico and across our border. Let me tell you how horrible it is. It is so horrible that many of the young women who actually make that journey ensure that they get on birth control before they go on the journey because they expect to be sexually assaulted. That is how cruel it is. It is cruel because children disappear on that journey. We don't know what happens, but they vanish. It is cruel because families are often robbed and beaten on that journey. It is one of the nastiest, most cruel journeys anyone could imagine.

I will never forget being in Honduras a couple of years ago when we were at a migrant center. Our U.S. Customs and Border Protection people, who were embedded there alongside our Honduran partners, were talking to this young man who happened to be from Cuba and who was on his way to the United States. They warned him. They showed him. They talked him through it. They said: Once you cross this border, you are about to be in the hands of some of the worst human beings on the planet, who make a habit of killing people, assaulting people,

trafficking people. This young man was determined.

To be honest with you, I don't know what happened to him. I gave him my number. I told him that if he were to make it to the States, we could be helpful, whatever it might be. We never heard from him again. I imagine he made it or something else happened. I, personally, tried to discourage him from making the journey.

So, yes, it is cruel to divide families. It is also cruel to have an incentive for people to bring children on this journey, and that is what this is.

To go back to the point, unless I am wrong, as I understand it, the policy that we are being asked to support by some is this: Don't detain the kids. Don't detain the parents in order not to separate the families. When they don't show up for the hearings, don't deport them.

Well then, basically, your *de facto* law is that if you come to the United States alone, you will be detained and returned. Yet if you come with kids, you will get to stay. That is irresponsible. If that is, in fact, the policy, then you should admit that this is our policy and that this is what we think the law should be. You can't go around saying you are for border security but then never say what you are for. You can't go around saying that we should only enforce our immigration laws on dangerous criminals. Everyone agrees with that one.

The bottom line is, if we want to continue to be a nation of immigrants and of immigration, then we have to have an ordered system of immigration. Otherwise, you have what we have now. You have what we have now in America, and you have what we have now all over the world, which is many people—a nation of immigrants—turning on immigration, not because they don't believe in it but because they think what we have now is unsustainable and wrong.

You will never hear me say that these people are animals or terrible people. They are not. Look, any time you take thousands of people and put them together, and, of course, there are going to be bad people among them, but it is my experience and my deep belief that the overwhelming majority of people are just looking for a better life. People are looking to send money back to their families, to live in safer places, and to reunite with loved ones who are already here. Their motives are not wrong, but there has to be a process by which to do it, and our laws put us in this position every single day.

I will never forget this. A handful of years ago, the home across the street from ours was occupied by a family. I don't know what happened—well, I know what happened, obviously. At some point, they didn't pay their rent long enough, and the landlord evicted them, which requires you to go to the courthouse and get a court ruling. The sheriff's office comes and opens the door and takes out all your furniture and puts it on the curb.

We drove by and saw that family sitting there on their couch. There were three kids. The mom was on the cell phone calling somebody. All their possessions were sitting in plastic bags on the curb because they didn't pay their rent. They were evicted, and it was painful to watch. We did what we could. We tried to talk and see whether there was anything we could provide to make sure they had a place to stay that evening. But no one suggested that what we should do is just not allow landlords to evict people for not paying the rent. No one suggested that because we realize that if we ever have a law like that, no one will ever rent their property to people again. If we stopped enforcing the right of a landlord to evict people from their homes, if we were to stop enforcing that, then there would be no more landlords. Nobody would ever put anything up for rent. We would have a housing crisis. But that doesn't mean that it doesn't break our hearts to see the images of what that means when we see that applied.

I know people who lost their homes in foreclosure. Their homes are their dream. They came across difficult times and couldn't pay the mortgage, and they were out of their homes. It breaks your heart, but I haven't heard anyone suggest that we should make mortgages unenforceable.

It is not the same thing, but my point is that our laws always put us in this situation, but the answer can't be to not enforce the law. Every single day, even as I speak to you now, somewhere in this country, some adult is going to be arrested, and this adult is going to go to jail—perhaps for many years—and their children are not going to be able to see them.

I am not claiming that someone who commits a horrible crime in America is the same as someone who crosses our border. My point is that it happens every day, and no one should diminish it, but no one suggests that we should no longer arrest anyone or apply the law to people if it divides them from their families, because jails are full of people who have been divided from their families.

I make these points not as comparison. I am not saying that being evicted from your home and crossing the border are the same thing. I am not saying that being convicted of a serious crime and spending years in jail and crossing the border are the same thing. What I am saying is that oftentimes the application of our law leads to results that trouble our hearts, but we recognize that if we don't apply the law, the alternative is as bad, if not worse. That is where we are.

The reason why a nation of immigrants has a significant percentage of Americans who frankly want to see immigration significantly slashed is not because they have forgotten where they came from but because they think this thing is out of control. They are OK with 1 million people or 800,000 peo-

ple a year coming into the country legally; what they are not OK with is anyone who wants to come, coming anytime they want, from anywhere they want, and they react against it.

It is easy to hear these people on television say: Well, that is something horrible that is going on in America. It is the President's fault. It is this one's or that one's fault.

It is happening all over the world. It is happening in every country in Europe. It is increasingly now putting pressure on Canada. It is happening in Mexico, which a few years ago began to crack down on their southern border.

So the best way forward is a bill that Senator TILLIS and others filed yesterday, and that is one that would allow us to house families together while their hearing is pending. Some will qualify for asylum and get to stay. Others will have to return together. Is it perfect? No. The U.S. Government is not in the business of housing families. We do have an obligation to ensure that we can expedite their hearings so they are not there for a long time. We do have an obligation to say: If you legitimately qualify for asylum, you should be given the opportunity to apply for it. We do have an obligation to say that while we retain families, we are going to provide them safe, sanitary conditions, because that is who we are as a people, and that is who we should be. We do have an obligation to do all of that, and that is why this bill adds 200 new judges to help expedite and why it calls for expediting cases that involve families with children.

I know this is a tough issue, but our law cannot be that if you come here unlawfully with children, you get to stay and we are not going to enforce it, because that creates a cruel incentive for more people to do that. If we are basically saying: We have laws, but we refuse to enforce them, then we don't have an immigration system, and people will turn on immigration, and then we can't solve the problem.

I say to you in closing, as someone who is by no means an immigration restrictionist—by no means—in fact, I support doing something reasonable with the people who have been here for a long time and are not dangerous criminals and are now part of our country. I support extending TPS for the Haitian community, many of whom are now business owners in Miami-Dade County, where I live. I support extending TPS for the Honduran community who are here legally. TPS makes you legal. Some of them own businesses, and some have graduated and are going to medical school. I support all of that. I support doing something responsible with people who were brought here as children through no fault of their own and who have grown up here. Some of them don't speak any language but English. I support their finding some permanency in this country and a path to citizenship. I support all of that stuff.

I also support enforcing our immigration laws so that we can welcome more

people in the future. But there has to be a process. Every sovereign country in the world has laws and a process, and most of them enforce their laws in ways that are much more stringent—in many cases, much more barbaric—than anything that you will ever be accused of having done in the United States. That is not what I am advocating, and I don't know anyone who is.

So it has been a tough week on a tough issue. I hope we will act. I know how appealing this is as a political issue. I know how much cable news time people get on both sides talking about it. I hope we can make progress at least on this one little piece and then move forward and do the rest of it. But this one little piece—I hope we will deal with it. I think we have a proposal before the Senate that doesn't make the situation perfect, but it sure makes it a lot better than it is right now; it sure is preferable to dividing families; and it sure is preferable to a law that tells people: Bring your children on this very dangerous journey because if you do, you will get to stay. It is my hope that we will act and get something done.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Madam President, I rise today to discuss H.R. 5895, the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019.

I couldn't help but listen to my colleague Senator RUBIO and the very fine way in which he has expressed the same thing that many Americans feel, and that is a compassion for those individuals who find themselves at our border and who simply want a better way of life for their families, while at the same time expressing the frustration that our laws are very, very clear that if you want to come into our country, you have to follow the law. At the same time, there is the compassion that has been shown by people across this entire country with regard to these children who, through no fault of their own, find themselves in this serious predicament in many communities along the border.

I also want to express my appreciation to the President for the Executive order he has put in place in an effort to at least in a very short period of time address the situation for these young people and try to unite—as many of us want—those families once again. The compassion of the American people continues to shine through with regard to assisting and recognizing those who simply are not in a position to take care of themselves, regardless of which country they are a citizen of today.

Madam President, I would like to refer to and discuss the appropriations bill that is in front of us today. This appropriations minibill combines three separate appropriations bills, each of which was voted nearly unanimously out of the Senate Appropriations Committee earlier this year. It expends

about \$147 billion, or they propose to spend about \$147 billion. This is significant because since coming to the Senate 3½ years ago, this is only the second time we are actually bringing smaller, separate appropriations bills to the floor months before the deadline and also having a healthy, robust debate on amendments to this legislation. It is a long-overdue step that is getting us back to what we call regular order, which is the traditional way of working appropriations bills through the Senate. It lets everybody see what is in the bill. It is truly long overdue.

Let me go over some highlights of this particular appropriations package of three bills, starting with the Energy and Water Development section.

This section authorizes funding for the Department of the Interior, the Department of Energy, and the Army Corps of Engineers, just to name a few. It appropriates \$42.8 billion to these agencies to improve our water infrastructure and invests in critical national security needs concerning nuclear energy.

It also provides additional resources to invest in science and energy, including providing full funding for the Long-Baseline Neutrino Facility and the Deep Underground Neutrino Experiment, which, at \$145 million, is up from \$95 million last year. This funding will allow the scientists at the Sanford Underground Research Facility in Lead, SD—a world-renown research facility in my home State—to continue their important research on neutrinos and dark matter.

The report language of this section also encourages the Army Corps of Engineers to finally implement the snowpack monitoring program in the Upper Missouri River Basin. It does this by recommending that the snowpack monitoring equipment be eligible for funding under the operation and maintenance account. This is significant because the implementation of the Upper Missouri River Basin snowpack monitoring system will help mitigate the possibility of a major flood event for those living or working along the Missouri River and the Mississippi River.

It is time for the Army Corps to step up and finally implement this much needed program, which was originally authorized under the 2014 water resources bill 4 years ago. This was in direct response to the flood that occurred on the Missouri River and the Mississippi River in 2011. It is time to implement this monitoring process now.

The Military Construction and Veterans Affairs section of this bill, which was supported unanimously when it was reported out of committee, supports infrastructure investments to help ensure maximum readiness for our troops, providing a total of \$10.3 billion in funding for military construction. This includes report language that appropriates \$15 million for a new National Guard readiness center in Rapid City, SD.

This section will also provide funding for needed improvements and renovations at the VA, including funding to prevent veteran suicide, increase rural veterans' access to healthcare, and support mental health care programs for our veterans.

