

Families are the bedrock of our society. Let's look for solutions that all Americans can embrace.

I urge my colleagues to support this resolution.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I urge my colleagues to oppose this amendment because, as it is written, it really rewards only companies that are very wealthy and successful with additional tax credits to do something they are already doing. By that measure, it will leave most American workers without basic access to leave.

The other potential idea is about shifting hours and suggesting that workers have to work overtime to be able to have paid leave. Every parent in America, every person in America, will have a time when they have a family crisis—whether it is a dying parent, whether it is a sick spouse, whether it is a new child—and we are still the only industrialized country in the world that doesn't have access to national paid leave. We should be able to come together around this common-sense solution that Senator SCHATZ has offered to create at least the first step to make sure our Federal workers aren't disproportionately harmed because they can't compete with the private sector.

I oppose this amendment, and I urge my colleagues to oppose it.

The PRESIDING OFFICER. The question is on agreeing to the Ernst resolution.

Mr. THUNE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and 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. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 39, as follows:

[Rollcall Vote No. 307 Leg.]

#### YEAS—55

Alexander	Cruz	Johnson
Barrasso	Daines	Jones
Blackburn	Enzi	Kennedy
Blunt	Ernst	King
Boozman	Fischer	Lankford
Braun	Gardner	Lee
Capito	Graham	Manchin
Cassidy	Grassley	McConnell
Collins	Hawley	McSally
Cornyn	Hoeven	Moran
Cotton	Hyde-Smith	Murkowski
Cramer	Inhofe	Paul
Crapo	Isakson	Perdue

Portman  
Risch  
Roberts  
Romney  
Rounds  
Sasse

Scott (FL)  
Scott (SC)  
Shelby  
Sinema  
Sullivan  
Thune

Tillis  
Toomey  
Wicker  
Young

#### NAYS—39

Baldwin  
Bennet  
Blumenthal  
Brown  
Cantwell  
Cardin  
Carper  
Casey  
Coons  
Cortez Masto  
Duckworth  
Durbin  
Feinstein

Gillibrand  
Hassan  
Heinrich  
Hirono  
Kaine  
Klobuchar  
Leahy  
Markey  
Menendez  
Merkley  
Murphy  
Murray  
Peters

Reed  
Rosen  
Schatz  
Schumer  
Shaheen  
Smith  
Stabenow  
Tester  
Udall  
Van Hollen  
Warner  
Whitehouse  
Wyden

#### NOT VOTING—6

Booker  
Burr

Harris  
Rubio

Sanders  
Warren

The resolution (S. Res. 336) was agreed to.

(The resolution is printed in today's Record under "Submitted Resolutions.")

#### EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Gen. John E. Hyten for appointment as Vice Chairman of the Joint Chiefs of Staff and for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility in accordance with title 10, U.S.C., sections 154 and 601: to be General.

Mitch McConnell, Roger F. Wicker, John Cornyn, Richard C. Shelby, John Barrasso, Johnny Isakson, Richard Burr, Thom Tillis, Mike Rounds, Mike Crapo, James E. Risch, Roy Blunt, John Boozman, John Thune, David Perdue, John Hoeven, Steve Daines.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of General John E. Hyten for appointment as Vice Chairman of the Joint Chiefs of Staff and for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility in accordance with title 10, U.S.C., sections 154 and 601: to be General, shall be brought to a close?

The yeas and nays are mandatory under the rule.

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 Colorado (Mr. BENNET), 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. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 73, nays 21, as follows:

[Rollcall Vote No. 308 Ex.]

#### YEAS—73

Alexander	Grassley	Reed
Barrasso	Hassan	Risch
Blackburn	Hawley	Roberts
Blunt	Heinrich	Romney
Boozman	Hoeven	Rosen
Braun	Hyde-Smith	Rounds
Burr	Inhofe	Sasse
Capito	Isakson	Schatz
Carper	Johnson	Scott (FL)
Cassidy	Jones	Scott (SC)
Collins	Kaine	Shaheen
Coons	Kennedy	Shelby
Cornyn	King	Sinema
Cortez Masto	Lankford	Smith
Cotton	Leahy	Sullivan
Cramer	Lee	Tester
Crapo	Manchin	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Durbin	Moran	Warner
Enzi	Murkowski	Whitehouse
Feinstein	Murphy	Wicker
Fischer	Paul	Young
Gardner	Perdue	
Graham	Portman	

#### NAYS—21

Baldwin	Ernst	Murray
Blumenthal	Gillibrand	Peters
Brown	Hirono	Schumer
Cantwell	Klobuchar	Stabenow
Cardin	Markey	Udall
Casey	Menendez	Van Hollen
Duckworth	Merkley	Wyden

#### NOT VOTING—6

Bennet	Harris	Sanders
Booker	Rubio	Warren

The PRESIDING OFFICER. The yeas are 73, the nays are 21.

