

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER (Mr. ROMNEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 41, as follows:

[Rollcall Vote No. 302 Leg.]

YEAS—54

Alexander	Heinrich	Portman
Baldwin	Hirono	Reed
Bennet	Jones	Romney
Blumenthal	Kaine	Rosen
Blunt	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Lee	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	Menendez	Tester
Coons	Merkley	Toomey
Cortez Masto	Moran	Udall
Duckworth	Murkowski	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Whitehouse
Gillibrand	Paul	Wicker
Hassan	Peters	Wyden

NAYS—41

Barrasso	Ernst	McSally
Blackburn	Fischer	Perdue
Boozman	Gardner	Risch
Braun	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hawley	Sasse
Cassidy	Hoeven	Scott (FL)
Cornyn	Hyde-Smith	Scott (SC)
Cotton	Inhofe	Shelby
Cramer	Isakson	Sullivan
Crapo	Johnson	Thune
Cruz	Kennedy	Tillis
Daines	Lankford	Young
Enzi	McConnell	

NOT VOTING—5

Booker	Rubio	Warren
Harris	Sanders	

The joint resolution (S.J. Res. 54) was passed.

(The joint resolution, S.J. Res. 54, is printed in the RECORD of September 26, 2019.)

RESOLUTIONS TO INSTRUCT CONFEREES

The PRESIDING OFFICER. Under the previous order, the clerk will report the resolutions to instruct.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 330) instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to require certain measures to address Federal election interference by foreign governments.

A resolution (S. Res. 331) instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the inclusion of the provisions of S. 2118 (116th Congress) (relating to the prohibition of United States persons from dealing in certain information and communications tech-

nology or services from foreign adversaries and requiring the approval of Congress to terminate certain export controls in effect with respect to Huawei Technologies Co. Ltd.).

A resolution (S. Res. 332) instructing the managers on the part of the Senate on the conference on the bill S. 1790 (116th Congress) to insist upon the provisions contained in section 630A of the House amendment (relating to the repeal of a requirement of reduction of Survivor Benefit Plan survivor annuities by amounts of dependency and indemnity compensation).

A resolution (S. Res. 333) instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the provisions contained in subtitle B of title XI of the House amendment (relating to paid family leave for Federal personnel).

A resolution (S. Res. 334) instructing the managers on the part of the Senate on the bill (S. 1790) (116th Congress) to insist upon the provisions contained in section 316 of the Senate bill (relating to a prohibition on the use of perfluoroalkyl substances and polyfluoroalkyl substances for land-based applications of firefighting foam).

A resolution (S. Res. 335) instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the members of the conference to include the provisions contained in section 2906 of the Senate bill (relating to replenishment of certain military construction funds).

A resolution (S. Res. 336) instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the members of the conference to consider potential commonsense solutions regarding family and medical leave, including voluntary compensatory time programs and incentives through the tax code.

Thereupon, the Senate proceeded to consider the resolutions to instruct conferees.

The PRESIDING OFFICER. The Senator from Tennessee.

UNANIMOUS CONSENT AGREEMENT

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate recess from 2:30 p.m. to 3:30 p.m. today for a briefing.

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

CLINTON 12

Mr. ALEXANDER. Mr. President, in a few minutes, I want to speak about President Trump's nomination of Eugene Scalia to be the Secretary of Labor, but first I want to introduce two speeches that I made in Tennessee into the RECORD. I notice the room nearly cleared when I observed I was about to make some speeches, but at least there are some people watching.

The first speech was on August 26 of this year in Clinton, TN. It had to do with the Clinton 12. These were 12 students, some as young as 14 years of age, who walked down a hill and enrolled in Clinton High School in 1956–63 years ago—and became the first students to integrate a public school in the South.

Many of us remember what happened the next year in Arkansas, when Governor Faubus stood in the door, and President Eisenhower had to send in the troops to integrate Little Rock Central High School. I remember those days very well. I was in high school myself then.

It is hard to imagine the courage it must have taken for those children to

walk down that hill and integrate that school. Most of them were there in Clinton, TN, when they were honored in the month of August.

Mr. President, I ask unanimous consent that my remarks on the Clinton 12 Commemorative Walk we took that day be printed in the RECORD following my remarks about Mr. Scalia.

TENNESSEE VALLEY FAIR

Secondly, the Tennessee Valley Fair. It is a big event in Knoxville, TN, that was held on September 6. It was attended by almost everybody who has anything to do with politics in Knox County, which means the room was full with 500 or 600 people.

It was an opportunity for me to make a suggestion to the people of Knoxville about what to celebrate. Many of us had been watching Ken Burns' "Country Music" special on PBS. He reminds us that Tennessee has a lot to celebrate in terms of country music. His first two hours were about Bristol, TN, which is the birthplace of country music. It is where Ralph Peer of New York City went to Bristol, in 1927, put an ad in the paper, saying: "Hillbillies, come down out of the mountains with your music," and here came the Carter family, Jimmy Rogers, and several others.

One of the people on Mr. Burns' show this week was Charlie McCoy, the harmonica player, a great musician. It reminded me of a time when I was Governor and recruiting the General Motors' Saturn plant to Tennessee. We had the executives coming from Detroit. We talked about what to serve them for dinner. We served them country ham. We talked about whom to have play a piece of music after dinner, and I invited Charlie McCoy to play his harmonica.

A Nashville woman came up to me and said: Governor, I am so embarrassed.

I said: Why is that?

She said: You had all those fine people from Detroit, and then you had that harmonica player. She said: What will they think of us? Why didn't you offer them Chopin?

I said: Madam, why should we offer them average Chopin when we have the best harmonica player in the world?

The better people of Nashville had resisted for a long time calling Nashville Music City, but of course Music City is a wonderful signature, a great personality, and it is one reason Nashville is such a celebrated city today.

In the same way, Knoxville has violated the Biblical injunction about don't keep your light under a bushel because it rarely talks much about Oak Ridge. So the speech I made would suggest that the sign at the Knoxville airport, which says, "Welcome to Knoxville: Gateway to the Great Smoky Mountains," ought to say instead, "Welcome to Knoxville: Gateway to the Great Smoky Mountains and the Oak Ridge Corridor."

There are nearly 3,000 scientists, engineers, and technicians who work at

the Oak Ridge National Laboratory, the largest science and energy laboratory in America, and at the University of Tennessee and at the Tennessee Valley Authority. That part of the personality of the Knoxville area needs to be celebrated.

Mr. President, I ask unanimous consent that following my remarks on the Clinton 12, that my speech at the Tennessee Valley Fair on September 6 be printed in the RECORD.

NOMINATION OF EUGENE SCALIA

Mr. President, in my remaining time, I would like to say a few words about Eugene Scalia and the President's nomination of him to be Secretary of Labor for the United States.

The Senate will vote, probably tomorrow, on whether to confirm Mr. Scalia. I certainly hope the Senate does, and I believe the Senate will.

We have known for two months that President Trump intended for Mr. Scalia to be the Secretary. He announced that intention on July 18. We have had all of his papers since August 27. Those are the government ethics papers and the committee papers that are necessary. They all came a month ago. He gave us a copy of all of his writings. He came to a hearing the other day. The Presiding Officer was there. He testified for three hours. We had two rounds of questions. Senators could ask anything they wanted. He offered to visit, over the last month, with every member of our committee and did with all but two. So we know plenty about Mr. Scalia. He answered another 418 questions that committee members asked him after his hearing.

I think two months is long enough to consider him and consider all that information.

I remember when President Obama's Secretary of Education stepped down in the last year of the President's term. I encouraged the President to nominate John King, whom the President wanted to nominate, but he was afraid he couldn't be confirmed because we, the Republican majority, disagreed with him. I disagreed with him. I said: Mr. President, it is important for you to have a confirmed member of your Cabinet and to have that person considered and confirmed promptly. It is important to the Senate to have a Cabinet member who goes through the process of questions and advice and consent. That is our most important function in many ways.

We confirmed John King in a month.

We have had two months to consider Mr. Scalia, and that should be enough. He has a broad background in labor and employment law. He is a partner in a major Washington, DC, law firm, so he knows all the issues. He spent a year as Solicitor of Labor in the George W. Bush administration. He left the firm to be Special Assistant to the Attorney General of the United States in 1992.

Academically, he is very well prepared. He went to the University of Virginia. He was editor in chief of the University of Chicago Law Review. He

has been a guest lecturer at the University of Chicago Law School and an adjunct professor at the David A. Clarke School of Law at the University of the District of Columbia. He is very well qualified.

