

have tried hard to convince him that he should be rooting for the Green Bay Packers, but so far I haven't gotten anywhere.

Fortunately, our shared appreciation for the tuba has helped us to get over our major disagreements on football. Both Brendon and I are tuba players from way back, although I think he is a little more accomplished at the tuba than I am. I never made it beyond the high school marching band. Brendon went on to Augustana University in South Dakota on a music scholarship and played in the concert band. I just learned that he actually had lost his tuba scholarship—if you can believe this—to dedicate time to my first campaign.

As I said earlier, it is hard to think of my office without Brendon. He will be deeply missed, but I look forward to watching him excel in all his future endeavors. I know that he may enjoy having a little bit more time to spend with his wife Lindsay and his little ones, Timmy and Katie Lou. As we all know, days on the Hill can be very long.

If you ask Brendon how he got into politics, he will tell you about the meeting he attended in college where I was the guest speaker. That meeting, Brendon says, got him interested in politics for the first time. Shortly after, he applied to work on my first Senate campaign, and the rest, as they say, is history.

To hear Brendon tell it, attending that meeting was a lucky day for him, but I know it was an even luckier day for me and for the people of South Dakota.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The clerk will call the roll.

The senior assistant 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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 PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### APPROPRIATIONS

Mr. SCHUMER. Mr. President, there are two possible paths when it comes to the appropriations process in Congress. There is a bipartisan path, where both parties work together in good faith to pass all 12 appropriations bills. Then there is the partisan path, where one party breaks faith with the other, and we end up traveling down a road of brinksmanship. Continuing resolutions become the order of the day, and the risk of a government shutdown increases.

We all know the bipartisan path is far preferable. It both avoids the possibility of another damaging government shutdown, and when we legislate the appropriations bills, we can intelligently allocate our resources for the

future. Continuing resolutions, on the other hand, are blunt objects that simply recycle last year's priorities. It hurts our military; it hurts the middle class; and it hurts the American people.

We are at an important crossroads between those two passes right now. After successfully negotiating the broad outlines of a budget deal earlier this year, we must now agree on the allocations to the 12 appropriations subcommittees. These are known as the 302(b) allocations. This process was completely bipartisan in 2018; these allocations passed the Appropriations Committee unanimously 31 to 0.

This year, the Republican majority, without consulting with Democrats, has proposed taking away \$12 billion from urgent domestic priorities and from urgent military priorities and wasting it—wasting it on President Trump's ineffective and expensive border wall. This is the very wall President Trump promised over and over again that Mexico would pay for when he ran for office and garnered support for it from his constituency.

No Republican—certainly not the Republican leader who knows this place well—could seriously believe Democrats would agree to that: \$12 billion for the wall, stolen from healthcare programs to fight opioid addiction and encourage cancer research, stolen from military families? No Republican could expect Democrats to support that, nor should they. It is terrible policy.

This morning, in the appropriations markup, every single Republican on the committee, including Leader MCCONNELL, voted to move forward on this idea. Republican Senators who oppose the President's emergency declaration voted for it; Republican Senators whose States would lose tens of millions of dollars in military funding voted for it. This is the clearest indication yet that Republicans may well be abandoning a bipartisan appropriations process. They would do so at their peril, as well as the peril of the Nation.

Republicans have started off here on the wrong foot, repeating the exact same mistakes they made at the end of 2018, which resulted in the longest government shutdown in American history—a shutdown that President Trump and Republicans rightly shouldered the blame for.

There is only one bit of good news in this maneuver. There is still time for Republicans to reverse course. The Republican majority should sit down with Democrats on the committee and start over on the 302(b) allocations, figure out an order to bring each bill to the floor, and get a bipartisan process back on track. That is how we Democrats want to do it. That is how we have always gotten appropriations bills done. No one wants to resort to a continuing resolution or, God forbid, another Republican, Donald Trump-inspired government shutdown, but it takes two to tango.

My Republican colleagues must know that what happens in the next few days

and weeks will determine whether we can proceed with a bipartisan appropriations process this fall or not.