In total, this bill provides \$78.3 billion for the VA to help them care for the approximately 9.3 million veterans enrolled for fiscal year 2019.

Finally, the Legislative Branch and related agencies portion of this omnibus includes funding and policy provisions to improve operations and address heightened security requirements for those working in Congress and those visiting the U.S. Capitol Complex.

It is important to point out that this is just 3 of basically 12 appropriations bills. This was also approved—this particular portion of this legislation, this three-appropriations-bills package—unanimously by the Senate Appropriations Committee earlier this year. By tackling our appropriations bills in this fashion and by allowing Members to offer and actually vote on these amendments to make these bills better, we are taking a monumental step toward getting our appropriations process back on track.

Staying committed to a regular appropriations process allows the American people, through their elected representatives, to have a true, meaningful voice in how their tax dollars are spent. It also prevents us from having to rely on a series of continuing resolutions that have a significant, harmful impact on our military readiness. Military leaders have repeatedly warned of the dangers of these short-term, stop-gap spending bills and what they do to our ability to adequately train, equip, and maintain a force. In particular, under continuing resolutions, the Defense Department is restricted from starting new programs, which is deeply concerning in today's rapidly changing threat environment.

Since coming to the Senate, I have expressed my frustration with our broken appropriations system, which really hasn't worked in 40 of the last 44 years that the current budget process has been in place. While our appropriations process is still in need of significant reforms to truly get a handle on our budget crisis and begin to tackle our \$21 trillion debt, taking accountability and actually managing the 31-percent of the budget that we can vote on is a significant step toward becoming more accountable to American taxpayers. Let me say that again. We are talking about 3 of approximately 12 appropriations bills. We are talking in this particular case about 11 percent of what we are actually going to be talking about spending.

As an example, if you take the total amount of dollars in defense and non-defense discretionary spending, we will propose to spend for this coming year about \$1.3 trillion. Of that \$1.3 trillion, this group of bills amounts to about

\$147 billion. It is about 11 percent. But at the same time, if you look at the \$1.3 trillion that we are going to be voting on—if we do this all successfully under the existing appropriations plan, the way the laws are set out—we will be voting on \$1.3 trillion, but the Federal Government will actually spend about \$4.2 trillion. The rest of it is mandatory spending: Medicare, Medicaid, Social Security, and \$316 billion in interest on our Federal debt. We don't vote on that. That is simply on autopilot.

But in order to get to that part of the budget, we have to show that we can actually manage and vote on the smaller part of the budget, the \$1.3 trillion that is before us in the next series of appropriations bills.

Today we take up three of them, for \$147 billion in spending. We are spending this entire week doing it. Hopefully, as all of our colleagues have the opportunity to look at, review, and make modifications by amendments to them, we begin to have the confidence to understand that we really should take responsibility for and, on the longer term, actually start managing and voting on the entire Federal budget, which today is, as I say, about \$4.2 trillion.

I want to take this opportunity to thank Senate Appropriations Chairman RICHARD SHELBY, Ranking Member LEAHY, Leader MCCONNELL, and all the others who worked to get this legislation to the full Senate floor.

Responsible spending starts with a responsible appropriations process. We owe it to every American to be responsible stewards of their hard-earned dollars. I believe this is best achieved through a regular appropriations process that brings about serious, thoughtful debate as to how and where the money is spent.

This bill allows that debate to happen. It is a good bill that invests in energy and infrastructure, provides our troops with additional tools for maximum readiness, and funds the VA so they can do a better job of taking care of our veterans.

I urge my colleagues not only to support these appropriations but future appropriations bills that may come to the floor later this summer, avoiding the last-minute continuing resolution or the usual 2,000-page omnibus bill in September or, unfortunately, even later.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I wish to thank Senators on both sides of

the aisle and staff members for working together to have a good process this week on our first appropriations bills.

We have three of them that we made progress on. We had six recorded votes in the last couple of days. We have about 20 other amendments—most of them bipartisan—which we believe we could adopt by a voice vote, but we have one or two recorded votes that we are going to need to take this afternoon unless we have agreements otherwise.

AMENDMENT NO. 2983 TO AMENDMENT NO. 2910

Mr. President, based on that, I ask unanimous consent to call up the Bennet-Gardner amendment No. 2983. I further ask consent that at 2 p.m., the Senate vote in relation to the Bennet amendment, and that no second-degree amendments be in order to the amendment prior to the vote.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for Mr. BENNET, proposes an amendment numbered 2983 to amendment No. 2910.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase employment for members of the Armed Forces in emerging industries)

At the end of title III of division A, add the following:

SEC. 3 \_\_\_\_\_. (a) The Secretary of Energy, in consultation with the Secretary of Defense, shall evaluate the military installations at which it would be cost-effective to establish a partnership with community colleges, institutions of higher education, and the private sector to train veterans and members of the Armed Forces transitioning to civilian life to enter the cybersecurity, energy, and artificial intelligence workforces.

(b) Not later than 120 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, shall submit to the congressional defense and energy committees and make publicly available a report describing the results of the evaluation conducted under subsection (a).

Mr. ALEXANDER. What that means in plain English is that we will have a vote at 2 p.m. If we secure agreement, we could quickly wrap up this afternoon. If we don't, we will have further votes this afternoon.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FORCED FAMILY SEPARATION

Mr. COONS. Mr. President, this morning, the hot Sun rose on a tent

city 20 miles outside El Paso, TX. That tent city stands as a makeshift detention facility to house children who have crossed our border and have been separated from their parents. This tent city, I would suggest, is hopefully a temporary monument to modern-day American cruelty.

Across South Texas, so-called tender age shelters have sprung up to house very young children, even infants, who have been taken from their parents in an act that pediatricians, psychologists, and frankly anyone who has raised a child themselves know is the most traumatizing and upsetting thing you can do to a young child, which is to take them away from their parents by force, with no understanding of what is happening or expectation of when they will be reunited.

This morning, thousands of children woke up to the voices of strangers in strange places and started another day in institutionalized, fenced-in confinement. This is happening in our Nation.

I have heard from dozens—hundreds of Delawareans by every means they could communicate with me, and I am sure my colleagues have also heard from hundreds or thousands of their constituents, as we, as a nation, have been haunted by the sounds and images of vulnerable children crying out for help.

On one hand, I think this is a simple issue of right and wrong, but on the other, this issue, like so many others that affect us in the Senate, has been complicated by politics and by rhetoric and by statements, frankly, meant to mislead.

The American people, though, I think deserve clarity about what has been happening along our southern border in recent weeks and what its impacts have been and may be to families, to children, and to parents who have crossed our border. So let's be clear about what is happening.

President Trump and his administration created—created—a humanitarian crisis by adopting a so-called zero tolerance policy to compel prosecution of all who cross our southern border, many of whom are people fleeing unspeakable violence in their home countries in Central America. Then the President and leaders in his administration excused or even misled people about this policy—this cruel policy—in a variety of different, conflicting, and, frankly, at times, even absurd ways in the past week.

Administration officials claim they didn't actually have this policy or claimed they were compelled to do this by a nonexistent law or claimed their policy was a deterrent to prevent people from seeking asylum in the United States.

Regardless of the explanations given, the American people spoke clearly and forcefully over the past week and said the President's policy was unacceptable. They said this treatment of children was an un-American tragedy that should not continue.

Under that sustained pressure from the American people, our President relented and yesterday signed an Executive order, but even then he has only created new problems with the Executive order he just issued.

As a Senator and as a person of faith, my own public service is closely tied to the values taught to me by my Christian faith and by my parents. I know many of my colleagues with whom I have spoken, on both sides of the aisle, feel the same way. We have to ask ourselves as parents, as people of faith: How can we stomach the human suffering of a child being ripped from his mother's arms and that intentional, willful child abuse being imposed to make that child a hostage or a bargaining chip in our long-running and unresolved conflicts here about immigration policy? How can we tolerate even one father being left in torment, searching for his baby or child, not knowing where they are or even if he will ever see them again, and having that torment imposed as a tool of policy, and how can we stomach multiplying those individual tragedies by 2,342?

By my count, since May, 2,342 children have been forcibly separated from their parents after crossing our border. In just 6 weeks, 2,342 lives have been changed in ways that will have lasting consequences.

Now, the President has issued the Executive order that he claims will end this separation of families, but that Executive order is seriously flawed and will create as many problems and questions as it seeks to address. Of course, it doesn't change the fact that this policy, this zero tolerance policy, has already inflicted trauma and suffering for thousands of families and children. I think it creates a new humanitarian challenge, a new humanitarian crisis, because the consequences of this new Executive order will be to detain entire families in what may well prove to be ill-equipped tent cities.

This policy does nothing to clarify what will become of the more than 2,300 children already separated from their families, some of whom have been lost track of by the agencies responsible for them.

We live in the world's most powerful and prosperous Nation, but I am afraid we are watching, day after day, the way in which the administration has chosen to treat children, through their indefinite detention or separation from their parents, in a way that will have lasting and negative consequences for our human rights record.

As a nation, we were founded as an idea, a place to which people came fleeing persecution, fleeing countries in collapse or authoritarian regimes, and seeking a brighter, newer future in this country. I think we are being dishonest or shortsighted about our own family's history if any one of us stands and says that none of our ancestors came here—none of our ancestors came here seeking relief from oppression or outside

the legal mechanisms of the time. I think we are forgetting our family's history if we say: Today we must close our border absolutely and prevent anyone seeking asylum from coming to our country.

Frankly, I have struggled as leaders in this administration have chosen to cite Scripture and to use their faith as an explanation or justification for why this zero tolerance policy was required.

Our Attorney General, a former colleague of mine, someone whose knowledge of Scripture I know to be thorough, cited Paul's Epistle to the Romans to justify this policy. In fact, I think it is specifically Romans 13:1 through 5.

He said Romans 13 requires us "to obey the laws of the government because God has ordained the government for His purposes."

I, too, am somewhat familiar—in a passing way—with Scripture. I try to read my Bible daily, and, with all due respect, I disagree with Attorney General Sessions's reading.

In Paul's letter to the Romans, he says, just before Romans 13—in Romans 12, and then just a little later in Romans 13—so if you just read a few verses on either side, I think the message is clear: We are urged to share with the Lord's people in need; we are urged to live in harmony with one another, and we are reminded most pointedly later on in Romans 13 that love is the fulfillment of the law and that "love thy neighbor" is the greatest Commandment of all.

If there is one common theme, not just in this epistle but in the Gospel, it is that Jesus radically opened His heart and His preaching to those considered outcasts and ordinary and marginalized in His society in His time. With whom did He spend His time? Outstanding citizens? Respected leaders? No, with prostitutes, with tax collectors, with lepers, with Samaritans, with the others, and with the outcasts.

