

CLOTURE MOTION

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

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs 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 nomination of Chad A. Readler, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

Mitch McConnell, David Perdue, Roy Blunt, John Cornyn, Joni Ernst, Lindsey Graham, John Boozman, Mike Rounds, Thom Tillis, Steve Daines, James E. Risch, John Hoeven, Mike Crapo, Shelley Moore Capito, John Thune, Pat Roberts, Jerry Moran.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 18.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Eric E. Murphy, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

CLOTURE MOTION

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

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 nomination of Eric E. Murphy, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

Mitch McConnell, David Perdue, Roy Blunt, John Cornyn, Joni Ernst, Lindsey Graham, John Boozman, Mike Rounds, Thom Tillis, Steve Daines, James E. Risch, John Hoeven, Mike Crapo, Shelley Moore Capito, John Thune, Pat Roberts, Jerry Moran.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 11.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of John Fleming, of Louisiana, to be Assistant Secretary of Commerce for Economic Development.

CLOTURE MOTION

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

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 nomination of John Fleming, of Louisiana, to be Assistant Secretary of Commerce for Economic Development.

Mitch McConnell, Steve Daines, John Thune, John Cornyn, James M. Inhofe, Pat Roberts, Mike Crapo, Chuck Grassley, Richard Burr, John Barrasso, Jerry Moran, Roy Blunt, Shelley Moore Capito, John Boozman, Johnny Isakson, Thom Tillis, John Hoeven.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls with respect to the cloture motions be waived.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

APPROPRIATIONS

Mr. LEAHY. Mr. President, just a couple of short weeks ago, we finally finished the fiscal year 2019 appropriations bills, and I greatly appreciate those who worked with us to get that done.

I want to talk today about the need to reach a new 2-year budget deal. We have to do that so the Appropriations Committee could then begin to work in earnest on the fiscal year 2020 bills.

We have shown that we can move the appropriations bills quickly, but we have to have the budget deal. In fact, unless we will get a budget deal, sequestration returns in fiscal year 2020. That would mean steep cuts in pro-

grams that invest in America and support working families.

It means we would have to make cuts in our defense programs for the next fiscal year—cuts of \$71 billion. This is real money. There would be a 10-percent cut in funding to support our troops and to invest in military readiness.

It would also require that we cut \$55 billion for nondefense programs in the next fiscal year. That is a 9-percent cut. The reality is, it means less investment in infrastructure, education, housing, or agricultural programs. It means less money for veterans' healthcare, protecting our environment, or combating the opioid epidemic.

These cuts are not just hypothetical numbers on a piece of paper. They affect real people and real families. They affect people in my State. They affect the people in the State of the distinguished Presiding Officer. They affect people in the 50 States represented by all 100 of us.

Of course, the worst part about that is the cuts will come at the same time we are facing significant increases in important programs that we have no control over.

For example, we have to fund the decennial census. The Constitution requires us to have this census, and we have to fund it by \$4 billion if we are going to follow what the Constitution of the United States requires us to do in conducting the 2020 census.

We have all talked about veterans' healthcare. We have had a significant increase in the healthcare costs for veterans, and we have to have significant increases in the budget if we are going to adequately fund their health.

The VA MISSION Act, which provides additional private care options for veterans, becomes effective in June of this year. That is going to cost at least an additional \$3 billion, and estimates could climb significantly higher. That is on top of the \$3 billion increase for VA medical care that we have already enabled through advance appropriations.

Then we are going to need an additional \$1 billion to ensure that an estimated 5 million people who receive affordable housing assistance can stay in their homes. In addition to these increased costs, we expect to lose nearly \$4 billion in receipts and cost savings in other programs compared to this year.

This may sound like just a whole lot of numbers. It is more than that. It means we have \$15 billion right off the bat that we must account for above this year's levels. Of course, I am sure there will be more increases that we will have to address.

As vice chairman of the Appropriations Committee, I know how hard Chairman SHELBY and I worked with Republicans and Democrats to get through the bills we had this past year. We got them done, but it was not easy staying within levels.

We have to have a 2-year budget deal. We have to negotiate it now. If we wait until the very last second to pass these bills, it will cost the taxpayers a lot more money because the Departments cannot plan. We are not going to bury our heads in the sand and pretend it is going to fix itself.

