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## Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

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

Let us pray.

Sacred Father, open the hearts of our lawmakers to the joy and beauty of Your providence. Provide them with a greater appreciation of Your favor, wisdom, and grace. Remind them of Your plans to keep them from stumbling and present them before Your glory with great joy. In their weakness, impart Your strength. In their fatigue, give them renewal. Empower them with a moral and spiritual stamina to walk in the paths of integrity and courage.

And, Lord, as houses of worship face the reality of criminal violence, sustain and keep all who labor to bring Your peace on Earth and good will to humanity.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

The PRESIDING OFFICER (Mr. HAWLEY). The Senator from Iowa.

### DIRECTING THE REMOVAL OF UNITED STATES ARMED FORCES FROM HOSTILITIES IN THE REPUBLIC OF YEMEN THAT HAVE NOT BEEN AUTHORIZED BY CONGRESS—VETO

Mr. GRASSLEY. Mr. President, for the leader, is there a message at the desk in reference to S.J. Res. 7?

The PRESIDING OFFICER. The Chair lays before the Senate a commu-

nication of the Secretary of the Senate regarding that matter.

The legislative clerk read as follows:

UNITED STATES SENATE,  
OFFICE OF THE SECRETARY,

April 29, 2019.

Hon. MICHAEL R. PENCE,  
*President of the Senate,*  
*U.S. Senate, Washington, DC.*

DEAR MR. PRESIDENT: On Wednesday, April 17, 2019, the President of the United States sent by messenger the attached sealed envelope addressed to the President of the Senate dated April 17, 2019, said to contain a veto message on the bill S.J. Res. 7, a Joint Resolution to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress. The Senate not being in session on the last day which the President had for the return of this bill under the provisions of the Constitution of the United States, in order to protect the interests of the Senate so that it might have the opportunity to reconsider the bill, I accepted the message at 10:20 a.m., and I now present to you the President's veto message, with the accompanying papers, for disposition by the Senate.

Respectfully,

JULIE E. ADAMS,  
*Secretary of the Senate.*

Mr. GRASSLEY. Mr. President, for the leader, is the veto message with the papers attached at the desk?

The PRESIDING OFFICER. It is.

Mr. GRASSLEY. For the leader, I ask unanimous consent that the veto message on S.J. Res. 7 be considered as having been read and that it be printed in the RECORD and spread in full upon the Journal.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The veto message is ordered to be printed in the RECORD as follows:

*To the Senate of the United States:*

I am returning herewith without my approval S.J. Res. 7, a joint resolution that purports to direct the President to remove United States Armed Forces from hostilities in or affecting the Republic of Yemen, with certain exceptions. This resolution is an unneces-

sary, dangerous attempt to weaken my constitutional authorities, endangering the lives of American citizens and brave service members, both today and in the future.

This joint resolution is unnecessary because, apart from counterterrorism operations against al-Qa'ida in the Arabian Peninsula and ISIS, the United States is not engaged in hostilities in or affecting Yemen. For example, there are no United States military personnel in Yemen commanding, participating in, or accompanying military forces of the Saudi-led coalition against the Houthis in hostilities in or affecting Yemen.

Since 2015, the United States has provided limited support to member countries of the Saudi-led coalition, including intelligence sharing, logistics support, and, until recently, in-flight refueling of non-United States aircraft. All of this support is consistent with applicable Arms Export Control Act authorities, statutory authorities that permit the Department of Defense to provide logistics support to foreign countries, and the President's constitutional power as Commander in Chief. None of this support has introduced United States military personnel into hostilities.

We are providing this support for many reasons. First and foremost, it is our duty to protect the safety of the more than 80,000 Americans who reside in certain coalition countries that have been subject to Houthi attacks from Yemen. Houthis, supported by Iran, have used missiles, armed drones, and explosive boats to attack civilian and military targets in those coalition countries, including areas frequented by American citizens, such as the airport in Riyadh, Saudi Arabia. In addition, the conflict in Yemen represents a "cheap" and inexpensive way for Iran to cause trouble for the United States and for our ally, Saudi Arabia.

S.J. Res. 7 is also dangerous. The Congress should not seek to prohibit

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



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certain tactical operations, such as in-flight refueling, or require military engagements to adhere to arbitrary timelines. Doing so would interfere with the President's constitutional authority as Commander in Chief of the Armed Forces, and could endanger our service members by impairing their ability to efficiently and effectively conduct military engagements and to withdraw in an orderly manner at the appropriate time.

The joint resolution would also harm the foreign policy of the United States. Its efforts to curtail certain forms of military support would harm our bilateral relationships, negatively affect our ongoing efforts to prevent civilian casualties and prevent the spread of terrorist organizations such as al-Qa'ida in the Arabian Peninsula and ISIS, and embolden Iran's malign activities in Yemen.

We cannot end the conflict in Yemen through political documents like S.J. Res. 7. Peace in Yemen requires a negotiated settlement. Unfortunately, inaction by the Senate has left vacant key diplomatic positions, impeding our ability to engage regional partners in support of the United Nations-led peace process. To help end the conflict, promote humanitarian and commercial access, prevent civilian casualties, enhance efforts to recover American hostages in Yemen, and defeat terrorists that seek to harm the United States, the Senate must act to confirm my nominees for many critical foreign policy positions.

I agree with the Congress about the need to address our engagements in foreign wars. As I said in my State of the Union address in February, great nations do not fight endless wars. My Administration is currently accelerating negotiations to end our military engagement in Afghanistan and drawing down troops in Syria, where we recently succeeded in eliminating 100 percent of the ISIS caliphate. Congressional engagement in those endeavors would be far more productive than expending time and effort trying to enact this unnecessary and dangerous resolution that interferes with our foreign policy with respect to Yemen.

For these reasons, it is my duty to return S.J. Res. 7 to the Senate without my approval.

DONALD J. TRUMP.  
THE WHITE HOUSE, April 16, 2019.

The PRESIDING OFFICER. The Senator from Iowa.

#### ELECTING SENATE CHAPLAINS

Mr. GRASSLEY. Mr. President, for 1 minute, I will speak to a piece of history of the Senate.

I call to the Senate's attention this fact: When the Senate first convened in 1789 at Federal Hall in New York City, one of the Senate's first orders of business was to appoint a committee to recommend a candidate for Chaplain. On April 25, 1789, the Senate elected the Right Reverend Samuel Provost, Episcopal bishop of New York, as its first Chaplain.

That means 230 years ago this week, the Senate elected its first Chaplain, and since then the Senate has had 62 people serve in the position as Chaplain of the Senate.

#### HEALTHCARE

Mr. GRASSLEY. Mr. President, additionally for 1 minute, I would like to speak to the issue of healthcare. Some elected officials are proposing radical changes to our healthcare system. These proposals include Medicare for All, Medicare buy-in, Medicaid for All, and expansion of the Affordable Healthcare Act. All of these are versions of completely government-run healthcare.