I just ask those who heard what Attorney General Sessions had to say and who thought it was the right answer to rethink whether this strained and cramped reading of Paul's letter is truly a faithful reading.

Romans 13 does, indeed, instruct us to follow the law and to respect those in authority, but I will say this particular passage—and it is being misquoted in order to support oppression—has a long and storied history.

It was cited by Tories in this country who opposed those who stood up for freedom in the American Revolution. It was cited by slaveholders who opposed abolition in the runup to the Civil War. I heard it cited by those who defended the Apartheid regime in South Africa.

Yes, it does teach us to obey the law and respect the law. It does teach us that God ordains those in authority, but it does not mean we should simply accept unjust and inhumane laws and the abuses that flow from them. As a person of faith, I simply cannot accept

the current policies for the treatment of those who cross our borders seeking asylum and refuge in our Nation.

In the last few days, as I have heard on my television and social media, the sounds of crying children and the images of children being kept in what certainly looked to me to be little more than cages, I have been thinking about something written by one of America's most famous former slaves, Frederick Douglass—a man who spent much of his life in this very city and who wrote about the consequences on the oppressor of cruelty.

In his book, "My Bondage and My Freedom," he recounted his life as a slave, and he wrote about the brutalizing impact of slavery on the people of faith who tolerated it. I think his words bear briefly repeating today. He said at one point in that book:

The mistress of the house was a model of affection and tenderness. Her fervent piety and watchful uprightness made it impossible to see her without thinking and feeling—"that woman is a Christian." There was no sorrow nor suffering for which she had not a tear, and there was no innocent joy for which she had not a smile. She had bread for the hungry, clothes for the naked, and comfort for every mourner that came within her reach.

Frederick Douglass goes on to say:

Slavery soon proved its ability to divest her of these excellent qualities, and [slavery soon proved its ability to divest] her home of its early happiness. Conscience cannot stand much violence. Once thoroughly broken down, who is he that can repair the damage?

I think we should reflect, as people of conscience motivated to public service, in many cases by a shared faith, about our responsibility to speak up for the values upon which our Republic was founded and through which it has been improved.

When we promote humanity, kindness, love, tolerance, and openness, we advance our Nation. I have been heartened by the calls I have heard from across my State and country by people of many different backgrounds, many different faith traditions, many different political views. I am reminded of that passage of Frederick Douglass of the harm it causes us to be a part of a nation that imposes such a cruel and thoughtless policy and turns away and fails to look at it and fails to step forward and fails to change it. I am encouraged by what change there has been so far, but I will remind those listening that we must redouble our efforts.

Let me quote just a few. The U.S. Conference of Catholic Bishops called forceful family separation "immoral" and "contrary to our Catholic values." The Holy Father, Pope Francis himself, expressed his agreement with that opinion, saying he is on the side of the bishops conference in this debate.

Rev. Franklin Graham, one of President Trump's most ardent defenders, called this policy "disgraceful" and said: "It's terrible to see families ripped apart and I don't support that one bit."



A personal friend of mine, Rev. Jim Wallis, of Sojourners, has worked with a broad group from across faith leadership, from the evangelical community to the Protestant community, to put together a group that goes by reclaiming Jesus and to post online an important statement that speaks to how across so many different faith traditions this practice, this policy of forcibly separating children—and now a subsequent policy of family detention—speaks ill of all of us.

Christians, Jews, Muslims, humanists, people of all traditions have been calling on our President to end this treatment of fellow human beings. I have heard from colleagues, Republicans and Democrats, from all over this country, their voices of concern. So it is my hope that we will refuse to tolerate this; that we as a body will take a stand; and that we as a nation will urge our President and this administration to adopt new, more humane policies for people crossing our border and seeking refuge in this country; and that we will support bipartisan legislation to fix our broken immigration laws. It is only by the action and leadership of this administration that we have gotten into this space; it is only by their action and leadership that we can get out of it.

I pray it is not too late for us to restore this Nation's reputation as a country that welcomes those seeking refuge from around the world. I will continue to pray every day for our President, for our Senators, for our Nation, for its values, and for our ability to stand up for the treatment of children in distress.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### TRIBUTE TO MARK PRATER

Mr. HATCH. Mr. President, I rise today to pay tribute to a man who was a loyal and diligent staffer on the Senate Finance Committee for nearly three decades—Mark Prater.

Mark began as a tax counsel with the committee in January of 1990. During his 28-year tenure with the committee, Mark has been a shining example of a bipartisan policy staffer. He is a proud Portlander, where he graduated with his accounting degree from Portland State University. He went on to receive his law degree from Willamette University and then his LL.M. in taxation from the University of Florida.

After practicing law for a few years in Portland, Mark thought he would take a 2-year break from practice to work in public service, but after he started working for his home State Senator, Bob Packwood, Mark became

consumed by the work on the Finance Committee, which was easy to do but especially for somebody like Mark.

This was a time when America had a Republican President and both the Senate and House were controlled by Democrats. Yet the tax staff, including a fresh-faced counsel from Oregon, found ways to get bills across the finish line. Some of those bills included significant budget and energy deals that helped jump-start the economy in the early 1990s.

After a few years, Mark was promoted to chief tax counsel in October of 1993—a post that became synonymous with Mark Prater for nearly 25 years. In 2007, Mark was named deputy staff director of the Senate Finance Committee.

For the next decade, Mark's legislative management and institutional knowledge were crucial in virtually every bill that was passed out of the Senate Finance Committee—and there have been a lot of them—but Mark's impact in Congress did not end there. In 2011, Mark was appointed as the staff director of the Joint Select Committee on Deficit Reduction, or the Super Committee, as it was more commonly known.

As many of us remember, September of 2011 was a trying time for America and Washington. Just about any stray statement or suggestion seemed to throw spark on the dry kindling of political frustrations. The Super Committee was created to find a solution to America's debt crisis but also to act as an example of bipartisan and bicameral cooperation. The first step was selecting a director who would be able to handle an immense workload while also dealing with unknown forces and Members of Congress who were unfamiliar with those forces. Mark was the man for the job and shepherded the committee through a process that resulted in many work products that would be used over the next several years.

But my personal work with Mark is when I really learned to trust and appreciate him the most, although I trusted and appreciated him before. From the moment I became the ranking member on the Senate Finance Committee and even more so after I became chairman in 2015, I leaned on Mark to help develop and negotiate a reform to our long outdated and broken Tax Code. The result was the Tax Cuts and Jobs Act—the largest and most comprehensive overhaul of the U.S. Tax Code in 36 years. In the end, I think we can safely say this is one of the greatest legislative achievements in recent memory, and it all happened in large part due to Mark's efforts, influence, and expertise. I relied on him, and I have to say my reliance was well-placed.

Perhaps more than anyone else, Mark can testify that the process for tax reform was years in the making. Contrary to what Democrats may tout, this was not a 6-month, 1 year, or even

2-year effort; tax reform had been debated and individual pieces had been negotiated and proposed in some form or another for years, with the Senate Finance Committee producing bipartisan working papers and holding hearings on dozens of occasions throughout the last decade.

Rather than a last-second rush job, I think the facts and history indicate that the process actually began in earnest thanks to Mark's work at the Super Committee. That was when several of the major bipartisan conversations about improving innovation, returning to normal GDP growth, and improving fairness while broadening the base became earnest bipartisan conversations.

As we continued to develop tax reform, much of the work between Senators, their staff, the Big 6, Treasury, constituents, and stakeholders was at least in part facilitated by Mark Prater, who was always there to listen and politely make suggestions and answer questions. He did not always like what he heard, but he was willing to negotiate and try to find common ground just to get the football another inch down the field.

Tax reform had many bipartisan ideas: Provide relief for middle-class families, broaden the base, bring the corporate rate down, and fix the broken international tax regime. As anyone who has worked in tax before knows, there are 1,000 levers to pull and knobs to twist to get to an end result. But all of this has to happen while walking a difficult political tightrope—a tightrope I am not sure we would have balanced upon without Mark. His absolute mastery of the Tax Code, his compassion, his patience, his sense of humor, and his creative solutions to difficult problems were a key part of the process and the substance of the final product. I am and will be forever grateful to Mark for his sacrifices and commitments to making tax reform a reality.

I would be remiss not to also thank his wife Lori and his son James for their support and sacrifice as well. He loves both of them, and really, they are lucky to have him and his love. I am glad to see them all here today, especially so that we can finally celebrate the Stanley Cup coming to Washington. As most of us know, Mark is an avid hockey fan, and his diligent support in that sphere has paid off as well.

In sum, losing Mark has been a terribly sad day for all of us here in the Senate, but I am confident that his legacy, the tax reform that owes much to him, and the example Mark set for all of us will be remembered and cherished for years to come.

I have had hundreds of staff people work with me over the years, all of whom I have regard for, revere our friendships, have learned from, and have pushed and shoved as hard as I could. I have had some really wonderful people with me, and they have all been dedicated. They have all given of

themselves to help this country. But I have never had anybody any more dedicated or giving than Mark Prater.

Mark Prater deserves the recognition that I am trying to give him here today and much more. I have such a regard for him, such a regard for what he stands for, what a decent, honorable, kind, and hard-working young man he is. We have been very lucky to have him in the Senate, on the Senate staff, and on the Finance Committee staff. His efforts and his work are going to be around and understood by many of us for many years to come.

I want to thank him personally for the work he has done, the friendship he has given, and the hard work he has performed for all of us here. I wish him and his family the very, very best. On top of all that, I just want him to know that we love him and appreciate him.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I ask unanimous consent that I be recognized for 2 minutes and that my colleague from Colorado, Senator GARDNER, also have 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2983

Mr. BENNET. Mr. President, I ask unanimous consent to call up amendment No. 2983.

The PRESIDING OFFICER. The amendment is pending.

Mr. BENNET. Mr. President, each year, 230,000 men and women leave military service. Many enter the civilian workforce. I know everyone in this Chamber believes we can do a better job connecting our veterans and transitioning servicemembers with rewarding and high-paying jobs.

I also know people in this Chamber agree that these men and women are ideal employees for American businesses. They are highly trained, many in advanced technologies. They are experienced leaders. They are driven and mission-oriented. As someone who used to work in the private sector, these are all qualities I have looked for in employees.

As a Colorado Senator, I know our State has one of the highest percentages of veterans in the country, and we have military bases with transitioning servicemembers. Many veterans from all over the country choose to live in Colorado and make it their home.

We also have top science and engineering programs in emerging energy industries hungry for a highly skilled workforce. There is a natural opportunity to connect these groups and strengthen the bridge between our men and women in uniform and rewarding, high-paying jobs. That is what this amendment seeks to achieve.