It is important for the Department to have a well-qualified, steady leader. I like the demeanor that Mr. Scalia showed in his hearing. The Democratic members of the committee were there, and they were very vigorous in their questioning. I also like the fact that they were courteous to him. They didn't take the attitude that sometimes happens in U.S. Senate—that you are innocent until nominated. They took the attitude that he was a well-qualified person with whom they disagreed, so they asked him questions. He answered them, and he did a good job.

I like the fact that the Trump Administration has taken steps to create a more stable environment by having a more sensible joint employer standard that doesn't make it more difficult for American families to own and operate franchises. There are more than seven hundred thousand American franchise establishments. That is the way you get into the middle class in America. We need a steady hand there to make sure that happens properly.

I like the fact that the administration has a more reasonable overtime rule. The overtime threshold needed to be changed, but the last administration raised it too high too fast. It caused church camps to have to lay off people and close in the summer. It had all sorts of unintended consequences and bipartisan opposition. The administration announced yesterday a more reasonable step.

Next, association health plans. Among the people in America who have the hardest time paying for insurance are those who make \$50,000 a year and don't get a government subsidy. Association health plans help people who work for small businesses to be able to get the same kind of insurance that people who work for IBM or big businesses get—insurance that covers pre-existing conditions and offers the same sort of consumer protections.

It has been estimated by Avalere that the association health plan rule that the Department of Labor put out would help three to four million Americans be able to afford health insurance and save their premium costs by several thousand dollars a year. Mr. Scalia can work on that.

Mr. President, I received 32 letters in support of Mr. Scalia's nomination from small business owners, employers, industry groups, and his colleagues. I will mention a couple.

Former Obama administration official Cass Sunstein wrote:

His decency is part of what makes him someone who tends to go case-by-case, and to end up where the facts and the law take him. . . . He does not have an ideological straightjacket. He takes issues on their merits.

Thomas Susman, who was Senator Ted Kennedy's counsel, wrote:

Gene is precisely the kind of person that our country needs in the Cabinet: experienced, ethical, professional, open-minded, fair, and brilliant.

There are a number of other letters from former Department of Labor career attorneys, Chicago Law Review editorial board members, Fraternal Order of Police members, and others.

Suffice it to say that the country is fortunate the President has nominated Eugene Scalia to be the U.S. Secretary of Labor. He has conducted himself admirably in the two-month process of going through the Senate confirmation. We have a chance to bring that to a conclusion tomorrow. My hope is that the Senate will confirm him and that he will be in office by the end of the week.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMEMORATING THE CLINTON 12 WALK

Thank you Mayor Frank. To Lt. Governor McNally, Congressman Fleischmann, Representative Bob Clement, Judy Gooch, students and teachers, and especially, to members of the Clinton 12 and their families and friends.

It is hard standing here to imagine the courage that it took the Clinton 12, some of them as young as 14 years of age, to take a walk that we just took this morning and become the first students to integrate a public high school in the south.

In that year, 63 years ago, I was a rising junior at Maryville High School, about an hour away.

I remember reading in the Knoxville newspapers about John Kasper, and the demonstrations, and how the men and women we honor here today couldn't be intimidated.

I remember the uncommon courage of then-governor Frank Clement, whose son Bob is here, who sent in state troopers and national guardsmen in support of the Clinton 12.

Today it seems like it would be an easy decision, but it was not an easy decision for the governor.

I remember that the very next year in 1957, it was a different story in Arkansas.

The Governor of Arkansas stood in the door and stopped students from coming into Little Rock Central High School, and President Eisenhower mobilized the National Guard to support the students.

It's unpleasant to remember some of the things from then.

It's unpleasant to remember the Boys' and Girls' State program that we high schoolers would attend, was then segregated by race.

That the Alcoa student, who later became the first African American basketball coach at the University of Tennessee, when he was a teenager and wanted to go to the University of Tennessee football game, had to sit in a section of the stadium that was reserved for blacks.

It's unpleasant to remember that there never had been an African American athlete who played in the Southeastern Conference, or there hadn't been a black Supreme Court Justice in Tennessee, or a black chancellor, or a local judge.

It's unpleasant to remember that African American students couldn't sit at the front of the bus, couldn't sit at a lunch counter, and when traveling across our state and some other states in the South, had to sleep in the car because no motel would admit them because of their race.

So it is good to celebrate that things are very different today, and it's important to remember the courage of the Clinton 12 and to celebrate that progress.

But it's also important to remember, as we celebrate the Clinton 12, that things could be even better.

We still have a ways to go.

We have a United States Senator from South Carolina, whose name is Tim Scott.

He is an African American Senator elected from that state.

He told me that he was arrested seven times within the last few years in his hometown in Charleston, South Carolina, basically for being a black man in the wrong place.

And at the time, he was the Vice Mayor of Charleston.

When I first came to the Senate several years ago, your city manager, Steve Jones, came to see me to tell me Clinton's vision for preserving the story of the Clinton 12.

It's been a great pleasure to work with him and the city and so many of you to try to help him do that.

Our former senator, Bill Frist, worked with us to help us secure some of the first funding for Green McAdoo Cultural Center.

And a new law we passed in 2009 directed the Secretary of the Interior to take the first step to making it part of our National Park System.

The late reverend Benjamin Hooks, a Tennessean who was President of the NAACP, once told me this: "Remember, our country is a work in progress."

In my life, I have seen us come a long way, but we have a long way to go."

That is why the story of the Clinton 12 is so important to remember and celebrate today. Thank you.

#### TENNESSEE VALLEY FAIR

You know, it says in Lamar Alexander's Little Plaid Book that if you want a standing ovation, seat a few friends in the front row.

Thanks to those of you right there.

Thanks to Tim Burchett and to Kelly and Isabel.

I want you to know that Tim is not only good at the Vol Market, he's good in the United States Congress, and I appreciate the chance to serve with him in his good work there.

To Speaker Cameron Sexton, congratulations to Cameron. I've watched his career, he's off to a terrific start.

Mayor Jacobs, Mayor Rogero, Congressman Jimmy Duncan—my good friend for many years, and he still is—and Wanda Moody, with whom I worked for a long time.

Distinguished ladies and gentlemen: Coming up here, I was thinking that our favorite son, Howard Baker, used to remind us that it was wise to try to be an eloquent listener, but that gets harder to do the older you get.

For example, you may remember Bobby Bare who sang Detroit City.

He's in his eighties now.

He was on the Grand Ole Opry stage the other night.

Somebody asked him, "Bobby, how long you've been wearing your hearing aids?"

He said, "Well, it's like this. A few years ago, my wife said to me, 'Bobby, I'm proud of you.' And I said back to her, 'I'm tired of you too.'"

He said, "I've been wearing them ever since."

A few years ago, when I was buying a car in Nashville, the salesman pulled out his billfold, and he pulled out a picture of his two-year-old and he said, "What do you think of her?"

And I said what a politician always says. I said, "That is a beautiful baby."

And he looked up at me and said, "She won second best baby at the Wilson County Fair."

I've always remembered that because that's what we do at fairs. We celebrate the best among us.

We celebrate the tastiest tomato, and the biggest pumpkin, and the prettiest girl and the strongest man, the craziest quilt, the biggest tractor and the best baby.

And for a century, the Tennessee Valley Fair has been doing that.

Bob Booker wrote this morning about some of the history even before then, and I was thinking so much happened in 1919.

I know over in one county, a Maryville high school was started that year.

Proffitt's Department Store was started that year.

The Kiwanis Club started that year.

The West Plant was being built that year and this fair started that year.

And I think it was because the war ended in 1918 and everybody came home and had a burst of enthusiasm about our country.

They wanted to celebrate what was good about it.

And so here came the fair.

So this fair has been celebrating all the things I just talked about.

And also, had you come to the Tennessee Valley Fair over the last century, you could see pigs jumping through hoops, you could see dancing horses, you could see African American cultural exhibits, you could see the wildest roller coaster ride, and you could see the fastest new car.

That's why people came to the fair.

But in the depression, Professor Harcourt Morgan, who later was the U.T. president and the TVA Board Chairman, suggested this. He said, "We ought to use the fair to try to think differently what we have to celebrate in the Knoxville area."

So in that spirit, let me take about five or 10 minutes and suggest to you what I think we ought to be celebrating in the Knoxville area.

We have plenty to celebrate.

I mean, telling Eddie earlier, you'd come down to the airport and there's a sign that says, "Welcome to Knoxville, Gateway to the Great Smoky Mountains." We've got the biggest mountains in the East, the most visited park. That's something to celebrate.

Ken Burns is going to have on television this year his series on country music.

He thinks it may be more popular than his Civil War series.

Where was the birthplace of country music? Right here in East Tennessee.

The Tennessee Valley Authority has become the largest public utility in the United States.

