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Senate

The Senate met at 4 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Eternal God, stay close to us, and we will have no need to fear. Enable us to feel the joy of Your saving presence. You have been our refuge in ages past. You continue to be our hope for the seasons to come.

Inspire our Senators to live with a sense of accountability to You. Remind them that You are the only constituent they absolutely must please. Lord, help them to emulate the depths of Your caring in their relationships and responsibilities, ever seeking to glorify Your Name.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

NOMINATION OF JUSTIN GEORGE MUZINICH

Mr. McCONNELL. Madam President, this will be a busy week here in the Senate. We begin by making more progress on the President's nominees. Later today, we will vote to advance the nomination of President Trump's choice to serve as Deputy Secretary at the Department of the Treasury, Justin Muzinich. This nomination was re-

ported favorably by our colleagues on the Finance Committee earlier this year. Chairman HATCH has characterized the nominee as "qualified, competent, and ready to get to work."

As we speak, of course, Mr. Muzinich is already serving as senior counselor to Secretary Mnuchin. He is drawing on years of experience in financial management and putting that experience to work through public service. The nominee holds an MBA from Harvard Business School and a JD from Yale. He has a distinguished record in the private sector and as an instructor at Columbia Business School.

As the Treasury Department continues its work implementing the new Tax Code, developing foreign sanctions, and in a variety of other important areas, it is more important than ever that the Deputy Secretary position be filled; therefore, I would urge each of my colleagues to join me in voting to fill that vacancy with this well-qualified nominee as we advance his nomination later today.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

BORDER SECURITY

Mr. CORNYN. Madam President, I have spoken on the Senate floor on a number of occasions recently about the migrant crisis on our southern border and tried to shed a little more context and light on what is happening there and why this is so important not only to the United States but to our neighbors to the south, as well as Central America.

I know there is this idea out there that all we need to do is build more in-

frastructure along the border, and somehow this problem will be resolved. I am here to say that is not the case. The border infrastructure that some people such as the President call a wall, others call a fence, is certainly a critical piece of the puzzle, but it is much more complex than that, and it affects not only public safety in the United States, it affects our economy and jobs in the United States.

While the focus happens to be on what is happening in Tijuana or another flash point across the border, what I would encourage us all to do is not just take a narrow focus but pull back to, let's say, a 30,000-foot perspective and try to understand all this in context. We know, unfortunately, sometimes in the political arguments that are given, the facts get missed or misconstrued, and sometimes political expediency is inconsistent with our need to do the hard work necessary to find a right solution. This, of course, is part of the general debate we have about what should be our immigration policies in the United States.

I, personally, believe legal immigration has been to the benefit of our country. Virtually all of us came from somewhere else at some point in our family history, but the important point is, legal immigration is very different from uncontrolled illegal immigration, which is what we are seeing still flooding across our southern borders, when the public is paying attention and when things like the migrant crisis in Tijuana has occurred. The fact is, this is a daily occurrence. It is not just large caravans of migrants from Central America. We have minicaravans showing up on a daily basis, and these problems certainly aren't going away.

I have the honor of representing about 28 million Texans, 40 percent of whom are Hispanic, but I also represent a large number of Indian Americans, Vietnamese Americans, Chinese Americans, and Korean Americans. In

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



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other words, we are a very diverse State. I know many people are not aware of that, but it is absolutely true. When I tell people the third most commonly spoken language in Texas is Vietnamese, it usually surprises people. Of course, like every Member of the Senate, I consult with my constituents on a regular basis to try to learn from them what they think we ought to be advocating for on their behalf. The border communities I represent have experienced very real consequences—negative consequences—from the migrant crisis, and they have also seen the humanitarian consequences of people making this treacherous journey across Mexico, up from Central America, traveling up to the United States. Of course, it should be no surprise, in some cases, that journey is simply too strenuous and proves to be too much, and a number of these migrants actually lose their lives. They die trying to make their way to the United States.

In Brooks County, which includes Falfurrias, which is a border checkpoint about 50 or so miles north of the Rio Grande River, these communities don't have the resources to recover all the remains from those migrants who die in their counties, causing the costs to be placed on local government and, in turn, local taxpayers. For example, the burden falls on them to come up with forensic experts and medical examiners who are already overburdened and understaffed. This is a real problem for many of our border communities, and this is why I joined with Senator CRUZ and Congressman HURD and Congressman GONZALEZ to pass a bill to help local jurisdictions improve the recording and reporting of missing persons and unidentified remains found along the U.S.-Mexican border.

My hope is, this bill will help our local communities identify those who have gone missing, process those unidentified remains, and invest in forensic expertise to provide closure to the families in the United States and abroad who have lost loved ones.

Texas, I understand, is unique in many respects, given our long common border with Mexico, but both of our nations benefit from the commerce and trade that comes across that 1,200-mile border. As a matter of fact, Mexico is one of our closest trading partners. That shouldn't surprise any of us. That also means, our border communities are on the frontlines with some of the challenges that go with an unsecured border, like drug trafficking and gang violence.