It directs our government to identify opportunities with the military to partner with colleges, universities, and the private sector to train our veterans and transition servicemembers for jobs

in the growing energy, cyber security, and artificial intelligence sectors.

I thank my colleagues for supporting the amendment and especially Senators GARDNER and DUCKWORTH for joining me as cosponsors.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I thank my colleague Senator BENNET for his work on this and the opportunity to work with him to make sure we continue to honor our veterans and armed servicemembers.

Our veterans have served and our armed servicemembers proudly serve this country in Active Duty. When they come home, though, one of the obligations we have as a society and country to thank them for this incredible service is to make sure they have the skills, education, and training to integrate back into the civilian workforce. They obviously have incredible skills which they have acquired during their military service, and we can put them to use here at home.

This amendment simply says the Department of Defense and the Secretary of Energy will evaluate military installations to determine which ones are ripe for opportunities to work with community colleges, institutions of higher education, and others so they can enter into agreements to help train veterans—armed servicemembers, members of the Armed Forces, to transition them into civilian life—to help work in the cyber security fields, energy fields, artificial intelligence workforce.

In Colorado alone, we have 13,000 job openings in cyber security—13,000 job openings in cyber security alone. This gives us a chance to continue our service in thanking our veterans for the work they have done in service to our country.

I thank my colleague from Colorado, Senator BENNET.

I yield the floor and urge my colleagues to vote yes.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for 2 minutes to inform Senators where we are.

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

Mr. ALEXANDER. I thank Senators on both sides of the aisle for working well this week on the appropriations process. We are off to a very good start.

We have voted on six amendments in the last couple of days. We have about 20 others that we are close to agreement on and probably can adopt by voice vote.

We have one amendment we are going to have to deal with. If it were not offered, then this would be the last vote for the day. If it needs to be dealt with, then we are going to have to deal with it following this vote. So I wanted Members to know, unless we get agreement, we will be having at least one more vote following this vote.

VOTE ON AMENDMENT NO. 2983

The PRESIDING OFFICER. The question occurs on agreeing to amendment No. 2983.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

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

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 137 Leg.]

YEAS—96

Alexander	Gillibrand	Murray
Baldwin	Graham	Nelson
Barrasso	Grassley	Paul
Bennet	Harris	Perdue
Blumenthal	Hassan	Peters
Blunt	Hatch	Portman
Booker	Heinrich	Reed
Boozman	Heitkamp	Risch
Brown	Heller	Roberts
Burr	Hirono	Rounds
Cantwell	Hoeven	Rubio
Capito	Hyde-Smith	Sanders
Cardin	Inhofe	Sasse
Carper	Isakson	Schatz
Casey	Johnson	Schumer
Cassidy	Jones	Scott
Collins	Kaine	Shelby
Coons	Kennedy	Smith
Cornyn	King	Stabenow
Cortez Masto	Klobuchar	Sullivan
Cotton	Lankford	Tester
Crapo	Leahy	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Donnelly	Markey	Udall
Durbin	McCaskill	Van Hollen
Enzi	McConnell	Warner
Ernst	Menendez	Warren
Feinstein	Merkley	Whitehouse
Fischer	Moran	Wicker
Flake	Murkowski	Wyden
Gardner	Murphy	Young

NOT VOTING—4

Corker  
Duckworth

McCain  
Shaheen

The amendment (No. 2983) was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, for the information of the Senators, we are about to move to the consideration of the amendment by the Senator from Utah. I want to take about 1 minute to talk about it. The leader will speak, and then I will move to table the amendment. Depending on the outcome of the amendment, there may be other votes this afternoon.

I thank Senators for working well together. We have had six votes. We have had 20 that we think we can work out, more or less, in a managers' package. The Senator from Utah, by the way, has been very helpful in getting us to that point. Yet I am going to move to table his amendment, and I want to explain why.

This is an authorizing amendment. It belongs on the authorizing bill. This is an appropriations bill. We have worked very hard over the last few weeks, under Chairman SHELBY's leadership and Senator LEAHY's leadership, to try to keep such amendments off of our appropriations bill so that we can get to a result.

It has been a long time since this body has done what it is supposed to do under the appropriations process. This is the first week of that process. If we table the amendment that is about to come up, we will be able to complete our work, I believe, today or Monday and be off to a good start with about two dozen amendments in a process that is of the kind that we have been saying for weeks we want to see.

So, while I totally agree with the Senator's amendment and have voted for it many, many times, this is not the place for it.

Mr. LEAHY. Will the Senator yield on that point?

Mr. ALEXANDER. Let me finish, if I may, because we are trying to get to the vote. Well, yes, I yields.

Mr. LEAHY. Mr. President, I was simply going to add to what the Senator from Tennessee was saying.

Senator SHELBY and I have tried to keep things that are inappropriate out of the appropriations bill so that we may actually pass some appropriations bills. So I will join the Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator for his support.

Mr. President, in addition to this, for those on this side of the aisle who oppose the waters of the United States, remember that the courts have enjoined it, and President Trump has rescinded it. President Trump's EPA rewrote the rule and sent it to the OMB last week. So there will be a new rule, but it is not now in effect.

Finally, a small part of the bill is dealt with in the Interior appropriations bill.

I thank the Members for being here. I respect the Senator from Utah, but following the leader's remarks, I am going to move to table his amendment. I urge all Senators to do that. We want an appropriations process. We do not want an Omnibus appropriations bill, and that is what we will get if we offer amendments like this during the appropriations process.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, look, this is a big test for the Senate. There is broad bipartisan agreement that we need to quit doing Omnibus appropriations bills. Chairman SHELBY and Senator LEAHY have gotten not only the committee in a good place, but Senator ALEXANDER has handled this bill in such a way that we have had broad cooperation in getting it across the floor so as to get it into conference and actually make a law—the three appropriations bills.

There is no doubt about it—I can't find many people on this side of the aisle who approve of the previous administration's waters of the United States regulation. It is on its way to the ash heap of history right now under this administration.

This is not about waters of the United States or about whether we are for it or against it; this is about whether we want to get away from annual Omnibus appropriations bills, and this is the first test here. We have a mini-bus consisting of three bills, and we have had widespread cooperation to get it across the floor. This amendment needs to be tabled because this is not the right place to offer it.

I will be joining the senior Senator from Tennessee, the chairman of the Energy and Water Development Subcommittee, in tabling this amendment. Make no mistake about it—it is not because I support the waters of the United States but because that is being taken care of, and we want to have regular order and the passage of appropriations bills this year.

AMENDMENT NO. 3021, AS MODIFIED, TO  
AMENDMENT NO. 2911

Mr. MCCONNELL. Mr. President, I call up Lee amendment No. 3021, as modified, to Alexander amendment No. 2911.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. LEE, proposes an amendment numbered 3021, as modified, to amendment No. 2911.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

(Purpose: To terminate a rule relating to the definition of "waters of the United States")

At the end, add the following:

SEC. \_\_\_\_\_. (a) The final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled "Clean Water Rule: Definition of 'Waters of the United States'" (80 Fed. Reg. 37054 (June 29, 2015)) is void.

(b) Until such time as the Administrator of the Environmental Protection Agency and the Secretary of the Army issue a final rule after the date of enactment of this Act defining the scope of waters protected under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and that final rule goes into effect, any regulation or policy revised under, or otherwise affected as a result of, the rule voided by this section shall be applied as if the voided rule had not been issued.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, I will be very brief.

I thank the Republican leader and the senior Senator from Tennessee—the chair of one of the relevant subcommittees—for their comments.

We want to make this process work. It is going to take a little work to

bring it back to the way it used to be on both sides. This is an outstanding start, and I appreciate that very much.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I move to table Lee amendment No. 3021, and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that there be 2 minutes equally divided prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Utah.

Mr. LEE. Mr. President, it is not entirely unusual to have policy in an appropriations bill. It happens with some regularity. In fact, it happened in the corresponding House appropriations measure.

What we are talking about here is some of the worst kind of lawmaking that occurs here in the swamp, in Washington, DC. Congress sets forth a broad, vague standard, and an executive branch agency figures out the rest, sometimes with disastrous consequences.

In 2015, the EPA and the U.S. Army Corps of Engineers came up with a clean water rule, also known as the waters of the United States rule, one that effectively dramatically expanded the jurisdiction of the Federal Government over land in the United States, in some instances saying that if a plot of land is wet some of the time, some of the year, during any particular year, you can be subject to massive fines totalling millions of dollars if you do anything on that land, subject to the arbitrary determinations of Federal bureaucrats.

This is something that garnered bipartisan support in the 114th Congress. We had 49 cosponsors and ended up having 53 people vote to undo this under a Congressional Review Act resolution of disapproval. That was Republicans and Democrats. Tragically, President Obama vetoed that measure, and we were unable to secure the votes to override that veto.

This particular measure is in the House appropriations bill that corresponds to this one. I urge my colleagues to support it and to oppose the motion to table.

Mr. ALEXANDER. I yield back.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the motion to table amendment No. 3021, as modified.

The yeas and nays were previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

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

The result was announced—yeas 62, nays 34, as follows:

[Rollcall Vote No. 138 Leg.]

#### YEAS—62

Alexander	Harris	Portman
Baldwin	Hassan	Reed
Bennet	Hatch	Roberts
Blumenthal	Heinrich	Rounds
Booker	Hirono	Sanders
Boozman	Hoeben	Schatz
Brown	Isakson	Schumer
Burr	Kaine	Scott
Cantwell	King	Shelby
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Markey	Tester
Collins	McConnell	Thune
Coons	Menendez	Tillis
Cornyn	Merkley	Udall
Cortez Masto	Moran	Van Hollen
Durbin	Murkowski	Warner
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Nelson	Wyden
Grassley	Peters	

#### NAYS—34

Barrasso	Flake	McCaskill
Blunt	Gardner	Paul
Capito	Heitkamp	Perdue
Cassidy	Heller	Risch
Cotton	Hyde-Smith	Rubio
Crapo	Inhofe	Sasse
Cruz	Johnson	Sullivan
Daines	Jones	Toomey
Donnelly	Kennedy	Wicker
Enzi	Lankford	Young
Ernst	Lee	
Fischer	Manchin	

#### NOT VOTING—4

Corker	McCain
Duckworth	Shaheen

The motion was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CALLING FOR THE RELEASE OF PASTOR ANDREW BRUNSON

Mr. TILLIS. Mr. President, I have, sadly, had to do this speech once a week for the past couple of months. So I am back again to draw attention to what I think is one of the saddest moments in the great relationship and history that we have had with the country of Turkey.

For 622 days, counting today, we have had an American who spent 20 years as a missionary—a Presbyterian minister—in Turkey in prison. For about 19 of the months he was in prison, he was held without charges. A couple of months ago, he was finally charged and indicted, and he was indicted on some of the most absurd charges you could

possibly hear. He was indicted with evidence that wouldn't keep somebody in jail overnight in the United States.