Americans don't support a government-run healthcare system when they are told about the tradeoffs. Medicare for All would eliminate private health insurance companies. Medicare for All would require middle-class Americans to pay much more in taxes. Medicare for All would threaten the benefits that current Medicare beneficiaries receive, and those people who have paid into the system for a lifetime should not have Medicare, which has been part of the social fabric of America, put in jeopardy by loading more people into it.

Government-run healthcare is a slogan, not an answer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### PRESCRIPTION DRUG COSTS

Mr. GRASSLEY. Mr. President, I want to call my colleagues' attention to an issue that has affected many families in Iowa and throughout the country, and that issue is the cost of prescription drugs. The cost of prescription drugs is an issue that comes up at almost every Q and A I hold with Iowans at my annual 99-county meetings. During the last Easter break, which was just completed, I did 20 of those 99 counties.

In the last 2 months, I started a bipartisan investigation with my colleague, Ranking Member WYDEN of the Finance Committee, into the pricing of insulin. That investigation extends to insulin manufacturers and pharmacy benefit managers. We need to find out how manufacturers price their insulin products, and we need to find out if pharmacy benefit managers are negotiating the lowest drug price possible from manufacturers on behalf of insurance plans.

This isn't my first drug pricing investigation. In recent years, I have investigated Gilead's pricing of hepatitis C drugs. The names of those drugs are Sovaldi and Harvoni. I have been investigating Mylan's EpiPen price increase.

Let me tell you, oversight by Congress in doing our constitutional job

does accomplish things. I have said it before and I will say it again because you can't say it too often: Congress has a constitutional responsibility to engage in robust and aggressive oversight of the Federal Government and its programs.

My EpiPen investigation is a perfect example. Several years ago, I began to receive letters, phone calls, and emails from my constituents about the rapidly increasing, high price of the EpiPen. In 2007, a pack of two EpiPens cost \$100. By 2016, it had skyrocketed to over \$600. Of course, anybody paying it or even anybody hearing about it knows that to be a substantial price increase. I wanted to find out what was happening and what could be done to fix this problem of dramatically increasing prices and maybe unwarranted prices.

My investigative and policy focus soon turned to the Medicaid Drug Rebate Program administered by the Centers for Medicare & Medicaid Services. The Medicaid Drug Rebate Program is a contributing factor that has played a part in how much money the government and the taxpayers pay for some drugs, and, as you will find out, the waste of some taxpayers' money.

Now, as a condition for participating in the program, drug companies have to pay a rebate to the Federal Government and the States for the drugs they offer. Generally speaking, the rebate dollar amount is contingent on whether the drug is considered a brand name drug or generic drug. A brand name drug pays a rebate of the greater of 23.1 percent of the average manufacturer price or the difference between that and the drug's best price.

In the rebate program, the dollar amount is raised if the average manufacturer price has increased faster than the rate of inflation. A generic drug's rebate is 13 percent of the average manufacturer's price.

Unfortunately, the rebate program has not worked as it was designed to work. Drug companies have been able to game the system by paying smaller rebates than they are supposed to, and, of course, the taxpayer foots the bill.

EpiPen is a perfect example of this gaming of the system. This is how the scheme works. Mylan classified the EpiPen as a generic under the Medicaid Drug Rebate Program rather than as a brand name drug. After I asked those at CMS about that classification, they told me the EpiPen should not have been classified as a generic. Of course, because of this incorrect classification, Mylan only had to pay a 13-percent rebate instead of the 23.1-percent rebate. That means less money was returned by the company to the Federal taxpayers and to the States' taxpayers.

According to CMS, from 2011 to 2015, total Medicaid spending on the EpiPen was \$960 million. After rebates, net Medicaid spending was still approximately \$797 million. As opposed to Medicaid spending, Medicare spending on the EpiPen in those same years was

\$335 million. Taxpayers and the States' taxpayers were also on the hook for these exorbitant overpayments for the better part of 10 years.

When I saw what was happening, I asked the Health and Human Services' inspector general to look into these practices. Based on data already on file, the inspector general was able to calculate the potential lost rebate value dating back to 2006. The inspector general found that the taxpayers may have overpaid for the EpiPen by as much as \$1.27 billion over a 10-year period of time because of the incorrect classification. Eventually, Mylan settled a False Claims Act case with the Obama administration's Justice Department for \$465 million. Now, that \$465 million is a far cry from how much Mylan got from the taxpayers while it was pulling off this charade—in other words, \$800 million less.

Upon learning of the settlement, I expressed my extreme disappointment to the Justice Department. It just didn't seem that the taxpayers had been made whole. Obviously, they had not been. According to Attorney General Miller of my State of Iowa, my home State received \$1.5 million from the settlement. However, after my having made repeated requests to justify how much that amount has made Iowa whole, I have not received an answer yet. So, not only did Mylan's steep price hike for one of the most widely needed drugs in this country hit families hard, but it also hit the taxpayers' bottom line. We shouldn't have to depend on lawyers and lawsuits to get the taxpayers' money back. Government Agencies should be responsibly overseeing any program that they are in charge of.

During the course of my investigation, it became clear that CMS didn't believe that it had the legal authority to require drug companies to reclassify drugs and impose civil monetary penalties for incorrectly classifying drugs. Except for a few emails sent from CMS to Mylan's representatives that questioned EpiPen's classification, for years CMS did nothing. In other words, CMS was not doing its job, and Mylan was taking advantage of it.

The inspector general has also stated that he lacked the legal authority to affirmatively pursue penalties for the submission of inaccurate drug classification data. As a result, Mylan was able to escape accountability for a long time, which cost taxpayers billions of dollars. This is just one case. Other drug manufacturers are gaming the system as well.

In a December 2017 report, the inspector general found that 885 drugs may have been potentially misclassified. Specifically, the inspector general found that from 2012 to 2016, Medicaid may have lost \$1.3 billion in rebates for just 10 potentially misclassified drugs with the highest total of reimbursement. It is clear that the law needed to change to provide much needed clarity on who had what authorities and in order to hold the government, as well as the private sector, accountable.

As a result of the findings in my EpiPen investigation, I, along with my colleague Senator WYDEN, drafted—and Congress later passed—the Right Rebate Act. That all happened just a short period of time ago. The act, which passed with strong bipartisan support, fixes the problems that I identified through my investigation.

It closes the loophole that has allowed pharmaceutical manufacturers to misclassify their drugs and overcharge the taxpayers by billions of dollars.

The bill provides the HHS Secretary the authority to require drug manufacturers to reclassify their drugs and impose civil monetary penalties when drugs are knowingly misclassified.

It provides HHS with additional authorities to monitor drug manufacturers that participate in the Medicaid Drug Rebate Program, and the legislation provides the States the ability to recover incorrect rebate amounts.

Finally, the bill imposes reporting and transparency requirements on HHS. An example of additional reporting requires the Secretary to submit a report to Congress on an annual basis that describes four things: one, the covered drugs that have been misclassified; two, the steps that have been taken to reclassify the drugs; three, the actions the Secretary has taken to ensure the payment of any rebate amounts which were unpaid; four, an accounting of how funds have been used for the oversight and enforcement of this new law.

All of these fixes and updates are now in place because my constituents contacted me about the real-world problems they were paying for and that were affecting their health as well as their wallets. I instructed my oversight staff to investigate the problem. They acquired the evidence, uncovered the facts, and, obviously, exposed the holes in the existing law. Then, I instructed my policy staff to take those findings to plug the holes and solve the problem with new legislation, which is now law. This is exactly the purpose of oversight. This is exactly how oversight is done.

Pretty simply, this isn't like reinventing the wheel every time. This is oversight 101. Oversight means to bring transparency, and transparency is meant to bring accountability. Oversight works, plain and simple, and the Right Rebate Act that Senator WYDEN and I brought to passage is proof that oversight is working.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### BORDER SECURITY

Mr. CORNYN. Mr. President, with the 2-week hiatus we have had here in

Washington, DC, so we could be back home visiting with our constituents, some things have not changed; they are just the way they were when we left, and that would include the heart-breaking stories that illustrate the situation along our southwest border.

I have talked, as you might imagine coming from Texas, with a lot of Border Patrol personnel who found migrants crammed in parts of cars that you didn't even know exist. I visited the unmarked graves of those who have been abandoned by their human smugglers in essentially desert conditions and left to die. I have seen the disgusting stash houses, where dozens of migrants are held at a time to avoid being caught before they are transported up through the Interstate Highway System to distant locations.

I could fill a book with all of the sights I have seen and the stories I have heard over the years, and I am sure, with the stories compiled by the Border Patrol agents and officers, we could fill an entire library.

The story, though, really is about how ruthless and inhumane and completely reckless and thoughtless with regard to human life these criminal organizations truly are.

One headline, though, during this recess period, stopped me in my tracks. Even this, I thought, could not be the case. It read:

A 3-year-old was found alone in a field by Border Patrol agents. His name and phone numbers were [written] on his shoes.

A toddler, not even old enough to talk to the agents who found him, was abandoned.

Customs and Border Protection believes the boy was part of a larger group trying to enter the United States with their human smugglers. When the group encountered Border Patrol agents, the adults ran into the Rio Grande River and back to Mexico, leaving the little boy all by himself.

He was, as the Border Patrol does in every instance, taken into custody and treated well. He was taken to a hospital for a medical evaluation, and, miraculously, he was found to be in good condition.

While the agents tried to track down the boy's family, one supervisory patrol agent purchased clothing for him out of his own pocket; other personnel entertained the little boy, watching movies and playing games.

These agents aren't just patrolling the border to catch illegal crossers; they are now being forced, because of the crisis at the border, to act as caretakers for some of the most vulnerable individuals they come across. Unfortunately, what that means is, they are also diverted from their No. 1 job, which is law enforcement and to protect the security and safety of the American people along our borders. They are now diverted from that mission, as well as their counterdrug mission, essentially handing out diapers and juice boxes for little boys and little girls.

I think this should be a reminder for some of our colleagues who seem to think that the status quo along the border is just hunky-dory that it is far from humane. Many of our colleagues have said: Well, we need to abolish ICE because somehow that is inhumane; enforcing the laws passed by Congress and signed into law by the President, that somehow is beyond the pale.

Enforcing the law isn't inhumane. Apprehending people who try to illegally enter into the United States or import their poison so it can be used by Americans who then overdose and lose their lives due to consuming those drugs, that is inhumane. What is inhumane and lacks simple compassion is doing nothing to stop this practice. Leaving security gaps that are exploited by smugglers, traffickers, and criminal organizations who have zero regard for human life is inhumane. These people, the drugs, the contraband are mere commodities to these criminal organizations. They don't care anything about them.

Giving people an opportunity to smuggle an innocent child across our border alone and leaving him to die in the desert is not humane. Making criminal cartels rich by exploiting our porous border is inexcusable.

To be clear, the criminal organizations perpetuating this cycle are the bad guys, not our law enforcement personnel who work to protect our border at substantial risk to themselves and who take compassionate care of those in their custody.

I think one of the reasons this story garnered so much attention is because that is not what the average person imagines the Border Patrol encounters at the border, but increasingly it is. The Border Patrol encounters unaccompanied children and families consisting of one adult and one or more children along the border because the criminal organizations that smuggle them to the border are exploiting gaps and vulnerabilities in our asylum laws.

Many people believe the typical migrant is an adult traveling alone, but more likely than not, that is not the case, and, in fact, it is becoming less and less common.

In fact, according to the most recent statics, there is no new net migration from Mexico. Almost all of the migration into the United States, either by people who illegally enter or asylum seekers, is from countries other than Mexico, most notably Central America, but, literally, those could be merely the transit points for people coming from all over the world, up through Mexico, into the United States.

From October 2018 to March 2019, a 6-month period, more than 360,000 people—360,000 people—were apprehended along the southwest border. That is a remarkably high number for this point in the year, based on historical statistics. Only about one-third of them were single adults, more than half were traveling as a family unit, and the rest were unaccompanied children, like this

3-year-old little boy. He was found by agents in the Rio Grande Valley, far and away the busiest Border Patrol sector in the country. In fact, more than 40 percent of all unaccompanied children are apprehended in the Rio Grande Valley sector.

These numbers are far from normal. Unsurprisingly, our Border Patrol and Customs and Border Protection agents, our local communities, the nongovernmental organizations, the churches, and others who try to lend a helping hand to these migrants coming across the border are not equipped to handle this huge surge of humanity.

Customs agents are being pulled off inspection duty to help process the apprehended migrants. Security checkpoints are being shut down. The flow of legitimate trade and travel is being impacted. Individuals are then being released because there is simply not enough space to hold them, even though they violated our laws or have not yet proven their right to an immigration benefit under our asylum system.

I had a group of manufacturers come see me before the latest break. They told me that from Juarez to El Paso, which is right across the Rio Grande River—that because commerce was backed up, the truck traffic that was transporting car parts as part of a just-in-time inventory program to manufacturers on the American side, they literally had to hire an airplane to fly 11 minutes from Juarez to El Paso. Car manufacturers that operate in Texas, Missouri, and other parts of the country, depend on this cross-border supply chain for their products. Eventually, if we don't do something about this flood of humanity and the blockage it is creating to legitimate trade and commerce across our ports of entry, we are going to see Americans lose their jobs because it simply was uncontemplated by anybody in that business that they would have to suffer those kinds of delays. Instead of a 1-hour delay coming across the ports of entry carrying manufactured goods that can be assembled in the United States or otherwise used in products made here, some are taking as much as 24 hours to get across. People are literally sleeping in their truck because they can't get through the ports of entry, in part, because the Customs and Border agents are being diverted, like I said earlier, handing out juice boxes, handing out diapers, taking care of this huge flood of humanity coming across our border.

Don't just take my word for it. I remember when President Obama made comments talking about a humanitarian crisis. He called it a humanitarian and security crisis back in June of 2014. At that time, we saw as many as 135,000 during the month of May and June 2014 apprehended at the border. Just to put that in context, in February and March of this year, 180,000 people were detained at the border—back when President Obama called it a humanitarian and security crisis,

135,000; February and March 2019, 180,000.

Simply put, this is a manmade disaster, and the only one that can fix it is the U.S. Congress, and it is going to get nothing but worse.

All of the pull factors, the things that attract people to come across the border to take advantage of these gaps in our asylum laws, are going to do nothing but attract more and more and more people.

Certainly, we all understand, as a matter of simple human compassion, why people would want to leave if they can't get a job, if they can't provide for their families where they live, but we simply cannot continue to accept the tens of thousands. Now, indeed, in a 2-month period of time, 180,000 new people have been coming into the country essentially jumping in line ahead of others who are trying to legally immigrate to the United States. It is overwhelming for our communities and our Border Patrol and our Customs agents.

We know many of these migrants pay smugglers to lead them on this dangerous journey north or have to pay others a tax to pass through territories along the way, including the so-called plazas which are adjacent to the U.S.-Mexico border. So while migrants and vulnerable children are being left for dead in the desert, and we are struggling to manage a devastating humanitarian crisis, these criminal organizations are getting richer and richer. This is part of how they do business.

While it is hard to know exactly how much money these groups are making, a recent study by RAND estimated that revenues to smugglers moving migrants from Northern Triangle countries—that is in Central America—range from about \$200 million to about \$2.3 billion in 2017 alone. These are the same people, again, who are commodity agnostic, who care nothing about human life. They will move migrants for economic purposes. They will move people who are being sex trafficked, and they will move drugs, some of which contributed to the 70,000 Americans who died of drug overdoses last year, since Mexico is responsible for about 90 percent of the heroin and much of the fentanyl that comes across our southwestern border.

Of course, all of this is tax-free. You better believe these networks and their operations will only continue to get richer and richer and more and more ruthless and more and more dangerous.

If you think these problems are going to go away on their own, you are wrong. The number of children and family units found along our border is already climbing at an appalling pace, and we need to take action to alleviate the strain on our personnel on the southern border and to eliminate the clogs and delays in legitimate trading commerce that is the lifeblood of our Nation, as well as our counterparts in Mexico.

Unfortunately, rather than trying to put out the fire, many folks here in

Washington would rather fan the flames. The topic of border security has become a hot button, a zero-sum game that people seem to be willing to talk about more than look for solutions.

As we all know, that is not how to get things done around here. We need to work together to try to come up with solutions to change our asylum laws in a way that is both compassionate and one that respects the rule of law and allows us to control this vast flood of humanity seeking to enter our country and take advantage of our asylum laws.

I have been speaking with our colleagues here in the Senate, as well as those in the House, on both sides of the aisle, about commonsense reforms, what they might look like, and where we might find common ground. We can't wait to do comprehensive immigration reform in order to fix this particular problem where children and families turn themselves in at the border because of these flaws in our asylum laws. We need to address that and to do what we can, but once we accomplish that, we need to move on to do other things that we know we need to do in the best interest of our country and in the best interest of the rule of law.

I think it is amazing what you can accomplish when you talk to other Members of Congress instead of just the news cameras, but that seems to be solely where the conversation is occurring—for the benefit of news cameras. We have had some productive discussions about how we can provide our frontline officers and agents with the resources they need—staffing, authorities, infrastructure, and technology.

I, for one, am here and ready to talk to anyone who is willing to work in good faith to provide relief for the humanitarian crisis occurring on our southern border. That is what President Obama called it, and it has gotten much worse. It doesn't help to be labeling this some sort of fake emergency, as some of our colleagues on the other side of the Capitol have. To deny reality is a pretty big impediment to trying to solve the problem.

I hope our colleagues on both sides of the aisle can take stock of the situation, accept the facts, and muster the courage to put politics aside and work together to create a much needed and long-overdue reform of our immigration policies because this problem is not going away. There were 76,000 people detained at the border in February and 103,000 detained at the border in March. There is no good reason why the 103,000 will not grow to 150,000, to 200,000, or to 250,000.

All of the same pieces are in place and all of the same flaws are being exploited by these transnational criminal organizations to move people into the country, where they can essentially circumvent our immigration enforcement and border security measures. It is going to do nothing but get worse

when it comes to impediments getting in place of lawful commerce and trade, which are so important to our economy and the economy of Mexico and our common border.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### TRIBUTE TO R.D. MOORE

Mr. DURBIN. Mr. President, it is hard to imagine that the U.S. Congress was once guarded by a lone watchman, but when the legislative branch of our government moved from Philadelphia to Washington, DC, that was the case. His name was John Golding. He was charged with protecting the U.S. Congress. A generation later, after several incidents, President John Quincy Adams asked that a Capitol Police Force be created. It was created with four officers working 15-hour shifts. Today, there are over 2,000 officers and civilians who work for the Capitol Police.

When you put it in perspective, 3 million to 5 million people from all over America and all over the world come to this building complex each year to personally witness the foundation—at least on the congressional side—of our democracy. We want to make certain they are safe.

We know we live in a dangerous world. The threats facing Congress today are far different than at the time of John Golding. Our exposure to risk is higher, as we learn every day and every week about horrible shooting incidents that occur. One, of course, did occur in the Capitol not that many years ago. We know we have the best protection possible in this increasingly dangerous world thanks to the dedicated, talented, and committed men and women of the Capitol Police Force.

There is an important reason why I have been able to do my job as the Democratic whip for 14 years. It is because R.D. Moore, a member of the Capitol Police team, has led my security detail during that period of time. At the end of this month, R.D. is retiring after 39 years of service to his country and more than 30 years with the U.S. Capitol Police.

Renoard Moore joined the Capitol Police in 1988, after serving 9 years in the U.S. Army. He also served with the Dignitary Protection Division, protecting the Senate and House leadership.

In 2005, when I joined the Senate leadership, R.D. became part of not just my Senate family but my family. As a team leader, he has been responsible for keeping the detail up-to-date on the logistics of every event and making critical decisions for the safety and security of our office team. Simply

put, R.D. has been an important part of my life every day that he has been willing to put his life on the line for me. He has become an honorary Illinoisan in the process due to countless trips he has made back to my home State. There is even reason to believe we have made him a Cubs fan, but I am not going to say that with certainty.

