

THE PRESIDING OFFICER. The clerk will read the titles of the bills for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 28) to reauthorize the United States–Jordan Defense Cooperation Act of 2015, and for other purposes.

A bill (H.R. 21) making appropriations for the fiscal year ending September 30, 2019, and for other purposes.

A joint resolution (H.J. Res. 1) making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

MR. MCCONNELL. Mr. President, I now ask for a second reading, and I object to my own request, all en bloc.

THE PRESIDING OFFICER. The objection is heard.

The bills will be read for the second time on the next legislative day.

ORDERS TUESDAY, JANUARY 8,
2019

MR. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Tuesday, January 8; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of the motion to proceed to S. 1; finally, that notwithstanding the provisions of rule XXII, the cloture motion filed during today's session ripen at 5:30 p.m., Tuesday, January 8.

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

ORDER FOR ADJOURNMENT

MR. MCCONNELL. If there is no further business to come before the Senate, I ask that it stand adjourned under the previous order following the remarks of Senator SCHUMER.

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

RECOGNITION OF THE MINORITY LEADER

THE PRESIDING OFFICER. The Democratic leader is recognized.

GOVERNMENT FUNDING

MR. SCHUMER. Mr. President, as we near the third week of the Trump shutdown, the impacts on the American people are getting worse with each passing day. Nearly 400,000 Federal workers have now been furloughed. Food safety inspectors, vital to our health and safety, are working without pay and with limited resources. American farmers can't get loans from the USDA. Working families trying to buy a home are finding out their FHA loans are on hold.

I just heard from a constituent of mine in the capital region, near Albany—a fire police dispatcher, whose wife is pregnant. They closed on their first house, joyously, last week. But now their loan is delayed until the government reopens. That story can be repeated over and over again.

Our Federal courts are running out of money. Our national parks are suffering; we have seen the piles of debris and garbage in these beautiful places. Maybe most ironically of all, as the President is talking about making the border more secure, his shutdown is making it less secure. Border Patrol agents are going without pay. E-Verify is offline. Immigration cases are on hold. New immigration judges are not being hired. So with all the talk that the President has about making the border more secure, the Trump shutdown is making it less secure.

We have provided a way for him to continue to debate this wall issue but keep the government open. All of this means that we should be doing everything we can to bring this Trump shutdown to a swift end.

My friend, the Republican leader, quoted me this morning. So let me now quote my friend, the leader. He has said repeatedly: "Nobody likes a shutdown."

Leader MCCONNELL has shown himself to be an adept negotiator during previous shutdowns. Why is he abdicating his responsibility now? Why is Leader MCCONNELL shuffling off to the sidelines, pointing his fingers at everybody else, and saying that he will not be involved? Probably because he realizes this President—President Trump—is erratic, unreliable, and sometimes even irrational. In sum, President Trump is a terrible negotiator.

Given the unfortunate traits that reside in our President, I understand Leader MCCONNELL's reluctance to get involved. But in truth, they are all the more reason for him to get involved. America needs Leader MCCONNELL to get involved to stop this shutdown. He can't keep ducking this issue.

Left to his own devices, President Trump can keep the government shut down for a long time. The President needs intervention, and Leader MCCONNELL and Senate Republicans are just the right ones to intervene.

Fortunately, we have a way to end this shutdown with the help of our Republican friends in the Senate. Last night, as expected, the House of Representatives passed two pieces of legislation to end the Trump shutdown—a six-bill package to provide appropriations for eight shuttered Cabinet Departments and a 30-day continuing resolution for the Department of Homeland Security. Both bills received bipartisan support in the House.

The logic behind those two pieces of legislation is very simple. We have disagreements on how to best secure the border. President Trump wants an expensive and ineffective border wall. He promised that Mexico would pay for it

but now demands that American taxpayers should foot the bill.

Democrats believe that a border wall is an obtuse public policy and that we have much better, more effective, less wasteful ways of securing the border.

