



United States  
of America

# Congressional Record

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

Vol. 165

WASHINGTON, WEDNESDAY, SEPTEMBER 25, 2019

No. 155

## Senate

The Senate met at 10 a.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.

Eternal God, thank You for Your sanctifying truth. Use our lawmakers to live Your truth for the glory of Your Name. May Your truth keep them from the things that can pollute their lives and dishonor You.

Lord, forgive us when we are reluctant to submit to You with our bodies, minds, and spirits. Make us all vessels of honor prepared for every good work.

We pray in Your strong 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. CRAMER). 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.

### UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. GRASSLEY. We are getting toward the end of the year, and one of the issues I would like to get done—which has to go through the House of Representatives first—is the U.S.-Mexico-Canada Agreement. In regard to that agreement's helping agriculture, I want to start by laying out the fact that there is a lot of anxiety in agricultural America.

Even though the harvest is about to start across Iowa, we had a really dif-

ficult, tough spring getting the crops in. There is a crop to be harvested, however, and farmers will now be doing that job. They hope they can cover their costs. And while they are doing that, they are thinking about putting in next year's crop.

Passing the U.S.-Mexico-Canada Agreement would inject more certainty into the plans that the farmers have about this year's harvest and the plans they have for next year's crop. Passage of that would signal to the world that we here in the Congress are very serious about passing new, modern trade arrangements.

Yet we are running out of calendar days in 2019. Congress must step up and deliver for our hard-working farmers, as well as workers in America and small business in America and, in a sense, by getting this agreement passed, helping all of America. The time for the U.S.-Mexico-Canada Agreement is now.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. 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 MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### TRUMP ADMINISTRATION

Mr. MCCONNELL. Mr. President, yesterday evening, Speaker PELOSI announced that the House of Representatives will begin what she called "an official impeachment inquiry." But, really, we know that House Democrats have been indulging their impeach-

ment obsession for nearly 3 years now—a never-ending impeachment parade in search of a rationale.

The very day President Trump was inaugurated, the Washington Post ran a news story with this headline: "The campaign to impeach President Trump has begun." That was the day of his inauguration. Later that year, there were articles of impeachment introduced over the President's language. So clearly, this has been an ongoing project for House Democrats since practically the moment that Secretary Clinton lost the election.

For months, Democrats insisted that Special Counsel Mueller's investigation or the work of the Senate Intelligence Committee would prove their theories about a conspiracy between the Trump campaign and Russia. It didn't happen. The facts disappointed them, but the impeachment parade kept marching along.

Yesterday, even though a bipartisan committee investigation into the new whistleblower allegations is underway—and just hours after the President offered to publicize the details of his phone call with the President of Ukraine—the dam finally broke. Speaker PELOSI couldn't hold back the far left any longer. Before any of us even had the facts in hand, she caved to the left and announced an impeachment inquiry.

If this all sounds familiar, that is because at the time—literally, 1 week ago—the same Democrats were shouting about impeaching Justice Kavanaugh. That rush to judgment was based on a sketchy story in a major newspaper that promptly had to publish an enormous correction. But 1 week later, here they go again, threatening impeachment without the facts in hand.

Senate Republicans support the established proper procedures for considering this whistleblower report. In the meantime, while our friends across the Capitol rush to judgment and dive

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



Printed on recycled paper.

S5673

deeper into their nearly 3-year-old impeachment addiction, we will stay focused on the American people's business.

### BORDER SECURITY

Mr. MCCONNELL. Mr. President, earlier this year, President Trump led the Federal Government to recognize our insecure southern border for what it is: a national emergency, a humanitarian and security crisis. Congress had heard plea after plea for more border security funding. We heard from senior leaders and career Border Patrol officers. We heard about all the surging illegal crossings, the unprecedented numbers of family units, and the strain on our facilities.

Yet Washington Democrats decided that giving this very real crisis the resources it required might anger the far left, which wants them to oppose President Trump at any cost. So the President tapped into a longstanding, 40-plus-year-old Presidential authority and reprogrammed a narrow set of funds to address the urgent crisis.