Even with his commitment to duty, R.D. has always found time for his own family, putting thousands of miles on his car each year to travel across the country to Kentucky, Michigan, and other places to visit his mother, his siblings, and his cousins. Whether it was in Michigan, Kentucky, or North Carolina, he found the time for family. No matter where he was, R.D. was always willing and able to respond to a phone call or email from his extended family.

I am going to miss R.D. personally, and our office is also going to miss him. He is a caring, larger than life presence and one of the best known members of the Capitol Police detail here on Capitol Hill. If someone had a rough day, R.D. was always there with a piece of wrapped candy and a smile. If any of us needed advice on new technology, R.D. always seemed to be on top of it, whether it was the latest smartwatch or smartphone or something else that I basically didn't understand. His great sense of humor was a calming influence in the most stressful of times that we faced. He always took his job seriously, but he never took himself seriously.

As R.D. Moore retires this week, I want to thank him personally and wish him well. I do it personally and on behalf of my wife, Loretta, my entire family, and the entire Durbin Senate staff. He is a dedicated law enforcement professional who should be remembered in the Capitol, along with all of his colleagues on the Capitol Police who each and every day come to work, put on their badges, and risk their lives to keep this building and the people who come here safe. I want to congratulate Special Agent R.D. Moore on a job well done.

#### REMEMBERING RICHARD LUGAR

Mr. President, I want to take a moment to celebrate the life of an exceptional American, a statesman, a gentleman, and a friend. Senator Richard Lugar of Indiana passed away yesterday. He was a man of great intellect and accomplishment and very little ego. He possessed an overabundance of the best qualities of American character.

He was a problem-solver. He believed that America can and must be a force for good in the world, and he was a visionary who had a genius for devising thoughtful, effective solutions to complex problems before many people even knew they existed.

When the Soviet Union collapsed in 1991, many people believed naively that the threat of nuclear Armageddon that had haunted the world for nearly 50 years was over, but Senator Lugar

knew better. Working with Senator Sam Nunn of Georgia, then chairman of the Senate Armed Services Committee and a Democrat, Senator Lugar crafted a bipartisan response, the Soviet Threat Reduction Act of 1991, to prevent the huge arsenals, once controlled by the Soviet Union, from falling into the hands of terrorists and other murderers.

The bill created the CTR Program, the Cooperative Threat Reduction Program, within the Department of Defense, better known as Nunn-Lugar, and led to the deactivation of more than 7,600 nuclear warheads. Before Nunn-Lugar, there were enough nuclear weapons and materials in the former Soviet Republic to destroy a good portion of the world. Much of these armaments of nuclear Armageddon were housed in ramshackle, degraded facilities watched over by guards who hadn't been paid in months and were sometimes drunk on duty. It was like a fire sale for terrorists and madmen. Under Nunn-Lugar, Dick Lugar urged America to actually pay off our old adversary to secure these nuclear stockpiles, and America and the world were safer as a result.

Sadly, today, leaders in both the White House and the Kremlin seem to be rushing to discard the nuclear arms agreements and rebuild nuclear arsenals. That is absolutely the last thing in the world we should see happening. We can only hope that the inspiration and success of Nunn-Lugar will cause them to rethink this. The state of our world is perilous enough without re-igniting a nuclear arms race.

I want to make a personal note. I am deeply and personally grateful to Senator Richard Lugar for agreeing, in 2010, to be one of the two Republican cosponsors of the DREAM Act. It is a bill that I introduced many years ago to give those undocumented young people brought here as infants and toddlers and children a path to legal status and citizenship. It is the kind of thing that when you ask the American people whether it is the right thing to do, they don't hesitate. Republicans, Democrats, Independents—they believe these young people should have a chance to go to school, make America a better place, and not worry about their citizenship status.

It was always difficult to find Republicans to join me in this effort, except for Dick Lugar. Dick Lugar time and again stepped up and said: I am going to do this. America was recovering from the great recession at that time, and anti-immigrant sentiment was already strong and growing. It was being exploited, as we see today, almost on a daily basis.

Standing up for these Dreamers, who were not legal in the United States and couldn't vote in the United States, was an act of political decency and courage—just what you might expect from Senator Dick Lugar of Indiana. And 2 years later, after 36 years as a Senator and a statesman, Senator Lugar lost

his seat in a primary challenge to a tea party firebrand. Analysts suggested that his support for Dreamers was one of the reasons he was defeated.

After that election, Dick Lugar defended his support for the DREAM Act and other decisions that may have hurt him in the primary, and he said: "[Those] were the right votes for our country." He added: "I stand by them without regrets."

Dick Lugar was also a cosigner of a letter, which I sent to then-President Barack Obama. When we couldn't pass the DREAM Act, Senator Lugar joined me in sending a letter to the President, asking if there was anything he could do by Executive order that might give these young people a chance—just a chance—to prove themselves and become part of America's future. Dick Lugar and I were the two cosigners of that letter that went to the President.

It was that letter and the thought behind it which led to the creation of DACA, a program that 790,000 of these young people signed up for. They paid their filing fees; they went through their criminal background checks; they checked all the boxes; and they were given, under the DACA Program, 2 years to go to school in the United States and work in the United States without fear of deportation. It had to be renewed every 2 years, but it was Dick Lugar who stuck his neck out to help me with that letter as well. When others just wouldn't join me, he did and did it willingly. I will never forget him, and neither should anyone else.

Our friend Dick Lugar is gone, but he left a legacy of courage, decency, civility, service, and statesmanship that we would all do well to emulate and for which I am personally grateful. Dick Lugar was the best of the U.S. Senate on a bipartisan basis. This Republican colleague of mine was someone I came to respect time and again because he always put country before politics.

Loretta and I got to know his wife Char. Char and he were married when they met in college and became fast friends and built a family around that friendship and their love—a wonderful couple, great to be with and to spend many hours together. I extend my condolences, along with Loretta's, to Char, Senator Lugar's beloved wife of more than 60 years; to their sons, Mark, Bob, John, David, and their families; and to Senator Lugar's many friends.

When I think of an internationalist hailing from the Midwest who could stand there smack-dab in the middle of this country with all of that flatland and look in every direction and see how important the rest of the world was to us, I think of Dick Lugar, and I think of the contribution he made to the State of Indiana and to America and to the U.S. Senate every day of his public service.

Most people don't know that he also had a passion for planting trees. It was one of the things we used to talk about. He would buy farmland and plant trees. I think it is a suitable met-

aphor for his life that planting a tree is like planting a good idea. Maybe it will not come to full growth in your lifetime, but if it is good solid stock, it is going to be something that is a legacy for generations to come.