The motion is agreed to.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Eugene Scalia, of Virginia, to be Secretary of Labor.

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

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the debate on the nomination of Eugene Scalia, of Virginia, to

be Secretary of Labor, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The 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 Colorado (Mr. BENNET), 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. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 42, as follows:

[Rollcall Vote No. 309 Ex.]

#### YEAS—52

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

#### NAYS—42

Baldwin	Heinrich	Reed
Blumenthal	Hirono	Rosen
Brown	Jones	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Sinema
Casey	Leahy	Smith
Coons	Manchin	Stabenow
Cortez Masto	Markey	Tester
Duckworth	Menendez	Udall
Durbin	Merkley	Van Hollen
Feinstein	Murphy	Warner
Gillibrand	Murray	Whitehouse
Hassan	Peters	Wyden

#### NOT VOTING—6

Bennet	Harris	Sanders
Booker	Rubio	Warren

The PRESIDING OFFICER. The Senator from Florida.

UNANIMOUS CONSENT REQUEST—H.R. 549

Mr. SCOTT of Florida. Mr. President, I rise to speak about my amendment to H.R. 549, which grants temporary protected status, or TPS, for Venezuelans from Nicolas Maduro's oppressive regime and reforms the broken TPS program.

I would like to thank my friends, Senator MARCO RUBIO and Congressman MARIO DIAZ-BALART, who have been tireless advocates for the Venezuelan people as we fight for freedom in Latin America and across the globe. I am proud to have worked with Senator RUBIO, along with my colleague from Utah, Senator LEE, and other Republican Senators to offer protection

for the Venezuelan people while making necessary reforms to TPS.

The crisis in Venezuela is a defining human rights issue of our time. Maduro is starving his own people, and innocent children are dying. What is happening in Venezuela is pure genocide. We have to act, but we also need to be responsible. The courts have basically made a temporary program permanent, which is not sustainable.

My amendment protects the vulnerable Venezuelan population while making sure that human rights violators are clearly identified as ineligible to come to the United States. My bill grants TPS for Venezuelans right now.

The amendment also makes much-needed reforms to our TPS program. The amendment grants TPS to Venezuelans for 18 months. It requires congressional approval for TPS extensions, no more than 18 months at a time. My amendment limits the ability of illegal aliens with no connection to the TPS designation to benefit from TPS. It ensures that human rights violators identified under the Magnitsky Act are not eligible for TPS status. It includes provisions to distinguish that TPS status does not count as admission for purposes of the Immigration and Nationality Act. Under my amendment, TPS recipients cannot return to the TPS country during the period of designation. And finally, the amendment requires that current TPS designations will come up for congressional review 2 years after the enactment of this amendment.

We want those seeking refuge from war and oppressive regimes to have a safe haven in our country, but we need a system that works and that is truly temporary.

I am honored to work with my colleagues to get something done today to help Venezuelan families and to make some much-needed changes to our broken system.

Mr. President, I ask unanimous consent to address the Senate in Spanish.

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

(English translation of the statement made in Spanish is as follows:)

Mr. SCOTT of Florida. We need TPS now. I stand with the people of Venezuela, and I will continue to fight for freedom and democracy in Latin America. It is time for Maduro and his thugs to leave power.

Mr. President, as in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate proceed to the immediate consideration of H.R. 549. I ask unanimous consent that the Scott of Florida amendment be agreed to and that the bill, as amended, be considered read a third time and passed, and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, reserving the right to object, every Mem-

ber of the Senate knows that Venezuela's illegitimate dictator, Nicolas Maduro, has created an unprecedented and harrowing humanitarian crisis in that country. Extreme food and medicine shortages, widespread criminal violence, and brutal state-sponsored repression have forced more than 4.3 million Venezuelans to flee their homeland. This number could be 8 million by the end of next year.

As Venezuelans flee their country, it is time for the United States to place itself fully on the side of the Venezuelan people.