The University of Tennessee has become a major research institution and the Oak Ridge National Laboratory has grown from a Manhattan Project to build a bomb to win a war, to becoming the nation's largest science and energy laboratory, the home of the world's fastest computer, and the home of the best new work on 3-D printing for manufacturing.

So we've got a lot to celebrate.

Let's add up those last three. Let's add up TVA, U.T., and Oak Ridge for just a minute.

When I do that, here's one thing I get: about 3,000 scientists and engineers.

You know that's as large a concentration of brainpower in the Knoxville area as exists in North Carolina's research triangle, Route 128 of Massachusetts, or it even rivals the Silicon Valley—which we know a lot about—in California.

The trouble is when we come to Oak Ridge, the rest of us in this area are guilty of violating the parable that Jesus talked about in Matthew, which was don't hide your light under a bushel.

We just don't talk about it much.

It's not so unusual. It just doesn't happen to us.

About every 10 years at night in Nashville, some of the so-called "better" people will come up and say, "We're getting a bad reputation. We'll get known for all this hillbilly music in Nashville. Can't we remind people we have a symphony?"

I remember one night when I was governor, we invited the General Motors executives from Detroit to have dinner at the mansion.

We were recruiting the Saturn plant like everybody else was.

So Honey and I decided we would serve a country ham, and I invited Charlie McCoy to play the harmonica after dinner.

A Nashville lady came up to me afterwards and said, "Governor, I'm so embarrassed about what I see. About that harmonica player, what will those fine people from Detroit think of us?" And I said, "Madam, why should I offer them average Chopin when we got the best harmonica player in the world?"

Nashville is pretty happy about being Music City and off they go.

Then I go to Memphis and they're worrying about Nashville. They said, "Nashville's got this, Nashville's got that."

I say, "Well, wait a minute. Okay, let's have a jobs conference."

So we had a jobs conference and what'd they do? Well, they said, "We've got Beale Street, we'll clean it up, we'll build an agricenter. Nashville doesn't want to do that, that fits us. We'll get the ducks back walking in the Peabody Hotel."

And there went Memphis.

Then here come the people from Chattanooga, "You gave Memphis money, we want to build a \$2 million aquarium."

I said, "Why would you build such a stingy aquarium? If you're going to do it, build the biggest aquarium from Baltimore to Miami so people will come to see it."

And that is what they did. And in the meantime they noticed they had the beautiful Tennessee River Gorge and a great downtown. And look where Chattanooga is today.

So let's think about Knoxville, just a minute, and all those cities.

The idea of hiding our light under a bushel doesn't just belong to the cities.

It's all over the state.

Some of you will remember Tennessee homecoming '86 when I asked everybody to find something to celebrate in your community—invite everybody who lived there to come do it, and then have a celebration.

And in the Forest Brook neighborhood in Knoxville, they invited everybody to come home on the 4th of July and they had a celebration.

And in Hickman County, Minnie Pearl and the people who lived there made a quilt with all the names of the little communities in Hickman County so the children would know, for example, where Bona Aqua came from.

And in Nashville, they invited all the writers who grew up in Tennessee to come home and they did. And the Festival of Books still is going on in Nashville.

So I think it's important to stop worrying about what you're not and start celebrating what you've got, which is why I have a suggestion to make in the spirit of Professor Harcourt Morgan, who said, "We ought to use the fair to take a little different look about what we have to sell them."

I suggest that we change the sign at the Knoxville airport and we say "Welcome to Knoxville, Gateway to the Great Smoky Mountains and the Oak Ridge Corridor."

Now our new governor, Bill Lee, who is an engineer, understands why we need to do that.

He told a group from Nashville, “What Tennessee needs is a magnet to attract jobs and capital.”

Then he came up to Oak Ridge the next day and said, “We’ve got a magnet right here.”

The first time I met Glenn Jacobs, he talked to me about the Oak Ridge Corridor before I could talk to him about it.

He’s the mayor of Knox County, but he saw the interconnection.

So I’m sure Mayor Rogero must see those connections every day.

Tim Burchett is pretty good at the Vol Market, but the first visit he had with me in Washington was to come talk to me about the 8,000 Oak Ridgers who live in Knox County and what he could do to support Oak Ridge and Randy Boyd and Chancellor Plowman of University of Tennessee.

You know, U.T. now manages the Oak Ridge National Laboratory, and they started a new hundred million dollar Oak Ridge Institute at the University of Tennessee to recognize the importance of that connection.

Last week, I talked to Sam Beall, who, many of you know.

Just like this fair, Sam Beall is 100 years old.

When he came to Knoxville in the 1930s, there was basically no Oak Ridge.

The Great Smoky Mountains National Park and TVA had just been created.

And there were no doctoral programs at the University of Tennessee and no one in their wildest dream could imagine a personal computer.

Today, Oak Ridge has the largest science and energy laboratory in America, TVA is the largest public utility, U.T. is a major research university, and the fastest computers in the world are about 15 miles away at Oak Ridge.

So things have changed.

When Sam Beall came here in the 1930s, which was about the time Professor Harcourt Morgan said, “Let’s think about a little different way to celebrate the Knoxville area.”

When Sam came in the 1930s, Oak Ridge was a secret city.

While a lot of people from around here work there, there didn’t seem to be much relationship between Oak Ridge and Maryville, or Oak Ridge and Madisonville, or Oak Ridge and Sevierville, or even Oak Ridge and Knoxville.

So, my suggestion is that we take Professor Harcourt Morgan’s advice in the 1930s and use it this year.

That, along with the prize chickens, the best babies, the birthplace of country music, and most visited national park.

Let’s celebrate the fact that the Knoxville area is the home of one of the largest concentrations of brain power anywhere in the United States, rivaling the Research Triangle, Route 128 and even the Silicon Valley.

And it’s also home to one of the best-known brand names in the world, a brand name that stands for science, energy, and excellence.

So my suggestion in the spirit of the fair and with the suggestion of Harcourt Morgan, is let’s change the sign at the Knoxville airport from “Welcome to Knoxville, Gateway to the Great Smoky Mountains” to “Welcome to Knoxville, Gateway to the Great Smoky Mountains and the Oak Ridge Corridor.”

If we want to take the professor’s advice and celebrate what’s special about where we live today, that would be the best way to do it.

Thank you.

Mr. ALEXANDER. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

S.J. RES. 54

Mr. CARDIN. Mr. President, earlier this month, I went to Joint Base Andrews, which, as I think many of you know, is not far from here. It is where the President boards Air Force One. The mission at Joint Base Andrews is broad. The Air Force does an incredible job in service to our country. I went there to take a look at the Child Development Center. The Child Development Center that I visited was first constructed in 1941 not as a childcare center but for other purposes. It has had serious challenges, as the Air Force put in their request to build a new childcare center—a new child development center.

I visited classrooms that had to be closed because of a sewage backup, which happens regularly and flows into the kitchen area of this particular facility. I saw the results of a roof that had collapsed during a heavy snowstorm that now has been replaced, but the use of that part of the building is compromised. I saw the concerns expressed about pest control, about an HVAC system that does not work properly, and about a facility that doesn’t have the capacity they need in order to deal with the needs of our Air Force personnel.

It was for that reason that the Air Force has made this one of their top priorities in military construction, to replace this 1941 facility. Through the competitive process that is used under the Department of Defense, this project rose to a top priority and was included in the President’s budget and approved by Congress at \$13 million for a replacement.

Let me read from the Air Force’s justification in requesting these funds. It says:

Not providing this facility forces members to use more expensive, less convenient and potentially lower quality off-base programs. These off-base child development centers typically cost \$9,400 more than on-base, creating a severe financial strain on military personnel. Quality of life will be severely degraded, resulting in impacts to retention and readiness because Airmen and their families will not have a safe and nurturing environment for child care.

That will be the consequences if we don’t replace the structure. Why do I talk about that? Because this was one of 64 projects that were included in the President’s emergency power transfer, taking this \$13 million from the replacement of a child development center and using it for his wall. It was one of three projects in Maryland. We had \$66.5 million.

There was another project at Joint Base Andrews dealing with hazardous material, the place where they unload hazardous material. They want to do it away from where the President’s plane flies. That makes abundant sense. That was cut and transferred over to the wall.

For those of you who have been to Ft. Meade—an incredibly important fa-

cility—try to get there when you have a traffic problem. It is almost impossible. Part of the moneys that were transferred was to alleviate those concerns—the traffic.

The President took 64 projects—\$3.6 billion, including this Child Development Center at Joint Base Andrews, to use to pay for his wall. He told us during the campaign that this was being done in an effort—that Mexico would pay for it. We now know that the airmen families at Joint Base Andrews are going to pay for this wall—\$9,400 more per child because they don’t have a safe facility. This facility has a hard time passing accreditation considering the situation. That is not me telling you this; this is the Air Force telling you this. Yet those funds were taken away. Why were they taken away? Because the President used his emergency declaration power to do this.

