to better utilize Federal lands and water facilities for aquifer recharge and eliminate duplication in the permitting of reclamation pump storage projects.

We are making good strides on the water side with this measure as well. I think it is important to remind folks that it is a lands package; it addresses many of the issues related to water; it is a sportsmen's package; and it is truly a conservation package as we look to what we have included and incorporated as the permanent authorization of the Land and Water Conservation Fund.

This is a good bill we have in front of us. We have been able to make it even a little better through our substitute amendment. I do know that we have many colleagues who, if we had more time, would say that they have more amendments they would like to offer for the package. We are not going to have the time or the ability to come to an agreement to add them here, but it is not without a great deal of work that we have gotten to this place. Again, the fact that we have been working for years—literally, years—to put this together is demonstration of our good faith to try to incorporate as much as we possibly can.

I do want to repeat, and I know Senator MANCHIN has, as well, that this is not going to be our last chance to pass natural resources legislation in this Congress. As soon as we get done here—hopefully, no later than early tomorrow—we are going to be right back at work. The Energy and Natural Resources Committee is going back to work, holding hearings, moving lands legislation. This is our effort, what we are dealing with right now, to clear the deck, and then move on to some new issues. We will be back again to move many of the provisions that perhaps weren't quite ready for this particular package.

Later this afternoon, we are going to vote on motions to end debate on S. 47. I strongly, strongly encourage all Members to support that motion and to allow us to take final steps to move this important package with good, strong, robust bipartisan support, and send it over to the House of Representatives so that we can finally get this enacted into law.

I see my friend from Nebraska is here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

LEAD PROGRAM STUDENTS

Mrs. FISCHER. Mr. President, I offer my thanks and appreciation to the chairman of the committee, Senator MURKOWSKI, and the ranking member, Senator MANCHIN, for the work they have done on this lands package. They have tried their best to bring to the forefront a number of different viewpoints and, obviously, a wide variety of issues that are included in this package. They have worked hard to meet many demands on all sides, and I thank them for getting that done.

I am going to be installed this week as one of the chairmen of the sportsmen's caucus, and we are thrilled to be able to have the sportsmen's bill included in this package so that we can continue to see this great American tradition of families and friends enjoying the outdoors, hunting, fishing, and recreating in this beautiful land that we have here in the United States of America.

I am very fortunate today to welcome a number of conservationists from Nebraska to Washington, DC. This is a group of bright, young people who are taking part in Nebraska's Leadership Education/Action Development Program, true conservationists who are ag producers, ag business people, and are here visiting us. This is known as the LEAD Program. They are individuals from various backgrounds who participate in this premier agriculture leadership program.

Over the course of 2 years, Nebraska LEAD fellows engage in monthly seminars all across the State; they visit our Nation's Capital; and they even have the opportunity to study agriculture systems overseas. The goal of the LEAD Program is to develop the next generation of innovative thinkers, problem solvers, and decision makers who will work to provide food and fuel to our world.

As a proud LEAD alum myself, I can tell you that it has helped to shape who I am today. This program continues to be near and dear to my heart. Through the LEAD Program, I learned valuable leadership skills that I have carried with me in serving my community in the Nebraska Legislature and right here in the U.S. Senate.

Many may not know this statistic, but by the year 2050, there will be an additional 2 billion people to feed in this world. It is important that the future generations of agricultural leaders are motivated and prepared to deal with unforeseen challenges on the road ahead. The LEAD Program is an extraordinary opportunity for Nebraskans to learn more about international trade, about foreign policy, and the unique agricultural systems that we have in our State, in our country, and in our world. Participants in the program will gain firsthand experience in what it means to be an agricultural leader here at home.

Agriculture is the beating heart of my State's economy. The hard work of our farmers and ranchers in Nebraska produces abundant bounties every year. We feed the world. We are privileged to do this and proud of this responsibility, and we pass it on to the next generation.

We also know that putting food on family dinner tables around the world does not come easy. It is the result of calloused hands and long days. It is chopping ice in the tank for thirsty cattle when it is 20 below, and moving irrigation pipes for thirsty crops when it is 110. It is the product of bright innovations, new technology, critical thinking, and fresh solutions in addressing some of our world's most pressing challenges. Now it is in the hands of the next generation of leaders.

Nebraska's LEAD Class 38 understands this. They know that our future is filled with promise. So I am expecting great things from each and every one of them, and I look forward to meeting with them this afternoon after I leave the floor.

LEAD Class 38, we are grateful for the work that you are doing now and the good work that you will do to help build a stronger Nebraska and a stronger world. I want to again extend a formal, warm welcome to all members of LEAD 38, and I hope you will enjoy your time in our Nation's Capital.

I yield the floor.

The PRESIDING OFFICER (Ms. ERNST). The majority leader.

CLOTURE MOTION

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

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending motion to proceed to Calendar No. 6, H.J. Res. 1, making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

Pat Roberts, Susan M. Collins, Michael B. Enzi, Roger F. Wicker, Lisa Murkowski, Marco Rubio, James M. Inhofe, Deb Fischer, Mike Crapo, Chuck Grassley, Mike Rounds, Lamar Alexander, John Boozman, Richard C. Shelby, John Thune, Joni Ernst, Mitch McConnell

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum calls be waived.