Unfortunately, just this week we have seen news stories about the Trump administration deporting Venezuelans from Florida. It is unconscionable that anyone would be sent back to the catastrophic humanitarian conditions that exist in Venezuela. That is why, in February of this year, Senator DURBIN and I, along with Senators RUBIO, LEAHY, and BOOKER, introduced bipartisan legislation to provide TPS to Venezuelans living here in the United States. The House of Representatives has already passed a version of this bill back in July, with support from dozens of Republican Members.

However, rather than providing TPS for vulnerable Venezuelans in the United States, the junior Senator from Florida has brought up an amendment that seeks to overhaul existing TPS statute and make it easier for the Trump administration to strip status from vulnerable migrants who are legally in the United States.

Respectfully, the suggestions that the courts have made it impossible to end any TPS is just not based in fact. This debate is not about watering down our immigration laws. It is about using the laws that we have right now to provide protection to Venezuelans so that we can ensure that the Trump administration doesn't deport them back to the nightmare they fled.

While I join the Senator in the same goal, it is unfortunate that the Senator from Florida would prefer to pass legislation that advances the administration's immigration agenda rather than help the Venezuelan people—something we all agree about.

As a matter of fact, we don't even really need congressional action because the President has the right to give temporary protected status to the Venezuelans living in the United States and he doesn't need an act of Congress to do that. He has failed to do that. It is in that failure that the House of Representatives acted to try to create a legislative response.

For all these reasons, I object to the unanimous consent request of the Senator from Florida.

The PRESIDING OFFICER. Objection is heard.

Mr. MENENDEZ. Since the Senator from Florida and I do agree on the need to provide TPS for Venezuelans, as in legislative session, I ask unanimous consent that the Judiciary Committee

be discharged from further consideration of H.R. 549, the bill that has already passed in the House, and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Reserving the right to object, I object on half of my colleague, Senator RAND PAUL.

What I propose is a bill that grants TPS to Venezuelans right now. It also makes much-needed reforms to the TPS program and gives Congress real oversight.

I am very disappointed that my Democratic colleagues would block this commonsense compromise. Republicans support it. The sponsor of the House-passed bill supports it. I believe the President would sign it. It is clear that the Democrats actually don't want to get something done on this issue. Unfortunately, they decided to use the Venezuelan community as a political prop, instead of working with us to find a solution. I think that is shameful. Even though the Democrats stood up and blocked TPS for Venezuelans today, I will never stop fighting to support the Venezuelan community here.

My amendment is a solution that can be passed by Congress and signed into law by the President. I hope my colleagues on both sides of the aisle will help us to get this done.

We cannot lose sight of the fact that Nicolas Maduro is killing his citizens. It is genocide. Every passing day, the situation on the ground grows worse. Hundreds of thousands of Venezuelans are fleeing the violence and starvation of Maduro's socialist regime, and they need our help.

While extending TPS to Venezuelans is the right move, the United States and freedom-loving nations around the world need to do everything in our power to isolate Maduro in Venezuela and cut off the supply of money from Cuba to Caracas.

It is time to help Venezuelan families. It is time to get TPS reform done in this country. Temporary protected status was never meant to be endless. It was meant to help families in need. We need to get this program to work. We need to get TPS for Venezuelans today.

I look forward to working with all my colleagues to help all the families in Venezuela and finally get a real long-term solution to TPS.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, very briefly, I regret that my colleague has gone down the road of questioning political motives here.

The reality is, in a bipartisan way, the Senator from Florida joined with

us in February of this year to provide legislation that would provide TPS for Venezuelans and the United States. The House of Representatives, which has a Democratic majority—and he mentions the Democrats—passed a version of this bill in July of this year with the support from dozens of Republican Members, a bipartisan effort in the House of Representatives.

At the end of the day, it doesn't take undermining TPS—dramatically changing TPS—in order to give Venezuelans temporary protected status. That is something the President could do without having the House of Representatives or the Senate act, but he has chosen not to. There are those who want to try to create an excuse for the President, but he has chosen not to do it, No. 1.

No. 2, the reality is, if we wanted to create TPS for Venezuelans, we could immediately do that right now by accepting my unanimous consent request because the House of Representatives passed it with broad, bipartisan support. We could do it right now. It would be on the way to the President, and then, of course, he would have to sign the legislation even though he could do it on his own right now.