I urge Leader MCCONNELL and every single Republican to reverse course—it is certainly not too late—and work with us and get it done. I spoke to Leader MCCONNELL yesterday right here in the well and suggested just that. He seemed open to it. Let's hope our request is heeded.

#### BACKGROUND CHECKS

Mr. President, on guns, yesterday, in an open letter to the Senate, the leaders of 145 companies—some of the most recognizable in our country—added their voices to the millions of Americans who want action on gun violence. Here are the words of these corporate leaders, hardly leftwing radicals: "Doing nothing about America's gun violence crisis is simply unacceptable . . . the Senate must follow the House's lead by passing bipartisan legislation that would update the background checks law, helping to keep guns out of the hands of people who shouldn't have them."

They are correct, and the people who shouldn't have them, almost no one thinks they should. Should felons have guns? Should spousal abusers have guns? Should people adjudicated mentally ill have guns? Yet the enormous loopholes in the law allow them to have guns. Forty percent of the guns sold in America now are sold without background checks because they are sold either online or at gun shows.

These corporate leaders are exactly right. They are not asking for anything radical. They are asking for something that 93 percent of the American people support.

When it comes to gun safety legislation, no policy is a better starting point than universal background checks. We are certainly open to debating the finer points of legislation with our Republican colleagues, but we certainly will not settle for anything less than meaningful action to address gun violence. We know meaningful action begins with closing the loopholes in our background check system so guns don't fall into the wrong hands in the first place.

After saying the issue of gun safety would be front and center when Congress returned, Leader MCCONNELL has given no indication of when the Senate might have a debate. Instead, he has suggested it is up to the White House—a mercurial, inconsistent White House—to determine what, if any, legislation reaches the floor. Meanwhile, after Republicans met with President Trump at the White House this week, a few said President Trump was liable to let Congress take the lead.

Well, Leader MCCONNELL, President Trump, Republican Senators, it is the old Abbott and Costello routine again. They are going like this: Congressional Republicans point at the White House, the White House points at congressional Republicans, and nothing gets done.

We know why nothing gets done. The public overwhelmingly—the vast majority of Americans, the vast majority of Republicans, the vast majority of gun owners, the majority of NRA members—want to close the loopholes, but the NRA has our Republican colleagues quaking in their boots, and they almost always bow down in obeisance to the NRA. The NRA says: Let us look at the legislation. Then it is so weakened, it virtually does nothing. That is not going to happen this time.

We need a vote on H.R. 8—modest, bipartisan, universal background check legislation. Our Republican colleagues should realize this game they are playing of Pennsylvania Avenue hot potato has become a shopworn strategy to delay and kick responsibility around so Republicans can avoid addressing the tough issue—the issue the American people sent us here to take on.

When Leader MCCONNELL says he is just going to do what President Trump wants—how unreliable. President Trump has been all over the lot on gun safety, with no real results in the 2½ years he has been in office. What lack of leadership. Let's just do it. The public wants us to do it.

What is different this time, my colleagues on the Republican side, is the public is so strongly on the side of what we want to do—closing the loopholes—that people will begin to pay a political price for not doing it. It used to be the equation was the other way, a small, dedicated core of advocates, quite extreme, on the pro-gun side had more weight than the vast majority of the American people who cared about this issue but didn't make it high up on their list. What has changed is this: It is one of the most important issues in the country. That is not I saying it; that is what the average citizen is saying.

The idea now of bowing down to the NRA, of not doing anything they don't want you to do is a political loser. I urge my Republican colleagues, for the sake of our country, for the sake of lives, to change their minds and behave differently.

The fact of the matter is this: The issue of gun violence is not going away, and the American people are not going to settle for half measures or half-baked solutions that the NRA crafts.

While we continue to press the White House to make its position public, we urge Leader MCCONNELL to do something very simple: Let us debate H.R. 8, the bipartisan, House-passed universal background checks bill on the floor ASAP.

CHINA

Mr. President, on China, a report in the Wall Street Journal this morning describes how China will seek to narrow the scope of ongoing negotiations with the United States, hoping to focus on trade alone, leaving national security issues for a separate conversation. Of course, in many cases, these two issues are intertwined and indissoluble. Of course, China and the United States

will invariably disagree about which issue is a trade issue and which issue is a national security issue.