I believe this was an unconstitutional abuse of power. Let me quote from the President himself. This is what the President said in the Rose Garden in announcing the so-called emergency. I am quoting the President of the United States:

I could do the wall over a longer period of time. I didn’t need to do this. But I’d rather do it much faster.

Is that an emergency? Is that contradicting the direct dictate of Congress? Let me just remind my colleagues of the Constitution, article I, section 9, clause 7. It is the Congress that has the power of the purse strings. We are the ones who appropriate the money, not the President of the United States. He carries out our instructions. Yet he uses, by his own words, something he wanted to do for himself rather than a national emergency to transfer those funds. It is wrong. It is not just this Senator saying it is wrong; we got a letter from several Senators, former Senators and former Members of the House—Republicans—who commented on this. The signatories to this letter include Senator Danforth, Mickey Edwards, Chuck Hagel, Jim Kolbe, Olympia Snowe, and Richard Lugar. They are respected Republican Members of this body. Let me quote from their letter.

Our oath is to put the country and its Constitution above everything, including party politics or loyalty to a president. . . . The power of the purse rests with Congress . . . if you allow a president to ignore Congress, it will be not your authority but that of your constituents that is deprived of the protections of true representative government.

This is not about loyalty to a President or a party loyalty; this is about exercising the constitutional responsibilities of the article I legislative branch of government.

We just took a vote. We can do something about it—S.J. Res. 54, terminating the national emergency. We got a majority of the Senators who voted for it, 54 to 41, so it will move forward. We expect this will not be the last word, and that is why I am taking the floor time now. We are going to have

another opportunity to do this. We may have an opportunity to override a Presidential veto. We are going to need more support. I urge my colleagues to please look at the Constitution of the United States we took the oath to uphold. Look at Members who have served here in the past who are warning us that this will come back to haunt our constituents in their constitutional checks and balances, having the Congress be the people's body here—not the President of the United States—in passing laws and making appropriations.

Let us do the right thing. Let us exercise the checks and balances that are in our system. Let us see this S.J. Res. 54 become law. Let us reverse this emergency declaration. Let's do it for the Constitution. Let's do it for the U.S. Congress. Let's do it for the men and women in our military service who are being denied the necessary military construction projects, including those service men and women at Joint Base Andrews who need a child development center that protects the welfare of their children.

For all those reasons, I hope this becomes law.

With that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### MEDICAL BILLING

Mrs. SHAHEEN. Mr. President, for the past couple of weeks, New Hampshire and many other States across the country have been flooded with millions of dollars' worth of dark money advertisements. These ads have been all over TV and social media.

Let me just be clear. They haven't been running just against me in New Hampshire; they have been running against Democrats and Republicans in competitive races across this country.

We have also had flyers that have been jammed in the mailboxes all across New Hampshire. I even got several of the flyers myself. This is an example of one. I will read it in just a minute.

I want to point out that the goal of this campaign has been to stop Congress from acting to address surprise medical bills.

For example, this flyer makes the dishonest claim that addressing surprise medical bills would lead to hospital closures and doctor shortages. In fact, you can see, it says:

Imagine if the care we needed wasn't there when we needed it the most. Rate setting is a healthcare nightmare—hospital closures, doctor shortages, windfall profits for big insurance. Say no to rate setting. Don't put big insurance companies in charge of our healthcare. Stop surprise medical bills.

Then you turn it over, and it says:

Tell Jeanne Shaheen to stop rate setting. Say no to putting big insurance in charge of our healthcare. Say no to making it harder to see our chosen doctors when we need them the most. Say no to big insurance profits at our expense. Tell Senator Jeanne Shaheen to put patients first.

You read that, and you think I am all about trying to put insurance companies ahead of patients. It doesn't tell you who is sending it. But you look at it—and we did a little digging, and we found out that the ads say that they are paid for by an organization called Doctor Patient Unity. You read that, and you think, well, they are worried about patients. You look at that, and you think they are worried about hospital closures. This is from Doctor Patient Unity, so this must be someone who cares about patients. Don't believe it.

The truth is, these flyers and the ads that have been running in New Hampshire and across the country are paid for by two private equity firms on Wall Street. They don't care about patients. They care about profits.

They have spent over \$2 million in New Hampshire. If you look across the country, they have spent tens of millions of dollars. Just imagine that instead of trying to pad their own bottom line and worrying about surprise medical billing, they had put those tens of millions of dollars into improving healthcare for the people of this country.

The public doesn't know this because they have been left completely in the dark. Due to the Supreme Court's Citizens United decision, special interests can spend unlimited amounts of money and stay anonymous. So the average person throughout the country who gets one of these flyers is not going to know who paid for these ads. They are not going to know who is getting the benefit of the costs from surprise medical billing.

This ad campaign is not only confusing to voters; it is exhibit A in how our campaign finance system is broken. The voices of Granite Staters who are struggling to pay surprise medical bills are being drowned out in this case by private equity firms on Wall Street that are making billions off of the status quo.

Here is how these private equity firms are exploiting patients. First, surprise medical bills usually occur when a patient visits an in-network hospital. Let's say my insurance says that I can go to the hospital in my hometown. As part of the treatment, I go to the hospital, but the doctor who sees me is not a doctor who is in the network of my insurance company. So unbeknownst to me, as I go into the emergency room, that doctor is what is called out of network. These doctors often are working for physician staffing companies that have gone out of network so they can aggressively pursue surprise medical bills. These physician staffing companies are also using these surprise medical bills to negotiate—to command in-network pay-

ments from insurers that are often twice as high as the average, which can result in higher premiums for everybody.

So they have these surprise medical bills, and you pay more for those. The insurance companies and the physician staffing companies go to the insurers and say: Look, these doctors are getting paid this much from surprise medical bills, so you have to raise your payments for doctors in your network, and everybody is going to pay more as the result of that.

Again, this is frequently done at the behest of private equity firms that own the physician staffing companies.

Surprise medical bills can be a tremendous shock to patients. This is what happened to Donald and Kathy Cavallaro. They live in Rye, NH. Don works at the Portsmouth Naval Shipyard. When Kathy needed emergency surgery, Don's insurance covered the hospital costs, but the doctor performing the surgery was out of their insurance network. The result was that they got a surprise medical bill for \$5,000. Now they are appealing that cost.

Unfortunately, what the Cavallaros are going through isn't a rare occurrence. One in six emergency room visits in New Hampshire results in a surprise bill for Granite Staters who have large employer coverage.

Nationally, the average cost of a surprise bill from an emergency room visit is more than \$600, and the average surprise bill for inpatient care is over \$2,000. So we can see what is happening as a result of surprise medical bills. Surprise bills like these can easily put a family budget in the red, and Congress desperately needs to put a stop to them.

Today, I strongly encourage my colleagues in the Senate to move this effort forward. The special interests that are pushing these surprise medical bills and pushing up all of our healthcare costs have to be tuned out.

This is about making sure that when a Granite Stater or any American goes to a hospital, they can have faith that their insurance is going to cover their costs. We should not—we must not—let private equity firms on Wall Street bully Congress or derail the bipartisan efforts that are taking place in this body to address surprise medical bills.

These advertisements should also serve as a reminder that Congress has to reform our broken campaign finance system. Special interests shouldn't be able to hide behind nice-sounding front groups like Doctor Patient Unity.

We know these private equity firms are responsible for these ads only because of investigative reporting that was done by Bloomberg, the New York Times, and some others. Sadly, this is the exception rather than the norm because usually dark money never gets exposed.

In closing, I want to send a very clear message: I don't care how many ads these special interests run, how many

mailers they send out, or how many millions they spend. Granite Staters who have had their family budgets upended by surprise medical bills must be prioritized over the special interests who want to profit off of them. Healthcare costs are out of control, and tackling surprise medical bills must remain at the top of the Senate's agenda.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. BLACKBURN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### FUTURE ACT

Mr. BROWN. Madam President, right now, HBCUs, like Wilberforce and Central State in my State of Ohio, and other minority-serving institutions are facing a fiscal cliff. If we don't act now, this week, HBCUs and other schools will face crippling funding cuts. These schools are a critical part of our Nation's higher education system. They have a rich legacy and a proven track record of educating students of color and other underrepresented students.

Wilberforce was founded in 1856 as the Nation's first private institution of higher education for Black students in this country—an institution that we are so proud of in southwestern Ohio. Central State has a rich legacy of educating students and is an 1890 land-grant institution.

