

modernizing and repairing our immigration laws, we need to recognize that we cannot necessarily solve all of our problems at once. The fact that this is the case should not stand in our way of starting the work the American people sent us here to do.

Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 1044 and that the Senate proceed to its immediate consideration. I ask unanimous consent that the Lee amendment at the desk be agreed to, that the bill, as amended, be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Illinois.

Mr. DURBIN. Mr. President, in reserving the right to object, as I understand it, we have only 6 minutes until the rollcall vote, and I don't want to inconvenience my colleagues.

I would like to ask permission from the Senator of Utah to make my unanimous consent request the first item of business after the rollcall vote is announced.

The PRESIDING OFFICER. Is there objection to the Senator for Illinois' request?

Mr. LEE. Mr. President, in reserving the right to object, I want to make sure I understand that the Senator wants to make his live UC request after the rollcall vote.

Mr. DURBIN. That is correct.

Mr. LEE. There is no objection.

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

Is there objection to the original request?

Mr. DURBIN. Mr. President, in reserving the right to object, I would say the following: I have been on the floor of the Senate more often than any other Senator to ask for immigration reform. Our system is broken. As we debate this important issue, the Galleries are filled with people who are following this debate personally because it literally affects their lives and their families and their futures. This Senator has been willing to move forward on comprehensive immigration reform. Sadly, the Senator on the other side has not supported that. I hope he will consider doing it.

In the meantime, though, what are we going to do about the current issue of an annual quota of no more than 140,000 EB immigrant visas and more than 500,000 applicants of Indian descent who are asking for permission to move forward with EB-2 green cards and their lives?

What the Senator from Utah has suggested is that we shouldn't increase the 140,000 annual cap. I think that is wrong. If you follow Senator LEE's proposal and do exactly what he says—give these visas only to those who are waiting in line who are of Indian descent and give no visas to the rest of

the world—in 10 years, there will still be over 165,000 people of Indian descent waiting in line, and the rest of the world will have been excluded. This is unfair. It doesn't make sense.

I will offer a unanimous consent request to lift that 140,000 cap, and within 5 years, all who are waiting in line will get their chances for green cards—5 years—but not at the expense of the rest of the world. Let's do this in a fair fashion. While we are at it, it is unfair that your spouses and children are being counted when it comes to the 140,000. My bill exempts that. They are no longer going to be bound by any quota.

Secondly, if your children are aging out, if they are reaching the age of 21—a new legal status and new worries for you and your family—I eliminate that problem completely. My approach is one that will solve the problem by lifting the legal immigration for talented people like many who have gathered here today.

The Senator from Utah says he can't support that. I hope he will reconsider. Lifting that cap is what we need to do—lifting the country quotas, making certain that those in line finally get their chances. This is all within 5 years, which is something the underlying bill does not do. So I hope the Senator from Utah will agree to my bill that I will be offering as an alternative after this rollcall vote.

I object to this bill.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, how much time remains?

The PRESIDING OFFICER. There are 2 minutes remaining.

Mr. LEE. Mr. President, I will be brief.

Just as the per-country cap system is a quintessential example of the poorly designed, broken system and of what a poorly designed broken system looks like, the objection that we have heard today is, I fear, emblematic of the broken state of affairs that we face when it comes to the immigration process.

I mentioned earlier that one of the reasons this bill has been able to achieve as much support and as many cosponsors as it has and why it was able to pass the House of Representatives with 365 votes is that we have avoided poison pill efforts. The adjustment of the overall numbers that my friend and distinguished colleague from Illinois has proposed would doom this bill. He knows that it would doom this bill.

To what avail? To what end? What good would it do to doom this bill?

The fact still remains that regardless of where we put the overall number for employment-based green cards, we still have a problem in that we are treating people from India unfairly, arbitrarily, and discriminatorily. This has impacts everywhere. In Illinois today, there are over 40,000 green card applicants, plus their spouses and children, who are

stuck in an interminable green card backlog that is morally indefensible.

We must change this. I hope and I encourage my colleague to change his mind. We can pass this today. We could make our country a better place as a result.

Thank you.

Mr. DURBIN. Mr. President, is there any time remaining?

The PRESIDING OFFICER. There is no time remaining.

#### S.J. RES. 54

Ms. COLLINS. Mr. President, in February of this year, Senator UDALL and I joined in introducing a resolution to terminate the national emergency declaration. On March 14, 59 Members of this body joined together in a strong bipartisan majority to pass the companion House Resolution and send it to the President. Unfortunately, the President chose to veto that resolution, and the House vote to override the veto fell short.

Last month, a bipartisan majority again came together in the Senate to pass a resolution introduced by Senator UDALL, Senator SHAHEEN, and myself to reverse the President's national emergency declaration. Unfortunately, but not unexpectedly, the President has chosen to veto this resolution again, and we will be voting shortly on whether to override that veto.

Before we do so, I would like to take a few minutes to speak to the fundamental issue raised by the emergency declaration: It directly conflicts with the "power of the purse" vested in Congress by the Framers of our Constitution.

The question presented by this veto of the resolution is not whether you are for a border wall or against a border wall, nor is the question whether you believe security at our southern border should be strengthened or whether it is sufficient.

In fact, the question is, simply: Do we want the executive branch, now or in the future, to hold the power of the purse, a power the Founders deliberately entrusted to Congress?

Throughout our history, the courts have consistently held that "only Congress is empowered by the Constitution to adopt laws directing monies to be spent from the U.S. treasury." This view is central to several ongoing cases challenging the President's national emergency declaration.

I have consistently supported funding for the construction of physical barriers and strengthening security on our southern border. I will continue to support those efforts and believe that they are important, but I cannot support the President unilaterally deciding to take money that has been appropriated for one purpose and diverting that money for another purpose.

The system of checks and balances established by the Founders gives Congress the power to protect our authority on our own. That is what this resolution does, and I urge my colleagues

to support it by voting to override the President's veto.

VOTE ON S.J. RES. 54

The PRESIDING OFFICER. The question is, Shall the joint resolution (S.J. Res. 54) pass, the objections of the President of the United States to the contrary notwithstanding?

The yeas and nays are mandatory.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Louisiana (Mr. CASSIDY), the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN), and the Senator from Georgia (Mr. PERDUE).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea," the Senator from Louisiana (Mr. CASSIDY) would have voted "nay," the Senator from Texas (Mr. CORNYN) would have voted "nay," and the Senator from Texas (Mr. CRUZ) would have voted "nay."

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

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

The result was announced—yeas 53, nays 36, as follows:

[Rollcall Vote No. 325 Leg.]

#### YEAS—53

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

#### NAYS—36

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

#### NOT VOTING—11

Alexander	Cruz	Moran
Booker	Harris	Perdue
Cassidy	Isakson	Sanders
Cornyn	Klobuchar	

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 36.

Two-thirds of the Senators voting, a quorum being present not having voted

in the affirmative, the joint resolution, on reconsideration, fails to pass over the veto of the President of the United States.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I asked unanimous consent before the rollcall to be recognized to make a unanimous consent request. I would like to take that opportunity now, unless there is some other item of business before the Senate.

The PRESIDING OFFICER. There is none.

The Senator from Illinois.

UNANIMOUS CONSENT REQUEST—S. 2603

Mr. DURBIN. Mr. President, let's start with math, basic math, Andrew Yang math. Here is what it boils down to. Each year, we have 140,000 employment-based visas issued in the United States—140,000. A decision was made several years ago that politicians were playing favorites, picking countries that would get more of one and more of another, and so they put in country quotas, country caps—7 percent. I will do the math, being a liberal arts lawyer. It is about 10,000 per year, per country—no more than 10,000 per country, per year, if 7 percent of the total is our cap.

The problem is obvious. There are some 520,000 people of Indian descent in the United States who came here legally on H-1B visas, for example, who have worked here for a period of time, and who now want to stay in the United States. From this Senator's point of view, you are welcome. We need you. You brought extraordinary skills that we need to our country. I want you to stay. But many have found that they get into a queue that is so long, and because of the limitations of the cap, they can't even imagine living long enough to ever get the green card they are waiting for, the green card that can ultimately lead to citizenship.