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

Mr. MCCONNELL. I withdraw the motion to proceed to H.J. Res. 1.

The PRESIDING OFFICER. The Senator has that right.

The motion is withdrawn.

NATURAL RESOURCES MANAGEMENT ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I ask unanimous consent that I be permitted to proceed as in morning business for up to 10 minutes.

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

Ms. COLLINS. Thank you.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 433 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Ms. COLLINS. Madam President, the second bill that I have introduced is the Home Health Care Planning Improvement Act. I have introduced this bill with my friend and colleague from Maryland, Senator CARDIN. Our legislation will improve the access that Medicare beneficiaries have to home healthcare by allowing physician assistants, nurse practitioners, clinical nurse specialists, and certified nurse midwives to order home health services. All of these healthcare professionals are playing increasingly important roles in the delivery of healthcare, particularly in rural and underserved areas of our Nation, like those represented by the Presiding Officer and the State of Maine.

I have learned of far too many cases of seniors experiencing unnecessary delays in accessing home healthcare because a physician was not available to order the care promptly. To avoid these needless delays, it is common sense that other medical professionals who are familiar with a patient's case should be able to order these services. Under current law, however, only physicians are allowed to certify or initiate home healthcare for Medicare patients, even though they may not be as familiar with the patient's case as the nonphysician provider. In some cases, the certifying physician may not even have a relationship with the patient and must rely on the recommendation of the nurse practitioner, physician assistant, clinical nurse specialist, or certified nurse midwife to order the medically necessary home healthcare. That makes no sense whatsoever. In too many cases, these requirements create obstacles, delays, and unnecessary paperwork before home healthcare can be provided. The result can be an unnecessary hospital readmission or other setback for the patient that would not have occurred had the home healthcare been provided promptly.

The Home Health Care Planning Improvement Act removes the needless delays in getting Medicare patients the home healthcare they need simply because a physician is not available to sign the form required by law. Again, I would make the point that this physician may not even have a relationship with the senior or other patient who needs the home healthcare. That primary care relationship may be between the patient and a nurse practitioner or a physician assistant, and yet that qualified healthcare professional is unable to order the home care that the patient needs.

These two bills will help to ensure the viability and accessibility of home health services now and in the future. By helping patients to avoid much more costly hospital stays and nursing homes, we know that home healthcare saves Medicare, Medicaid, and private insurers' programs millions of dollars each year. At a time when healthcare costs are among our most pressing policy challenges, we should embrace cost-effective solutions like home healthcare.

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

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

GOVERNMENT FUNDING

Mr. THUNE. Madam President, imagine going into a U.S. prison and announcing that a substantial number of the prisoners had to be released immediately—no exceptions, even if the prisoners in question had participated in serious crimes or committed violent offenses. That is an unthinkable scenario, and no one would seriously suggest going into our Nation's prisons and immediately releasing thousands of prisoners, including violent offenders onto the streets. Yet that is exactly what Democrats are proposing as part of a border security agreement.

Over the weekend, Democrats proposed capping the number of illegal immigrants who could be detained by Immigration and Customs Enforcement. Incredibly, they are refusing to allow an exception to the cap for violent criminals. Under Democrats' proposal, if Immigration and Customs Enforcement needed to detain more than 16,500 violent criminals in the interior of our country, they simply wouldn't be able to do it. Instead, immigration enforcement officers would have to choose which violent criminals to release back into our communities. Think about that.

Obviously, everyone who has come here illegally has broken our laws, but in a lot of cases in question, we are talking about people who have violated other laws, like laws against assault, rape, murder, theft, drug trafficking, and more. We are talking about limiting law enforcement's ability to make sure that those individuals are detained.

It isn't just about future detentions either. If the Democrats' enforcement cap went into effect, Immigration and Customs Enforcement would be forced to release criminals already in detention onto our Nation's streets.

Additionally, there are an estimated 180,000 criminal illegal aliens in the United States who currently are not in custody.

So, under the Democrats' proposal, not only would Immigration and Customs Enforcement be forced to release violent criminals, for all practical purposes, it would also be prohibited from trying to take additional dangerous criminals off of our streets.

Let's be very clear about what we are talking about here. We are talking about limiting the ability of a law enforcement agency to enforce criminal laws. No administration of either party would accept an arbitrary limit on the number of criminals it would be able to detain. No administration would or should sign off on a law that would force law enforcement agencies to leave violent criminals on our Nation's streets.

As of a couple of days ago, the Republicans, I would say, were encouraged by the bipartisan nature of the negotiations to prevent another government shutdown. Then the Democrats came forward with this absurd proposal to limit law enforcement's ability to detain even dangerous criminals.

Are Democrats trying to derail negotiations with a poison pill at the eleventh hour and force another shutdown? The question has to be asked since no one could seriously think that any President of either party would sign a deal that would limit his administration's ability to enforce the law.

We still have a few days left. I hope the Democrats will abandon this preposterous proposal to release dangerous criminals onto our Nation's streets. We can achieve a deal to avert another shutdown, but we can't do it by jeopardizing law enforcement's ability to protect the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

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

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

S. 47

Mr. LEE. Madam President, a little over a month ago, I stood before this body to object to the massive public lands package that it was poised to pass. This bill, some 680 pages long, was released at 10 a.m. that morning—that very morning when they first wanted us to pass this. My staff and I had not seen it beforehand, and we had been given no time to read it. This is, of course, really bad process—terrible process. This is not the way legislation should be written. It is not the way legislation should be debated. It is, of course, never ever the way legislation should be passed. In addition to the bad process, I objected at the time because I suspected that it also contained bad policy—bad policy that would disproportionately and negatively affect my State of Utah.

Now we find ourselves today, more than a month later, at a moment at which we are considering the bill. During that time period, I have, of course, had time to read the bill. Unfortunately, those suspicions that I had

about the bill have since been confirmed. This bill perpetuates a terrible standard for Federal land policy in the West, particularly for the State of Utah.

To give one some background, the Federal Government owns more than 640 million acres of land. This is a staggering amount of real estate—an amount of land that in its totality is larger than the entireties of France, Spain, Germany, Poland, Italy, the United Kingdom, Austria, Switzerland, and the Netherlands combined—all of them. I don't mean the national parks of those lands combined. I don't mean the government lands owned by those respective nations. I mean the entirety of those countries combined. That is how much land the Federal Government owns just within the United States. That is a problem, especially because of the way it is distributed.

Do you see this? Federal public land is not distributed evenly across the entire country. It is distributed in such a way that the West bears a disproportionate burden. In fact, my home State of Utah is a place that itself bears a disproportionate burden, a disproportionate share of that land, with two-thirds of the land being owned by the Federal Government. You will see, on this map, we have Federal land marked in red, and land that is not owned by the Federal Government is marked in white. You will see there is a big difference, as you move from west to east, in the amount of Federal land that exists.

I remember when Eliza, my daughter, was about 8 years old. It was the first time I ever showed her this map. As best I could, I explained it to her, an 8-year-old.

At the time, she looked at the map and said:

Look, Daddy. They own Utah.

I said:

Yes, Eliza, you're right. They own Utah.

In every State east of Colorado, the Federal Government owns less than 15 percent of the land. In many of those States, it is in the low single digits as a percentage of the total land in a State that is owned by the Federal Government. In Colorado or in every State west of Colorado, the Federal Government owns at least 15 percent of the land, and in many of the States, like mine, it is a lot, lot more than that. This is, of course, an enormous amount of land. Make no mistake—it imposes an enormous burden on my State. In light of this, what are my objections to this bill? Well, there are a few.

First, this bill permanently reauthorizes something called the Land and Water Conservation Fund, or the LWCF, as it is sometimes abbreviated. Passed in 1964 by Congress, the LWCF was enacted to promote and preserve access to recreation opportunities on public land—to promote and preserve access to recreation opportunities. This is an admirable and worthy goal, so the fund was set up to be the principal source of money for new Federal land acquisition and to assist the States in developing recreation opportunities.

As originally conceived and passed by Congress, it directed 60 percent of its funds to be appropriated for State purposes and 40 percent for Federal purposes. Unfortunately, the program has since drifted from its original intent and from its original wording, and it has been a program that has been rife with abuse. I understand that in some States, people like it, and I understand that in some States, this is a program that is well regarded. It is not the case in every State.

To be clear, in 1976, the law was amended, and it was amended to remove that 60-percent State provision, stating simply that not less than 40 percent must be used for Federal purposes. Then it was silent on whether a State would, in fact, receive a penny.

The result? Well, it has been used for more Federal land acquisition than to actually care for, access, and manage the land that we already have, and 61 percent of funds have historically been used for acquisition, compared to the 25 percent that has historically been allocated to State grants. So millions of acres of land have been added to the Federal Government's already vast estate solely through the LWCF program.

Not surprisingly, the Federal Government has not always been a good steward of this land, and that is putting it mildly. Look, the sheer magnitude of unfunded needs on Federal lands is itself staggering. Now, this shouldn't be surprising. The Federal Government is run by human beings, and the Federal Government owns an enormous amount of land—a staggering amount of land. So for any one entity to own and manage that much land is going to be a daunting task, and I am not just talking here about neglect of garden variety BLM lands—those managed by the Bureau of Land Management or one of the other land management agencies of the Federal Government. A lot of those lands that comprise what we might describe as the crown jewels, even of our National Park System—those parts of the Federal public lands that the American people know and enjoy the most and identify most closely with what they like about Federal land management—even many of those have been neglected.

Take, for example, Grand Canyon National Park. We have deferred maintenance costs there of over $329 million. Yellowstone National Park has deferred maintenance of over $515 million. That is an enormous amount of land that is not being properly maintained. So in Yellowstone, here you have a picture of a road going through the park, and that road is completely pockmarked and made dangerous—in some places almost unusable—by potholes that haven't been repaired.

No American would necessarily want to drive down a road that looks like that. This is some of what happens when you continue to acquire more when you can't manage what you have.

Here in the Grand Canyon, we have a picture of a pipe that has sprung a leak and is leaking quite dangerously.