The person I am talking about is Andrew Brunson. Andrew Brunson is a little over 50 years old. He was imprisoned in October of 2016. Since then, he has spent nearly 17 months in a prison cell that was designed for 8 people and had 21 people in it. He has lost 50 pounds. He is keeping good spirits, but you can tell his mental state has diminished. The reason I know that is because I went to visit him.

After the indictment was laid out back in April, I heard through his family that he thought the American people and the Congress were going to read the indictment and believe it and turn their backs on him, so I thought it was personally important for me to go to that prison in Turkey and look him straight in the eye and tell him that he has the U.S. Congress behind him. In fact, some 70 Senators signed on to a letter expressing their concern, and I appreciate their support, including almost 150 Members of the House.

I wanted to tell him that as long as I am a U.S. Senator, we will never forget him, and we will never stop until he gets released.

Now, some people say: Well, what on Earth was Pastor Brunson doing in Turkey? Well, he was providing missionary work. He was actually providing aid and comfort to Syrian refugees who had to flee Syria into Turkey. He has actually provided food.

He has a very small church in Izmir that some of the charges of the Turkish court—and, by the way, after the prison visit, I went back to Turkey, and I spent 12 hours in a Turkish courtroom hearing the allegations myself.

They charged that this was a hotbed for terrorist plotting; that this was where Pastor Brunson tried to conspire with others to facilitate the coup—an illegal coup I completely disagree with—a couple of years ago.

We actually even had one witness say he had to have been involved in some nefarious activity because one night, in the middle of the night, they saw a light on for 4 hours—that was the charge—and, therefore, there must have been something bad going on. Well, No. 1, just because somebody's light is on doesn't necessarily mean they are doing something bad, but what makes it even more remarkable is the room they are talking about is a room I visited when I was in Izmir. It doesn't have a window. There was no way anybody could have possibly observed it. So this witness, who is in prison himself, testifies to the fact that a light was on, and therefore Pastor Brunson is a potential terrorist or a coup plotter. I am not exaggerating that charge. As a matter of fact, there is another charge that because his daughter posted a picture of a meal she was enjoying on social media, and it turns out that meal had been identified—a very common meal in Turkey—at some bust of a suspected terrorist

organization, the fact that she ate the same food, a common dish in the Middle East and in Turkey, they must also somehow be associated with plotting terrorist actions. These are the nature of charges that have kept this man in jail for, as I said earlier, 822 days.

Now, when I talk to the Turkish officials, some of the senior leaders there—and I worked with the State Department—particularly when I talk to the Turkish officials, they say: Well, we have a judicial process that we must run through, so justice must take its course. Well, how do you square that with the President of Turkey who suggests that if we are prepared to trade a pastor who has been in Turkey for 20 years for a religious leader in the United States who is legally present—that we have told the Turkish Government, the Turkish authorities, that if they can produce a valid extradition case that lives up to the standards of the U.S. extradition system, then we will extradite him, but they are not willing to do that.

So on the one hand they say we have to have the legal process take its course, but on the other hand, the President of Turkey, President Erdogan, says, well, we will do a trade. So which one is it? The day that the Turkish President made this comment, I believe Pastor Brunson can be legally classified as a political hostage.

What makes this all the more frustrating for me is that Turkey is a NATO ally. Most people know about NATO, but let me tell you the profound nature of the alliance once you are a member of NATO. When you are a member of NATO, you as a country agree that you will come together and deploy your men and women on foreign soil to protect the sovereignty of that nation. So if Turkey were to be attacked by an aggressor, the United States has a treaty obligation to deploy, put our men and women in harm's way to defend the Turkish people and the Turkish regime.

Yet, I have, for the first time in the history of the alliance—and Turkey has been in the alliance since 1952—I have a political hostage, someone being held unlawfully in a country where I have an obligation to put American men and women in uniform at risk.

What is wrong with that picture? Well, there is a lot wrong with it, not the least of which, it has never happened in the history of the alliance. No NATO partner has ever treated another NATO ally this way. That is why we have to continue to cast light on this unlawful detention, this kangaroo court, and we have to take every step necessary to make Turkey understand that we are not going to give up.

One of the things we are doing to make sure of that is we put a provision in the national defense authorization that asks some serious questions about the nature of our relationship with Turkey and whether we should really continue that commitment that we make to our NATO alliance.

Acquiring Russian missile defense systems. For the first time ever in the history of the NATO alliance, we are going to have an ally that has a potential missile defense system that comes from a would-be adversary? A Joint Strike Fighter manufacturing supply chain that relies heavily on Turkey for our F-35? If Turkey is going to behave this way and they are not going to treat us with the respect I think you should treat another NATO ally, then we have to really rethink the relationship with Turkey.

So I hope next week is the first week I don't have to do this speech. I hope next week is the week that we announce Pastor Brunson is going to be released. But as long as Pastor Brunson is in prison, I guarantee you I will be here and I will find everything I can do as a U.S. Senator to make Turkey accountable for the unlawful detention of Pastor Brunson.

I thank all of my colleagues on both sides of the aisle—70 of them—who agree with me, who agree that Pastor Brunson should be set free.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

KEEP FAMILIES TOGETHER AND ENFORCE THE  
LAW ACT

Mr. PORTMAN. Mr. President, today, I want to talk about an issue that has gotten a lot of attention in Washington and around the country over the past week or so, and that is the issue of children who cross our border, both those who cross the border illegally with their parents and those who come alone. Those who come alone are known as unaccompanied children, or UACs.

First, I want to reiterate something I have said a number of times over the past few weeks, and that is that I oppose the policy of separating children from their parents. I think it is counter to our American values. As we will talk about this afternoon, though, it is also inconsistent with the infrastructure we have in place to be able to deal with it.

I was pleased to see the administration agree that we should keep families apprehended at the border together, and I was pleased to see the Executive order the President issued to that effect yesterday.

I cosponsored legislation on this issue, which has now been cosponsored by 32 of my Senate colleagues, I am told. It has the support of almost one-third of this Chamber, which would, in effect, take the Executive order and put that into law but also make some other changes that are necessary to ensure that we can have a sustainable policy with regard to children coming across the border.

I believe we can have strong border security without separating families at the border. I believe we can enforce our Nation's laws, and we should, while remaining true to our values. Children should be kept in a safe, caring environment with their parents while immigration officials quickly assess each family's individual immigration case. That is the best solution.

Beyond the moral argument for holding this policy, by the way, the logistics of separating families is just not practical. Let me talk about what currently happens with unaccompanied children.

We talked earlier about two categories. One is children who come with their parents, which has been the issue we have been discussing the last week. But there is a bigger issue with regard to those children—in the sense of the number of children who are in the system—and that is those children who come on their own.

As chairman of the Permanent Subcommittee on Investigations, or PSI, I have been investigating over the past couple of years the handling of UACs. Again, these are kids who come unaccompanied. I have done this, therefore, both during the Obama administration and during the Trump administration. From the work we have done over the past 2 years, I can tell you that the Department of Health and Human Services and the Department of Homeland Security are not prepared to effectively deal with even more children, unaccompanied minors or those who come in with their parents.

There are two key issues that we need to address with unaccompanied children who enter the United States. First, we need to ensure that if our government takes charge of these children, they are not trafficked or abused. These are children. They need to be treated as such.

Second, we need to uphold our rule of law and make sure that our immigration system actually works. To do that, we need to make sure that these children appear for their immigration court proceedings. I am afraid we are failing on both counts now, and that is unacceptable.

Let me explain what I mean. I first got involved in this issue—very deeply involved—in 2015, a few years ago, when reports came out that there were eight unaccompanied minors from Guatemala who had come up to our southern border and crossed over. A ring of human traffickers lured them to the United States, by the way. The traffickers had gone to Guatemala, talked to these kids' parents, and told them they would provide these kids with an education in America. They actually got the mortgages for some of the homes as payment to pay for the trafficking and the smuggling debt. Also, the traffickers retained not just the mortgages for these homes but, when they got the kids in their control, they said they weren't going to let the kids go until these debts were totally paid off.

They weren't interested in giving them an education. It turns out they were just interested in trafficking these kids. Anyway, when the kids crossed the border, they were apprehended. Their status, as defined by Federal immigration law, was that of "unaccompanied child," or UAC. They were considered UACs. This means the Department of Homeland Security was picking them up—Customs and Border Protection. Following protocol, they were then transferred to the Department of Health and Human Services, HHS.

One Federal Department picks them up. They take them to another Federal Department, called the Department of Health and Human Services. HHS, or Health and Human Services, is then supposed to keep these kids for a short period of time, until they can be placed with sponsors.

That is how the system works. The sponsors are then supposed to ensure that these kids stay safe and get them to their appropriate immigration legal proceeding. Unfortunately, based on our investigation, often that does not happen. It certainly didn't happen in this case. What happened in this case is that our investigation was able to reveal that these kids—who were brought in from Guatemala by these traffickers—were taken into custody, had gone to HHS for a short-term detention facility, and then they were sent to sponsors.

Guess who the sponsors were, who these kids were given to? The traffickers. They were given to traffickers, not to family members or friends or someone who could be trusted when you think of a surrogate family or a foster family. They were put in the custody of the human traffickers. They didn't vet these people. As a result, the traffickers took these kids north, took them to my State of Ohio, which is again how I got involved in this. They took them to an egg farm in Marion, OH, where these kids lived in squalor conditions. They were required to work 12 hours a day, 6 or 7 days a week. Their paychecks were often confiscated by the traffickers. So they were basically getting room and board. The traffickers threatened these kids and their families with physical harm if the kids didn't perform these long hours and work under these terrible conditions.

Fortunately, this trafficking ring was discovered, these kids were rescued, and they have now been prosecuted. What our investigation found out, when we tried to figure out how this could possibly have happened, is that HHS didn't do the background checks on those sponsors. They also didn't respond to a bunch of red flags that should have alerted them to problems with these kids and with the sponsors. For example, HHS missed that a group of sponsors were collecting multiple kids. That should have been a red flag right there—not just one child but multiple children. They missed a major red flag when a social

worker working with HHS showed up to help one of these kids—or tried to—and the sponsor turned the social worker away. This is somebody on contract with HHS. That didn't raise a red flag.

We held a hearing in January 2016. At that hearing, HHS committed that they were going to do better. This is a Federal agency. To have this Federal agency give kids to traffickers and have this tragic situation unfold is unacceptable.

That was during the Obama administration, by the way. Remember, this is not a partisan issue. During previous administrations and during this administration, this system has not worked. After that hearing, HHS and DHS, the Department of Homeland Security, under which we have the Border Patrol and Customs and Border Protection, committed to clarifying their respective responsibilities for protecting these kids.