Regardless, this transparent attempt by China to dodge a conversation about its predatory actions against American companies should not stand. China has stolen an entire generation of innovation from the United States. Of course they don't want to talk about this topic, and of course they want to defer this conversation to a day in the future that will never come.

Make no mistake about it, what the Chinese are doing is another effort to protect Huawei and similarly large Chinese corporations from further action in the United States. They don't let our best and biggest corporations sell goods in China. Why should we let them sell goods here, particularly when there is a national security risk as there is in Huawei? My late father-in-law, a New York City cabdriver, used colorful language. He said: Do you know what? When it comes to China, we are not Uncle Sam; we are Uncle Sack. Let's stop that already.

President Trump has shown some strength in this issue, but then he also often backs off. We have to be tough on Huawei—very tough on Huawei. That is the best way to teach China that they can't sell whatever they want here in America and not let us sell in China.

I have a concise and pointed request to the White House this morning: Tell China to forget about it. Don't let China exclude our Nation's security and Huawei from the negotiations.

Let me remind President Trump and his advisors that over the past several years, China has endeavored to keep our blue-chip technology companies out of its markets. When it does allow American companies access, it makes the transfer of proprietary intellectual property and technology to Chinese companies a precondition. When American companies don't play by their rules, Chinese companies steal the technology.

President Trump, you have been tougher on China than President Bush or Obama. I give you some credit for that, but it will all come to naught unless we actually take action. Don't let Huawei sell here. Don't let Huawei get the components made in America they need to continue to threaten both our economic and national security.

If China keeps American companies out, we should keep important Chinese companies out, particularly those like Huawei, until China relents. They will if we stay strong and if we stay tough.

President Trump, stay strong on China and on Huawei.

E-CIGARETTES

Mr. President, finally, on some praise for the Trump administration, I don't do it that often, but when it is due it is due. Yesterday, the Federal Drug Administration announced that it plans to pull most flavored e-cigarettes from the market. I have been concerned about the possible danger of e-cigarettes for a long time. I have been one

of the first to bring attention to the fact that the e-cigarette manufacturers aim at kids with both flavors and advertising. I have called for greater scrutiny, asked companies to recall brands of e-cigarettes where the parts are exploding, and have particularly focused on getting the FDA to ban e-cigarettes with flavors that are designed to appeal to teenagers and young kids.

I had several conversations and meetings with FDA Commissioner Scott Gottlieb about this issue. In fact, I brought him some kids from high school in Westchester who said that e-cigarettes were hurting their school and that so many kids were involved. I think it made a good impression—a strong impression—on former Commissioner Scott Gottlieb.

We take wide-ranging steps to prevent tobacco companies from targeting underage children in their markets but so far have done little to prevent e-cigarettes from executing basically the same strategy. It is past time the FDA moved to take these kid-friendly products off the shelves, and I commend the FDA's announcement that it plans to take action.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I appreciate what the Democratic leader just said about the flavored e-cigarettes, and I, too, commended the Trump administration yesterday for taking this action. It is a big deal in our high schools in Ohio and in other venues as well, and this will help to keep a lot of young people from engaging in this, which is bad for their health. Certainly, just like cigarette smoke, it also leads to addictions. I commend him for that.

The Democratic leader also talked about the fact that President Trump has been tougher on China than any previous President in modern times, certainly, and that is also true. Let's all hope the Chinese Government comes to the table in the next few weeks, as they get back to their discussions, ready to actually address some of these issues, particularly, the issue of their subsidies, which are contrary to our laws, but also the international rules, the technology transfer, and the taking of our intellectual property. These are changes in the structure of our trade relationship that are required for us to get to that level playing field that all of us should want.

I also agree about the notion that we should have more reciprocity. If they are keeping our stuff out, we should be able to respond in kind. Ultimately, we all want a resolution to this issue. We want the tariffs to be eliminated, but we want to do it on a basis where there is actually fair trade between our two countries.

With regard to the appropriations process, I, too, am hopeful we can get something done here on a bipartisan basis. The Democratic leader suggested