

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

REMEMBERING JOHN DINGELL

Mr. DURBIN. Madam President, I arrived in the U.S. Congress in January 1983—a new Congressman from downstate Illinois, the son of an immigrant mother—and I was in awe.

Just listen to this list of House Committee chairmen back then: chairman of the Rules Committee: Claude Pepper; Judiciary chairman: Peter Rodino; Veterans Affairs chairman: Sonny Montgomery; Interior Committee chairman: Mo Udall; Ways and Means Committee chairman: Danny Rostenkowski.

Yet even among these legends, John Dingell, chairman of the House Energy and Commerce Committee, stood out. He was a giant among giants, and not just because he stood 6 foot 3. A 26-year veteran of the House at the time, he was revered as the architect of Medicare and a driving force behind some of the most important civil rights and environmental laws in America's history. He went on to become the longest serving member of Congress in American history. But it is the quality and courage of John Dingell's service, even more than its length, that made John Dingell one of the most influential legislators of all time. He helped write most of the Nation's major environmental and energy laws. He helped save the American auto industry twice: in 1979 and again during the great recession.

His nickname—"Big John"—was a reflection not only of his commanding height but also of his moral stature. Of the more than 25,000 votes he cast in Congress, the one he was most proud of was his vote in support of the 1964 Civil Rights Act. That vote led to a brutal reelection fight later that year. It was the second time John Dingell ever had a cross burned on his lawn and the closest he ever came to losing a race. But John Dingell was unbowed. He went on to champion the Voting Rights Act of 1965 and—many more major civil rights laws.

John David Dingell, Jr. was born in 1926, the eldest of three children. His family, he once said, was as "poor as Job's chicken."

In 1932, when John was 6 years old, his father was elected to Congress, where he became a leading champion of the New Deal. He stood behind FDR as he signed the law creating Social Security.

In 1943, John Senior introduced America's first national health insur-

ance bill—to help seniors and children from poor families. The bill never passed.

In 1955, John Senior died in office from tuberculosis. That same year, at the age of 29, his son was chosen in a special election to finish his father's term.

At the start of every new Congress, John Dingell introduced a bill to create a Medicare Program to provide health insurance for older adults. He never gave up on fulfilling his father's dream. When Medicare finally came up for a vote in 1965, he was given honor of presiding over the House, in memory of his father. He lent the gavel he had used that day to Speaker NANCY PELOSI when the House voted to pass the Affordable Care Act in 2010. John Dingell sat by President Obama's side when he signed the Affordable Care Act into law in 2010. Millions and millions of Americans can afford to see a doctor today and retire with a bit of security and dignity because of John Dingell.

Chairman Dingell's father taught him that public service through politics can be a noble calling. He treated everyone with dignity. He cared about people who struggle, as his own family struggled when he was young. The priest who officiated at his funeral mass in Dearborn yesterday told a story about a woman who approached him recently and told him, "If not for John Dingell, I would not have been able to put food on the table."

Last week, on the day he died, John Dingell dictated some reflections to his wife, Congresswoman DEBBIE DINGELL. She was John's partner and his rock for 40 years, and she now holds the seat that John and his father once held. John's "parting thoughts," as he called them, were published in the Washington Post. They are profoundly moving and wise. One in particular stands out for me. Chairman Dingell said that it always grated on him to hear it said that a person "has" power. "In democratic government," he wrote, "elected officials do not have power. They hold power—in trust for the people who elected them."

I'll close with one last story—one final more bit of wisdom—from my friend John Dingell.

In 1944, when he turned 18, John enlisted in the U.S. Army. The following year, he was supposed to be among the first wave of American soldiers to invade mainland Japan. Only the surrender of Japan saved him from what would have been near-certain death. All of his life, he remained proud of his service and deeply committed to other veterans and to their families.

When President George H. W. Bush died shortly after Thanksgiving, Chairman Dingell wrote a posthumous tribute—the last World War II veteran to serve in Congress, writing to honor the last World War II veteran to occupy the Oval Office. It was published in the Detroit News. This is what John Dingell wrote:

Both of us understood how fragile this American democracy was and the atrocities

that were occurring in the world. Both of us signed up immediately when war was declared and knew our moral responsibility to defend America and fight for the freedom of mankind.