I hope we can work toward the goal of actually giving the Venezuelans that opportunity who are living in the United States and seeking refuge from the violence, from the chaos that is Venezuela, but I am not ready to undermine all of the temporary protected status in order to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### RETIREMENT POLICY

Mr. PORTMAN. Mr. President, I am on the floor tonight to talk about retirement security, which is something everybody cares about. Who doesn't want peace of mind in retirement?

When I am back home, I hear about it all of the time, partly because a lot of people are worried about the costs they are going to have in retirement, including long-term care costs. A lot of people are seeing their parents and their grandparents living longer, healthier lives; yet they do not have their retirement nest eggs in order to keep up. So we need to do something to help on that.

Social Security is there as the safety net. It used to always be there, but that is what it is, just a base amount: \$1,200 a month. It is not very much, but it is the average for some folks in my home State of Ohio. You have to have a private retirement savings that adds to that, and that can mean the savings you have in your bank account. The best way to do it is through a 401(k) account at your work where the employer, hopefully, puts a match in. So it is a good deal for you because you put money in, and your employer puts money in, and you get to have a tax deduction for it. Even if you are not at work, you can take an individual IRA. With the IRA, it is the same thing

wherein you get a tax deduction. That is good. Some companies have the defined benefit plan. That is the old pension plan. That is great if you have one. Not as many workers do anymore, but we want to preserve those that are left. For those who are Federal Government employees, they do have the Federal employees' pension plan, which works for them.

All of this together is incredibly important right now for the people I represent, and people are worried about it.

Some of the statistics are actually pretty scary of a lot of people who work for small businesses who don't have access to plans altogether. They just don't have any opportunity to get retirement savings plans. As an example, about 50 percent of the workers in these small businesses are in that category. Over time, we have tried to address some of these issues. Right now, fortunately, the U.S. Senate has a few bills that it could take up that would actually help in that.

I have been working on this issue for a number of years—actually, about 20 years—going back to my days in the House with now-Senator BEN CARDIN. We passed legislation to expand how much you can put into a retirement account—a 401(k), an IRA. We increased the amount. There are the catchup contributions that some people are familiar with. There is also what is called auto enrollment, whereby companies automatically enroll you unless you choose not to enroll, which helps to get the participation rate way up, from about 75 percent up to 95 percent.

We have done some things that have helped, and because of that, I know that, if you provide more incentives for retirement, it works because it worked back in 2001. In fact, if you look at what has happened since then, total retirement savings have increased from about \$11 trillion to about \$29 trillion since 2001. By the way, this means there are more resources available in our economy because there are more savings, and savings are good things for investment. There is a higher GDP—higher economic growth—greater access to capital for small businesses and so on. So this has worked.

By the way, these retirement nest eggs have increased among every income quintile since 2001 when you adjust it for inflation. It is not just the people at the higher end or even in the middle; it is people who are of low income, middle low, middle income, and higher income who have all benefited from this. As I said, we have a lot more to do because, even with that Social Security, which is a safety net, it is really tough to live on that. People are not saving enough through their private savings and their retirement plans.

We need to finish the work that we started. We also need to fix some outdated regulations that just don't make sense in today's world. I am chair of

what is called the subcommittee on retirement within the Committee on Finance. We are working on these proposals on a bipartisan basis, and we are making some progress. I am going to tell you about some of those bills now.

One bill is before the Senate right now in the sense that it has already passed the House. It is called the SECURE Act. One is a larger bill that does more than the SECURE Act that has been introduced by Senator CARDIN and me. Then there is a small provision I want to mention tonight that has been introduced separately, which is also in the SECURE Act. It is an urgent thing to pass because there are a bunch of people who are going to lose their retirement benefits unless we pass it very soon. Let me back up and give you some of the troubling facts about why we need to do something here.

First of all, fewer than half of the employees who are, again, at small businesses—businesses with fewer than 50 workers—have access to plans. The problem is really in our smaller businesses, and we know that. Larger business all tend to have 401(k)s. Many have defined contribution plans like a 401(k), and others have defined benefit plans like pensions. They tend to have retirement options for workers, but many of the small businesses do not. Even when workers have access to plans, there are still only 34 percent who participate.

Amongst small businesses, there are fewer plans than there should be, but there are also fewer people participating. Only 22 percent of part-time workers are in plans. Now, increasingly in our economy, people have part-time jobs or may have a few part-time jobs, but they don't have retirement plans in any of them.