So what we have is a situation that, according to a 2017 CRS report, has resulted in a maintenance backlog of Federal lands totaling $18.6 billion.

Wildfires have run rampant in parts of the country, especially in the West, which the government has failed to prevent, and it is not just that they have failed to prevent those wildfires. It is not just that the Federal Government is not always well equipped to either prevent them in the first place or to fight them because of the vast inventory of lands that it has. In many instances, poor land management processes have resulted in severe environmental degradation that has itself been the predictable cause of widespread environmental catastrophe within Federal public lands.

To cite one of many examples, there is an infestation of a certain type of bark beetle within a certain area of federally owned forest. Locals understand that it is coming and ask the Federal Government to abate the nuisance, to address the infestation. The Federal Government refuses. The State and local authorities come back and say: OK, will you at least let us deal with the nuisance, get rid of the bark beetle so it doesn't destroy the trees, because if it destroys the trees, it is going to create a local environmental and economic catastrophe for our people. The Federal Government says no. So the bark beetle does its damage and destroys hundreds of thousands of acres of wooded area. It kills the trees. The trees then die.

The local populations go back to the Federal Government and say: These trees are dead. Will you cut them down so that we don't have this massive tinderbox of forest fire waiting to happen?

The Federal Government says no.

The people come back, those who live around the area, and say: Can we cut them down because, otherwise, this is going to be a tinderbox. There is going to be a fire. People are going to get hurt, and it is going to wreak havoc on our local environment.

The Federal Government still says no.

Then, guess what happens. Those trees catch on fire. They burn down, creating environmental catastrophe, disrupting the watershed, and this, in turn, leads to floods.

All of these things connect back up to poor Federal land management processes, and those poor Federal land management processes are the result of the fact that we have too much Federal land in the inventory to begin with.

Meanwhile, we have ill-kept roads and trails that, in some cases, have actually kept people away from our national treasures rather than allowing them to access them.

Furthermore, none of the current LWCF funds—not any of them—are directed toward maintenance or upkeep

of these lands, including within our national parks.

But for years now, Congress has perpetuated the status quo of this broken, dangerous, and environmentally reckless program by reauthorizing it in giant omnibus spending bills or continuing resolutions without even the slightest incremental, modest reform. Worse still would be making reauthorization permanent. Indeed, it would deny us any regular opportunity as a Congress to actually reform and improve the program.

Second, the bill creates another 1.3 million acres of wilderness in the West—half of that being in Emery County, UT.

Now, at the outset, I want to say that wilderness designations might sound like a good thing, and sometimes they are. But this highly restrictive designation limits far more activities than is necessary in many, many instances to actually protect the land.

In fact, a wilderness designation prohibits almost all human activity. This land usually cannot be used for any commercial activity or any infrastructure. It cannot be developed for recreational purposes or traveled across by car, bus, automobile, or even a bicycle—even a bicycle made for that specific purpose—to say nothing of any type of agricultural development or timber harvesting. In a State like Utah, where the Federal Government owns more than two-thirds of the land, these designations have big consequences, especially for the poor and middle class in my State.

The amount of Federal land in Utah already sets out a great disadvantage to the people of Utah to begin with. While private landowners would pay property taxes on this land, and those taxes would go to the State and its political subdivisions, the Federal Government does not. It does not pay property taxes. So Utah is deprived of what should be and otherwise would be a huge source of revenue and of opportunity.

What does that mean? Well, as a result, our schools are underfunded, local governments are crippled, fire departments are, ironically, depleted and, therefore, unable to properly take care of the lands they are charged to protect in the first place, and many times strapped in their ability to provide basic services to those most in need.

With so much of this land in the grip of Federal bureaucrats, it is again limited in its use, in its opportunity, in its potential for use for development, for infrastructure, and for jobs that are essential to our State's economy—jobs that would be essential to any State's economy.

But with further wilderness designations by Congress, this is an even tighter grip. As the LWCF perpetuates the acquisition of even more Federal public land, communities like those throughout my State start to suffer even more. Citizens, you see, in this type of an environment have to go to the Federal Government, cap in hand, to ask permission for the use of any of the land at all, for access to any of the land at all, whether that means to dig a well, to build a road, to bury a cable, or to do virtually anything on it at all.

So designating more than 660,000 acres of wilderness in Emery County is of no small consequence.

I understand that a lot of people here like the fact that we are doing that. Make no mistake. They are not the people who live in Emery County. They are not the people who live within hundreds or even thousands of miles of Emery County.

Finally, this bill does nothing to address the imminent threat that Utah faces from unilateral Executive land grabs through the Antiquities Act.

To be clear, anything and everything that is designated as red on this map may be designated as a national monument overnight, at any moment, solely at the discretion of the President. Anything here is fair game to any President, at any time, to say: I now make you a monument.

Now, the Antiquities Act, passed in 1906, was intended to give the President of the United States the power to declare land that is already owned or controlled by the Federal Government as a national monument and to do so by Executive fiat. This was done in order to protect specific historic and cultural objects in the case of an emergency where they couldn't otherwise be protected. But instead of reserving the smallest area compatible with the proper care and management of the objects to be protected, as the law itself requires and as the text of the Antiquities Act itself mandates, Presidents in more modern times have designated enormous, million-acre monuments far beyond the scope of the objects in need of immediate protection.