I have never been shy about my commitment to the institution of Congress and its unique authorities, not the least being the appropriation of taxpayer dollars. But we are talking about 40-plus-year-old Presidential authorities in current law. Unlike President Obama, who vaguely shrugged off the Federal Code when he established his DACA policy, President Trump's decision was squarely within existing law. Nevertheless, our Democratic colleagues made the Senate vote to undo the President's declaration back in March. Their resolution fell far short of earning a veto-proof majority.

Now, still unwilling to work with the President and Republicans on a long-term bipartisan solution for border security, Senate Democrats are making us repeat the same show vote again.

I would urge all colleagues to once again vote for border security and vote against the Democrats' resolution when it comes up later today.

I understand the Democratic leadership would like to invent a false choice between border security and other important military construction projects. They want to tell the American people that we can either have border security or these other important projects, but for some reason, we can't have both.

There are two problems to that argument:

Problem No. 1 is that it is a false choice of Democrats' own invention. The only reason there could be any tradeoff between border security and these other priorities is their refusal to support commonsense border security. The only reason there is any tradeoff is that Democrats have refused to work with the President.

Problem No. 2 of their argument is that Congress has the full power to ensure that all of the military construction projects are fully funded. Work is ongoing on appropriations and the

NDAA. It would be easy to ensure that these projects get all of the money they need.

Later today, the Senate will vote on exactly that. We will vote on several motions to instruct our NDAA conferees. One of those motions will be a Republican proposal that we insist on fully funding these projects for our own servicemembers.

With the Kentuckians I represent, this is pretty simple. Kentuckians want our Nation to have a secure southern border. Kentuckians want full funding for the middle school at Fort Campbell—funding they have been waiting on for years, which is funding I proudly secured in the first place. Kentuckians know perfectly well that with everything the United States of America spends money on, there is no earthly reason the Democrats should force us to have one or the other. They don't want to be used as pawns in the Democrats' political games.

Even my Democratic colleagues who don't support the administration's border security agenda should not take out their frustrations on our Armed Forces. Every single Member of this body should be able to support the measure to fully fund military construction. I would urge all of my colleagues to vote yes on that motion later today.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 450.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Eugene Scalia, of Virginia, to be Secretary of Labor.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Eugene Scalia, of Virginia, to be Secretary of Labor.

Lamar Alexander, Mike Braun, Pat Roberts, John Boozman, John Thune, Johnny Isakson, Mike Crapo, John Hoeven, Roger F. Wicker, Mike Rounds, Cory Gardner, Steve Daines, Tim Scott, Shelley Moore Capito, John Barrasso, Jerry Moran, Mitch McConnell.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

### LEGISLATIVE SESSION

#### RELATING TO A NATIONAL EMERGENCY DECLARED BY THE PRESIDENT ON FEBRUARY 15, 2019

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

S.J. Res. 54 is discharged, and the Senate will proceed to the consideration of the joint resolution, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 54) relating to a national emergency declared by the President on February 15, 2019.

Thereupon, the Committee on Armed Services was discharged, and the Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. THUNE. Mr. President, readers of Forbes might have seen an article earlier this month entitled "Russian Navy To Be First To Field Hypersonic Cruise Missiles on Submarines." Articles like this are a timely reminder of the ever-present need to invest in our military.

It can be easy to take U.S. military superiority for granted, but our military preeminence did not come out of nowhere. Our military is strong as a result of sustained investment and commitment. If we don't stay committed to maintaining our military strength and advantage, we will lose them.

Meanwhile, as the Forbes article reminds us, other countries are busy investing in their militaries. Great powers with aggressive military tendencies are building up their armed forces and investing in the weapons and equipment of the future. We need to ensure that our military is not falling behind.

Later today, we will vote on additional measures related to the National Defense Authorization Act—legislation that we take up every year to authorize funding for our military and our national defense. Both the House and