The one thing we found out is that nobody was accountable. So people were pointing fingers at each other, and the kids were falling between the cracks. HHS and DHS entered into a 3-page memorandum of agreement that said that the agencies recognize that they should ensure that these kids aren't abused or trafficked. The memorandum also said the agencies would enter into a joint concept of operations, spelling out their specific responsibilities within a year's time. That would be done by February of 2017.

That is, of course, what I was looking for and what our committee was looking for. How are you going to handle these kids? Who is responsible for them? What is the handoff? Who is accountable?

That was supposed to be due in February of 2017. Today is June 2018. That operations agreement between the agencies is still not completed. They missed their own deadline by about a year and a half. They have promised, by the way, based on a hearing we recently had with HHS, to complete this agreement and to get it to us—this joint concept of operations—by July 30. We are expecting it within 4 or 5 weeks. We are very much looking forward to that.

This was based on a hearing we had in April of this year. We called DHS and HHS back again to explain what is going on and why we hadn't seen an agreement, despite virtually every couple of weeks telling us: It is coming. It is coming.

We wanted to hear how they would work better together to ensure that these kids were placed in safe environments and be sure they were following up with these children to ensure that the kids actually went to their immigration court proceedings.

It is not just about ensuring that they are not abused and trafficked. Everyone, of course, agrees with that. Everyone should also agree that they ought to go to their court hearing and make sure the system works.

We made some progress since that 2016 hearing. For example, under the Trump administration, HHS started making telephone calls to follow up, which I think is a good idea. These were 30-day wellness check telephone calls after they placed an unaccompanied minor with a sponsor.

HHS testified at our April hearing that from October to December of last year, they had the data now on the calls they had made. These are the 30-day calls they were making after these kids go out with their sponsors. Those calls revealed that about 1,500 children were unaccounted for. In other words, they placed a call, talked to the sponsor, and said: How is this child doing?

The sponsor wasn't responsive. They either said: We don't know how the child is doing; or they couldn't find the sponsor, or they couldn't find the child.

In some cases, the child had actually run away.

There were 1,500 kids unaccounted for. It doesn't mean they are not with a family somewhere. It doesn't mean they are going to their court case, but they couldn't find these kids. That is unacceptable. They are now working on a bipartisan basis—Republicans and Democrats alike—with new legislation that will be informed by this concept of operations, which we hope to have in the next several weeks. That will lay out how we ought to treat unaccompanied minors and hold someone accountable—particularly, HHS, who has children in their custody, and prior to that, DHS, or the Department of Homeland Security—to ensure that these sorts of instances will not happen again and make sure that we know where these kids are.

There are lots of experiences. Think about your home State and the foster care system, which is probably overburdened right now because of the opioid crisis, but you have a foster care system where foster parents are actually screened. Part of our legislation, by the way, is to tell the States where the kids are so the States can play a role in this as well.

What this all highlights is the fact that the Federal Government is not doing nearly enough to protect unaccompanied minors from trafficking and other forms of abuse and not doing enough to ensure that they get to their court date. Right?

We have a system, and we have these kids in the system. I don't care what your views are on immigration policy. It doesn't matter whether you believe that we should have a much more secure border and a wall or whether you believe that there ought to be more of an open border and a catch-and-release system. Nobody should want to have these kids treated like this. Everyone should want to ensure that these kids are cared for properly and get to their court date and ensure that we don't have the kinds of tragic instances we had in my home State of Ohio.

I also think it is important not to conflate these two issues together—the

unaccompanied kids and the 1,500 who were unaccounted for and what has happened over the last several weeks at the border with separating families from children. We are talking about kids who come unaccompanied.

Unfortunately, a lot of people have conflated, too. There was a New York Times story about the fact that 1,500 kids have gone missing, and somehow that got conflated with a lot of folks online and some folks even in the Chamber, with this notion that this is about the separation policy and the zero tolerance policy. It is not. It is something different. What it says to me is, let's not add more children to a system that is not working.

In other words, as I said earlier, at the start, we don't have the infrastructure in place to deal with it. It is one reason I felt strongly that separating kids from their families was not only the wrong thing to do in terms of a moral policy but also in terms of our government's ability to handle it. Even if there were a situation in which it was important to get this kid away from a family because maybe there was a sign of abuse or maybe the kid was being trafficked, we have to have a better system in place to deal with these children who are unaccompanied or with others who end up in the system.

What had happened under the so-called zero tolerance policy over the last 6 weeks was that adults who had illegally crossed the border had been arrested and put in detention facilities. Under what is called the Flores settlement agreement, from a 1997 court decision, if the adults had been traveling with children, those children would have had to have been placed in what the court had said was the least restrictive setting possible, and it would not have allowed them to often stay with their moms or dads in detention.

That has been one of the arguments the Trump administration has been making with the zero tolerance policy and the parents' having gone into the criminal justice system. With their having gone into that kind of detention, the kids could not have gone with them because of this court decision.

It is an issue, there is no question about it. It is the primary reason, they are saying, they put about 2,000 children into the care of HHS and DHS and essentially turned them into unaccompanied minors. Again, they put them into a system that, in my view, isn't working. What we have seen over the past 2 years is that DHS and HHS have just not been adequately prepared to keep track of these kids and ensure that they are being placed in safe environments and getting to their court hearings.

As soon as I understood what was going on with separating families, I spoke out and said that this is bad, that we cannot allow this to happen for both reasons—it is not the moral thing to do, and we don't have the infrastructure.

On Tuesday, I sent a letter to Attorney General Jeff Sessions and called on



him to stop this practice of separating kids from their families, to give it a pause, so that we can have the opportunity to look at this issue and develop the right legislation, which we have now introduced. This letter, by the way, was led by my colleague, Senator ORRIN HATCH, and was signed by 11 of our colleagues.

Again, I commend the administration for the Executive order yesterday that keeps families together who have been apprehended at the border. That is a positive first step, but we have to go even further. Because of this Flores decision we talked about earlier, which is, again, a settlement agreement that was made back in 1997, Congress is going to have to step in as well. I think it is likely that the Executive order will be in litigation immediately because of the Flores decision.

The legislative solution that Congress enacts needs to address the Flores settlement agreement as it applies to children who arrive with their parents. In those cases, the settlement agreement currently requires that these children be separated from their families and be kept in the least restrictive setting possible instead of staying with their families if their families are in detention.

The legislation we introduced yesterday, called Keep Families Together and Enforce the Law Act, has almost a third of the Senate signing on. It will provide that long-term solution to keep families together and expedite these immigration cases.

Unlike other proposals which would, in my view, incentivize more illegal immigration by essentially codifying past practices by which people were apprehended but then released into the community, this legislation will actually solve the problem by keeping families together while ensuring the integrity of our immigration laws. Among other things, it will override the Flores settlement agreement to ensure that families will be kept together during their immigration enforcement proceedings. Importantly, to me, it will also expedite these proceedings. This is one of the problems that I have seen in the immigration system. We have so many cases—there is such a backlog and so much time required to get to a decision—that it creates a lot more problems in terms of, what do you do with folks who come across the border? This will expedite and prioritize these family cases.

It will also provide lots more immigration judges. To get a decision on these people, you need to have more immigration judges and a better process. More money, frankly, is going to be needed—increased resources—to be sure that infrastructure is in place to deal with this issue as quickly as possible and to get an appropriate decision as to whether the person stays or leaves.

I hope more of my colleagues will sign on to this legislation. I hope they will do it on a bipartisan basis. I think

the Keep Families Together and Enforce the Law Act is the right position that finds that common ground between all of us here on the floor who believe we ought to uphold our immigration laws but also think that families need to stay together, that we need to have a compassionate approach to this.

There is a consensus now on not separating families—that is good—but there is also a consensus that we need an immigration system that works. So let's come together in both Chambers. Let's do the hard work. Let's get this done. Of course, we need to do broader immigration reform, as well, but this issue is staring us in the face. Let's keep families together. Let's provide for an immigration system that works over the long term, that provides compassionate care for those kids, that is in line with our country's values and enforces the laws of our country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the cloture motions on the substitute amendment No. 2910 and the bill be withdrawn. I further ask that the managers' package, which is at the desk and has been cleared by both sides, be agreed to, the motions to reconsider be considered made and laid upon the table, amendment No. 2911 be agreed to, the substitute amendment No. 2910, as amended, be agreed to; finally, that at 5:30 p.m. on Monday, June 25, the bill be read a third time, and the Senate vote on passage of H.R. 5895, as amended.

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

The amendments (Nos. 2915, 2986, 3048, 2999, 3054, 2978, 3059, 2980, 2996, 3042, 2961, 2963, 2997, 2939, 3068, 2953, 3053, 3051, 3057, 3056, 2949, 2960, 2924, 2925, 2934, 3013, 3050, 2992, 2955, 3032, 3066, 2957, and 3038) were agreed to, as follows:

#### AMENDMENT NO. 2915

(Purpose: To make a technical correction)

On page 38, line 10, strike "\$89,000,000" and insert "\$89,372,000".

#### AMENDMENT NO. 2986

(Purpose: To clarify coal to carbon fiber research and development expenditures)

On page 24, line 16, insert "That using funds made available under this heading, the Secretary of Energy shall continue to carry out external Department of Energy activities for advanced coal processing research and development, including by advancing early stage research for converting coal pitch and coal to carbon fiber and other value-added products for alternative uses of coal: *Provided further*," before "That of such amount".

#### AMENDMENT NO. 3048

(Purpose: To reauthorize Colorado River System pilot projects)

At the end of title II of division A, add the following:

SEC. 2 \_\_\_\_\_. (a) Section 206(c)(2) of the Energy and Water Development and Related Agencies Appropriations Act, 2015 (43 U.S.C. 620 note; Public Law 113-235) is amended by striking "2018." and inserting the following: "2022: *Provided*, That the Secretary shall not fund pilot projects in the Upper Colorado River Basin without the participation of the Upper Colorado River Division States, acting through the Upper Colorado River Commission."

(b) Section 9504(e) of the Secure Water Act of 2009 (42 U.S.C. 10364(e)) is amended by striking "\$450,000,000" and inserting "\$480,000,000".

#### AMENDMENT NO. 2999

(Purpose: To prohibit the use of funds for certain releases or discharges of water from Lake Okeechobee to the Caloosahatchee Estuary or the Indian River Lagoon)

At the end of title I of division A, add the following:

SEC. 106. None of the funds made available by this title may be used by the Corps of Engineers to conduct a release or discharge of water from Lake Okeechobee to the Caloosahatchee Estuary or the Indian River Lagoon unless the discharge or release—

(1) is conducted in pulses to minimize downstream impacts from reduced water quality and harmful algal blooms to local communities and wildlife habitat; or

(2) is necessary—

(A) to protect the integrity of the Herbert Hoover Dike; and

(B) to minimize threats to lives and human health in the communities surrounding Lake Okeechobee.

#### AMENDMENT NO. 3054

(Purpose: To ensure the use of certain funds for projects relating to deep-draft navigation)

On page 2, line 12, of the amendment, strike the period at the end and insert "of which not less than \$100,000,000 shall be used for projects relating to deep-draft navigation."

#### AMENDMENT NO. 2978

(Purpose: To provide funding for water infrastructure projects.)

(The amendment is printed in the RECORD of June 19, 2018, under "Text of Amendments.")

#### AMENDMENT NO. 3059

(Purpose: To include certain provisions relating to Federal Energy Regulatory Commission hydroelectric projects.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

#### AMENDMENT NO. 2980

(Purpose: To clarify certain cost-sharing requirements applicable to awards from the Energy Technology Commercialization Fund)

At the end of title III, add the following:

SEC. 3 \_\_\_\_\_. In making awards from the Energy Technology Commercialization Fund established under section 1001(e) of the Energy Policy Act of 2005 (42 U.S.C. 16391(e)), the requirements for matching funds shall be determined by the Secretary of Energy in accordance with section 988 of that Act (42 U.S.C. 16352).

## AMENDMENT NO. 2996

(Purpose: To provide that funds made available for the Office of the Inspector General of the Department of Energy shall be used to fully meet certain data transparency requirements)

On page 31, line 16, insert “: *Provided*, That of such amount, such amounts as are necessary shall be available to ensure that the Office of the Inspector General fully meets the requirements of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note; Public Law 109-292)” before the period.

## AMENDMENT NO. 3042

(Purpose: To include a provision relating to transfers from the Upper Colorado River Basin Fund)

At the end of title III of division A, add the following:

SEC. 30 \_\_\_\_\_. Pursuant to section 1807 of the Grand Canyon Protection Act of 1992 (Public Law 102-575; 106 Stat. 4672), section 3(d)(1) of Public Law 106-392 (114 Stat. 1604), section 601(b) of the Colorado River Basin Project Act (43 U.S.C. 1551(b)), and section 15 of the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620n) of the offsetting collections in the Upper Colorado River Basin Fund of the Western Area Power Administration for repayment of capital costs, \$23,000,000 may be transferred to the Upper Colorado Basin Fund.

## AMENDMENT NO. 2961

(Purpose: To extend the authorization for the Fort Peck Rural Water System)

At the appropriate place in division A, insert the following:

SEC. \_\_\_\_\_. Section 9 of the Fort Peck Reservation Rural Water System Act of 2000 (Public Law 106-382; 114 Stat. 1457, 123 Stat. 2856, 128 Stat. 164) is amended by striking “2020” each place it appears in subsections (a)(1) and (b) and inserting “2026”.

## AMENDMENT NO. 2963

(Purpose: To set aside funds for the Regional Test Centers for Solar Technologies of the Department of Energy)

On page 22, line 25, strike the period and insert the following: “: *Provided further*, That of the amounts appropriated under this heading, \$4,050,000 shall be made available for the Photovoltaic Regional Test Centers for Solar Technologies of the Department of Energy to ensure the continued operation of each Regional Test Center for Solar Technologies of the Department of Energy, as in existence on the date of enactment of this Act.”.

## AMENDMENT NO. 2997

(Purpose: To support the development and deployment of high-efficiency linear generator power plant technology)

On page 22, line 25, strike “direction.” and insert “direction: *Provided further*, That of such amount, not less than \$1,000,000 shall be used to support the development and deployment of high-efficiency linear generator power plant technology, which, for purposes of stationary electric power production, is equivalent to fuel cell power plant technology.”.

## AMENDMENT NO. 2939

(Purpose: To require a report on Corps of Engineers activities relating to inland and coastal projects)

At the end of title I of division A, add the following:

SEC. 1 \_\_\_\_\_. Not later than 180 days after the date of enactment of this Act, the Secretary of the Army shall submit to Congress a report that—

(1) describes the history of Corps of Engineers funding requests and actual appropria-

tions for the last 10 fiscal years preceding the date of enactment of this Act for the flood and coastal storm damage reduction business line, including a list of all requests for coastal and inland investigations, construction, and operation and maintenance;

(2) provides a definition for the terms “coastal project” and “inland project” that the Corps of Engineers uses with respect to those projects under the flood and coastal storm damage reduction business line;

(3) provides an analysis of the changes in the comparative funding for coastal projects and inland projects under that business line;

(4) provides an explanation for the discrepancy in funding between coastal projects and inland projects under that business line; and

(5) includes recommendations on ways to correct the discrepancy described in paragraph (4).

## AMENDMENT NO. 3068

(Purpose: To express the sense of the Senate that certain Corps of Engineers projects should receive consideration for additional funding)

At the end of title I of division A, add the following:

SEC. 1 \_\_\_\_\_. It is the sense of the Senate that—

(1) ongoing construction of projects that principally benefit urban areas, including rainfall drainage systems that address flood damages, should receive consideration for additional funding;

(2) any additional funding described in paragraph (1) is in addition to the budget request submitted to Congress by the President; and

(3) the projects described in paragraph (1) should not be excluded from consideration for being inconsistent with the policy of the administration.

## AMENDMENT NO. 2953

(Purpose: To provide adequate funds for the Surplus Books Program of the Library of Congress)

On page 85, line 18, insert “: *Provided further*, That of the total amount appropriated, \$250,000 shall remain available until expended for the Surplus Books Program to promote the program and facilitate a greater number of donations to eligible entities across the United States” before the period.

## AMENDMENT NO. 3053

(Purpose: To provide funds to reduce or eliminate the use of plastic straws in facilities under the care of the Architect of the Capitol)

On page 79, line 22, insert “, and not more than \$5,000 that shall be used by the Architect of the Capitol to work with contractors to eliminate or reduce the use of plastic straws in facilities of the legislative branch that are under the care of the Architect of the Capitol” before “; for”.

## AMENDMENT NO. 3051

(Purpose: To appropriate funds for the Veterans History Project)

On page 85, line 18, insert “: *Provided further*, That of the total amount appropriated, \$2,383,000 shall remain available until expended for the Veterans History Project to continue digitization efforts of already collected materials, reach a greater number of veterans to record their stories, and promote public access to the Project” before the period at the end.

## AMENDMENT NO. 3057

(Purpose: To require that funds made available for the Congressional Budget Office be used to improve the transparency of scoring and the availability and replicability of models, economic assumptions, and data to Members of Congress)

On page 79, line 7, insert “: *Provided*, that the Director shall use not less than \$500,000

of the amount made available under this heading for (1) improving technical systems, processes, and models for the purpose of improving the transparency of estimates of budgetary effects to Members of Congress, employees of Members of Congress, and the public, and (2) to increase the availability of models, economic assumptions, and data for Members of Congress, employees of Members of Congress, and the public” before the period.

## AMENDMENT NO. 3056

(Purpose: To protect programs for homeless veterans)

At the appropriate place in title II, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Secretary of Veterans Affairs to transfer funds made available for the following programs:

(1) The Homeless Providers Grant and Per Diem program.

(2) The Domiciliary Care for Homeless Veterans program.

(3) The Supportive Services for Veteran Families program.

(4) The Department of Housing and Urban Development Department of Veterans Affairs Supported Housing (HUD-VASH) programs.

(5) The Health Care for Homeless Veterans program.

## AMENDMENT NO. 2949

(Purpose: To require the Secretary of Veterans Affairs to submit to Congress a report on the program of support services for caregivers of veterans of the Department of Veterans Affairs)

At the end of title II of division C, add the following:

# SEC. 2 \_\_\_\_\_. REPORT ON CAREGIVER SUPPORT PROGRAM.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives a report that contains—

(1) the number of coordinators of caregiver support services under the program of support services for caregivers of veterans under section 1720G(b) of title 38, United States Code, at each medical center of the Department of Veterans Affairs;

(2) the number of staff assigned to appeals for such program at each such medical center; and

(3) a determination by the Secretary of the appropriate staff-to-participant ratio for such program.

## AMENDMENT NO. 2960

(Purpose: To direct the Secretary of Veterans Affairs to establish within the Department of Veterans Affairs a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits)

At the end of title II of division C, add the following:

# SEC. 2 \_\_\_\_\_. ESTABLISHMENT OF CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEALTH CONDITIONS RELATING TO EXPOSURE TO BURN PITS AND OTHER ENVIRONMENTAL EXPOSURES.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

**“§ 7330D. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures**

“(a) **ESTABLISHMENT.**—(1) The Secretary shall establish within the Department a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures to carry out the responsibilities specified in subsection (d).

“(2) The Secretary shall establish the center of excellence under paragraph (1) through the use of—

“(A) the directives and policies of the Department in effect as of the date of the enactment of this section;

“(B) the recommendations of the Comptroller General of the United States and Inspector General of the Department in effect as of such date; and

“(C) guidance issued by the Secretary of Defense under section 313 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 1074 note).

“(b) **SELECTION OF SITE.**—In selecting the site for the center of excellence established under subsection (a), the Secretary shall consider entities that—

“(1) are equipped with the specialized equipment needed to study, diagnose, and treat health conditions relating to exposure to burn pits and other environmental exposures;

“(2) have a track record of publishing information relating to post-deployment health exposures among veterans who served in the Armed Forces in support of Operation Iraqi Freedom and Operation Enduring Freedom;

“(3) have access to animal models and in vitro models of dust immunology and lung injury consistent with the injuries of members of the Armed Forces who served in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

“(4) have expertise in allergy, immunology, and pulmonary diseases.

“(c) **COLLABORATION.**—The Secretary shall ensure that the center of excellence collaborates, to the maximum extent practicable, with the Secretary of Defense, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (d).

“(d) **RESPONSIBILITIES.**—The center of excellence shall have the following responsibilities:

“(1) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(2) To provide guidance for the health systems of the Department and the Department of Defense in determining the personnel required to provide quality health care for members of the Armed Forces and veterans with health conditions relating to exposure to burn pits and other environmental exposures.

“(3) To establish, implement, and oversee a comprehensive program to train health professionals of the Department and the Department of Defense in the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(4) To facilitate advancements in the study of the short-term and long-term effects of exposure to burn pits and other environmental exposures.

“(5) To disseminate within medical facilities of the Department best practices for

training health professionals with respect to health conditions relating to exposure to burn pits and other environmental exposures.

“(6) To conduct basic science and translational research on health conditions relating to exposure to burn pits and other environmental exposures for the purposes of understanding the etiology of such conditions and developing preventive interventions and new treatments.

“(7) To provide medical treatment to veterans diagnosed with medical conditions specific to exposure to burn pits and other environmental exposures.