Many of us worked in the last farm bill to right a historical wrong and to make sure all 1890 land-grant universities, including Central State, have access to the funding they deserve. They have fostered generations of African-American students. We know that without HBCUs, millions of Black students would have been denied the opportunity to pursue higher education. There simply was no place for them in many places in this country. They would have been left out of careers in law, academia, agriculture, politics, the sciences, and so many other fields.

Our country owes an enormous debt to HBCUs. Key funding for HBCUs and minority-serving institutions—MSIs—expires September 30. Without this funding, school budgets will be thrown into chaos. They will likely consider program cuts and layoffs. We need to pass a clean extension.

The House has done its job and passed the FUTURE Act. It seems the House is always doing its job. It passes legislation, and then the legislation dies in the Senate graveyard. We have seen it on issue after issue. This is as important as any of them. We must protect the HBCUs. We must extend the mandatory funding for all MSIs for 2 years. It is time for the Senate to do the same. HBCUs and MSIs have to

overcome enough hurdles every day to educate their students. The Senate should not be one of those hurdles. We need to pass the FUTURE Act now.

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

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

#### NOMINATION OF EUGENE SCALIA

Mr. COTTON. Madam President, I would like to speak today about an old friend and mentor, Gene Scalia. Gene is a devoted husband and father, a brilliant lawyer, and a fairminded advocate for workers and the rule of law, and he is an outstanding choice to be our next Secretary of Labor.

Gene has proven himself as a top legal mind both in government and in private practice. During the Presidency of George W. Bush, he served as the top lawyer for the Department of Labor, where he stood up for workers by vigorously enforcing the law. When Enron's executives defrauded and bankrupted the company, Gene fought to recover the retirement savings of employees and pensioners.

In private practice, Gene fought out-of-control bureaucrats who threatened to undercut America's position as an industrial power. When Washington bureaucrats tried to stop Boeing from building its world-class Dreamliner in South Carolina, he fended off the attack. As a result, thousands of South Carolinians today are employed in good-paying manufacturing jobs, and the world's best airplanes continue to be made right here in America.

Gene's resume tells the story well enough. It proves that he is a top expert in labor law who has devoted his life to ensuring that workers and industry alike get a fair shake.

But his resume doesn't tell the whole story. I met Gene early in my short career as a lawyer. He was one of my very first bosses. So I got a window into his leadership style and legal mind. I have relied on his hard-earned wisdom and counsel ever since, although, I have to say, Gene was one of the very few lawyers I knew who discouraged me from leaving the law and joining the Army. I think that is less a commentary on my skills as a young lawyer and more a commentary on his need to keep his lawyers on his cases. But he came around and introduced me to his brother Matt, who remains an Army officer to this day, and the Scalia family have been good friends all along.

Gene Scalia is one of the most capable and decent men I know in Washington. His dedication to the law and its just application is absolute. Working folks in this country deserve a Labor Secretary of such integrity and conviction, and Gene Scalia will be just such a Secretary.

I urge all of my colleagues to confirm him as our next Secretary of Labor.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

#### OVERTIME RULE

Mr. BROWN. Mr. President, something happened in the last 48 hours or so that affects 40,000 to 50,000 people in my State and affects, literally, probably 1 million people or more around the country. These are people who are making \$30,000, \$35,000, \$40,000, or \$45,000 a year.

Essentially, the President of the United States robbed them of their overtime. This isn't histrionics. It is not alarmist. It is fact. This is how it works. If you are managing a fast food restaurant and you are making \$40,000 a year, and if the company decides to call you the night shift manager—the management decides to declare you as management—it means they can work you 45, 50, 55, 60 hours a week and pay you not a cent—not pay you time and a half. They don't pay you time and a half. They don't even give you another cent more than your 40 hours.

In other words, if you are a moderate-income worker making \$35,000 or \$40,000 a year—not enough to have a middle-class lifestyle like you could have had in this country 20 or 30 years ago—and management decides they are going to classify you as management, they can work you as many hours as they want without a cent of overtime.

Now, that has been a problem for years. Five years ago, we fixed it. The Vice President of the United States with Secretary Tom Perez came out to Columbus, OH. I worked on this issue. We made this announcement at a small manufacturing firm. They supported this agreement, and many businesses did. This would have meant that for anybody making up to about \$46,000 a year, if they worked those extra hours and they were called management, from then on they were going to get overtime—time and a half. That is what overtime pay is about. That is what the overtime rule is about.

President Trump loves to say that he is on the side of workers, but you can't say you support workers individually if you don't support workers collectively. The President says: I care about these individual workers. If he really cared about these individual workers, he wouldn't have, in essence, robbed 40,000 to 50,000 Ohioans—and I don't know how many million Americans—of their overtime pay. We passed that rule. The Obama administration sent the Secretary of Labor to Columbus, OH, and I was there when we made this announcement. On behalf of 150,000 Ohio workers who were making \$30, \$40, \$45, and up to \$46,000 a year, we celebrated

that they were going to get time and a half. If they were away from their family, working those extra 10 hours, which meant working 50 hours a week, or an extra 20 hours and working 60 hours a week, they were going to take home thousands of dollars in overtime pay if they did that week after week.

This President says he is for workers. Then, he changes this rule. In a sense, he robbed those people. This new rule deprives millions of workers, literally, of the pay they have earned. It is as disturbing as anything I have seen from the President.

Like the Republican leader's office down the hall, I know the White House looks like a retreat for Wall Street executives. In the White House, whatever corporate America wants, this White House gives them every single time. If corporate America wants to block the minimum wage, which hasn't been increased in 10 years, the President of the United States blocks the minimum wage. If corporate America wants this overtime rule done away with, compromised, or half-obliterated, saving millions of dollars for corporate America, the President of the United States does their bidding.

To do a renegotiation of NAFTA, or the North American Free Trade Agreement, right to help workers, you enforce worker rules, and you enforce labor rules. The President backed off from his campaign promise and didn't do it.

There were lots of tax cuts for the rich. Almost 80 percent of the corporate tax bill that President Trump pushed through Congress goes to the richest 1 percent of the people. It is a betrayal. It is a White House betrayal of workers every single day. For people making \$30,000, \$40,000, \$50,000, \$80,000, or \$90,000 a year, this White House betrays them.

It is pretty simple. Think about the dignity of work. Whether you punch a clock or whether you swipe a badge, whether you are raising children, whether you are taking care of aging parents, whether you are working on tips, or whether you are working on a middle-class salary, all work has dignity. Instead, the President has undermined that worker.

And we all know something about CEOs. When I was a kid, CEOs made about 30 to 1 in CEO pay versus the average worker. Now it is about 300 to 1. Who gets the tax cuts in this country? The CEOs. Who gets hurt every time? It is moderate wage earners.

I hear this talk of populism, that the President is a populist. Well, populism is never racist or never anti-Semitic. It doesn't divide people. It doesn't push some people down to lift people up. That is what we have seen far too much of.

To me, this overtime rule was sort of the last straw. You give tax cuts and massive giveaways to the wealthiest 1 percent and encourage more corporations to move overseas.

The President's tax bill says this, which is almost not even believable: If

you have a company in Mansfield, OH, or Toledo, OH, you pay a corporate tax rate of 21 percent. If you shut down that production in Mansfield and Toledo and move to Guadalajara or Guangzhou, you pay 10.5 percent. What does that do? That means more companies are going to move overseas as wages continue to be depressed in this country.

I was in the White House with the President in his Cabinet Room one day during the tax bill. After he signed this tax bill, he said: You're going to start seeing a lot more money in your paycheck.

We know that was a lie. Corporations reaped the benefits, and then spent their windfall not on workers' wages or growing the company but on stock buybacks.

General Motors received huge tax cuts. They moved more jobs overseas and they shut production in Hamtramck, MI, and in places like Lordstown, OH. He stacked his Cabinet and the National Labor Relations Board with corporate stooges who spent their whole careers undermining workers on behalf of corporations. His new Labor Secretary, Eugene Scalia, is a corporate lawyer who has fought over and over against worker rights. Think about this. The Secretary of Labor—whether it is a pretty conservative Secretary of Labor, whom Republicans over here are likely to support, or a more progressive, pro-worker Secretary of Labor, whom Democrats are more likely to support—is usually somebody who cares about workers and workers' rights. The new Secretary of Labor appointed by President Trump is a corporate lawyer. He spent his entire career attacking workers, attacking workers' rights, trying to put unions out of business, trying to encourage decertification of elections, and trying to come down every time on the side of corporations against workers.

I said this before. You can't say you care about workers individually, but then you don't side with workers collectively. What does that mean? It means when that workers have a union, they get better pay, they get better benefits, they have retirement, they have healthcare, and they have more job security and more safety in the workplace. But if you say you care about individual workers but you don't care about workers collectively, then you simply don't care about workers.

