



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 116<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 165

WASHINGTON, THURSDAY, MAY 2, 2019

No. 72

## Senate

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 2, 2019.

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable THOM TILLIS, a Senator from the State of North Carolina, to perform the duties of the Chair.

CHUCK GRASSLEY,  
*President pro tempore.*

Mr. TILLIS thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### S.J. RES. 7

Mr. MCCONNELL. Mr. President, in March, the Senate narrowly passed a resolution that would have misused the War Powers Act and actually hampered efforts to bring the conflict in Yemen to a close. Fortunately, the President vetoed it.

So today, Members will have a second chance to send the right message to our partners in the region, to important humanitarian missions, and to eradicating al-Qaida from the Arabian Peninsula. I urge my colleagues to vote to uphold the President's veto.

The resolution before us starts from false premises. We are not parties to the civil war in Yemen. We are no longer providing even air-to-air refueling.

More important, the resolution would make it actually more difficult to prevent the loss of innocent lives. This resolution would require U.S. advisers to cease training and intelligence sharing operations that help pilots avoid civilian casualties. And it would dry up U.S. noncombat support to the weakened, U.N.-recognized government in Yemen.

The resolution would also create serious new problems for the U.N.-led dip-

lomatic mission that is doing all it can to negotiate an end to the bloodshed.

Abandoning our Yemeni, Emirati, and Saudi partners just as diplomatic efforts are starting to make progress is hardly the way to give them the confidence to take the hard diplomatic steps that are necessary.

An abrupt withdrawal of U.S. support for the coalition would be good news for Iran, for the Houthi rebels they support, and, of course, al-Qaida, as well.

I share many of my colleagues' serious concerns about aspects of Saudi Arabia's behavior, but the best way for us to encourage better behavior from our partners is to remain involved with Saudi Arabia and the UAE, not push them into the arms of Russia and China.

The War Powers Act is a blunt tool, and not at all the right vehicle to productively or diplomatically express concern about the behavior of close partners of the United States.

The Senate passed a more nuanced resolution in December of last year, and it has many other tools to register concern and disapproval. If Senators want to play a productive role in this conflict, I would encourage them to meet with Saudi, Emirati, and Yemeni officials, to travel to the region, and to hold hearings on this important matter.

But for all the reasons I have laid out, this particular resolution is a particularly bad idea. I urge each of my colleagues to join me in setting it aside and upholding the President's veto.

### NOMINATIONS

Mr. MCCONNELL. Mr. President, a few weeks ago, a majority of the Senate took a modest step to revise some of our institutional traditions and process the President's nominees for lower level positions in a more fair and expeditious manner. At the time, our Democratic colleagues protested angrily. They had gladly supported a

The Senate met at 9:30 a.m. and was called to order by the Honorable THOM TILLIS, a Senator from the State of North Carolina.

### PRAYER

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

Let us pray.

Gracious God, You have blessed us beyond our deserving, making our Nation a land of liberty. On this National Day of Prayer, remind us that the effectual, fervent prayers of the righteous avail much.

Lord, transform our national leaders into people of diligence, integrity, and prayer. May they claim Your promise in 2 Chronicles 7:14, that if they humble themselves, pray, repent, and seek You earnestly, You will hear their prayers, forgive their sins, and heal our land. Help our Senators to continue to seek You in prayer so that they may learn how to embrace the unfolding of Your loving providence.

Sovereign Lord, hear our prayer, for we place our trust in You.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The legislative clerk read the following letter:

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



Printed on recycled paper.

S2579

nearly identical procedural step in 2013 when it stood to benefit President Obama. Now, with a different occupant in the White House, apparently the same principle just doesn't apply.

They said their unprecedented delays and obstruction were justified because this administration's nominees were so controversial. They said there were legitimate reasons why they had forced cloture votes on 40-plus different positions for the first time in history and wasted so much floor time.

My Democratic colleagues insisted these were highly controversial people. Well, Republicans knew better, so we took the sensible step to expedite the proceedings for these lower level nominations. It is time to take a look at some of the individuals who have been moving through under these new procedures and how controversial they are.

This week alone, we have now confirmed the Energy Department's general counsel by a vote of 68 to 31; the Director of the Pension Benefit Guaranty Corporation, 72 to 27; and an Assistant Secretary of State, 90 to 8. Yesterday afternoon, we advanced the nominations of three district court judges with 64 votes, 89 votes, and 94 votes. Obviously, they are really controversial people we have been talking about here.