Senator LEE comes to the floor with a bill, and his bill says as follows: We are going to take care of those waiting in line, which is primarily over half a million of Indian descent, and we will close down immigration from other countries during this period of time, EB-2 visas. So it would be to the benefit of those of Indian descent, who are the vast majority of those waiting in line, but at the cost of every other country in the world that has anyone who can come in and qualify for an EB-2 visa. Even his approach that I just described—if you follow it through, at the end of 10 years, there would still be 165,000 people of Indian descent still waiting in line in 10 years. That is not fair. It is not right.

Last Sunday, I had a meeting in Schaumburg, IL. As I came to the meeting—it was a Democratic Party breakfast—there were about 200 people standing with signs with my name on them. That will wake you up on a Sunday morning. They were there to say: DURBIN, don't stop LEE's bill.

I met with many of them afterward. I would have met with all of them. I

am prepared to. One of them told me a story. He is a physician from my hometown of Springfield, IL. He brought his 12-year-old daughter along with him, a beautiful young girl.

He said: Senator, I am waiting in line. I don't know if I will ever get a green card. What is going to happen with my daughter when she reaches age 21? She can no longer be my dependent and stay in the United States. What is going to happen to her? Is she supposed to go back to India? In the meantime, how is she going to go to college? What is her status in this country?

These are perfectly legitimate questions. I have an answer for all of these questions, and I will tell you what it is.

First, we lift the 140,000 cap. That is what is holding us back here. Why is 140,000 of these EB visas a year a magic number? It is not. We are a nation of 350 million people. We have at least a million legal immigrants coming in each year. To expand the cap for those who are seeking the EB visas beyond 140,000 to people with skills who are already living in the United States and who want to stay here and continue to work is perfectly reasonable to me.

That is what my bill proposes, and it does two other things. This bill also says that we are not going to count your dependents when it comes to the annual quotas. So if it is 140,000, we are talking about the actual breadwinners—140,000. If you are married, have a spouse and two children, you are not seeking four of these visas—only one—and your spouse and dependents automatically come along with you, in my bill. They are not counted against the 140,000.

The third point: When you make application, it freezes in place, for legal reasons, the status of your dependents. So if it takes 2 or 3 years, and that daughter of yours becomes 21 years of age, it is no different—she is still going to come in with you based on your application.

To me, that is a reasonable way of approaching it. I have said to my friends in the Indian-American community, in the Indian community in Illinois: I am not against your being here. I want you to be here. I have an approach that will allow you to be a part of our future. You have been an important part of America to this point. I want you to continue to be, and my approach will allow it.

Senator LEE of Utah comes to the floor and says: DURBIN, if you lift that 140,000 cap, you will doom this bill.

I have just spoken to him, and I have several times. I will not doom this bill if he will support it. If he, as a Republican, will gather support for this bill, we can lift the number of people who will be eligible under these skilled immigrant visas to be part of America's future. We can do that together.

I am finding, even as I talk to Republican colleagues here, that they feel we should be opening up the skilled visa opportunities for legal immigration.

The sentiment is growing, and it should. I want people who have real skills that they either learned in the United States or earned in the United States to be part of the growth of our economy and the future and part of America. When it comes to diversity, count me in.

My mother was an immigrant to this country, brought here at the age of 2. Her son stands right here with a full-time government job. That is the American dream, right? I basically believe in immigration, and I believe in the diversity of America. But what will not work and what will not succeed is the notion that we can somehow favor just one group from one country at the expense of every other country.

We found that what has happened since Senator LEE started moving forward with this is we have people from a variety of different countries around the world saying: You mean you are going to cut us off entirely? We can't have any EB-2 visas for 10 years? You are saying that is going to apply to Canada, Mexico, the European nations, and all of Asia as well? That is unfair. Why would you cut us off to give opportunity to those from India? That isn't fair.

We have to have a more balanced approach. I think my approach resolves that and will solve that. I ask Senator LEE to consider it.

I would also say to him—in the course of bringing this measure to the floor, Senator LEE has been negotiating with Members of his own political party. That is all right. I understand that. I have been in this business for a while. But he should be talking to people on both sides of the aisle. What he has given are so-called carve-outs to the 140,000. I probably wouldn't argue with any single carve-out in substance if he wants to give them to nurses or medical professions, but each time he makes a carve-out to the 140,000, he lengthens the long waiting period for those of Indian descent.

As far as I am concerned, the real answer is to increase legal immigration to the United States. My bill would do that. It will take the country caps off, take the 140,000 cap off. It would open the door for those who have been waiting in line—and many have for years, if not decades. Stop discriminating against their children. Through no fault of their own, they have been stuck in the line with them. Their legal status shouldn't change. And don't count the dependents—the spouses and children—against the quota, whatever the number might be in the future.

I think that is a reasonable way to do this, but to do that, you have to accept one premise: that immigration is good for America. I believe it is. I believe it always has been. I think the diversity of this country is its strength. People come from every corner of the Earth, ready to make great personal and family sacrifices so that they and certainly their children will have a chance they

never would have had where they were born. That is the key to what is different about this country and why we should honor it.

Let's not apologize for increasing legal immigration, particularly of people with proven skills. Let's celebrate that they want to be part of America's future.

Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from S. 2603 and that 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 Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, the request the Senator is describing is not one that can pass the body and certainly is not one that can pass this body unanimously.

He is absolutely right. My friend and distinguished colleague from Illinois is correct in noting that I have had conversations and negotiations with Republicans, and I have also had conversations and negotiations with Democrats. I have been working on this for nearly 9 years. At every moment, we have made concessions to people on both sides of the aisle.

I wish the solution he is offering today were something that could allow us to pass the Fairness for High-Skilled Immigrants Act. Alas, it is not.

I would note that it is not as though this is something new or objectionable or even something that the passage of which would amount to a concession on his part. For one thing, the Fairness for High-Skilled Immigrants Act is a bill that he was an original cosponsor of in a previous Congress. This is his bill. You might ask what is different about the bill he championed a few years ago and the substitute amendment I put forward earlier today. The answer is that, aside from a short subsection that temporarily alleviates nursing shortages in parts of this country, the only thing we have changed is that we have added a variety of new provisions to combat some abuse in the H-1B program.

As I have said, these provisions are drawn almost verbatim from the Durbin-Grassley H-1B reform bill, of which my colleague from Illinois has long been the lead Democratic cosponsor.

The only other thing that has changed from the time when the Senator from Illinois would have stood by my side instead of in opposition and helped to pass this bill is the problem that he sought to solve when he supported this bill. That very same problem still exists and has gotten worse.

As I indicated earlier, there are 40,000 green card applicants in Illinois alone, plus there are thousands of children stuck in this awful backlog. These are individuals whose children are aging

out of their temporary visas, and they are forced to return to a country they left behind long ago—a country that, in many cases, their children don't know and have never known.

To repeat, the amendment that I offer today and that has been the subject of some of my colleague's remarks this afternoon in his unanimous consent request consists of nothing more than the Fairness for High-Skilled Immigrants Act, of which my colleague from Illinois was once a leading sponsor, and a series of H-1B reforms that he himself has long sought to enact. If passed, it would provide relief to many hard-working families from both his State and for mine. Yet he objects. As he objects, he offers up something else that he knows cannot possibly get close to passing this body by unanimous consent. Yet we can do that today. We can do that right now if he would lift his objection. He knows that I cannot, and I will not, and on that basis, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I would like to make two points regarding the comments from my friend from Utah. I know he has to leave for another appointment.

The first point I want to make is that what I support today is what I introduced and voted for when 68 Senators, Democrats and Republicans, passed a comprehensive immigration reform bill, which he opposed.