It comes down to this: Whose side are you on? Are you on the corporations' side or American workers' side? Do you fight for Wall Street or fight for the workers and fight for the dignity of work? Do you honor work? Do you respect work? Do you pass legislation that supports workers and rewards work or do you pass legislation to take, literally, thousands of dollars out of the pockets of workers who should be getting overtime but, because of this new Trump rule, they lost their overtime.

The President promised to fight for American workers. He has broken that

promise over and over. If you love this country, you fight for the people who make it work. We don't see that over here. We don't see that in the majority leader's office, and we sure don't see that in the White House.

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

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here for my 254th "Time to Wake Up" speech. In the time I have been giving these speeches, I have watched the shifting trajectory of climate denial. First, climate change was a hoax. Then, there wasn't enough science. Then, the science is still uncertain. Then, solving this problem would hurt our economy. Then, innovation will magically save us, and now there is a new entrant in the climate denial lexicon: China. "China isn't doing enough on carbon emissions," goes the argument. So we shouldn't do anything at all.

It is a talking point you hear all the time from the fossil fuel industry and its array of front groups working to block climate action here in Congress.

Now, China has done plenty to complain about. China has stolen our intellectual property, manipulated its currency, jailed its political dissenters, set unfair labor rules, and more. I have been front and center with those complaints about China. Yet, before we offer up China as the latest "climate denial lite" excuse for doing nothing, let's take a look at what China is really up to.

For starters, China is still a party to the Paris climate accord, and China's President doesn't say stuff like "wind turbines cause cancer." OK—a low bar, I concede.

Our President recently tweeted:

Which country has the largest carbon emission reduction? AMERICA! Who has dumped the most carbon into the air? CHINA!

Actually, that is not quite true. We have still dumped more CO<sub>2</sub> into the air than China because we have been at it longer, and we still dump a lot more than China per capita, but China's 1 billion people do put out more carbon pollution than our 300 million. They overtook us as the world's top national emitter in 2007. Last year, China accounted for about 28 percent of global CO<sub>2</sub> emissions, and the U.S. accounted for 15 percent. Cumulatively, China accounts for 13 percent of emissions, and the U.S. accounts for 25 percent, which is about twice as much. Americans' per

capita carbon emissions are among the highest in the world. The average Chinese citizen—China is here—accounts for less than half the per capita emissions of the average American.

We actually don't have lots to brag about on our emissions, but that is not where it looks the worst for us. Forget the past. Look to the future at climate action. That is where China is blowing us out of the water.

As the Trump administration slavishly fronts for fossil fuel—and is even turning the agencies of our government over to this corrupting industry—China is leaning in hard on a green energy future. China is resetting its economy for a clean energy future. China began implementing a national cap-and-trade system—a price on carbon—for its power sector in 2018, which will go into full force across the country next year. Several provinces already run cap and trade locally. This year, China is launching a mandatory renewables quota, requiring that 35 percent of its electricity be renewable by 2030, and its energy plan seeks 50 percent of total electric power generation from nonfossil sources by 2030.

China is also investing to dominate clean energy manufacturing and technology. In 2017, nearly half of the world's new renewable energy investment took place in China—triple the investment made in the United States. China leads the world in renewable power deployment with there being more than twice as much capacity as in any other nation. Almost 30 percent of the world's renewable power capacity right now is in China, including the most solar, the most wind, and the most hydro. China dominates the global deployment of solar panels. It has several times greater installed solar generation capacity than the United States. In fact, we virtually lost solar panel manufacturing to China.

On this graph, China is the yellow, and it shows China outdoing all of the other countries in total capacity. We are here compared to China there, and the gray is the general category for the rest of the world. China is even bigger than the rest of the world, not counting the United States, Japan, Germany, and India.

So that is China's lead in total renewable electricity deployment, with more than double the installed capacity of the United States and nearly a third of the total global renewable electricity capacity. Here is the world's total. There is China at 404. Then you actually have to scale down the graphic to get over here to the United States at 180—180 to 404. If you count nuclear power as clean energy, there is China.

China currently has the world's largest nuclear power construction program. It has 37 nuclear reactors in operation, 20 under construction, 40 in planning, and proposals for an additional 100. Next generation nuclear technologies originally designed in the United States are among those Chinese proposals. If all of those reactors are

built, China will end up with twice the U.S. nuclear fleet.

In the transportation sector, we feel pretty good in the United States. We all see Teslas driving around, and Chevy has its terrific Bolt. There are emerging EV manufacturers, like Rivian, that are proposing extremely cool vehicles. Again, there is China—far out front in building electric vehicles and in deploying the infrastructure needed to run electric vehicles. China now requires that 10 percent of vehicles sold be electric or plug-in hybrids. This quota increases to 12 percent in 2020. By the end of 2018, 45 percent of all of the electric cars on the planet were in China. Last year, China manufactured nearly half of all of the electric vehicles that have been manufactured in the world.

In other areas, it is China, China, China. China dominates global markets for electric buses and two-wheelers. Exxon fabulously predicted to its shareholders that there would be zero electric buses by 2040; China is already operating 400,000.

High-tech batteries will power transportation and balance the electric grid of the future. China is planning for three times as much battery manufacturing capacity as the rest of the world combined. Carbon capture will grow as an industry as soon as it has a business model, which, by the way, carbon pricing, including China's cap-and-trade plan, will provide them. On carbon pricing, there is China, with 20 carbon capture projects under construction or in development—more than in any other nation.

Of course, it is not all good news on climate out of China, not by any stretch. The Chinese continue to build more coal-fired powerplants than any other country, not just in China but around the world. However, the difficult truth for us is that China's progress on climate change is real, and it is way more than ours. China is not doing this to be nice. It is doing this to outdo us economically and politically.

If we keep kicking our own renewable industries in the teeth here in America just to please Trump's coal industry donors while China invests in these new technologies, we will be making a losing bet. China's one-party government has put economic growth above all else. Chinese scientists see the same data that ours do. Chinese economists see the same economic risks that ours do. Chinese businesses see the same threats and opportunities for their workers and their supply chains that ours do. Chinese cities see the same threat from sea level rise that ours do. Yet the Chinese Government has chosen a smarter path because it is not under the thumb of the fossil fuel industry. The Chinese are acting out of self-interest. They are acting on climate because they want their country and their economy to succeed. They want to own these industries of the future. Rather than compete, we are now helping them win—all to make some grubby political donors happy.

The Global Commission on the Economy and Climate reports that strong climate action could deliver at least \$26 trillion in economic benefits worldwide through 2030 compared with business as usual—a \$26 trillion relative benefit. Over that period, these actions would generate over 65 million new low-carbon jobs globally and avoid over 700,000 premature deaths from air pollution, by the way. Whoever acts swiftly will get the biggest share of these riches.

Last year, Stanford's economists found that keeping global warming to 1.5-degrees Celsius as opposed to the riskier 2-degree safety limit would likely save more than \$20 trillion in economic damages around the world by the end of this century—\$20 trillion.

The world power that positions itself to reap the economic benefits of a carbon-neutral technology and that helps lead the world away from runaway climate calamities will garner tremendous economic, strategic, and diplomatic advantage. In particular, China recognizes the diplomatic advantage to acting on climate as the United States withdraws from its traditional position of international leadership.

The last century has been called the American century. We are fast handing over the next century to become the Chinese century. We are doing it to ourselves, and we are doing it for the worst of all possible reasons—to cater to and kowtow to a corrupt industry. Making sure that the next century is the American century, as well, is as good a reason as any for us to wake up and act on climate.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

#### UKRAINE

Mr. MENENDEZ. Mr. President, once again, I come to the floor to call for action in light of revelations that President Trump appears to have no problem in seeking the assistance of a foreign government for his own political gain. Today's summary of the telephone call from the White House between him and a foreign leader exposes this in black and white. Given this White House's lack of transparency, I have little faith that this so-called transcript reflects the totality of the conversation, but what it did release was shocking enough.

He clearly pressured the Ukrainian Government to investigate former Vice President Biden for his own political benefit. He mentioned the Attorney General of the United States or his personal lawyer six times, and in using the levers of State, the President sought to weaponize the Justice Department to pursue a personal political vendetta.

We now know that for more than 2 months, the President urged Ukraine to investigate a political opponent while holding \$391 million in urgently needed security assistance that Congress appropriated to support U.S. national security interests. In fact, Congress approved this security assistance,

including \$141.5 million from the U.S. State Department and \$250 million from the Pentagon, with overwhelming bipartisan support.

