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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, September 24, 2019, at 12 p.m.

Senate

MONDAY, SEPTEMBER 23, 2019

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.

Mighty God, hear our prayer. Because of Your mercies, give us the wisdom to strive to please You.

Continue to effectually work through our lawmakers to accomplish Your purposes. Lord, strengthen them to catapult the hurdles that threaten true freedom.

Grant that in all our perplexities, we will seek Your truth. Lord, may we hear the thunder of Your justice mingled with the showers of Your grace. Preserve our lawmakers even during turbulent seasons.

We pray in Your Holy 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.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to address the Senate for 1 minute as in morning business.

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

RENEWABLE FUELS

Mr. GRASSLEY. Last week, Siouxland Energy, an ethanol plant in Sioux Center, IA, announced that they are halting production due to the unfair small refinery exemptions.

This farmer-owned plant was annually buying 23.4 million bushels of corn from farmers in the area, and it also employed 42,000 people who, today, do not know when they will be able to go back to work. This kind of economic impact is a big deal in rural communities. If it spreads, it is going to create a lot of unemployment and closed ethanol plants in other places around the country. I have heard of production halts announced in other States as well.

In fact, the ethanol industry supports more than 365,000 total jobs, and the biodiesel industry supports more than 65,000 total jobs. We have made great progress through the Renewable Fuel Standard in diversifying our Nation's fuel supply while creating jobs and strengthening local economies.

We have to get this issue settled. I hope we can get an announcement from the EPA very soon about that so we can get these plants open and get these people back to work.

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. SCHUMER. Mr. 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 Democratic leader is recognized.

UKRAINE

Mr. SCHUMER. Mr. President, over the weekend, details emerged about President Trump's conduct with Ukrainian President Zelensky. Specifically, the President's phone calls with the Ukrainian leader were subject of an official whistleblower complaint by a member of the intelligence community. The intelligence community's inspector general, a Trump appointee, has determined that this whistleblower's complaint is credible and a matter of urgent concern, whose subject matter "not only falls within the DNI's jurisdiction, but relates to one of the most significant and important of the DNI's responsibilities to the American people."

By law, a whistleblower complaint labeled in this way must be transmitted to Congress—not shall be transmitted to Congress, must be. The Trump administration has not allowed that to happen. So far, in the face of this dire warning and the Trump administration's effort to cover it up, the Republican-led Senate has remained silent and submissive, shying away from this institution's constitutional duty to conduct oversight.

That is an obligation we have. It is not a yes or no. That is our job. The Republicans are in the majority in the Senate. With that majority comes the power to call hearings, issue subpoenas, and decide what legislation

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



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comes to the floor. The majority in the Senate, therefore, has an obligation to consider and act on the Senate's behalf, particularly when it comes to matters of oversight and matters of separation of powers. Yet, so far, we have no indication that Senate Republicans are planning to act. Most have yet to speak out.

The Republican Senate's "see no evil, hear no evil" attitude is unacceptable and must change. Again, this is an issue of solemn obligation. There is no wiggle room here—none. The obligation of the inspector general is to turn over the whistleblower information now that he has found it credible and urgent. And here, typically, our Senate Republicans and the Senate leader sit supinely in obeisance to Donald Trump's reckless lawbreaking.

This is a democracy, and we have heard nothing from our Republican colleagues about what the President has done, as abhorrent as that is, and the stonewalling of information. What is the President afraid of in this whistleblower report? We don't know; we can only speculate. But we do know there is an obligation for it to come to Congress.

So today I sent the Republican leader, Senator MITCH MCCONNELL, a letter calling on him and the Republican chairs of the Senate relevant committees to fulfill their constitutional duties and immediately take the following actions:

One, convene hearings to determine exactly what prompted the whistleblower to file this urgent complaint. At a minimum, these hearings should include testimony from Acting Director of National Intelligence Joseph Maguire, Acting Office of Management and Budget Director Russell Vought, Secretary of State Mike Pompeo, and President Trump's private attorney, Rudy Giuliani, among others.

Two, issue a subpoena to compel the delivery of the whistleblower complaint to Congress as required—required—by law.

Three, request the White House to release the transcript of President Trump's conversation with Ukrainian President Zelensky during which President Trump reportedly pressured the Government of Ukraine to investigate Vice President Biden and his family.