By the way, when you look at this in terms of the folks who are not participating, low-income Americans are also not participating as you would want. Only 22 percent of low-income families are participating in retirement plans. Many of them don't have the disposable income to be able to contribute, and we will talk about that in a second as to how to address that problem.

The final problem I want to mention does not have to do with the small businesses or part-time workers or low-income workers. It has to do with what we talked about at the beginning, which is people who outlive their retirements. Let's face it. We are living longer and healthier lives as Americans, and that is a good thing, but a lot of people didn't or couldn't plan for that. They may have thought, I have a nice, little nest egg here, and I have a 401(k), and I am going to retire at age 65. Yet, when they are in their late eighties or nineties, they realize there just wasn't enough set aside. Here is an opportunity for us to address that as well.

Earlier this year, Senator CARDIN and I introduced legislation called the Retirement Security and Savings Act,

and it addresses all of these problems that I mentioned. It has more than 50 reforms, actually, to help Americans achieve this goal of safe, secure retirements—peace of mind—after their working for years and letting people retire with dignity. It has a few important provisions that I want to mention tonight. I won't go into all 50, but I will mention some of them.

First, to increase this low 22-percent coverage among low-income workers, it expands what is called the saver's credit. This has worked well, but it is not refundable now, which means, for a lot of people who are of low income, they can't take advantage of it because they don't have the income tax liability, particularly with the new tax bill, frankly. For a lot of people, it has actually lowered taxes so that they don't have the ability to take a deduction, but they can use a credit. We changed the saver's credit to expand it so that it is more usable, and we make it refundable. We don't make it refundable to individuals but, rather, refundable to a retirement account because you don't want to just provide more funding out there that is not going to be used for this correct purpose of retirement. It has to go into your retirement account. In addition, it increases the credit amount so as to be available to a lot of low-income savers. This is really going to help get people to be able to save for retirement, again, who are working but who are not saving.

The bill also addresses the problem of only 22 percent of part-time workers being in plans. It requires employers to allow part-time workers who have completed 2 years of service to participate in 401(k) plans. This is a big deal to the AARP, as an example, and it is one reason it is strongly supporting this bill. By the way, this is also being supported by a whole group of businesses, nonprofits, and others. People love this bill because it is going to help people to save for retirement. What is not to like there? Particularly with regard to part-time workers, our saying, "if you have completed 2 years of service, you need to have access to a 401(k) plan," it is going to help.

It also allows employers to make matching contributions to the 401(k) accounts of employees who are paying off student loans who otherwise wouldn't receive a full match. Why? It is that they have to choose between paying down the student loan debt they have and saving for retirement. I really like this idea. It is an innovative one. It was first proposed by Senator RON WYDEN, by the way, who is the ranking Democrat on the Committee on Finance.

I think this will really help the people who are, again, going into the workforce. They have these student loans. They have to pay off that debt, but they can't afford to put money into 401(k)s. This enables them to put that money into the match, and it helps to get them started on retirement. On average, the student loan debt now for

someone who comes out of one of our 4-year colleges or universities is \$27,000. That makes it tough for a lot of people to get started in life.

To get at this problem, we talked about a few small businesses having plans. Portman-Cardin increases the tax credit that small businesses receive for one's starting a retirement plan. It is \$500 now, and we take it up to \$5,000. That is a tenfold increase that will really help small businesses, we are told. This is why they support the bill.

It also provides an innovative tax credit idea. Small businesses will get a tax credit if they automatically enroll their employees in the plans at least every 3 years. What does this mean? We talked about auto enrollment earlier and that, if you have auto enrollment in your company, your participation rate goes up to 95 percent from about 75 percent. Why? It is that people come into the workforce and might not sign up for a 401(k), but if they are automatically signed up, they are not going to say no, right? This way, they will start to get a little of the payroll taxes and a little of their paychecks going toward retirement. They will find out that this works. They will start their nest eggs, and they will like them, so they will stick with them.

It is the same thing here. If at least every 3 years you have to automatically enroll your employees, what will happen? You will get people into these plans, and they will stay in these plans. This is going to be a big deal in small businesses, and we think it is worth giving them a tax credit for it. It is kind of an innovative idea.

For small businesses, our bill also reduces some of the burdensome and duplicative regulations that are associated with administering the plan because, for a lot of small businesses, they don't have lawyers or general counsel; they don't have professionals who can help on this. Yet the HR people would sure like to have the ease of the administration of these plans. So we do that, which is important in order to get more of these small businesses to offer these plans.