Indeed, for years now, the Republicans and the Democrats have come together to offer America's support to Ukraine in the face of relentless Russian aggression. We have stood together on Ukraine because we have known what has been at stake. Our friends in Ukraine sit on the frontlines of a struggle against the Kremlin's vision of a world that is not guided by democratic values or the rule of law but, instead, ruled by Putin and his corrupt cabal of oligarchs. The Democrats and the Republicans have stood together behind a free and independent Ukraine because, together, we stand behind our shared values of freedom, democracy, the rule of law, and human rights.

We have stood in support of Ukraine in pursuit of our own strategic interests in the region. That is why we came together when Russian forces illegally invaded Crimea in 2014 and worked to bolster American support of Ukrainian sovereignty. I was proud of that moment as the chairman of the Foreign Relations Committee at the time; that we passed the Ukraine Freedom Support Act with strong bipartisan support. In an era of growing political divides, our support for a democratic, free, and sovereign Ukraine inspired us to transcend partisanship and to work together in common cause.

I applaud my Republican colleagues who have worked on these efforts, who have traveled to Ukraine, who have been strong advocates for our partners, standing up against Kremlin aggression.

That is why it is all the more puzzling that Republicans have largely been silent over the past few days. Whatever happened to solidarity with Ukraine? Whatever happened to standing up to Russia? Whatever happened to putting the national security of the United States ahead of petty partisan politics?

We have found ourselves with a President in the White House who has now sought to manipulate aid to Ukraine to advance his own personal political agenda.

Let's examine what we know.

President Trump admitted that he spoke with President Zelensky and raised the issue of investigating the family of Vice President Biden. That was included in today's so-called transcript of the congratulatory call with President Zelensky.

We know that after Congress appropriated this funding, the Department of State sent a notation to the White House Office of Budget and Management on June 21. We know deliberations over this kind of funding typically just take 5 days. Instead, the White House sat on this funding for 2 whole months.

My staff met with the State Department last Friday. We tried to glean

what could be the cause for this delay. Did the Department have an objection to this money moving forward? No, they did not.

Did they know why the White House sat on it for 2 months? No, they did not.

Did the White House ask them any substantive questions on the security assistance to Ukraine over these months? No, they did not and neither did the Defense Department.

In other words, the State Department was unaware of any policy motivation that could have delayed the dispersal of urgently needed security funding to Ukraine. There was no policy motivation.

On the contrary, the revelations of the past few days suggest a political motivation. It appears that President Trump's willingness to use the powers of his office for grossly inappropriate behavior on the international stage is pretty vivid.

We need to know exactly who in the Trump administration played a role in the improper withholding of congressionally appropriated funding for Ukraine and how. That is why today I am calling for unanimous consent for my bill, the Ukraine Foreign Assistance Integrity and Accountability Act of 2019.

This bill would require an inspector general, State Department, investigation into the Office of Management and Budget's delay in obligating these funds.

My legislation would require the State Department to share all records in its role in facilitating the President's personal lawyer's engagement with the Ukrainian Government.

It would require that the administration obligate all Ukrainian security assistance funds and authorize additional funds to counter Russia's malign influence across Europe.

It would also express solidarity with the Ukrainian people by imposing new sanctions on Russia for its continued aggression in eastern Ukraine. Those sanctions would target Russia's shipping sector, oligarchs, and cyber attacks.

I want to be clear that I am an advocate of regular order in the Senate, but we are in a crisis. It is a crisis potentially of constitutional proportions, a crisis that goes to the heart of our democracy, and how we respond to it will forever define our willingness as a Congress to defend the rule of law and live up to our article I responsibilities.

President Trump has once again stood in the way of congressional efforts to support Ukraine and all of Europe in the face of Russian aggression. The administration has once again flouted the rule of law, this time with the Acting Director of National Intelligence refusing to disclose to Congress the whistleblower complaint on President Trump's conversations with President Zelensky—and we don't know what more—as he is mandated to do.

It is time for this Congress to stand up for its article I powers. We need to

act quickly to send a message to the White House and to the Kremlin.

If there is anything we have learned from President Trump, it is that lawlessness begets lawlessness. It is time for us to remind the American people and the world that the rule of law means something.

We will not allow the corrupting of our national security assistance. We will not allow our relationship with Ukraine to become a political football, and we will not let the foreign policy of the United States be corrupted for campaign purposes.

UNANIMOUS CONSENT REQUEST—S. 2537

Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of S. 2537; that the Senate proceed to its immediate consideration; that the bill be considered read a third time and passed and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. RISCH. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, first of all, let me say I concur with the good Senator from New Jersey that we should follow regular order.

He, like myself, has spent decades of service in a legislative body, and we both know this system works when the committee system works.

Every legislative body is set up with a committee system. Now, why is that? One of the reasons is because people develop an expertise in a certain lane, and they can use that expertise on the committee.

Most importantly, the issues regarding a bill—whether it is good or bad or whether it should be amended or whatever should happen to it—is best handled in the committee system, where people have an expertise in the area that the bill goes to.

This bill goes to the Foreign Relations Committee, which I chair—which my good friend from New Jersey previously chaired—and it will be handled in the regular order by that committee, but it is a bad way to do a piece of legislation to draw it, drop it, and then come to the floor and try to pass it unanimously.

This piece of legislation was brought to the committee yesterday, and it is a piece of legislation that certainly deserves consideration but not this way.

I have not had a chance to even read it, let alone study it, and that is true of virtually every Member of the majority party. I frankly don't know whether the other members of the committee who serve in the minority party have had an opportunity to read it or to study it or, for that matter, to prepare amendments to it to make it better and to move it along.

So given that, the committee system is really important here. I don't want

to really go into the merits of all this. A lot of it is being debated out in the hallway right now with the national media and that sort of thing.

Look, what has happened over the last few days here is really a poster child for what has happened to the entire Trump Presidency. A fair amount—not all but a fair amount—of the national media and a fair amount of the minority party here have done everything they can to delegitimize this President, not the least of which is taking anything that comes along and attaching to it some nefarious idea, some nefarious purpose.

Let me give you an example. My good friend said: What happened to standing up to Russia? This administration has imposed more sanctions on Russia than the entire 8 years of the previous administration. So what has happened to standing up to Russia? We continue to stand up to Russia.

I think my friend from New Jersey and I would be able to agree on the many sins Russia has committed starting way back, but if you go with fairly recent history, their invasion of Georgia and then their promise to back off and to get out of Georgia—they still occupy two of the regions in Georgia.

Of course, the invasion and takeover of the Crimea, their cause of problems on the eastern border of Ukraine, their interference in Ukraine, their interference in our elections, their interference in all kinds of European elections, and it goes on and on, poisoning people in London—I mean, that is about as far out as you can possibly get.

So we all need to stand together. We all need to stand up to Russia, and this administration has been doing it. They are going to continue to do it. I think virtually everybody here is urging them to do it, and we are going to continue to do it.

Look, the argument that there was some significant delay in moving funds to Ukraine is simply not well-taken, and the reasons for it, with all due respect to my friend, I think, are well known.

In fact, if you read the transcript of this telephone conversation, the President himself raises the important issue that he has raised with all of us from time to time, and that is that any time he sees the United States getting on the short end of the stick with whatever you talk to him about, it raises an alarm with him.

In this particular case, he has been very distressed by the fact that we have been carrying the bulk of the dollars and cents for helping Ukraine. We want to help Ukraine.

Senator MENENDEZ, I think, very clearly laid out many of the problems that have to do with Ukraine. The country has serious problems, not the least of which is corruption, but the first reason he had issues with the spending was the fact that Europe just simply is not doing what they should be doing in helping to fund this, and

that is clearly laid out in this transcript.

The second thing is the corruption itself. When money goes into Ukraine, it is a well-known fact that there is tremendous corruption and graft within the country and a lot of the money disappears.

The most notorious institution within the country is the gas company—interestingly enough, the gas company board on which Vice President Biden's son sat and was appointed to and has received \$50,000 a month to sit on after the Vice President was tasked by President Obama to look into the corruption and do something about the corruption in Ukraine.

In any event, corruption is a big problem and funds get diverted.

I am just going to close by saying, look, every American that is interested in this talking that is going on back and forth about this call that the President had with President Zelensky should look at that transcript and read it. It will take just a few minutes to read it, and it will not take long to figure out that the mischaracterization of this is off the wall.

It is absolutely amazing to me that people would take this conversation, which was a standard, ordinary, regular conversation that a head of state has with another head of state, and characterize it the way it is being characterized.

It was a congratulatory call. There was a lot of banter in it. My good friend knows—he has met with a lot of heads of state, as I have. Sometimes we even meet together with heads of state. It is common to have bipartisan meetings with heads of state.