These monument designations—perhaps the most restrictive of all Federal land designations—often do more harm than good. They radically undermine a State's economy by prohibiting energy production, mining, fishing, ranching, recreation, and a myriad of other uses.

Furthermore, without allowing Congress or the State legislature any actionable input in a decision like this, they effectively silence and disenfranchise the voices of the people closest to and most affected by and connected to the lands in question, depriving them of any say in the process. This is not fair. It is wrong, and it is something that needs to be addressed.

Take, for example, the Grand Staircase-Escalante National Monument, designated by President Clinton in 1996. The Clinton administration designated 1.7 million acres of land—or about 67 percent of Kane County, UT, for the monument, all the while claiming that grazing would remain at historical levels.

But this promise, of course, was not kept. Since then, the BLM has revoked permits and closed much needed range land. You see, the men and women of the Bureau of Land Management, while well educated, well intentioned, and perhaps hard-working in many instances, are not from Utah. They don't respond to or stand accountable to anyone who is from Utah. They don't come from these parts of the country or from my State, where people's day-to-day livelihood and their ability to access their own land for their own purposes and to make a living—they don't have anything to do with this land. So why would they care? They don't.

Today, grazing is down almost one-third from what it had been more than two decades ago when the Grand Staircase-Escalante National Monument was proclaimed by President Clinton—proclaimed and designated as such, by the way, without any advance notice to the people of Utah, without the President even entering the State of Utah to do it.

Now, ranchers were hit hard. Many of them lost their ability to fence in water resources and maintain roads around them. In some cases, they could no longer bring water to their cattle, and many families were forced to reduce their herds, sometimes by half. This may not sound like much to someone who doesn't understand ranching or doesn't know anyone who makes their living off of ranching, but this means all the world to those people whose families for generations have supported themselves through ranching and ranching in that area where they are deeply connected to this land.

Of course, there was the designation of the Bears Ears National Monument by President Obama. The citizens of San Juan County, UT,—incidentally, Utah's poorest county—woke up on December 28, 2016, to find out that the Obama administration had unilaterally designated 1.35 million acres for that monument overnight, even though they had specifically pleaded against that.

Keep in mind that San Juan County has historically had some divisions—some of them along political lines, between Republicans and Democrats, and some of them along ethnic lines, between those who are Native American and those who are not.

This was an issue that united Democrats and Republicans alike in San Juan County. It united Native Americans in San Juan County and non-Native Americans in San Juan County like few issues ever have in San Juan County and few issues ever will in San Juan County. This brought them together because people from all walks of life opposed this if they lived in San Juan County.

President Obama, at the time he declared it, claimed this to have had the overwhelming support of Native American populations. What was often left out of that discussion is they were not the Native American populations in Utah. They were not the people who lived in San Juan County. They were people outside of this area, most of them out of State, who supported it.

Yes, it is easy to designate something as wilderness or a national monument when it is not in your land, when it is not in your community, when it doesn't affect your way of life. That is what happens when we abuse Federal public land ownership. That is what happens when you take one State and decide the Federal Government is going to own more than two-thirds of the land in that State.

Imagine if in your State—or in any other State—any other land owner, whether an individual, a for-profit corporation, a nonprofit foundation, or anything else, owned more than, let's say, 5 percent of the land. People would be understandably, justifiably concerned that that person or that entity or that nonprofit, or whatever it was, could have a disproportionate, outsized impact on that State's economy.

Imagine if that number were increased to include not just 5 percent of the land in your State, but 10, 15, 20, 25 percent of the land. As you rounded the corner of 30 percent, people would start to get freaked out. Imagine if that number then soared above that—35, 40, 45, 50 percent—until it got up to nearly 70 percent of the land in your State. Imagine further that, at that point, that landowner declared itself exempt from all forms of property taxation. That would create problems for your State.

This is what I beg and plead for my colleagues from around the country, particularly those who live east of Colorado, to understand. It is really easy to support these things when it is in somebody else's State. It is really for people on the northeastern seaboard to look at Utah and say: Well, it is just one of those square States. They have plenty of land out there. They have plenty of room. They don't need to worry about it.

Try living there. Try earning a living there for your family. It is not right. This goes against so much of what we believe in, in this country.

Federal land ownership is not the only unfair thing about this. Again, Federal land ownership makes possible the designation unilaterally, by one person, of a national monument, and if that one person happens to decide that a particular State ought to be the next victim, that person will make it so.

It just so happens that, just as Utah has a disproportionate share of Federal public land in its State, so, too, is it a disproportionate victim under the Antiquities Act. Since the passage of the Antiquities Act, Presidents have designated 77.85 million acres of land as national monuments, and 87 percent of that has been designated in the last 40 years. Of the land that has been designated as a monument over the last 25 years, 3.23 million acres, or 28 percent, are in Utah. All of the land in the United States designated as a monument in the last 25 years, that portion—nearly 30 percent—is in my State. Why is that fair? It is not, especially when you consider the harm done to the economies, the disruption that takes place as a result of these designations, the widespread opposition from Democrats and Republicans alike, and in San Juan County the Native American population and the non-Native American population alike are overwhelmingly against this.