Four, identify the administration officials who directed that \$341 million of security assistance to Ukraine be delayed, and request that all records related to this decision be turned over to Congress.

Five, insist that the Department of Justice provide any legal opinion or other guidance it has given regarding the administration's obligation to transmit the whistleblower complaint to Congress.

It is the Senate's duty to take this national security matter seriously and investigate now. Senate Republicans have the sole power and the overwhelming responsibility to see that it does. How long must we wait for our

Republican colleagues to rise up to their responsibilities to the Constitution, to separation of powers, and to rule of law when President Trump brazenly violates that law? When are we going to hear the voices? It is unbelievable.

As President Trump erodes the very fabric of this democracy, our Republican colleagues—I believe out of fear—do nothing. That is not a profile in courage. That is not even what Senator after Senator, for generation after generation, regardless of party, has done. But we are obviously in a new era here where, on the Republican side, anything Donald Trump wants to do, he can get away with, whether or not it violates the law, violates our principles, violates the grand traditions of this democratic Republic.

DECLARATION OF NATIONAL EMERGENCY

Mr. SCHUMER. Mr. President, on a somewhat related matter, again about President Trump's overreach and lack of respect for any rule of law, Senate Republicans will be forced to vote later this week on the President's emergency declaration, which he is using to steal money from our military to fund a border wall that he promised Mexico would pay for. Again, my Republican colleagues face a choice about whether to have the Senate enforce its role as a check on the executive branch.

By declaring a national emergency, the President has tried to go around the constraints of his office to spend taxpayer dollars the way he wants instead of the way the Congress appropriates. Remember, Congress has explicitly and repeatedly rejected the President's request for border wall funding. Now he is trying to improperly take it from funds elsewhere—in this case, the military.

The Constitution dictates that Congress alone has the power of the purse. Will my Republican colleagues vote to reassert those constitutional powers, or will they buckle to the pressure of partisan loyalty to the President?

And I say to some of my very conservative friends, conservatism says: Let's not have large agglomerations of power. Let the individual have the most freedom to exercise his or her will.

When the President overreaches, what has happened to the true conservatives? They are quiet. They almost hide under their desks. History will not look at it kindly.

Many of my Republican colleagues have military installations, schools, and major projects in their States that would suffer as a result of the President's emergency. The Pentagon last week warned of dire outcomes if this funding is not restored, even warning that lives might be at risk.

Will Senate Republicans vote to defend our troops, their families, their children? Will they vote to defend millions of dollars of important projects in

their States, including medical facilities in North Carolina, a hurricane recovery project in Florida, and a middle school in Kentucky? Well, these questions will be answered this week.

I have seen reports that the Republicans are searching for other ways to restore military funding other than by ending the President's emergency declaration. Make no mistake—Democrats will not assent to backfilling accounts or other backhanded ways of approving taxpayer dollars for the President's border wall. The President said Mexico would pay for it. That is the only thing he said during the campaign. When people yelled "build the wall," it was Mexico that was going to pay for it, not American taxpayers and certainly not our military—not the brave men and women who risk their lives for us and whose families go through such hardship.

The simplest, quickest, and only way of protecting military funding is for my Republican friends to join us in terminating the emergency declaration later this week.

I urge—urge—my Republican colleagues to think about their States and the important military projects that hang in the balance, to think about the precedent it would set for this President and for future Presidents, and above all, to think about the constitutional questions, to just read the Constitution and defend the Article I powers of Congress given to us by the Founders.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATIONS

Mr. MCCONNELL. Mr. President, this week the Senate will consider more of the President's choices to fill important positions in the Federal Government. Too many important seats have continued to gather dust 2.5 years into this Presidency due to systematic Democratic obstruction.

The President deserves his team, and the American people deserve to be governed by the government they actually elected back in 2016. So as long as there continues to be resistance to processing uncontroversial nominees in the typical fashion by voice vote, we will just continue to vote on these impressive men and women.

Leading off this week are nominees to be Deputy Under Secretary of the Treasury, Ambassador to the Republic of Fiji, Solicitor of the Department of the Interior, and Deputy Commissioner of Social Security. I hope our colleagues will join in supporting each of them.

APPROPRIATIONS

Mr. MCCONNELL. Mr. President, the Senate also needs to remain focused on