He went on to say:

We were from a political generation that understood delivering for the American people was more important than political wins. The success of government and good public policy is the success of hard-working men and women.

He closed with a plea, almost a prayer:

May the stories of my good friend help us find our way back to a society that promotes dialogues, not demagogues, and that it helps us to remember we, the people, have the ability to restore this great nation to common ground rather than letting it continue its downward spiral into constant chaos.

In closing, Loretta and I send our deepest condolences to John's wife, the love of his life, Congresswoman DEBBIE DINGELL moreover, to John's three surviving children: Chip, Christopher, and Jennifer; and their families, including John's three grandchildren; to his brother and sister; his countless friends and the countless more who thought of him as a friend and mourn his passing.

BORDER SECURITY

Mr. LEAHY. Madam President, in his tortuous attempt to make a case for billions of taxpayer dollars to wall off our southern border, President Trump claimed that a wall would stop human trafficking, which has been touted as a priority of this administration.

On several occasions, the President has depicted human trafficking as women and girls smuggled across the border with their hands and legs tied and duct tape across their mouths. No doubt there are such cases, but the overwhelming majority of trafficking victims in this country are U.S. citizens, and among non-citizen victims, nearly 80 percent cross through legal points of entry. As we have seen time and again, President Trump makes short shrift of the truth and relies on scare tactics, rather than evidence, to garner support for his misguided policies.

Not only would the President's border wall do next to nothing to combat the most common instances of human trafficking in the United States, his administration's policies have actually harmed trafficking victims, especially non-citizen victims.

Last year, the administration announced that applicants who are denied a T visa—an immigrant visa that enables certain victims of sex or labor trafficking to temporarily remain in the United States—may be required to appear in immigration court, the first step in deportation proceedings. This policy has reportedly had a self-censoring effect on victims and victims' advocates who are hesitant to apply or to encourage their clients to apply for a visa that may ultimately land them in immigration court.

The administration also eliminated grant funding for criminal record sealing or expungement for survivors of human trafficking, previously made available by the Department of Justice's Office for Victims of Crime. Survivors may have a criminal record associated with their trafficking, such as an arrest for prostitution or for a charge tangential to their trafficking such as loitering or theft. Helping survivors clear their criminal record is a critical step in their recovery, one that gives survivors a greater chance at securing stable employment, affordable housing, higher education, visas and green cards, and more.

So once again, we are forced to try to reconcile the President's rhetoric with the actions of his administration. They don't align. If this White House were serious about combating human trafficking, it would focus less on creating a false narrative about trafficking across our southern border and instead devote the resources to ensure that trafficking victims can come forward knowing they will be protected and assisted on their path to recovery.

THE FREEDOM TO EXPORT TO CUBA ACT

Mr. LEAHY. Madam President, I want to commend Senator KLOBUCHAR for introducing the Freedom to Export to Cuba Act, of which I and Senator ENZI are cosponsors. I urge other Senators to join us.

This bill is about ending the anachronistic prohibitions in U.S. law that for decades have limited U.S. engagement with Cuba, including preventing American companies from exporting their products to Cuba. The fact that legislation to do so is even necessary is illustrative of the absurdity of the situation in which we find ourselves. Companies from Europe, Russia, China, Mexico, and every other country can sell their products to Cuba, which is just 90 miles from our coast, but American manufacturers and retailers are largely shut out of the Cuban market.

For example, Cuba buys rice from Vietnam and powdered milk from New Zealand, half a world away, not from Alabama, Vermont, or Michigan. That makes no sense. This bill would enable American companies to compete, which every believer in a free market should support.

It is also important for Senators to know that punitive actions by the Trump administration last year to further restrict the right of Americans to travel to Cuba have had devastating consequences for Cuba's fledgling private sector, the very people the White House and supporters of the restrictions profess to want to help. The fact that they have said nothing about the harm they are causing Cuba's struggling entrepreneurs demonstrates that they care more about continuing their failed policy of sanctions, regardless of who they hurt, than about helping the Cuban people or about protecting the right of Americans to travel freely.

The latest ill-conceived attempt by the White House to punish Cuba would permit Title III of the Helms-Burton Act to go into effect. This would allow, among others, individuals who were Cuban citizens when their property in Cuba was expropriated half a century ago to sue in U.S. courts any Cuban, foreign, and even American company whose business in Cuba today uses that property. That could be an airport, port, warehouse, hotel, restaurant, you name it. Virtually every American and foreign company investing in Cuba would suddenly be liable for treble damages.