We aren't talking about lightning-rod partisans here. These are abundantly qualified, noncontroversial public servants. They are the kinds who used to go in big groups by voice vote. The two leaders would put together packages and voice vote them. Well, our friends across the aisle aren't letting that happen.

Now we are beginning to make better progress, nonetheless. Now that we are finally able to get these people voted on, our Democratic colleagues mostly don't oppose them. It would be almost comical if it weren't a sad reminder of just how totally pointless the past 2 years of obstruction have been.

But it is also a hopeful sign as we move forward. After studying and considering these nominees, the Senate will keep on filling traditional vacancies. We will keep confirming the President's team. We will keep giving the American people the government they actually voted for back in 2016.

---

#### MEDICARE

Mr. McCONNELL. Mr. President, as I have mentioned, there has been a remarkable development this week in the House. The Rules Committee held the first hearing to discuss Medicare for None. It was another demonstration of how disconnected our Democratic colleagues' agenda has become from the best interests of working Americans and middle-class families.

The last 2 years have been a case study on how much American families benefit when Republican policies get out of the way. Helped along by tax reform, regulatory reform, and other efforts, the country is seeing starkly low

unemployment, faster wage growth—more opportunities for more families to get ahead and build their lives.

Rather than admit the obvious, our Democratic colleagues are choosing to double and triple down on jacking taxes back up and making families cede a larger role for Washington in their daily lives.

We have heard the pitch on healthcare. They want to trade seniors' Medicare and all private, employer-sponsored health insurance plans for a one-size-fits-all Federal plan and the higher taxes needed to pay for it.

Just yesterday, a new report from the CBO confirmed that such a scheme would substantially increase Federal spending and could lead to longer wait times, worse quality of care, and a system less responsive to patient needs.

On top of that, we know what our Democratic colleagues tried to sell families when it comes to the Green New Deal: a Washington, DC, war on our domestic energy that would cost Americans their jobs, increase families' bills, forcibly change the homes Americans are allowed to live in, industries they are allowed to work in, and, of course, the cars they are allowed to drive.

Let's remember that all of this self-inflicted economic pain would not really buy any meaningful gains in terms of carbon emissions. For the better part of the last decade, as U.S. emissions actually declined—emissions have been going down—our largest competitors, like China, continued to emit more and more.

Hog-tying the U.S. economy in the name of further emissions reductions would do nothing but give the largest emitters license to keep on emitting while poaching American jobs in the process.

I don't think real progress is actually the point here. Facts are not the motivating factor. My colleagues on the left think these self-inflicted national injuries just feel like this greening of America is the right thing to do. They just feel it.

Case in point, I understand that House Democrats are planning to pass a measure today that would try to force the Trump administration to remain in the 2015 Paris Agreement on greenhouse emissions. This is the big international deal that the Obama administration cheered on. It doesn't even pass the laugh test.

One expert analysis noted this week that even a generous estimate puts the impact of America's participation on global temperature reduction well within the margin of error: One-hundredth of 1 degree Celsius. In other words, he points out, it is a completely unmeasurable effect—tons of redtape and real economic damage for zero measurable effect. That is my friends across the aisle in a nutshell on this issue. Tie America's own hands for no benefit, while China and our other international competitors go roaring right by, all so a few pockets of high

society can pat themselves on the back at the next cocktail party.

House Democrats may see this as exciting political theater, but the middle-class Americans I represent give it two thumbs down. So this futile gesture to handcuff the U.S. economy through the ill-fated Paris deal will go nowhere here in the Senate. We are in the business of actually helping middle-class families, not inventing new obstacles to throw in their paths.

---

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

---

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

---

#### EXECUTIVE SESSION

---

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Rodolfo Armando Ruiz II, of Florida, to be United States District Judge for the Southern District of Florida.

Mr. McCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

#### BARR HEARING

Mr. SCHUMER. Mr. President, Attorney General Barr's performance in yesterday's Judiciary Committee hearing was abysmal. It raised all types of questions about his willingness to be a faithful steward of the law. Of the several outlandish claims, one stood out. One of them should send shivers down the spine of anyone who believes in this democracy. It would probably send shivers down the spines of the Founding Fathers if they were to hear this Attorney General say what he said. Attorney General Barr said yesterday that the President could not have obstructed justice because he believed he was falsely accused. He even went further. He made a broad principle.

Here is what he said: