



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, FIRST SESSION

Vol. 165

WASHINGTON, MONDAY, JULY 22, 2019

No. 123

Senate

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

PRAYER

The PRESIDENT pro tempore. The Chaplain of the House of Representatives, Father Patrick Conroy, will open the Senate with prayer.

The guest Chaplain offered the following prayer:

Let us pray.

Righteous God, deliver Your people from evil. Set our lawmakers on safe paths, protecting them from dangers. Preserve them and their loved ones, keeping them from stumbling.

Provide our Senators with counsel, even in the night sessions where they may prevail against the evil that seeks to destroy our Nation and world. As they trust Your loving-kindness, may their hearts rejoice in Your salvation. Lord, deal bountifully with them and the members of their staffs.

We pray in Your marvelous 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.

MEASURES PLACED ON THE CALENDAR—H.R. 582 AND H.R. 748

Mr. GRASSLEY. Mr. President, first, I have a duty to perform for the leader.

I understand that there are two bills at the desk due a second reading en bloc.

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

The bill clerk read as follows:

A bill (H.R. 582) to provide for increases in the Federal minimum wage, and for other purposes.

A bill (H.R. 748) to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

Mr. GRASSLEY. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

Mr. GRASSLEY. Mr. President, I ask to speak as in morning business for 1 minute.

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

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. GRASSLEY. Mr. President, passing the United States-Mexico-Canada Agreement means more market access for our farmers and businesses and more protection for our workers. This agreement includes new commitments in critical areas such as customs, digital trade, services, environment, and labor that are crucial to bringing higher wages and more jobs to American workers.

Of course, enforcement is key to a strong and durable trade agreement that will deliver all of the benefits that I just listed. We need enforcement measures that work for all aspects of this agreement.

It is time to bring NAFTA into the 21st century, and that is what the U.S.-Mexico-Canada Agreement will do. The time for USMCA is now.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. BLACKBURN). Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATION OF MARK T. ESPER

Mr. McCONNELL. Madam President, the Senate's first order of business this week will be confirming a thoroughly well-prepared nominee to a post of vital national importance. Later today, we will vote to advance the nomination of Dr. Mark Esper to serve as Secretary of Defense, and we will vote on his confirmation tomorrow.

When Dr. Esper was nominated in July of 2017 to serve as Secretary of the Army, he already possessed an impressive record that spanned public service, the private sector, and, of course, his distinguished service in uniform. As a student, he excelled at West Point. He served honorably in combat during the Gulf war as an infantry officer with Kentucky's own 101st Airborne, the Screaming Eagles. He then later obtained a master's degree from the Kennedy School at Harvard and a Ph.D. from George Washington University.

In the years since, Dr. Esper has continued to serve his country, compiling an outstanding record in public service. He has served as Deputy Assistant Secretary at the Pentagon; as a Senate-appointed member of the U.S.-China Economic and Security Review Commission; and, of course, as a trusted staff expert right here in the Capitol.

As a result, many of our colleagues have been familiar with this nominee for more than a decade. Members on both sides remember Mark Esper from his time on staff with our former colleague Chuck Hagel. Some knew him during his tenure with the Foreign Relations Committee or with what was

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



Printed on recycled paper.

S4957

then the Governmental Affairs Committee, and many of us inevitably crossed paths with the smart and level-headed national security adviser for Majority Leader Bill Frist.

So, when President Trump first nominated Dr. Esper to be Secretary of the Army 2 years ago, my colleagues and I were well acquainted with his expertise, his professionalism, and his patriotic dedication to the men and women who serve to keep us safe. It is no wonder that this body confirmed him to that post by an overwhelming bipartisan margin. Since then, Secretary Esper has continued to impress. He has continued to earn the praise of experts and colleagues from every corner of the national security landscape.

“He’s highly regarded inside the Army. Soldiers like him.”

He is “someone who can work across the aisle . . . somebody who can work with Congress.”

Additionally, he is “superbly well qualified by experience and temperament for the position.”

Another quote: “The nation would be lucky to have Mark serve in any capacity . . . He is particularly well-suited to step into one of the most important jobs in the world.”

This is high praise from former Pentagon officials of the Obama years and from widely recognized national security professionals. Just last week, our colleagues on the Armed Services Committee offered a ringing endorsement of their own by voting by voice to favorably report his nomination to the floor.

It would be hard to draw up a more compelling case than the one in front of us for confirming Dr. Mark Esper, and it is hard to imagine a more persuasive argument for doing it right away—with no further delay—than the front pages of newspapers all around the world every day.

The world is full of serious threats to America, to our allies, and to our interests. Not the least among them, obviously, is Iran’s insistence on continuing to ratchet up tensions in the Middle East. Having a Senate-confirmed Secretary of Defense, especially one of this quality, could not have come a moment too soon.

In closing, when Secretary Esper took his last job, he wrote Army personnel a letter that laid out three priorities: readiness, modernization, and reform. Since then, he has played an active role in this administration’s efforts to restore the primacy and lethality of America’s fighting forces, and the success of defense authorizations and ongoing operations abroad bear his fingerprints.

We are reminded every day that this work continues, and we are reminded why. My colleagues should be proud to join me today in voting to advance the Esper nomination and in putting the right man on the job.

The PRESIDING OFFICER. The Senator from Texas.

BORDER SECURITY

Mr. CORNYN. Madam President, over a week ago, I traveled to the Texas-Mexico border with the Vice President, as well as the Presiding Officer and other Republicans on the Senate Judiciary Committee. We visited McAllen, which is located in the heart of the Rio Grande Valley, which is a beautiful region with a thriving economy, but folks in the region continue to struggle to manage the growing humanitarian crisis caused by the massive influx of migrants arriving at our southern border.

The Rio Grande Valley has been disproportionately impacted by this migrant crisis, with 46 percent of all apprehensions last month occurring in that sector. It has taken a toll, as you might expect, on the Border Patrol, the Department of Health and Human Services, local communities, and the nongovernmental organizations working to provide care for these migrants.

Our trip provided the opportunity for the Vice President and members of the Judiciary Committee to meet with the men and women who are on the frontlines of this crisis and hear about the challenges they face every day. We also discussed what Congress needs to do to help them address this crisis.

Chairman LINDSEY GRAHAM invited all the members of the Judiciary Committee, both Republicans and Democrats, to go on the trip, but unfortunately none of our Democratic colleagues accepted that invitation. Instead of going on a bipartisan basis, Senate Democrats chose to wait a week and go on what was clearly a partisan messaging mission.

The minority leader said the purpose of the trip was to “investigate, inspect and evaluate conditions for migrants at facilities on the border.” They traveled to McAllen—exactly where we were 1 week before—and they had a very similar itinerary, but they had a very different mission. Our mission was to find out what Congress needed to do to help fix the problem; theirs was to shine a light in a partisan fashion on conditions of migrants, which are largely of Congress’s own making as a result of congressional inaction on dealing with the underlying causes.

We both met with Chief Patrol Agent Rudy Karisch, toured the Donna holding facility, heard from Border Patrol agents, and had the chance to speak to the migrants themselves, but our takeaways from these nearly identical trips were quite different. This was like ships passing in the night.

I left that trip feeling immense gratitude for our professional Border Patrol agents, whom we met, working tirelessly to fulfill their duties with the utmost professionalism and compassion. As this crisis has grown, they have been asked to do more and more with less and less. They go to work each morning not knowing exactly what the day will bring. Will they encounter a group of hundreds of migrants? Will they find abandoned chil-

dren left for dead by smugglers? Will they rescue a drowning family from the Rio Grande or, worse, find the remains of those who have succumbed due to the dangerous journey in very hot weather?

This growing crisis is not the fault of our professional law enforcement officials working along the border, and despite what our colleagues across the aisle claim, it is not a side effect of the 2016 Presidential election either. This migrant crisis has been bubbling up for years. We got a glimpse of how bad it could be in 2014 when then-President Obama announced there was a “humanitarian and security crisis”—his words—on the southern border. In May of 2014—the height of apprehensions that year—nearly 69,000 people were detained at the southern border. In May of this year, that number more than doubled to 144,000 in 1 month alone. So President Obama called it a “humanitarian and security crisis” in 2014, and the problem has roughly doubled since that time.

If there is one thing I hope our colleagues found on their trip, as the minority leader said, to investigate, inspect, and evaluate, I hope it is this: I hope their investigation confirmed what they have reflexively denied for months on end—that there is, in fact, a crisis at the border. I hope their inspection revealed that the problem isn’t with the administration’s policies or with the actions of our Border Patrol; it is our broken immigration system. And I hope they evaluated that without some type of action—real action—by Congress, the situation along the border will only continue to get worse.

As this senseless partisanship over border security carries on, people living and working along the border are also hurting. When we were in McAllen a week and a half ago, we heard from one Border Patrol agent, Oscar Escamilla, who talked about the role Border Patrol plays at the centralized processing centers. He said:

We wear different hats. Sometimes we’re fathers, sometimes we’re mothers, brothers, sisters, play pals, and even counselors. We do this because we care. We do this because there is a real need.

There is certainly a need.

Last month, we passed bipartisan legislation to send much needed humanitarian relief, which will provide some temporary help. That bill also included funding for the departments and agencies that have depleted their resources trying to manage this crisis the best they can, and it made \$30 million available for impacted communities to apply for reimbursement from the Federal Government. In other words, they have had to pay out of their own pockets for something that is the Federal Government’s responsibility, and I am glad that at least we provided \$30 million for reimbursement.

This was a long-overdue and important step to support those who have been working day in and day out, hour