We also address the problem we have talked about with Americans living longer and healthier lives and being in danger of outliving their retirements. For those who are following this closely because they are getting close to retirement, they should pay attention here because this could be helpful. To help the folks who have accumulated retirement savings preserve those nest eggs—to help to preserve your hard-earned nest eggs—the bill actually changes what is called the required minimum distribution rules.

If you are in your late sixties or maybe turning 70, you may be shocked to have just found out that—guess what—you have to start distributing money out of the 401(k) that you have or the IRA that you have under what is called the required minimum distribution rules.

My dad was a little surprised by that because he was still working at age 70½ when you have to start doing that.

By the way, a lot of people back home are still working at age 70½, and they want to keep their retirement nest egg there. They want to keep building it up because they hope they are going to live a long life, and they want make sure they have something in there, but instead, no, when you are 70½, you have to start taking it out and paying taxes on it.

So we changed that from 70½ to 75. We do it over a few years because it is an expensive provision, frankly, in this bill, but we pay for it through other means. The idea is you want to let people keep that money in their nest egg. By the way, if your nest egg is \$100,000 or less, there is no minimum required distribution anymore under our bill.

So for people who, again, are 70½ and are wondering, “Why do I have to start taking this money out? I have 65,000 bucks I have saved up all these years, and I am still working,” or “I don’t need to take it out for retirement,” let them keep it in that plan. If there is under 100,000 bucks in your account, keep it in going forward forever. If you have more than 100,000 bucks in there, then for that additional amount, you don’t have to start taking it out until you are 75, under our bill.

So this is going to really help the people to ensure that they can set aside money for retirement, and they know it is going to be there when they need it.

Our new Portman-Cardin retirement legislation has the potential to fundamentally reshape for the better how large numbers of Americans approach their retirement planning, and that is a good thing. I look forward to getting it passed through the Finance Committee and sent to the Senate floor for a vote.

As I said earlier, even before we can get this broader package done, we have a smaller bill that is sitting here in the Senate. It has already passed the House. It is called the SECURE Act. It actually passed the House almost unanimously—417 to 3. That rarely happens, and that shows you the kind of bipartisan support it has. It is not as comprehensive as the bill I just talked about, but it does have some good provisions.

It has that increase in the small employer tax credit, for instance, we talked about. It also raises this minimum required distribution to age 72—from 70½ to 72—which is good. It doesn’t go to 75, and it doesn’t have the \$100,000 improvement we have, but it does help. It also helps long-term part-time workers contribute to 401(k)s, which is good.

So we go further in our bill, but this SECURE Act is a good step in the right direction. I support it. I support bringing it up and passing it. It already passed the House.

I do think we ought to allow a couple of amendments on each side because

this SECURE Act that passed the House has not been voted on, on this floor before. It came out of our committee back in 2016, I believe, so it has been a while. There hasn’t been any debate on it or deliberation. Why not allow a few amendments on it on each side?

Democrats probably have a few amendments they would like to offer. Republicans have a few they would like to offer. The point is, let’s get that bill up and get it passed.

Then there is this final bill I was talking about. It is part of the SECURE Act, which is on the floor right now ready to go. It has also been introduced separately, and this is to address an urgent problem right now that is affecting over 450,000 Americans.

Now, it gets a little complicated here, as retirement plans do sometimes. These are people who are in these defined benefit plans, pension plans, and they are in businesses that have shifted from a defined benefit plan to a defined contribution like a 401(k). These are businesses that have said: We are not going to have an additional pension anymore. We are going to go to a 401(k) where individuals contribute and individuals control their account.

Now, what happened in some of these businesses is they said: But if you are already in a defined benefit plan, you can stay in. We are going to freeze your plan going forward so new employees can’t go into it, but you can stay in your plan, and I think that is fair. Let people who are in the plan who have paid in all these years continue to stay in that defined benefit plan as they retire.

The problem is, inadvertently, the rules with regard to pensions are tripping these people up because there is something called the nondiscrimination income testing. In other words, you can’t have too many of the benefits go, in a defined benefit plan, to people who are more on the high end of income. It has to be spread out.

Well, think about it. The people who are left in these plans are people who are older because the new employees have had to go to the defined contribution plan. So it is an older group of employees and, therefore, more highly compensated because they have been given raises over time, so they trigger this nondiscrimination income testing, and they lose their benefits. They can’t continue to accrue benefits.