We don't have to have eight unrelated Cabinet Departments closed while we sort out our differences. We can reopen the 25 percent of the government now closed and continue to debate our border security. That is why we split the bills in two—one to reopen the government and another to keep DHS running short term while discussions continue about the border.

Neither piece of legislation should be controversial, and the House majority—I give them credit and Leader PELOSI credit—went out of its way to avoid controversy. They didn't send over a bill with lots of poison pill riders, lots of things our colleagues here wouldn't like. They sent the very bills that Republicans crafted and voted for. The majority went out of its way to avoid controversy by choosing the legislation crafted and supported by Republicans.

Let me emphasize that. The six appropriations bills passed by the House last night are the same bills—the very same bills; they have not changed a bit—that Republicans here in the Senate drafted—they were in charge—and approved. Four of them passed this Chamber by more than 90 votes, and the other two passed nearly unanimously in committee. Leader MCCONNELL voted for every one of them and spoke glowingly about their passage last year.

So there is nothing—I repeat, nothing—in the six appropriations bills that Leader MCCONNELL and Senate Republicans oppose. There is nothing—absolutely nothing, I repeat—about a continuing resolution for Homeland Security that now Leader MCCONNELL and Senate Republicans refuse to put on the floor—because that was Leader MCCONNELL's idea. He put it on the floor, and it passed the Chamber unanimously last Christmas.

Now we are seeing some real cracks in the Republican wall. Some of my friends in the Senate on the other side of the aisle in this body, to their credit, are already saying that we should take up and pass these two bills. Seven House Republicans, newly elected, under huge pressure not to, voted with these bills. Every Democrat voted for the bill; there is no dissension there. But a handful of Republicans did too.

It is time for Leader MCCONNELL and President Trump, who is the ultimate reason we have this shutdown—it is time for Leader MCCONNELL and President Trump to support this package of bipartisan legislation and reopen the government.

In a short time, Speaker PELOSI and I will head to the White House to meet with President Trump and congressional leaders about the government shutdown. I will be joined by my very

able colleague, Senator DURBIN. Senator MCCONNELL will be joined by Senator THUNE. Speaker PELOSI will be joined by Leader HOYER and, of course, Leaders MCCARTHY and SCALISE will be there as well.

At the meeting, we Democrats hope to convince the President and Leader MCCONNELL to take up and pass the two House-passed bills, both of which have already been approved by Senate Republicans. That is the quickest, least controversial way out of the Trump shutdown. It separates the fight on the wall from the government shutdown.

President Trump is holding hostage, using as leverage, hundreds of thousands of Federal workers and millions and millions of other Americans, like the gentleman and his spouse in Albany, who can't get their FHA mortgage approved. That story, in many ways, can be repeated over and over again.

So I say to my Republican friends: Don't let President Trump hold hostage all of these fine people who have done nothing wrong themselves. Don't let him use the government shutdown to try and get his way. That is not how it should work, and that is not what is going to happen.

Instead, let's reopen the government, start paying our food safety inspectors, park Rangers, air traffic controllers, Federal courts, and our Border Patrol agents, so they can do the work they are supposed to do for the American people. All we have to do is take up legislation that Senate Republicans already support.

I yield the floor.

ADJOURNMENT UNTIL TUESDAY, JANUARY 8, 2019, AT 3 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate will stand adjourned until 3 p.m. on Tuesday.

Thereupon, the Senate, at 11 a.m., adjourned until Tuesday, January 8, 2019, at 3 p.m.

NOMINATIONS RETURNED TO THE PRESIDENT

FRIDAY, JANUARY 4, 2019

The following nominations transmitted by the President of the United

States to the Senate during the second session of the 115th Congress, and upon which no action was had at the time of the sine die adjournment of the Senate, failed of confirmation under the provisions of rule XXXI, paragraph 6, of the Standing Rules of the Senate.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

JONATHAN F. MITCHELL, OF WASHINGTON, TO BE CHAIRMAN OF THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES FOR THE TERM OF FIVE YEARS.