Recently, I talked about the many complex facets of the migrant crisis as well as the way we can combat violence and exploitation by the gangs, cartels, and transnational criminal organizations. I have talked about the fact that the very same organizations that charge migrants \$8,000, for example, to transport them from Central America, across Mexico, and into the United States are the very same organizations that transport the heroin that is grown

in Mexico, processed there, and brought into the United States—the poison that unfortunately has killed far too many Americans who died from overdoses.

These criminal organizations are commodity-agnostic. They really don't care about the human beings. The only thing they care about is the money. So they will transport the migrants, traffic in children and women for sex—sex slaves in the United States—and they also traffic in illegal drugs that kill thousands upon thousands of Americans every year.

I mention the fact that we need to focus on strengthening our partnerships in Mexico and Central America in order to address this crisis, but I want to focus on one aspect of this relationship in my remaining time and talk about why trade remains such an important piece of the puzzle. The lack of sufficient resources at the border, including outdated ports of entry, including lack of personnel, technology, and equipment, have been a contributing factor to the crisis. In fact, look at how most of the high-value drugs get into the United States. It is through the ports of entry, and we need to upgrade those ports of entry and make sure they are staffed not only to monitor this trade as it comes across the border but also to identify the heroin and other illegal drugs coming into the United States so we can stop them. The only way we are going to be able to do that is by investing in our ports of entry, the antiquated infrastructure and inadequately staffed ports of entry.

Then, again, I have heard people say that what we ought to do is just cut off our border—close it all down. Can you imagine what that would do to the legitimate trade and commerce that comes across our border to support millions of American jobs?

About 5 million American jobs depend on trade with Mexico. About 8 million American jobs depend on trade with Canada. This idea that we can somehow close down the border is unrealistic. Even if it were attempted, it would be economically harmful to many millions of people in the United States.

My State has the second largest State economy in the United States, with Mexico being our top import and export partner. So closing off the border would have a significant negative impact, as I said, not only for Texas but nationwide. We have about 29 air, land, and sea ports of entry into Texas, more than any other State in the Nation. That includes the busiest inland port along the entire U.S.-Mexico border in terms of total volume.

The border communities in Texas know that when our ports are tied up with migrants and migrant families or illegal drugs and contraband, legitimate trade can slowly grind to a halt. Any disruption of legitimate international commerce has a swift impact on the pocketbooks and livelihoods of all of our border residents and, indeed,

of many people beyond those people living on the border.

Congress has taken some steps to protect and increase the volume of trade across our ports of entry. That includes my Cross-Border Trade Enhancement Act, which is now law, to permanently authorize a public-private pilot program that will ultimately lead to staff efficiencies and allow for infrastructure improvements to our ports of entry.

More than 10 Texas land ports—including the Paso del Norte Bridge in El Paso and the World Trade Bridge in Laredo—have taken advantage of the opportunities this program provides. Many Texas air and sea ports have begun to utilize this valuable program as well.

In addition, last week I joined the junior Senator from Michigan to introduce a bipartisan bill that would require the Department of Homeland Security to conduct a threat and operational analysis at all of our U.S. ports of entry, because the same ports that let in legitimate trade and commerce can also be points of exploitation and access for people who wish to do us harm.

This analysis will then become the basis of an implementation plan to ensure our ports can improve wait times for legitimate trade and prevent illegal contraband from crossing our borders. As I said, we have long thrived on international trade and travel through our many ports, but we need to take a hard look at the vulnerabilities and inefficiencies in the system.

It is important that we find targeted solutions to enhance legitimate trade and travel while ensuring that bad actors have fewer opportunities to thwart our protections. It is a message that says “first, do no harm”—a Hippocratic oath of sorts. That is the same advice I gave Ambassador Lighthizer as he negotiated a modernized trade deal with Mexico and Canada, which I was glad to see was signed by those three countries in Argentina at the G20 at the end of last month.

I look forward to reviewing the agreement with my colleagues in the Senate to ensure it is a good deal, and I stand ready to work with the administration and my colleagues on implementing this important legislation.

But the new USMCA agreement is not just for the Texas economy. A modernized pact will help to provide long-term stability for the Mexican economy and strengthen our two countries' trade relationship. This is an important point when discussing the ways that Mexico and the United States can work together. This is a partnership that I hope to see continued, especially under Mexico's new President.

I was fortunate to attend President Lopez Obrador's inauguration a little over a week ago, along with Vice President PENCE, Secretary Nielsen, Secretary Perry, and other members of the administration, including Ivanka Trump, representing her father.

To me, the future of the U.S.-Mexico relationship is important. It is one that we all ought to care about. I think the opportunities are there for us to engage in strategic partnerships with Mexico in a number of ways—for example, dealing with the asylum problem that Secretary Nielsen has already begun to negotiate.

Through our partnership, we can work together to solve this migrant crisis by improving the economy and the opportunities that people have to live and work in their home country, as well as to protect trade, which supports so many jobs here in the United States.

I yield the floor.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Justin George Muzinich, of New York, to be Deputy Secretary of the Treasury.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, the Senate will soon cast the first procedural vote on the nomination of Justin Muzinich to serve as the Deputy Secretary of the Treasury. I am going to oppose this nomination, and I would like to lay out exactly why, beginning with a basic rule that I intend to maintain going forward.

If a Treasury nominee says the Trump tax handouts will pay for themselves, I intend to oppose them. The reason why is that by sticking with this debunked claim, you are basically laying out the economic policy version of being a flat-earther. You are either peddling an idea you know is untrue, or you can't do math. Either way, you shouldn't have a pivotal, powerful job at the Treasury Department.

When Mr. Muzinich came before the Finance Committee for his nomination hearing, it was a titanic battle just to try to get him to offer any kind of substantive answer on pretty much anything. One question he finally answered straight up was whether he agreed that the Trump tax handouts would "pay for themselves and reduce our deficits." There he gave a one-word response, which was "yes."

Some call this trickle-down economics. Others call it voodoo economics. I call it, plain and simple, rainbow and unicorn math. No matter what you call it, it just isn't connected to reality. The Trump tax handout will not pay for itself, and even after independent, nonpartisan economic analyses demonstrated that was the case and even after months of data were released showing that the Trump tax law has failed to live up to the administration's fantasy land promises, Mr. Muzinich continues to cling to this false claim.

I will give him credit. He has what my relatives call—what Jewish people call—chutzpah, but that sure isn't going to win him my support.

In my judgment, it also raises a fundamental question of honesty. Before his nomination hearing, newspaper reports ran glowing quotes about him from several key officials at the Treasury Department. They praised Mr. Muzinich's financial expertise, and they talked about the expansive role he would play in a whole host of areas at the Treasury Department—not just tax policy but debt management. Republican committee members talked all about the work he had put into the development of the Trump tax law.

I was pretty interested in Mr. Muzinich's substantive views on these big questions because I had read these glowing tributes from his colleagues, and I thought, well, if we are going to have someone promoted to this important position, we really ought to get a sense of what he believes on the really important, substantive economic issues. So I began to ask the nominee about these questions, and he, as I indicated, just put any response sort of in the "well, I couldn't possibly get into that" category.

I wanted to know why because, eventually, we got around to his saying that he really wasn't going to get into these issues because he said if he was confirmed, he would just be, in his words, a "building manager."

A building manager is somebody who doesn't get praised by his colleagues as being an expert on debt management and tax policy. Building managers have important responsibilities. They are involved in things like acoustics and ventilation. They have responsibilities. That is what building managers do. They certainly don't have duties like those described by Mr. Muzinich's colleagues.

I had some real difficulty reconciling the way his own colleagues described him in these important publications and what he told me about his responsibilities as the building manager. I think he really is not reflecting what his job is all about, and the fact that he would misrepresent that to me in our discussions prior to his nomination—he misrepresented to the ranking Democrat on the Senate Finance Committee in charge of the nomination—is, in my view, very troubling.

I also have had very serious questions about the way Mr. Muzinich re-

sponded to my questions about the Trump administration's new policy—really, just a couple of months old—that would open the floodgates to more foreign dark money in American elections. We all know from this last election about what dark money means.

We had our airwaves and TV sets, from sea to shining sea, dominated by television commercials that had a tag line on it—something akin to "Americans for high school football" or "Americans who believe in our flag," or various other things that none of us would possibly disagree with but that would in no way reflect who actually paid for that commercial that found its way to our TV sets.

There were increased floods of dark money commercials through the past November election, and right before that, the Trump administration adopted a rule that would make it even easier for foreign dark money to make its way into our elections.

We will be talking about that rule later this week. There is going to be an effort with Senator TESTER and me to overturn that flawed policy, but the fact is that this is something that an individual who was nominated for the important position Mr. Muzinich seeks would have some views about and particularly because the rule change—the rule change made by the Trump administration to allow more dark money in American elections—was announced just hours after the American people learned about the illicit activities that an accused Russian spy Maria Butina had used to infiltrate conservative groups and undermine our democracy.

So if that were a coincidence, that the Trump administration announced this new rule to make it easier for foreign dark money to make its way into our elections—announced just a few hours after the American people learned about Maria Butina—I have to tell you that it is a coincidence for the ages.

The Trump administration and other officials, of course, say that Maria Butina was just an innocent college student attending American University. I don't know of many college students who go to South Dakota with an NRA political operative to set up a shell company. That is not common behavior for an American college student. Yet, given the fact that the Trump administration had made it easier to get foreign dark money into our elections—and a common vehicle for doing that would be one's using a shell company—it certainly, again, raises very troubling signs that a nominee for this key position will take no position whatsoever on something so important as that of protecting our elections.

The fact is, with this new policy, the President is essentially blinding law enforcement and telling foreigners and dark money groups that it is open season for election cash to flow.

I asked Mr. Muzinich about this. I asked: What do you think about this