The purpose, as the law's authors made clear when it was enacted 23 years ago, is to harm Cuba's economy by making it completely inhospitable for foreign investment.

As my friend in the House, Representative JIM MCGOVERN, has pointed out;

"It's no mystery why Presidents Clinton, Bush, Obama, and Trump blocked Title III from going into effect every six months for the past 23 years.

It is hypocritical—it penalizes companies for doing what American companies do all over the world.

It is contrary to international law, which recognizes the right of expropriation and requires compensation.

It is an extraterritorial sanction that guarantees a response from our trading partners, like Canada, Spain and the EU, including complaints at the World Trade Organization.

And if you care about agriculture, be warned: It will open a new front in the trade war, with all the repercussions that can bring.

It will allow Cuba to claim victim status and rally international support.

It will clog our courts with lawsuits.

It will make it impossible to negotiate compensation for U.S. claims in Cuba, and, in the end, hurt the very Americans who seek compensation for the property they lost.

It will divide us from friends and allies who are now working for a peaceful solution in Venezuela.

And it will guarantee that new investment in Cuba will come from the Russians, Chinese and others who are hostile to the United States, and whose state-owned companies can't be sued in U.S. courts."

I agree with my friend in the other body. What the White House is considering would trigger an avalanche of unintended consequences that would bring U.S. commerce with Cuba to a halt, harm relations with our allies in this hemisphere and beyond, and make resolving property claims more difficult. I ask unanimous consent that a piece by William Leogrande on Title III of the Helms-Burton Act published in the February 13, 2019 issue of OnCubaNews be printed in the RECORD following my remarks.

Like many issues, Members of Congress have strong feelings pro and con about U.S. relations with Cuba. It is no secret that, after more than half a century of a policy of isolation that has achieved none of its objectives and primarily hurt the Cuban people, I, like Senators KLOBUCHAR and ENZI and many others in this body, favor closer relations.

Conversely, there are those in Congress and the Trump administration who believe strongly that we should ratchet up the pressure on the Cuban Government in an attempt to achieve those elusive goals.

I have often spoken publicly about the lack of political freedom and civil liberties in Cuba, but I also think it is important to try to be objective: to criticize when called for and to acknowledge positive changes when they occur.

I recognize that those who favor maintaining the failed economic embargo have a longstanding, visceral antagonism and resentment toward the Cuban Government. While they rarely, if ever, mention the corrupt and brutal Batista regime that enjoyed unqualified U.S. support until it was overthrown in 1959, they have legitimate reasons to criticize the mistreatment of the Cuban people by the current government and its support for the corrupt and repressive Maduro regime in Venezuela.

But they too should acknowledge that threatening and bullying Cuba has not worked. In fact, it has made the situation worse and provided an excuse for the Cuban Government to blame its own failures on us. They should also acknowledge positive changes in Cuba, but they never do—not ever. It is almost as if they are psychologically, ideologically, or emotionally incapable of saying one positive thing about the Cuban Government, no matter what positive things it does.

Perhaps they are afraid that, if they did, they would alienate their donors in the Cuban-American community. Of course, we know that Cuban-Americans are divided about the U.S. embargo. Some are hardcore believers in the embargo, and they always will be. But at least as many—and increasing numbers—oppose the embargo, especially those who were born after the Cuban revolution.

I wonder what the pro-embargo isolationists would say if the Cuban Government were to stop harassing and abusing dissidents who favor a more democratic system. Would those who oppose the embargo say anything positive?

What if the Cuban Government decided to embrace a free market economy and let private businesses flourish? Would those who oppose the embargo say anything positive?

I doubt it. I doubt it because no matter what positive reforms occur in Cuba, they will continue to defend the embargo until Cuba is a full-fledged democracy and those who currently hold power either die or are voted out of office.

We all want Cuba to become a democracy, where civil and political rights are respected, and the sooner the better, but those same defenders of the embargo support billions of dollars in U.S. aid—and weapons sales—to countries that are led by authoritarian, brutal, and corrupt dictatorships and monarchies, some of which have held power for decades or generations.