Of course, again, in the Appropriations Committee, we try to work in a bipartisan way. But we cannot responsibly do our job in the absence of cap levels that allow us to meet the needs of the American people.

Again, this is not just an accounting issue. This is the security and the well-being of the greatest Nation on Earth. It is not rhetoric; it is reality.

The budget deal has to be based on parity if we are going to pass it. It has to have equal treatment for defense and nondefense programs, as we have had in the past.

We have to invest on both sides of the ledger if we are going to create a strong national defense, a strong economy, and a healthy citizenry of the United States.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter to all Senators that was received yesterday from over 300 retired admirals and generals who agree with this premise.

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

MISSION: READINESS,

Washington, DC, February 27, 2019.

MEMBERS OF CONGRESS: We write as retired admirals and generals, and members of the national security organization Mission: Readiness, to urge you to support programs that help America's children grow into healthy, educated, citizen-ready adults. Particularly, we respectfully request that you reevaluate spending caps mandated by the Budget Control Act of 2011 (BCA) and provide balanced investments in both defense and non-defense discretionary (NDD) programs.

As Members of Mission: Readiness, we recognize the fact that the strength of our military—and our Nation—is dependent on the strength of our people. We are deeply concerned that 71 percent of young Americans ages 17 to 24 cannot qualify for military service because they are too poorly educated, medically or physically unfit, or have a disqualifying record of crime or drug abuse. The implications of this recruitment crisis were underscored last year, when the Army fell short of its 2018 recruiting goal by 6,500 soldiers. Further, in 2018 the Army missed its end strength goal for the active duty component by almost 7,500 soldiers, and the Army National Guard and Army Reserve missed their end strength goals by 8,000 and 9,000 soldiers, respectively. The shortage of qualified young people who are willing to serve will continue to erode the strength of our military, unless we address the root causes now.

NDD programs play a variety of roles in supporting and enhancing our national security by contributing directly to the health, education, and development of our youngest generation. These crucial NDD programs include:

Child Care and Development-Block Grants (CCDBG), which help low-income families afford child care. Research shows that access to quality child care has significant positive impacts on children's social, cognitive, and physical development.

Head Start and Early Head Start, which help children from low-income families access early learning opportunities and become prepared for kindergarten. Studies have found that the Head Start participants gain long-term educational benefits, including increased rates of high school graduation.

The sequestration cuts mandated by the BCA pose a direct threat to the effectiveness of these and other key NDD programs. Without a new budget agreement from Congress, NDD funding will be cut by \$55 billion compared to Fiscal Year 2019. These cuts would severely undermine the ability of programs like CCDBG, Head Start, and Early Head Start to serve children and put them on the path toward productive citizenship.

Last year, Congress worked in a bipartisan fashion to pass a two-year budget agreement that avoided sequestration cuts, provided key new investments for important programs, and did so in a balanced manner that strengthened both defense and NDD activities. We strongly urge you to follow this example for the coming fiscal years and avoid the drastic cuts of sequestration, while maintaining a balanced approach to setting discretionary budget levels.

Providing for the common defense is one of the most fundamental and important constitutional duties of Congress. By providing balanced investments across both defense and non-defense discretionary programs, Congress will continue to ensure our national security, both now and for generations to come.

Mr. LEAHY. These admirals and generals, many of whom I know and a lot of whom I do not, have been here with Republican and Democratic administrations, but they are all people who have served our Nation and care about our Nation. They are part of a coalition called Mission: Readiness, Council for a Strong America. They call on Congress to negotiate balanced investments in both defense and nondefense programs.

They wrote: "As members of Mission: Readiness, we recognize the fact that the strength of our military—and our Nation—is dependent on the strength of our people."

We have certainly seen this. You can go back to the time of World War II, when Harry Truman found that we could not find the people we needed in our military because of things like malnutrition or a lack of education; we needed to improve the nutrition programs in our schools. This is not rhetoric; it is reality.

These admirals and generals want a strong United States of America, just as I do and just as every single Member of this body—of either party—wants.

If the press reports are accurate, the President is planning to send up a budget on March 11 that not only fails to provide a constructive path forward, but it is going to be dead on arrival. If press reports are accurate, the President will, yet again, propose deep cuts to nondefense programs, even though Congress has rejected President Trump's cuts for the last 2 fiscal years. Every Republican and every Democrat knows that you have to have a balance between defense and nondefense programs.