That is just wrong. These are people who have played by the rules, done everything right. Through no fault of their own but through this quirky regulation, which was never meant to address this kind of an issue, they are facing the very real possibility—450,000-plus people—that they are going to lose their benefits through no fault of their own. They should be able to continue to accrue benefits and get this retirement plan they have worked so hard to be able to enjoy. Nobody really disagrees.

Again, it is in the SECURE Act. We have introduced it separately. Around here you run what is called a hotline with your fellow Senators to see if anybody objects to this if it is a non-controversial piece of legislation.

So we did that with this, and, guess what, this legislation was approved by everybody on the Republican side. Nobody had a problem with it. Again, it is just a question of being sure these flawed rules aren’t inadvertently hurting these 450,000 Americans.

Then we ran the hotline on the Democratic side, and it was also very popular over there, but at least one person objected—maybe more but at least one.

So we are trying to work on this together to try to get it done. We found out the objection is not based on the legislation at all. No one has any problem with the legislation. It is based on their interest in not allowing anything that is in the SECURE Act to be done separately because they want to be sure the SECURE Act gets done. I want to be sure the SECURE Act gets done too. It is an important bill. It is the first step in the right direction, as we said, but let’s not take it out on these employees. If we don’t fix it, then by this yearend, like in the next couple of months here, these people are going to lose their benefits.

So my hope is, now that we have tested the waters and found out it is not controversial among my colleagues, let’s just bring it up under unanimous consent, get it done, and then let’s move on and do the SECURE Act too.

So my hope is we will be able to do that. It has been introduced, again, as a standalone bill. So it is not like it is the other parts of the SECURE Act that are only in the SECURE Act. It is standalone so it shouldn’t violate anybody’s sense of fairness to say: Let’s deal with this separately and get it done.

I thank Chairman CHUCK GRASSLEY and Ranking Member WYDEN for helping on this because they have been supportive of the SECURE Act, they have been supportive of dealing with this quirk in the law that deals with these 450,000 people who are going to lose their benefits, and they have been supportive of us doing this broader retirement savings package as well.

I hope we can get them done. Let’s do it in order. No. 1, let’s get the Retirement Security Preservation Act done. That is the 450,000 people, and let’s just do that by unanimous consent. Everybody agrees to it.

Let’s move to the SECURE Act, get that done. Again, that was passed in the House almost unanimously, and then let’s move on to this broader Portman-Cardin legislation we talked about tonight. It really deals with these issues of small business coverage. It deals with the issue of low-income workers needing to save more. It deals with the issue of part-time workers having to save more. It deals with this



issue of being sure that people aren't outliving their retirement savings.

Again, of the 50-plus provisions in there, there is a lot that really helps the people I represent back in Ohio and folks all around the country. They deserve us in Congress to be focused on these kinds of issues. This is exactly what people expect us to do here, help them ensure they have peace of mind in their retirement. We are doing all we can to provide the incentives to make that happen.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### TRIBUTE TO CORNELIA DOZIER COOPER

Mr. MCCONNELL. Mr. President, great works of artistic expression are so much more than something simply to look at or listen to. They are often a reflection of the artist, her community, and a unique culture. Kentuckian Cornelia Dozier Cooper recognizes the encouraging effect of creative works, and she has spent her lifetime promoting them in eastern Kentucky. It is a privilege to recognize my dear friend Cornelia, who was recently selected to receive our Commonwealth's highest artistic honor: the Milner Award. In tribute to her accomplishment and philanthropy, I would like to extend my sincere congratulations for this well-deserved honor.

Born in Madisonville, KY, Cornelia developed a passion for the arts at an early age. Supported by her parents and a fostering education, she grew her skills in both visual and musical arts. She was quickly recognized for her talent and studied English watercolor at the prestigious Oxford University. I have had the privilege to visit Cornelia's home, where I admired her beautiful watercolors up close. Her own artistic works, in which she hopes to display the glory of God's creation, were just the beginning of her contributions to Kentucky.

With her husband, Richard Cooper—brother to another outstanding Kentuckian, Senator John Sherman Co-

per—Cornelia's devotion to the arts extended far beyond her own brush and canvas. She sought to give her fellow Kentuckians the opportunity to create great works of art and to be inspired by them in their communities. Cornelia worked with several organizations, including as a founding member of the Kentucky Arts Council, promoting aspiring talents in her home of Pulaski County and throughout the Commonwealth. She also established the Cornelia Dozier Cooper Endowment Fund for the Arts, providing grants to support a variety of eastern Kentucky artists. The endowment is funded, in part, by the proceeds from the sale of her own watercolors.