Senator Dick Lugar's contribution to Indiana, to America, and to the U.S. Senate planted many trees that will benefit future generations to come.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. ERNST). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

POWAY SYNAGOGUE SHOOTING

Mr. McCONNELL. Madam President, on Saturday, on the final day of Passover, our Nation once again came face to face with the violent hatred of anti-Semitism—barely 6 months since the murders at the Tree of Life in Pittsburgh, and, again, gunfire in a synagogue. Again, a place of reverent worship for our Jewish brothers and sisters was thrown into deadly chaos—this time at the Chabad of Poway synagogue in California.

Three people—the synagogue's founding rabbi, an 8-year old girl, and her uncle visiting from Israel—were injured by gunfire. Lori Kaye, who attended the service with her husband and 22-year-old daughter to deliver a prayer of mourning for her own late mother, was killed when she threw herself between the rabbi and the shooter. Ms. Kaye has been described as "the example of kindness to the fullest extent," and now, in the words of the rabbi who oversees Chabad of San Diego County, she has "lost her life solely for living as a Jew."

According to some reports, that 8-year-old girl, in her young life, has already had to flee incoming rocket attacks in Gaza and then, here in America, has seen her family home subjected to anti-Semitic graffiti, and now she has been shot—shot at her synagogue.

Here is what she said yesterday:

I never thought that was going to happen to me . . . it's a safe place; you're supposed to feel safe.

Well, in an abhorrent way, it may be fitting that our Nation will spend the week of Yom Hashoah, the Holocaust Remembrance Day observed in Israel and worldwide, keenly focused on the disturbing rise in anti-Semitism within our own borders and around the globe.

Recent attacks on Muslims in New Zealand and Christians in Sri Lanka remind us that religious hatred exists in many forms, but, of course, the Jewish people have long been subjected to a unique degree of disgusting prejudice, and it is paired too often with indifference from others.

Just in the last few days, the New York Times published a transparently anti-Semitic political cartoon in its international edition—not just online. It ran in print. The Times compounded the error by issuing an initial correction that failed to accurately apologize for the blatant anti-Semitic tropes in which the cartoon trafficked. Fortunately, the Times has since finally published what appears to be a genuine apology.

This episode, as one of the New York Times own columnists explained, “was an astonishing act of ignorance of anti-Semitism . . . at a publication that is otherwise hyperalert to nearly every conceivable expression of prejudice.”

In other words, even important institutions that strive to meet progressive sensibilities can often be blind to anti-Jewish prejudice and attitudes in a way that would never be tolerated for a second where most other vulnerable groups are concerned.

Combined with all the troubling statistics I have discussed on the floor in the past, it could just not be clearer that rising anti-Semitism requires swift action. Here is just one example. We know that anti-Semitism often masquerades as political opposition to Israel in an attempt to appear—to appear—more legitimate. But today, as hate for the Jewish people makes headlines with alarming frequency, this charade is being seen for what it is, and the Senate recently took action to condemn it flat out. Included in the S. 1 legislation the Senate passed earlier this year was a provision to help State and local governments push back against the influence of the BDS movement and to enable communities to shut off the flow of taxpayer dollars to entities that support these anti-Israel boycotters. Unfortunately, Democratic leaders in the House have not seen fit to take up this straightforward measure. Even as they have struggled to swiftly and clearly condemn instances of anti-Semitism within their own ranks, they have also let this important provision in S. 1 languish. It is still sitting over in the House.

The infectious threat of anti-Semitism is serious. Much more must be done the world over to ensure that it finds no home in modern society.

I just want to close with the inspiring comments from the rabbi in the San Diego Chabad. He said:

In the face of senseless hate, we commit to live proudly as Jews in this glorious country. We strongly believe that love is exponentially more powerful than hate.

#### NOMINATIONS

Madam President, on a totally different matter, when I last spoke here on the floor, the Senate had taken an important step toward restoring the sort of comity and efficiency that once governed our consideration of uncontroversial nominations. In the face of across-the-board, systematic opposition and delaying tactics for even the most politically uncontroversial of the President’s

nominees, the Senate took action and brought this chapter of pure partisan calculation to an end.

Subsequently, we began doing business at a more normal, more reasonable pace. We confirmed a number of qualified public servants who still went on to receive bipartisan support for confirmation and did so in a fraction of the time it had been taking.

So today we will continue yet another slate of well-qualified candidates for service in the executive branch and on the Federal courts. We will consider three individuals to join the President’s team, beginning with William Cooper of Maryland to serve as General Counsel to the Department of Energy. Then, we will consider five nominees to fill Federal district court vacancies in Texas, Alabama, Florida, Puerto Rico, and Pennsylvania.

There is still so much work to be done. Two years of unprecedented obstruction can’t be reversed overnight, but we have taken some important steps in the right direction, and this week we will take several more.

#### REMEMBERING RICHARD LUGAR

Mr. McCONNELL. Madam President, on one final matter, I know many of our colleagues were as sad as I was to learn yesterday that our esteemed former colleague, Senator Dick Lugar, had died at the age of 87.

Many Members, past and present, knew Dick Lugar as a senior peer who always seemed to have the perfect advice or the exact perspective you needed to hear. More recently, others got to know Dick as a wise mentor. He felt a personal responsibility to help newcomers on both sides of the aisle learn the ropes and make an impact.

As I was reflecting yesterday on Dick’s towering legacy, I found myself admiring all the ways he was really the consummate U.S. Senator. He was a total patriot who put principle first but also a highly talented politician and a savvy deal maker. Yet somehow his personal reputation and character managed to be even more impressive than those achievements. I literally don’t think anybody on Capitol Hill had a bad word to say about Senator Dick Lugar. His intellect, his commitment, his prudence, his kindness, and his deliberate focus on mentoring the next generation of leaders—this man was the complete package—a total gentleman, thoroughly impressive.

So a lot of Dick’s legacy lies in all the people he mentored and encouraged. Here I can testify firsthand. Dick was running the senatorial committee back in 1984 when I decided to try to run for the Senate. As you can imagine, as a local official, I had not exactly built a national profile, and I didn’t have a whole lot of people in my corner. But Dick, thankfully, saw some potential. That was an unusual lapse of judgment, I would add, but he thought he saw potential and took a chance on a young Kentuckian.

Of course, the rest of the world knows Dick Lugar best for his towering

impact on U.S. foreign policy and world affairs. His interest in international affairs dated back to his and his brother’s success at drumming up more export business to turn around the family factory, and it blossomed into something remarkable.

For years, he represented one of our Nation’s most listened to and most respected voices when it came to our role in the world. Whether he happened to be chairman of the Foreign Relations Committee or ranking member at a given time, the respect for his expertise was universal.

His most famous accomplishments, for good reason, involved his work on arms control. The 1991 Nunn-Lugar Cooperative Threats Reduction Program stepped into the breach at a critical moment as the Soviet Union was dissolving. It took action to dismantle and decommission nuclear weapons before they could disappear or fall into the wrong hands. Those efforts, which were expanded after September 11 into the Global Threat Reduction Initiative, have neutralized literally thousands of warheads, hundreds of missiles, and other deadly chemical and biological weapons. Nations which once ranked in the global top 10 largest nuclear arsenals were certified as nuclear-free. The entire world is safer as a result.

These early efforts helped set a new tone right from the start of the post-Cold War era. Dick understood it was time to turn the page on Cold War competition. America would extend our hand and seek to work together with Russia and former Soviet states to build a safer world.

Consistent with Dick’s leadership and guidance, Republicans and Democrats alike took a deliberately magnanimous approach. For decades, we sought to work with Moscow, instead of against it, to welcome Russia back into the community of sovereign nations.

As an aside, the general foreign policy consensus about Dick’s approach to the former Soviet Union is especially worth remembering today. It demonstrates that Putin’s hostility toward the West and our interests is not the result of American hostility toward Russia. The source of this hostility emanates from the Kremlin.

“Deliberately magnanimous” is really the Lugar doctrine in a nutshell, from friendship to foreign policy.

Dick also built a formidable legacy on agriculture and food security as chairman and ranking member of the Agriculture Committee—everything from working on the farm bill and fighting for Hoosier families to international questions of aid and development.

The good news is, on these and other subjects, Dick’s legacy did not end with his Senate retirement, and it will not even end now. The Lugar Center—which has thrived under not only his name but his active leadership since retiring from the Senate—will continue

to serve as a home to thoughtful research and an important voice in national policy conversations.

Of course, that Center isn't even the finest part of the ongoing Lugar legacy. That would be the family Dick and his beloved wife Char built together. They have been an inseparable team since their days as coclass presidents at Denison University. Today that team includes their four sons, Mark, Bob, John, and David, 13 grandchildren, and 17 great-grandchildren.

So we mourn Dick's passing, but we celebrate this life he lived so well and so fully. Our friend left us at 87 years old with the affection and gratitude of his colleagues, with the respect of his country and leaders around the world, with the love of his beautiful family, and with a world that is measurably safer for his work—a remarkable legacy that suits a remarkable man.

I suggest the absence of a quorum.

**THE PRESIDING OFFICER.** The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

**MR. SCHUMER.** Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

**THE PRESIDING OFFICER.** The minority leader is recognized.

#### POWAY SYNAGOGUE SHOOTING

**MR. SCHUMER.** Madam President, before I begin the bulk of my remarks, I want to take a moment to express my heartfelt condolences to the victims of the shooting on Saturday, in California, when a gunman opened fire in a synagogue during services after yelling anti-Semitic slurs. His heinous attack left a 60-year-old woman dead, the rabbi wounded, a man and an 8-year-old girl with shrapnel wounds.

We have seen so many different houses of worship attacked in recent weeks. Just 1 week ago on Easter Sunday, hundreds of Christian Sri Lankans were massacred in their churches. What happened at the synagogue in California is rooted in the same White supremacist hatred and bile that drove attacks against the Tree of Life synagogue in Pittsburgh; mosques in New Zealand, and the Mother Emanuel Church in Charleston.

We must recommit ourselves today and every day to fighting anti-Semitism and all forms of bigotry in our country and around the world.

#### REMEMBERING RICHARD LUGAR

Madam President, I also want to share a word on the passing of our friend and former colleague, Dick Lugar of Indiana. Dick personified the Senate at its best—honest, decent, and with an eye for consensus. He represented the kind of thoughtful bipartisanship that is so missing in our politics today. His work on the Foreign Relations Committee—twice as its leader—made the world a safer and fairer place, whether it was combating pro-

liferation of nuclear weapons, apartheid in South Africa, or world hunger.

His legacy as a legislator and as a man is something for all of us to aspire to. Senator Lugar will be greatly missed.

#### MUELLER REPORT

Madam President, while Congress was away during the State work period, Attorney General Barr released a redacted version of Special Counsel Mueller's report to Congress and to the American people.

The report documents, yet again, a concerted effort by President Putin to interfere and influence our elections and to assist the current President.

Members of the Trump campaign were aware of, and at times amplified, that foreign influence campaign, including President Trump himself, for the likely purpose of winning a Presidential election. That alone constitutes attacks on our democracy.

Just as alarming was the behavior of the President and his team concerning Special Counsel Mueller's investigation itself. Special Counsel Mueller's report documents a persistent effort by the President to stonewall, thwart, and undermine the legitimacy of the Mueller investigation. The report includes no less than 11 instances during which the President may have obstructed justice.

There is no question that the President engaged in a pattern of intimidation and interference with the Federal investigation. Special Counsel Mueller explicitly states in his report that if he could have exonerated the President on the charge of criminal obstruction of justice, then he would have, but “evidence about the President's actions and intent . . . prevent us from conclusively determining that no criminal conduct occurred.”

Also, it appears that the Justice Department's policy against the indictment of sitting Presidents played an important role in the special counsel's analysis. Now the Congress and the American people must grapple with this damning portrait of a President who was dishonest, lawless, and regularly abused the powers of his office.

The House of Representatives is going to pursue hearings. The Senate will hear from Attorney General Barr this week, where he must answer for his mischaracterizations of the special counsel's findings, his outrageously partisan press conference, and, in general, his failure to behave with the impartiality demanded of the Office of Attorney General.

Special Counsel Mueller must testify before Congress to further explain the findings in his report and provide clarity on areas where the Attorney General twisted his words, and Congress must be given access to an unredacted version of the report. Knowing Attorney General Barr's conduct, we cannot trust him to be a clean pair of hands in all of this.

So while many on the other side of the aisle want to move on from these issues, we simply cannot move on. Con-

gress—Democrats and Republicans—must grapple with the facts of the Mueller report. We must defend our democracy, and, yes, hold the President accountable. These are not partisan issues. This is about our country, the sanctity of our elections, and the future of the Presidency.

In the wake of the Mueller report, I have been asked a lot, what are Democrats going to do with the Mueller report? Well, the real question should be, what are my Republican friends going to do with it?

#### DISASTER RELIEF

Madam President, Congress shamefully recessed for the State work period without passing relief for Americans who are affected by natural disasters that occurred recently. This needs to be a top legislative priority over the next few weeks. We are already one-third of the way into 2019, and millions of Americans are still waiting for us to provide necessary funding so they can recover and rebuild from disasters that happened months ago—in some cases, longer than that.

The Democratic position is clear: We support an “all of the above” approach that provides relief for every American affected by natural disasters—Americans in the Midwest, Americans in the South, Americans on the West Coast, and, yes, Americans in Puerto Rico.

Everyone knows why Senate Republicans have blocked our proposals, and that is because President Trump has shown a borderline obsessive hostility to the people in Puerto Rico. Unfortunately, my Republican colleagues have followed President Trump's lead. It has caused us to fail in our responsibility to provide long overdue aid to Americans struggling to piece their lives back together after hurricanes, floods, fires and droughts.