“(e) **USE OF BURN PITS REGISTRY DATA.**—In carrying out its responsibilities under subsection (d), the center of excellence shall have access to and make use of the data accumulated by the burn pits registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

“(f) **FUNDING.**—The Secretary shall carry out this section using amounts appropriated to the Department for such purpose.

“(g) **DEFINITIONS.**—In this section:

“(1) The term ‘burn pit’ means an area of land located in Afghanistan or Iraq that—

“(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

“(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

“(2) The term ‘other environmental exposures’ means exposure to environmental hazards, including burn pits, dust or sand, hazardous materials, and waste at any site in Afghanistan or Iraq that emits smoke containing pollutants present in the environment or smoke from fires or explosions.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330C the following new item:

“7330D. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.”.

AMENDMENT NO. 2924

(Purpose: To require the Secretary of Veterans Affairs to submit to Congress a plan to avoid clinical mistakes by employees of the Department of Veterans Affairs that result in adverse events that require certain disclosures)

At the end of title II of division C, add the following:

**SEC. 2. PLAN TO AVOID CLINICAL MISTAKES BY EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS THAT RESULT IN ADVERSE EVENTS THAT REQUIRE CERTAIN DISCLOSURES.**

(a) **PLAN REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a plan to reduce the chances that clinical mistakes by employees of the Department of Veterans Affairs will result in adverse events that require institutional or clinical disclosures and to prevent any unnecessary hardship for patients and families impacted by such adverse events.

(b) **ELEMENTS.**—The plan required by subsection (a) shall include the following:

(1) A description of a process for the timely identification of individuals impacted by disclosures described in subsection (a) and the process for contacting those individuals or their next of kin.

(2) A description of procedures for expediting any remedial or follow-up care required for those individuals.

(3) A detailed outline of proposed changes to the process of the Department for clinical quality checks and oversight.

(4) A communication plan to ensure all facilities of the Department are made aware of any requirements updated pursuant to the plan.

(5) A timeline detailing the implementation of the plan.

(6) An identification of the senior executive of the Department responsible for ensuring compliance with the plan.

(7) An identification of potential impacts of the plan on timely diagnoses for patients.

(8) An identification of the processes and procedures for employees of the Department to make leadership at the facility and the Department aware of adverse events that are concerning and that result in disclosures and to ensure that the medical impact on veterans of such disclosures is minimized.

(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives.

AMENDMENT NO. 2925

(Purpose: To make a technical correction to title III of division C)

On page 168, line 17, strike “\$15,000” and insert “\$42,000”.

AMENDMENT NO. 2934

(Purpose: To require the Secretary of Veterans Affairs to develop a means to track and monitor information on debts of persons to the United States by virtue of the persons' participation in a benefits program administered by the Secretary of Veterans Affairs, including because of an overpayment by the Department of Veterans Affairs)

At the appropriate place in title II, insert the following:

**SEC. \_\_\_\_ . TRACKING AND MONITORING INFORMATION ABOUT DEBTS TO UNITED STATES INCURRED FROM OVERPAYMENT BY DEPARTMENT OF VETERANS AFFAIRS OR FOR OTHER REASONS.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop a means to track and monitor information on—

(1) the age and amount of debts of persons to the United States by virtue of the persons' participation in a benefits program administered by the Secretary of Veterans Affairs;

(2) whether such debts may be the result of delays in Department of Veterans Affairs processing of changes to beneficiary status or other actions of the Department; and

(3) whether such debts are disputed by such persons.

(b) **REPORT.**—The Department should also be required to submit a report to Congress no later than 90 days after development of the tracking means (so, 270 days after enactment).

AMENDMENT NO. 3013

(Purpose: To require the Secretary of Veterans Affairs to publish the quality rating of each nursing home of the Department of Veterans Affairs)

At the end of title II of division C, add the following:

**SEC. 2. PUBLICATION OF QUALITY RATING OF NURSING HOMES OF THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress and publish in the Federal Register and on a publicly available Internet website of the Department of Veterans Affairs the rating assigned by the Department to each nursing home of the Department with respect to quality of care, including all internal metrics and criteria used in determining such rating.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Appropriations and the Committee on Veterans’ Affairs of the Senate; and

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

**AMENDMENT NO. 3050**

(Purpose: To require the Inspector General of the Department of Veterans Affairs to conduct an investigation of all nursing homes of the Department of Veterans Affairs with an overall one-star rating as determined by the rating system of the Department)

At the end of title II of division C, add the following:

SEC. 2. The Inspector General of the Department of Veterans Affairs shall conduct an investigation of all nursing homes of the Department of Veterans Affairs that had an overall one-star rating within the two full calendar years prior to the year of enactment, as determined by the rating system of the Department.

**AMENDMENT NO. 2992**

(Purpose: To prohibit the use of funds made available under this Act in a manner that would increase wait times for veterans who seek care at medical facilities of the Department of Veterans Affairs)

At the end of title II of division C, add the following:

SEC. 2. None of the funds made available in this Act may be used in a manner that would increase wait times for veterans who seek care at medical facilities of the Department of Veterans Affairs.

**AMENDMENT NO. 2955**

(Purpose: To prevent the use of funds made available by this Act to modernize or realign facilities of the Veterans Health Administration in States in which the Department does not operate a full-service medical facility unless the Secretary of Veterans Affairs certifies to Congress that such modernization or realignment will not result in a disruption or reduction of services for veterans)

At the end of title II of division C, add the following:

SEC. 2. None of the funds made available by this Act may be used by the Department of Veterans Affairs for the modernization or realignment of facilities of the Veterans Health Administration in States in which the Department does not operate a full-service medical facility pursuant to recommendations by the Asset and Infrastructure Review Commission under the VA Asset and Infrastructure Review Act of 2018 (sub-title A of title II of Public Law 115–182) until the Secretary of Veterans Affairs submits to the Committee on Veterans’ Affairs of the Senate, the Committee on Veterans’ Affairs of the House of Representatives, and the Commission a report certifying that such modernization or realignment will not result in a disruption or reduction of services for veterans residing in those States.

**AMENDMENT NO. 3032**

(Purpose: To limit the conversion of funds for the Department of Veterans Affairs program to improve retention of housing by formerly homeless veterans and veterans at risk of becoming homeless)

At the appropriate place in title II of division C, insert the following:

**SEC. . LIMITATION ON CONVERSION OF FUNDS FOR PROGRAM TO IMPROVE RETENTION OF HOUSING BY FORMERLY HOMELESS VETERANS AND VETERANS AT RISK OF BECOMING HOMELESS.**

The Secretary of Veterans Affairs may not convert any of the amounts appropriated or otherwise made available in a fiscal year to carry out section 2013 of title 38, United States Code, from a specific purpose program to a general purpose program unless the Secretary included a proposal to do so in the budget justification materials submitted to Congress in support of the Department of Veterans Affairs budget for such fiscal year (as submitted with the budget of the President for such fiscal year under section 1105(a) of title 31, United States Code).

**AMENDMENT NO. 3066**

(Purpose: To express the sense of Congress relating to the Comprehensive Everglades Restoration Plan)

At the end of title I of division A, add the following:

SEC. 1. (a) Congress finds that—  
(1) the restoration of the Everglades, as described in the Comprehensive Everglades Restoration Plan authorized by title VI of the Water Resources Development Act of 2000 (Public Law 106–54; 114 Stat. 2680) (referred to in this section as the “Plan”), is the most ambitious environmental restoration program in history;

(2) the overarching objectives of the Plan are the restoration, preservation, and protection of the south Florida ecosystem, while providing for other water-related needs of the region, including water supply and flood protection;

(3) the Plan should continue to be implemented as authorized—

(A) to ensure—  
(i) the protection of water quality in the south Florida ecosystem;

(ii) the reduction of the loss of fresh water from the south Florida ecosystem; and

(iii) the improvement of the environment of the south Florida ecosystem; and

(B) to achieve and maintain the benefits to the natural system and human environment described in the Plan; and

(4) the equal partnership between the Federal Government and the State of Florida remains essential to accomplishing the objectives of the Plan.

(b) It is the sense of the Congress that—

(1) the discharge of excess water by the Corps of Engineers from Lake Okeechobee to the Caloosahatchee Estuary and the Indian River Lagoon represents a significant loss of fresh water from the South Florida ecosystem;

(2) the diversion of those Lake Okeechobee discharges to Plan projects or features like the Everglades Agricultural Area Storage Reservoir, designed to store and treat water prior to release into the Central Everglades, is an essential source of fresh water for meeting the objectives of the Plan; and

(3) the Plan authorizes a 50/50 Federal-State cost share for all aspects of congressionally authorized restoration projects, including water quality project features or components.

**AMENDMENT NO. 2957**

(Purpose: To require the Secretary of Energy to conduct a study on the potential for natural gas demand response across energy sectors and geographic regions)

At the end of title III of division A, add the following:

SEC. 3. (a) The Secretary of Energy (referred to in this section as the “Secretary”) shall conduct a study on the potential for natural gas demand response across energy sectors and geographic regions.

(b) Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to Congress a report on the results of study conducted under subsection (a), including—

(1) a description and quantification of—  
(A) potential natural gas and energy savings and load shifting; and

(B) the costs and benefits associated with those savings, including avoided energy costs, reduced market price volatility, improved electric and gas system reliability, deferred or avoided pipeline or utility capital investment, and air emissions reductions;

(2) an identification of geographic areas that would benefit most from implementing demand response measures for natural gas infrastructure; and

(3) a description of—

(A) existing and emerging technologies that can be used for demand response in the natural gas sector; and

(B) best practices for developing a strategy for deployment of those technologies in the natural gas sector.

**AMENDMENT NO. 3038**

(Purpose: To require a report on cell site simulators detected near facilities of the Department of Defense)

At the appropriate place in division C, insert the following:

**SEC. . REPORT ON CELL SITE SIMULATORS DETECTED NEAR FACILITIES OF THE DEPARTMENT OF DEFENSE.**

The Secretary of Defense shall submit to the congressional defense committees a full accounting of cell site simulators detected near facilities of the Department of Defense during the three year period ending on the date of the enactment of this Act and the actions taken by the Secretary to protect personnel of the Department, their families, and facilities of the Department from foreign powers using such technology to conduct surveillance.

The amendment (No. 2911) was agreed to.

The amendment (No. 2910) in the nature of a substitute, as amended, was agreed to.

**ORDER OF PROCEDURE**

Mr. McCONNELL. Mr. President, I ask unanimous consent that it be in order to move to proceed to H.R. 2, the farm bill, during today’s session of the Senate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

**AGRICULTURE AND NUTRITION ACT OF 2018—MOTION TO PROCEED**

**CLOTURE MOTION**

Mr. McCONNELL. Mr. President, I move to proceed to H.R. 2 and send a cloture motion to the desk for the motion to proceed.