At a ceremony in the Kentucky Capitol Rotunda, surrounded by artistic works celebrating the Bluegrass State's illustrious history, Cornelia received her Milner Award. Even at the age of 93 Cornelia still brings the same enthusiasm to promoting young artists. To many throughout Kentucky, she is a mentor and a creative inspiration. Her selfless philanthropy will certainly continue to encourage young artists to develop their talents and follow their passions. I am grateful to Cornelia for her friendship and her lifetime spent enriching our home State. She has certainly earned this distinction. I ask my Senate colleagues to join me in congratulating this remarkable Kentuckian, Cornelia Dozier Cooper.

#### TRIBUTE TO GENERAL JOSEPH DUNFORD

Mr. LEAHY. Mr. President, I have been honored to know and work with many of the leaders in our military. One of the absolute finest I have known is General Joseph F. Dunford, Jr., the outgoing Chairman of the Joint Chiefs of Staff. I have known General Dunford for years, certainly in his current capacity, but before that as Commandant of the Marine Corps. As the father of a marine, I looked at Joe Dunford as the best the Corps could have and what we all want from the men and women serving and leading the Marine Corps.

General Dunford has had a long and distinguished career of service as a marine. He was deployed during Operation Iraqi Freedom, earned the nickname "Fighting Joe" while serving under James Mattis, and led the U.S. and NATO forces in Afghanistan. He is admired by the men and women who served under him and is known for his respect and care for civilians caught up in conflict.

Marcelle and I were honored to travel with him to Vermont in 2017, where he gave the commencement address at St. Michael's College, 40 years after his own graduation at that same institution. He told the graduates about to step out into their futures, "have the moral courage to do what's right, even when it's tough. Commit to serving something bigger than yourself." Like General Dunford, I am a graduate of

St. Michaels, and Marcelle has an honorary degree from St. Michaels. Also like General Dunford, I did my graduate work at Georgetown.

I mention his background because he is not a man that would ever brag about all the things he has done. Rather, he speaks to the values that he believes America should follow. I listened to him, standing in his uniform, speaking to these young men and women who were graduating. You could hear a pin drop in the hall, except for the times when they would interrupt his speech with standing ovations.

He has led by service his entire career. He thought always of the men and women under his command. He thought of their families. He thought of our future and the world we would leave to our grandchildren. His legacy will be measured by his presence on the battlefield, but perhaps more so by the capable leadership he has brought that will be felt for generations to come. That is truly the mark of an exceptional and visionary leader.

General Dunford and his wife Ellyn are looking forward to their retirement, but I do hope that academic and public institutions will call on him for his expertise and his knowledge, but especially his conscience.

I ask unanimous consent that an article from the Washington Post, entitled "Joseph Dunford's steady hand in the turmoil of Trump's Washington," by David Ignatius be printed in the RECORD, as it so eloquently captures the general's legacy and service to our Nation.

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

[From the Washington Post, Sept. 12, 2019]

#### JOSEPH DUNFORD'S STEADY HAND IN THE TURMOIL OF TRUMP'S WASHINGTON

(By David Ignatius)

Gen. Joseph F. Dunford Jr., the chairman of the Joint Chiefs of Staff who will retire this month, is that rare senior official in Donald Trump's Washington whose career and reputation don't seem to have been tarnished by his dealings with the president.

The explanation is simple: The low-key, Boston-Irish Marine maintained the distance and discipline of a professional military officer. He didn't try to be Trump's friend or confidant, and he stayed away from palace intrigue. The White House treated him with respect, and his fellow commanders came to regard him with something approaching awe: "We'd all like to be Joe Dunford," says one four-star general.

In the ceaseless turmoil of the Trump administration, Dunford has been a steady hand who helped insulate national security policy from disruption and political pressure. His Pentagon colleagues say he will be keenly missed—several described him as the best chairman in recent decades—and they are hoping Gen. Mark Milley, his successor, can sustain the independence and cool judgment that defined Dunford's tenure.

Dunford doesn't like talking about his relationship with the White House. The closest he has come was probably a Pentagon news briefing last month: "I've worked very hard to remain apolitical and not make political judgments. . . . I work very hard to provide military advice . . . and make sure that our