President Trump also proposes large increases for defense programs, paid for

using a budget gimmick that his own Acting Chief of Staff, Mick Mulvaney, would rail against when he was in Congress. He says he will move large portions of the defense base budget into the Overseas Contingency Operation, or OCO, account so that it will not count against the budget caps. Mick Mulvaney and most Republicans and Democrats have said we cannot do this. It is not a recipe for success.

OCO is meant for costs associated with military operations in Afghanistan, Iraq, and Syria. It is there to address crises overseas. It supports our men and women deployed and in harm's way.

The OCO account should not be used as a slush fund to pay for the everyday operations of the Department of Defense or to avoid a real debate on the budget caps.

To suggest we should move billions in the base defense budget into OCO at a time when the President is actively reducing our troop presence overseas shows what a disingenuous move it is.

I went back in my notes, and I found a letter written by then-Congressman Mick Mulvaney—now the acting Chief of Staff for President Trump. He wrote this in March of 2014. It is strikingly relevant today, 5 years later. Then-Congressman Mulvaney wrote a letter signed by numerous Members. He opposed a \$10 billion increase in OCO, calling it a "misuse" of funds and an attempt to "circumvent the caps" for things unrelated to overseas combat at a time when war operations were "winding down." He opposed the gimmick. He argued for greater transparency and discipline in the budget process.

He said he would not want any President—well, of course, in that case, it was President Obama—to have this power. Now he is Acting Chief of Staff of another President, and we are told the President may propose an increase of \$105 billion, more than doubling OCO funding, as we are withdrawing troops. That is not the way forward.

Let's have an honest conversation, Republicans and Democrats together, about our needs as a nation. We have to do the hard work to set new caps. It is not easy. Every one of us will have to cast difficult votes. Well, so what? We are elected to a 6-year term. There is not a single Member of this body who, at one time or another during their campaigns, did not say something to the effect of "I am willing to cast tough votes."

Well, let us have it, this onerous conversation. Let us do the hard work to set new caps. Let us cast those difficult votes. Let us show the people who elected us they did the right thing. Let us invest in the programs. Let us strengthen our military, grow our economy, improve our infrastructure, and build the future of this country we love. Let us not use a budget gimmick to frustrate that debate. Trust me, the American people will see through that kind of a gimmick.

I am ready to have those conversations. I want to move forward with the fiscal year 2020 appropriations bills. Let's get the work done the American people sent us here to do. If we have to stay a few evenings and if we have to stay a few weekends, let's do it. It is for the greatest Nation on Earth. Let's do it. I urge leadership on both sides of the aisle, in both Chambers of Congress, to begin these negotiations now.

Then we have to take up, with urgency, a disaster package. In the last 2 years, we have had the deadliest disaster seasons in recent memory—Hurricanes Michael, Florence, Irma, and Maria, the California wildfires, volcanic eruptions in Hawaii, and typhoons along the Pacific coast. These communities, States, and territories need our help.

When Tropical Storm Irene hit Vermont in 2011, I found out firsthand how devastating natural disasters can be. Roads were washed away, towns and villages were cut off from vital services, and people's homes were destroyed.

The day after Irene, I went around the State of Vermont with our Governor and with the head of our National Guard in a helicopter, landing in small towns. Many times the only way you could get into these towns was by helicopter because roads were gone and the bridges were gone.

You would see bridges, like a child's toy, twisted and a mile from where it was supposed to be. A farmhouse that had been on the north side of the river was now upside down on the south side of the river. We were in the middle of the State, and we knew it was critical. The Federal Government provided assistance to help recovery because we are part of the United States of America.

The people of Puerto Rico and others that have been so badly damaged, these are Americans. We should stand together to help them. I am sorry we were not able to reach agreement to include a disaster package in the fiscal year 2019 minibus we passed just 2 weeks ago. We were so close to an agreement on a package—so very close, Republicans and Democrats alike. It would have addressed the needs of all impacted communities.

It broke down because the President insisted we eliminate disaster assistance for Puerto Rico. I guess he thought tossing rolls of paper towels for the people is good enough. Puerto Rico is part of the United States. It is not, as the White House described it, an island surrounded by water, I guess, as compared to those other islands. It is a part of the United States. These are American people. They have served in our military. They help us in our medical facilities. They are Americans, and they cannot be left out.

Hurricanes Maria and Irma—they had two hurricanes—devastated Puerto Rico. They destroyed the island's homes and infrastructure. They caused the deaths of an estimated 2,975 people.

It was one of the deadliest hurricanes our country has ever seen, certainly in my lifetime.

Now, we provided Puerto Rico assistance in past disaster bills, but they have so many unaddressed needs that have to be met. Many people, even after the hurricane, are still living in temporary housing. Roads, bridges, and communities still need to be rebuilt. One of the largest infrastructure projects to be undertaken on the island is the rebuilding of Puerto Rico's energy grid, which needs more assistance.

Most importantly, in the absence of supplemental assistance, we estimate that 140,000 Puerto Ricans, U.S. citizens, are going to lose nutrition assistance at the end of March.

We are the United States of America—United States of America—and this is the U.S. Senate. We are supposed to take care of all our citizens when they have crises. We do not pick and choose based on with whom we are politically aligned.

I voted for disaster relief for States that were predominantly Republican and other States that were predominantly Democratic, but I don't look at it like that. I look at the fact that they are part of the United States of America, and they had a disaster. They should be helped.

Last month, the House passed H.R. 268, a comprehensive disaster package that provided over \$14 billion to help all States and territories impacted by recent disasters to help them recover and rebuild. I worked closely with the House on this bill. I believe it will address the needs of all disaster-impacted communities.

On Tuesday, Senators PERDUE and JONES and others, working very hard, introduced a similar but not identical bill. I am taking these bills with me this weekend. I am going to review them carefully. I thank the bipartisan group of Senators—Senators PERDUE and JONES and others—for bringing the issue back to the forefront of the Senate. I am certainly committed to working with my good friend Chairman SHELBY. I also worked with Republicans and Democrats in the House Appropriations Committee. I want a package that can pass both Chambers in addressing the needs of all States and territories hit by recent disasters.

I certainly urge the majority leader, Senator MCCONNELL, to commit to bringing this to the floor as soon as possible. With that, I see other Senators on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

REMEMBERING OTTO WARMBIER

Mr. PORTMAN. Mr. President, in the context of the ongoing negotiations with North Korea, there has been a lot of discussion today in the media about Otto Warmbier.

Otto Warmbier was a young man from my hometown of Cincinnati, OH. This is an emotional issue for me because, through the process of trying to

bring Otto home, I got to know his family very well.

He was a young man with a lot of promise, 22 years old, and a college student at the University of Virginia. He had gone as a tourist to North Korea. He was pulled out of the line at the airport.

Here he was, a kindhearted college kid, found himself a prisoner in North Korea. He was there for about 18 months. His detainment and his sentence were appalling; unacceptable by any standards. At some point soon after being sentenced to 15 years of hard labor, from what we know, Otto suffered a severe brain injury. What happened? We may never know the details, but we do know one thing, and that is he was severely mistreated.

Who did the North Korean Government tell about the fact that he had this brain damage? No one. Unbelievably, for the next 15 months of his life, they kept this a secret. They denied him access to the best medical care he deserved, which of course we would have provided.

I was in communication with the North Korean Government during this time through their offices at the United Nations in New York. They didn't even tell us about the terrible mistreatment he had suffered and the condition he was in. They refused repeated requests for consular access that normally would have been provided to someone who has been detained, regardless of their health situation. This included denying requests, of course, from me, from others in this body and other bodies of Congress but also from the Obama administration, the Trump administration, the Red Cross, also from the Government of Sweden, which typically acts for us in North Korea as a consular service. I say that because while I support engagement with North Korea—in fact, in my experience with Otto Warmbier, it makes me even more convinced we need to have communication because we had no good lines of communication.

I support the ongoing talks with North Korea, specifically about denuclearization. I want to make clear that we can never forget about Otto. His treatment at the hands of his captors was unforgivable, and it tells us a lot about the nature of the regime. We can't be naive about what they did to Otto, about the brutal nature of the regime that would do this to an American citizen.

Of course, it is not just about Otto or other visitors. It is about how the people of North Korea are treated, many of whom also have had their human rights violated. No one should have to go through what the Warmbier family has gone through. They have been incredibly strong, by the way, through this whole ordeal. I watched them channel their grief into something constructive, exposing some of the human rights abuses in North Korea, as an example.