Well, my friends on the other side have had a few weeks to think about it. I sincerely hope we can press the reset button. We have a legislative proposal introduced by my friend Congresswoman LOWEY that takes care of all of these disaster victims, and it is ready to go in the House.

So as we get back to legislative business this week, I urge my colleagues to put politics aside. Let's do the right thing. Let's tell President Trump that his obsessive nastiness to Puerto Rico, unfounded by fact, is not going to prevent millions of people in the Middle West, the West, and the South from getting the relief they need. Let's provide disaster relief for every American who needs it.

#### INFRASTRUCTURE

Madam President, tomorrow morning, at the Democrats' request, the Speaker and I will meet with President Trump at the White House to discuss the glaring need to invest in our Nation's infrastructure. During the Presidential campaign, Candidate Trump promised a trillion-dollar infrastructure bill. It was one of the few areas where most Democrats, myself included, believed we could find common

ground with the President after he was elected.

Unfortunately, it has been over 2 years. The President hasn't proposed anything close to a trillion-dollar investment and has shown little interest in pursuing an infrastructure bill in Congress. Senate Democrats, however, have put together a trillion-dollar infrastructure investment, a real plan that invests Federal dollars not just in roads, bridges, and highways—as important as they are, and they are—but also in schools, housing, electric grids, rural broadband, and green energy.

There are several different ways to pay for such a bill. For example, by reversing only the most egregious giveaways in President Trump's tax bill—those given to the wealthiest of the wealthy—and raising the corporate tax rate a smidge, we could finance the entirety of a \$1 trillion infrastructure bill.

So, while we look forward to an open discussion tomorrow, it is important to remember two things. First, our country has large infrastructure demands. We need to go big and address roads and bridges but also schools, housing, broadband, green energy, and more. Second, we need to remember that since the Republicans have handed out a mammoth tax break to big corporations and the already wealthy, it would be extraordinarily unfair to ask the middle class to shoulder the cost of an infrastructure bill. The Tax Code shouldn't be made any more regressive than it is now in order to pay for an infrastructure bill.

We look forward to our discussion tomorrow, and, hopefully, the President will have an open mind.

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER (Mr. BOOZMAN). 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 the nomination of William Cooper, of Maryland, to be General Counsel of the Department of Energy.

Mitch McConnell, David Perdue, Shelley Moore Capito, John Barrasso, Mike Crapo, Richard C. Shelby, Mike Rounds, John Cornyn, Roger F. Wicker, Pat Roberts, John Thune, John Hoeven, Roy Blunt, Marco Rubio, Tim Scott, Kevin Cramer.

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 the nomination of William Cooper, of Maryland, to be General Counsel of the Department of Energy shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Louisiana (Mr. KENNEDY), the Senator from Georgia (Mr. PERDUE), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

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

The yeas and nays resulted—yeas 63, nays 32, as follows:

#### [Rollcall Vote No. 78 Ex.]

#### YEAS—63

Alexander	Fischer	Murphy
Barrasso	Gardner	Paul
Blackburn	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hassan	Roberts
Braun	Hawley	Romney
Cantwell	Hooven	Rounds
Capito	Hyde-Smith	Sasse
Carper	Inhofe	Scott (FL)
Cassidy	Isakson	Scott (SC)
Collins	Johnson	Shaheen
Coons	Jones	Shelby
Cornyn	Kaine	Sinema
Cotton	King	Sullivan
Cramer	Lankford	Tester
Crapo	Lee	Thune
Cruz	Manchin	Tillis
Daines	McConnell	Toomey
Enzi	McSally	Warner
Ernst	Moran	Wicker
Feinstein	Murkowski	Young

#### NAYS—32

Baldwin	Harris	Sanders
Bennet	Heinrich	Schatz
Blumenthal	Hirono	Schumer
Booker	Klobuchar	Smith
Brown	Markey	Stabenow
Cardin	Menendez	Udall
Casey	Merkley	Van Hollen
Cortez Masto	Murray	Warren
Duckworth	Peters	Whitehouse
Durbin	Reed	Wyden
Gillibrand	Rosen	

#### NOT VOTING—5

Burr	Leahy	Rubio
Kennedy	Perdue	

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 32.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of William Cooper, of Maryland, to be General Counsel of the Department of Energy.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the postcloture time on the William Cooper nomination expire at 11:45 a.m. on Tuesday, April 30; further, that if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table and that the President be immediately notified of the Senate's action.

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

The Senator from Tennessee.

#### REMEMBERING RICHARD G LUGAR

Mr. ALEXANDER. Mr. President, to be specific, 51 years ago, the United Citizens for Nixon-Agnew descended upon the city of Indianapolis, IN, a city to which a young man named Richard Lugar had been elected mayor. That was my first opportunity to meet former Senator Richard Lugar, who died a few days ago.

He became Richard Nixon's favorite mayor. He persuaded the suburban areas around Indianapolis and the city itself to do something almost no city in America has been able to do—Nashville did it; Miami did it; Louisville did it; and Indianapolis did it. It was to have a unified government—to get rid of 60 different municipal governments and form one. No one was very surprised when Richard Lugar was able to accomplish something, because he had been marked from the beginning as being a young man of extraordinary ability.

At Denison, where he went to college, he became a Rhodes Scholar. He studied at Oxford. He became a Navy intelligence officer. Later on in the sixties—and I have mentioned 1968 as the year in which we met him for the first time—as mayor, he was able to deal not only with the unification of Indianapolis but with the difficult racial times that occurred all over America during the late 1960s.

Nobody was surprised when he ran for the U.S. Senate in 1974. He was defeated in the Watergate sweep that wiped out a large number of promising young candidates, which I had a little personal experience with in Tennessee. Yet no one was surprised when he came back in 1976 and won.

As soon as he was elected, he organized the other Republican Senators who had been elected that year to vote for Howard Baker, Jr., for the Republican leader of the Senate in January 1977. Senator Baker won that race by one vote. You can imagine that Senator Baker had a very high opinion of Senator Richard Lugar, and they became close friends.

I first really worked with him in 1980 when I was the Governor of Tennessee. Senator Baker wanted to run for President, so he summoned to Nashville, to meet in my office, Senator Lugar and his young aide, Mitch Daniels—later, the Governor of Indiana and now the president of Purdue University—as well as Warren Rudman, the Senator from New Hampshire, and his young aide, Tom Rath. I admired Dick Lugar then, and I admired him throughout the rest of his career. It was a privilege to serve with him on the Foreign Relations Committee while he was the chairman of it when I was elected to the U.S. Senate.

I noticed that unlike all of us Senators, when Richard Lugar had something to say, he had something to say, so people actually listened to him. We