I don't know whether people think these things are scripted and that they are focused directly on issues, but there is always a lot of banter. The banter can be in the form of having conversations about family. It can be talking about sports. Frequently, if one of the teams has done well or poorly, one party or the other will raise it and talk about it. These things are very informal, as this phone conversation was.

In my experience, one of the frequent issues that is discussed in these conversations is local politics—what is happening in your country, what is happening in my country—and then also a discussion of mutual issues with friendly countries or, for that matter, countries that are not friendly.

This call that the transcript was released on is very, very rare. If you are looking for a window to see what actually happens in these calls, this transcript is a really good characterization of what happens in these calls.

It is not a good thing to be releasing these calls. I think heads of state should be able to have these conversations—all of us should be able to have conversations with our counterparts, with a head of state, with Ministers in the other countries without having to be thinking about every word we say is

going to wind up being analyzed and pulled apart and taken by your political enemies and badly misrepresented.

Look, don't take my word for it. Don't take Senator MENENDEZ's word for it. The transcript is all over the internet right now. It is going to be published in every newspaper probably in America tomorrow. It takes just a few minutes to read it. Read it and take away for yourself the feelings you have about it.

The President of the United States is tasked with being the frontline of foreign policy. Yes, foreign policy is shared by both the first and second branch. It is one of those things the Founding Fathers did not resolve 100 percent for one branch or the other, such as appointments for the second branch or such as appropriating for the first branch.

There is sufficient authority given to each branch of government, but the head of state, in this case, the President of the United States, is tasked with carrying on these relationships with other countries.

This phone conversation that he had is clearly, clearly, part of that. Don't take my word for it. Everybody make up your own mind on this. It isn't rocket science. As you can see, the English is very straightforward. It can be understood. I think everybody will come away with their own belief.

If people hate Trump, they are going to look at that and say that this is terrible, as a lot of people in this town have done. I think most ordinary, good, straight-thinking Americans are going to look at this and say: What is the big deal? It was a conversation between two people talking about various issues they were interested in, and it isn't a problem.

In any event, in order to preserve the regular order, in order to preserve the jurisdiction and the hard work of the Foreign Relations Committee, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I understand we are supposed to be heading to a briefing on Iran. I ask unanimous consent for 2 minutes, and then I will cease, and I ask unanimous consent for my entire remarks to be included in the RECORD.

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

Mr. MENENDEZ. No. 1, it is not unusual for—there have been many times when the urgency of the moment has had legislation come to the floor. I think this is one of those moments. But I do appreciate the Chairman's suggesting that he will take up consideration of this issue, and that is something I think is incredibly important.

On Russia, I would just say the congressionally mandated sanctions, which the committee and the Congress passed, gave very little flexibility to the administration and have been the driver on sanctions on Russia. But

there is a lot that hasn't been done that Russia has done subsequently, which we should be ultimately pursuing, and I look forward to the Chairman's having a markup on DASKAA and other related legislation to actually continue to fight Russia.

Lastly, I would simply say that holding money from Ukraine doesn't make other countries give money to Ukraine. That was money that was directed by the U.S. Congress, which was promoted, as well, by the State Department and the Department of Defense. They had no concerns about corruption as it relates to this money. They understood the importance of the security assistance.

Finally, on the question of the transcript, overwhelmingly, there wasn't banter there so much as there was a direct effort to get President Zelensky to use his powers to investigate former Vice President Biden's son. That is crystal clear, and any plain reading will do it, and I do hope the American people will read the summary.

I yield the floor.

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#### RECESS

The PRESIDING OFFICER. The Senate stands in recess until 3:30 p.m. today.

Thereupon, the Senate, at 2:47 p.m., recessed until 3:30 p.m. and was reassembled when called to order by the Presiding Officer (Mr. COTTON).

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#### RESOLUTIONS TO INSTRUCT CONFEREES—Continued

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent to speak for as much time as I consume.

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

#### UKRAINE

Mrs. GILLIBRAND. Mr. President, I rise to speak in opposition to the Republican motion to instruct on paid family and medical leave.

Before I move to the issue at hand, I do want to address the very serious allegations against President Trump and the new information we are learning from the memo the White House released today.

It is deeply concerning to learn that President Trump asked Ukrainian President Zelensky to work with the United States to investigate Vice President Biden. Our democracy is at risk, and President Trump has betrayed our country. I support Speaker PELOSI in starting the impeachment inquiry she announced yesterday, and the revelations today make these investigations even more necessary.

#### PAID FAMILY AND MEDICAL LEAVE

Mr. President, I now want to talk about an opportunity that we have in the Senate today to serve the Nation by guaranteeing paid family and medical leave for 2 million Federal workers

and their families through the Schatz motion.

Every other industrialized country in the world has some version of paid leave, which allows workers to take care of their loved ones when a medical emergency arises. Yet the vast majority of our workforce in America lacks access to paid leave. That means far too many of our workers are unable to take paid time off if they need to care for a new child, a sick parent, or their spouse. Sadly, this includes 2 million of our Federal employees—and I know the Presiding Officer is aware of this, given his own family situation—but we have a chance to fix that right now. I urge my colleagues to vote yes on the Schatz motion.

However, Senate Republicans have offered an additional motion that would block this benefit from every other working American. This is nothing short of an attack on all workers' access to affordable and accessible paid family and medical leave.

What my Republican colleagues are suggesting is that our workers should work overtime to compensate for family leave. Their motion would require workers to shift around their hours and take on more hours in order to receive the paid time off they need in an emergency situation or when welcoming a new child.

Let me be very clear. This is not a benefit. It is a cynical plan that would erode our American workers' abilities to make ends meet and harm their access to real paid leave. It would hurt those who need this the most, including women, communities of color, and low-wage workers.

Most workers living paycheck to paycheck will not be able to take extra shifts to earn paid leave. Too many families across the country don't even have \$400 in savings for emergency expenses. Take Shelby Ramirez Martinez, for example. She found herself in the most untenable situation when her daughter and her father both had simultaneous surgeries scheduled. Shelby is a mom of two, caregiver to her father, and a full-time student and security officer. She didn't have access to paid leave, so she was forced to take 2 weeks off and forgo her pay. She couldn't have planned for that by working overtime and sacrificing time with her daughter or with a flex savings account. What Shelby and all Americans need is dedicated and extended time off for medical emergencies and births.

The Republican motion to instruct calls for employer tax credits that are handouts to large and rich companies like Google, which already provide paid leave and leaves taxpayers footing the bill. They are false incentives for small businesses that still will not be able to afford the leave.

My bill, the FAMILY Act, would provide 12 weeks of paid family and medical leave for all workers. It is the only comprehensive proposal that is accessible and affordable for all working

Americans. It is modeled off of very successful State programs like California's, ensuring that working Americans do not have to choose between their family and their paycheck.

It shouldn't be so hard. So many workers around the country have new children, sick spouses, or elderly parents, and they need access to paid leave. Today, let's stand together and reject fake paid leave by voting no on the Ernst motion to instruct, for people like Shelby and her family.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

HUAWEI

Mr. VAN HOLLEN. Mr. President, I come to the Senate floor to urge adoption of two resolutions that are going to be considered by the U.S. Senate, instructing the conferees to the NDAA bill, which is the Defense authorization bill. One of those motions urges the conferees, or directs the conferees, to adopt bipartisan legislation introduced by Senator COTTON, who is now the Presiding Officer in the Chair, and me and others. It is called the 5G act, and it deals with Defending America's 5G Future Act. What it does, very simply, is codify the Trump administration's Executive order putting Huawei on what is called the entity list and then making sure that before there is a change to this, if you wanted to take them off entirely, that would require a congressional action. But it also says that if you want to seek waivers under that act, you should come to Congress and at least give Congress the opportunity to disagree. This is very important to protect our security, to protect U.S. technology from theft. I urge my colleagues to support that resolution.

#### DETER ACT

Mr. President, I am also here to urge my colleagues to support another resolution. This one is directing the conferees to the Defense authorization bill to support a motion and resolutions put forward by Senator RUBIO and me and others—again, a bipartisan resolution, making it clear that we should deter foreign interference in U.S. elections. It is based on the principles of bipartisan legislation, a bipartisan act that we have introduced called the DETER Act. The idea is very simple, which is this: We want to say up front that our intelligence communities, or others in the administration, should inform Congress immediately if there has been interference in our elections. If the answer is yes, that would trigger immediate and stiff sanctions on whatever foreign government is acting to interfere in our elections.

We can spend a lot of money and resources protecting our election infrastructure and our election systems, and we should do that. We can urge all of the social media companies to improve their platforms and make it more difficult for foreign governments and adversaries to use those platforms to influence and impact our elections.

None of those measures actually impose a big cost on a foreign government