DEPARTMENT OF COMMERCE

JEFFREY KESSLER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

JOHN J. BARTRUM, OF INDIANA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.

DEPARTMENT OF JUSTICE

FRANK M. COFFMAN, OF OKLAHOMA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS.

DEPARTMENT OF STATE

JOSEPH E. MACMANUS, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COLOMBIA.

DAVID T. FISCHER, OF MICHIGAN, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF MOROCCO.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

JANET DILLON, OF PENNSYLVANIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2022.

DANIEL M. GADE, OF NORTH DAKOTA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2021.

CHAI RACHEL FELDBLUM, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2023.

EXECUTIVE OFFICE OF THE PRESIDENT

FREDERICK M. NUTT, OF VIRGINIA, TO BE CONTROLLER, OFFICE OF FEDERAL FINANCIAL MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET.

EXPORT-IMPORT BANK OF THE UNITED STATES

MARK L. GREENBLATT, OF MARYLAND, TO BE INSPECTOR GENERAL, EXPORT-IMPORT BANK.

SPENCER BACHUS III, OF ALABAMA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2019.

SPENCER BACHUS III, OF ALABAMA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2023.

JUDITH DELZOPPO PRYOR, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2021.

CLAUDIA SLACIK, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2019.

CLAUDIA SLACIK, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2023.

OFFICE OF PERSONNEL MANAGEMENT

JOHN EDWARD DUPUY, OF VIRGINIA, TO BE INSPECTOR GENERAL, OFFICE OF PERSONNEL MANAGEMENT.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

ADAM I. KLEIN, OF THE DISTRICT OF COLUMBIA, TO BE CHAIRMAN AND MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR THE REMAINDER OF THE TERM EXPIRING JANUARY 29, 2018.

SMALL BUSINESS ADMINISTRATION

DAVID CHRISTIAN TRYON, OF OHIO, TO BE CHIEF COUNSEL FOR ADVOCACY, SMALL BUSINESS ADMINISTRATION.

THE JUDICIARY

JOSHUA A. DEAHL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS FOR THE TERM OF FIFTEEN YEARS.

RAINEY R. BRANDT, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

DEBORAH J. ISRAEL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

RYAN T. HOLTE, OF OHIO, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS.

HOWARD C. NIELSON, JR., OF UTAH, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH.

GORDON P. GIAMPIETRO, OF WISCONSIN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WISCONSIN.

UNITED STATES INTERNATIONAL TRADE COMMISSION

DENNIS M. DEVANEY, OF MICHIGAN, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR A TERM EXPIRING JUNE 16, 2023.

RANDOLPH J. STAYIN, OF VIRGINIA, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR A TERM EXPIRING JUNE 16, 2026.

UNITED STATES POSTAL SERVICE

ROBERT M. DUNCAN, OF KENTUCKY, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2025.

CALVIN R. TUCKER, OF PENNSYLVANIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2023.

IN THE AIR FORCE

AIR FORCE NOMINATION OF BRIG. GEN. PAUL D. NELSON, TO BE MAJOR GENERAL.

IN THE ARMY

ARMY NOMINATION OF COL. DARIUS S. GALLEGOS, TO BE BRIGADIER GENERAL.

ARMY NOMINATIONS BEGINNING WITH COL. ROBERT B. DAVIS AND ENDING WITH COL. ANDREW M. HARRIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2017.

IN THE AIR FORCE

AIR FORCE NOMINATION OF MARK D. DELVECCHIO, TO BE COLONEL.

AIR FORCE NOMINATION OF ENRIQUE J. GWIN, TO BE COLONEL.

AIR FORCE NOMINATION OF MATTHEW J. WHIAT, TO BE COLONEL.

AIR FORCE NOMINATION OF AMBER N. PECONGA, TO BE COLONEL.

IN THE ARMY

ARMY NOMINATION OF MICHAEL B. LOVEALL, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF SHAWN D. SMITH, TO BE COLONEL.