What was intended to be an act of cultural preservation has, sadly, deteriorated into a greedy, harmful Federal land grab. As it currently stands, there is always the threat of a decision coming down from on high that will utterly decimate the livelihoods of people in Utah. There is no good reason for this.

Already, two other States have felt the abuse of the Antiquities Act within their borders, and they have received relief. In the 1950s, Wyoming and Alaska successfully called on Congress to grant them Antiquities Act protections. Why? Because they had been disproportionately burdened by this law. As a result of their efforts, in Wyoming, any monument designation must be approved by Congress, and, in Alaska, any designation made by Presidential fiat that exceeds 5,000 acres must be approved by Congress.

To be clear, in both of these States, Congress still has the power to designate this. It is just that they are saying, for those States where it has been abused in the past, Congress as a whole—people's elected lawmakers as a whole in Congress—ought to be the ones designating, rather than putting it in the hands of one person.

There is no reason why the people of Utah, who have suffered more under the Antiquities Act than any other population in the entire country, should be treated any differently. There is no reason Utahns should live under this constant threat of abuse. That is why we have offered an amendment that would remedy this.

With permanent authorization of the LWCF, which will result only in a greater Federal land footprint, and with the roughly 660,000 acres of new wilderness designation in Utah, I fear my State is at even greater risk for yet another monument designation. Thus, at a bare minimum, Utah deserves the same protection Wyoming has received. Our amendment would add just two words: ''or Utah.'' Without it, I simply cannot vote for this bill. With it, it gives us the protection we deserve and protection that other States like ours have already received.

In a day and age when we have to deal with 680-page bills dropped on our desks at 10 a.m. on the day we are asked to pass it or a 2,232 page spending bill, as we faced last March for the omnibus spending package, a bill that is not two pages long, but just two words long, should be welcomed.

There is much that is wrong with our Federal land policy in the West, and, unfortunately, much of that is something that this bill fails to correct. Utahns, and Americans, deserve better than the stranglehold that the Federal Government is exercising over so much of our country's lands. Yet Washington greedily continues to grab more, year after year, imposing tighter and tighter restrictions, all the while failing to maintain the lands that it already owns. These lands will not be national treasures for everyone if we can't take care of them in the first place. Indeed, they will be treasures for no one if we continue along this same pattern of willful neglect.

Let me be very clear. My opposition today is not about whether our national treasures or parks or monuments or lands should be protected. It is not about whether they should be, but how to do that and who is best equipped to do that and who is most knowledgeable to do it well.

What I am asking for is for Utah's elected leaders—its elected lawmakers in Congress—to at least be given a chance to weigh in on these matters before they become law, rather than to have those decisions being made from thousands of miles away by just one person. Indeed, the very best way to ensure that these national treasures are protected and recreation available is to empower our States and our local communities, which understand and appreciate their backyards best. They know which land to prioritize, and they know how to make that happen.

Just look at the State and local ballot initiatives in the last few decades to see the evidence. Since 1988, these State initiatives have approved over $72 billion in combined expenditures for recreation and conservation. These things matter to States and local communities, and they have already raised huge funds and found ways to preserve and competently manage their public lands.

Protection of our lands will happen without the Federal Government's thumb on the scale, and it will happen in a way that actually makes these treasures more available for future generations. We will not be helping them preserve them, however, by denying access to the people who are in the best position themselves to preserve them; that is, the people who live and work and recreate on them, the people whose lives are interwoven with them and have been for generations. And we will not be helping the American people by depriving them of their livelihoods. That is why I have introduced amendments that would make reforms and improvements to the LWCF, the Emery County wilderness designation bill and other provisions in this package—amendments that would steer our lands policy in a better direction, at least as a starting point.

These are conversations worth having. They need to be had, and we ought to have them. But at a bare minimum, with the least shred of compromise, we could add just those two words—''or Utah''—to give Utahns justice, to give them a voice in managing and caring for their lands.

AMENDMENT NO. 187 TO AMENDMENT NO. 112

Mr. LEE. Mr. President, I call up my amendment No. 187 to amendment No. 112.

The PRESIDING OFFICER (Mr. BOOZMAN). The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [Mr. LEE], for himself and others, proposes an amendment numbered 187 to amendment No. 112.

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

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

The amendment is as follows:

(Purpose: To limit the extension or establishment of national monuments in the State of Utah)

At the appropriate place, add the following:

SEC. _____. LIMITATION ON THE EXTENSION OR ESTABLISHMENT OF NATIONAL MONUMENTS IN THE STATE OF UTAH.

Section 320301(d) of title 54, United States Code, is amended—

(1) in the heading, by striking ''WYOMING'' and inserting ''THE STATE OF WYOMING OR UTAH''; and

(2) by striking ''Wyoming'' and inserting ''the State of Wyoming or Utah''.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, just to speak very, very briefly to the good Senator's amendment to amend the Antiquities Act to prohibit the President from designating national monuments in Utah.

He and I have had some opportunity to speak to this issue, and I certainly agree with him when it comes to the policy goals that he is seeking to assert here. I clearly understand the frustration he has.

With the previous administration, I believe we have seen a real abuse of authority—certainly an abuse of the spirit—of the Antiquities Act. We saw that in Utah when millions of acres were locked up through Executive designation. This was done despite some pretty robust local opposition and objection.

This is a scenario that I know pretty well because, in my State, we have a Federal landlord that owns about 63 percent of the State, 224 million acres. We have a provision in ANILCA that is a specific no-more clause, prohibiting the withdrawal of more than 5,000 acres absent congressional approval. The Obama administration circumvented that law. They placed hundreds of thousands of additional acres off limits to development.

What my colleague is seeking here, the ability to affirm or reject a monument designation by the State of Utah, is something that, again, I truly understand. I have supported legislation and introduction of legislation to do just as he has done—maybe not specific to one State but making sure that we truly do respect the spirit of the Antiquities Act and making sure, when monuments and monument designations move forward, that they are done with local support.

I am in a bit of a quandary here because what he is advocating for is something that, again, I have been there with him on. But our dilemma, if you will, is that we have a package before us of lands bills, of water bills, of sportsmen's provisions, of conservation provisions that we have been working to kind of—not kind of, but to build that level of consensus.

This measure is one that has been identified by those with whom we have been trying to work, not only here in this body but with the House as well. They have identified this as one of those measures that would bring down this effort. So we are in a position where, while I support the goals the Senator is seeking to achieve, I don't see a path forward for it in this Chamber at this time.

As I mentioned—as you have heard me say—we have some very important provisions that we have been working on for a period of years. I want to ensure those proceed. I don't want to see S. 47 fall. So I am going to move to table the Lee amendment, but I want to once again commit to the Senator from Utah that I will work with him, as the chairman of the Energy Committee, to address these monument designations.

Given the vehicle that we have in front of us, I will move to table and ask that colleagues join me in this tabling motion.

Mr. President, at this moment, I move to table the Lee amendment No. 187.

The PRESIDING OFFICER. We have a cloture motion that has ripened. The motion to table is not in order unless you have unanimous consent.

UNANIMOUS CONSENT AGREEMENT

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that we be allowed to proceed to table Lee amendment No. 187.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MOTION TO TABLE

Ms. MURKOWSKI. Mr. President, I move to table Lee amendment No. 187.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from North Dakota (Mr. HOEVEN), and the Senator from Nebraska (Mr. SASSE).

Further, if present and voting the Senator from Texas (Mr. CORNYN) would have voted ''nay.''

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

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

The result was announced—yeas 60, nays 33, as follows:

[Rollcall Vote No. 20 Leg.]

YEAS—60

Alexander	Graham	Reed
Baldwin	Harris	Roberts
Bennet	Hassan	Rosen
Blumenthal	Heinrich	Rounds
Booker	Hirono	Sanders
Brown	Hyde-Smith	Schatz
Burr	Isakson	Schumer
Cantwell	Jones	Shaheen
Capito	Kaine	Shelby
Cardin	King	Sinema
Carper	Leahy	Smith
Casey	Manchin	Tester
Collins	Markey	Tillis
Coons	Menendez	Udall
Cortez Masto	Merkley	Van Hollen
Daines	Murkowski	Warner
Duckworth	Murphy	Warren
Durbin	Murray	Whitehouse
Feinstein	Peters	Wyden
Gardner	Portman	Young

NAYS—33

Barrasso	Fischer	Paul
Blackburn	Grassley	Perdue
Blunt	Hawley	Risch
Boozman	Inhofe	Romney
Braun	Johnson	Rubio
Cassidy	Kennedy	Scott (FL)
Cotton	Lankford	Scott (SC)
Cramer	Lee	Sullivan
Crapo	McConnell	Thune
Enzi	McSally	Toomey
Ernst	Moran	Wicker

NOT VOTING—7

Cornyn	Hoeven	Stabenow
Cruz	Klobuchar	
Gillibrand	Sasse	

The motion is agreed to.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to enter into a colloquy with my colleague from California, Senator FEINSTEIN.

While I was pleased that we could reach agreement to include a designation of the Sacramento-San Joaquin Delta National Heritage Area in the substitute amendment, I want to clarify what this designation does and, perhaps more importantly, what it does not do.

The purpose of this designation, as with congressionally designated National Heritage Areas in general, is to celebrate the region's history and cultural heritage by promoting education, tourism, recreation, and other historic values. It also creates the opportunity for Federal participation in promoting these regional attributes.

In no way does this designation implicate or interfere with any water facilities or operations associated with the Sacramento-San Joaquin Delta. We are not creating new regulatory authority or modifying existing regulatory authority, including those related to land or water use, at any level of government.

Further, S. 47 includes protections to ensure that private property will not be impacted by the designation, protections that apply to the ownership and use of water rights both inside and outside of the National Heritage Area's boundary.

I ask Senator FEINSTEIN, you have championed this National Heritage

Area designation for quite some time. In her view, have I properly characterized the intended effect of this designation?

Mrs. FEINSTEIN. I thank my colleague from Alaska and appreciate her help with this measure. Yes, her characterization of this provision is exactly right. There is no intent that this designation will have any impact on water rights or water-related management decisions. The general protections and limitations, along with the inclusion of language specific to Delta water operations, makes certain that the designation of the Sacramento-San Joaquin Delta National Heritage Area will not affect or influence water operations of the Central Valley Project, State Water Project, or other water supply facilities within the Bay-Delta watershed, including a reduction in water exports from the Bay-Delta. I am pleased that we have included additional language to dispel any such concerns and make absolutely certain that no one reads anything into the legislation that is not there and was never intended.

I thank her for including this designation in S. 47 and for all of her work to move this historic public lands package forward. The public lands package includes a number of provisions that will benefit California, and I appreciate her leadership in building bipartisan agreement to steer it through the Senate.

Ms. MURKOWSKI. I thank Senator FEINSTEIN. As we have explained, the purpose of this designation is straightforward and intended to promote and celebrate the cultural heritage of the Sacramento-San Joaquin Delta region, without any broader implications on water or land management.

Mr. MURPHY. Mr. President, I wish to engage in a colloquy with the chairman of the Energy and Natural Resources Committee, Senator MURKOWSKI, regarding S. 47, the Natural Resources Management Act, often referred to as the lands package, of which Chairman MURKOWSKI is the sponsor and which is currently under consideration by the full Senate. In particular, I am interested in clarifying the intent of title IV, regarding ''Sportsmen's Access and Related Matters.''

This title of the legislation deals with—among other issues—the amount of Federal lands open to hunting, fishing, and recreational shooting. If I understand the bill correctly, nothing in S. 47 opens existing Federal lands to hunting, fishing, and recreational shooting that are not currently open to those activities. Moreover, under this bill, those lands may be closed for reasons, including public safety and environmental protection, among other reasons.

Is that a correct reading of the bill?

Ms. MURKOWSKI. Senator MURPHY's reading of the bill is correct.

Mr. MURPHY. Thank you. It is also my understanding that S. 47 makes uniform the process by which Federal lands may be closed to hunting, fishing, and recreational shooting Moreover, it is my understanding that S. 47 does nothing to change the standards that the Federal Government uses to determine whether to close Federal lands to hunting, fishing, and recreational shooting or to otherwise limit those activities.

Is that a correct reading of the bill?

Ms. MURKOWSKI. Senator MURPHY's reading of the bill is correct.

Mr. MURPHY. Thank you.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

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

Mitch McConnell, Lisa Murkowski, Kevin Cramer, Mike Braun, Mike Rounds, Mike Crapo, Michael B. Enzi, Steve Daines, John Cornyn, John Thune, Thom Tillis, Tom Cotton, Richard Burr, Shelley Moore Capito, Rob Portman, Todd Young.

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

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

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from TX (Mr. CORNYN), the Senator from TX (Mr. CRUZ), the Senator from ND (Mr. HOEVEN), and the Senator from NE (Mr. Sasse).

Further, if present and voting, the Senator from TX (Mr. CORNYN) would have voted ''yea'' and the Senator from ND (Mr. HOEVEN) would have voted ''yea''.

Mr. DURBIN. I announce that the Senator from MN (Mrs. KLOBUCHER) and the Senator from MI Mrs. STAVENOW) are necessarily absent.

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

The yeas and nays resulted—yeas 87, nays 7, as follows:

[Rollcall Vote No. 21 Leg.]

YEAS—87

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

NAYS—7

Inhofe	Lankford	Toomey
Johnson	Lee	
Kennedy	Paul	

NOT VOTING—6

Cornyn	Hoeven	Sasse
Cruz	Klobuchar	Stabenow

The PRESIDING OFFICER. On this vote, the yeas are 87, the nays are 7.

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

The Senator from Florida.

AMENDMENT NO. 182 TO AMENDMENT NO. 112

Mr. RUBIO. Mr. President, I call up my amendment No. 182 to amendment No. 112.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Florida [Mr. RUBIO] proposes an amendment numbered 182 to amendment No. 112.

Mr. RUBIO. Mr. President, I ask unanimous consent that the reading of the amendment be waived.

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

The amendment is as follows:

(Purpose: To give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping)

At the end, add the following:

SEC. 2402A. JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

(a) IN GENERAL.—Section 2(b) of the Strengthening Coastal Communities Act of 2018 (Public Law 115–358) is amended by adding at the end the following:

''(36) The map entitled 'Cape San Blas Unit P30/P30P (1 of 2)' and dated December 19, 2018, with respect to Unit P30 and Unit P30P.

''(37) The map entitled 'Cape San Blas Unit P30/P30P (2 of 2)' and dated December 19, 2018, with respect to Unit P30 and Unit P30P.''.

(b) EFFECT.—Section 7003 shall have no force or effect.

The PRESIDING OFFICER. The Senator from the great State of Alaska.

ORDER OF PROCEDURE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 4:30 p.m. on Tuesday, February 12, all postcloture time be considered expired on S. 47; that following the disposition of any pending amendments, the substitute amendment, as amended, if amended, be agreed to, the bill, as amended, be