I hope that shows my good faith and intent when it comes to this issue. I am not just thinking of something today that has never been considered on the Senate floor. It has passed on the Senate floor in a previous Senate, and I think it can pass again with your active support.

The second point I want to make is this. For us to have dueling unanimous consent requests and both to object in this debate is really unfair to the people who have gathered in this Gallery today, as well as those who are following this debate on television with literally the fate of their family and future again in our hands.

I would like to ask you a favor to consider the following. When Senator KENNEDY objected on your behalf yesterday, or the day before, in a similar manner, he suggested that we push this issue forward for a hearing in the Subcommittee on Border Security and Immigration of the Committee on the Judiciary where we both serve. That committee is not overworked. It considered one bill this year and no amendments. So let us try to prevail on the chairman of that subcommittee to have a hearing on this subject and to bring out all the facts before the subcommittee and the full committee in the hopes that we can find some sort of reasonable, bipartisan compromise. If you will join me in that request, I hope we can prevail on Senator GRAHAM and Senator CORNYN.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I thank my colleague for his constructive observations there. With respect to the Gang of 8 legislation, yes, it passed through this body, and, yes, I voted against that, as did a number of my colleagues. My view is, that was a piece of legislation that while it entailed a lot of work by a lot of people who were trying to make things better, it was doomed at the outset for failure because the message of that bill and of those who were pushing it was essentially you either pass all of this bill and all of its reforms—a large number of which and the majority of which I agreed with—or you pass nothing. We were literally told that. It is either this entire package or it is nothing. We spent weeks in the Committee on the Judiciary debating it and discussing it. I personally proposed dozens of amendments to that.

What emerged at the end of that from the committee was a—this has been 6 years, so my colleague will forgive me if I don't remember the exact numbers. It was about a 700-page bill. When we got to the floor, what we debated and discussed was substituted out at the last minute. What we ended up getting was another bill that was, as I recall, 1,200 pages long. It was a different bill.

The message was the same with both of them. This is a package deal. You either reform all of what this bill reforms and do it at once or you get none of it. Many of the sponsors of that legislation made clear that they would oppose any smaller effort.

I believe this is exactly the opposite of the type of solution that will work. What is going to work here is if we start with incremental, step-by-step legislation. If we start with something the Senator from Illinois has himself in the past sponsored, both as to the Fairness for High-Skilled Immigrants Act itself and as to the substance, the nuts and bolts of the Grassley amendment—he has been on the cutting edge of supporting both of those things. If not here, where? If not us, who? If not now, when? This is what we need to do. I am going to continue to come to the floor. I am going to continue to seek unanimous consent and to pass this every way I can.

As to my colleague's suggestion with regard to a committee hearing. This hasn't, of course, been the topic of committee hearings in the past, and it has been fully discussed. I would, of course, welcome any further committee action that the chairman might choose to hold, and I would be happy to have any committee action that, of course, isn't mine to offer or give, but I would always prefer more consideration of the Fairness for High-Skilled Immigrants Act than less. So if that is what we have to do, great, but I don't believe any further factual development is necessary here.

Just for the record, I want to state this bill is ready to pass right now.

This bill has 365 votes on the House floor right now. This bill would become law right now, would pass out of the Senate and would pass out of the Senate in a form that would be passed out of the House of Representatives, ultimately, right now but for this objection.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. The Senator from Utah is my friend, and we have worked closely together on important legislation. I trust him and respect him, though we disagree on some of the merits on this issue.

What I think I heard was an offer, which I am going to accept, of a good-faith, bipartisan request of the Committee on the Judiciary to have a hearing on this measure. It will be the first hearing on it, and I think it is long overdue.

In terms of the comprehensive immigration reform, I don't want to dwell on history, but we went through hundreds of amendments in Judiciary and scores of amendments on the floor. Everyone had their day in court and their opportunity to come up with a good idea, and, yes, it did come down to one bill at the end. You had to vote yes or no. I voted yes, and he voted the other way.

This bill is not even close to it in terms of deliberation and in terms of amendments and that process. So let's start the right way. Let's have a hearing. You have the majority party on the committee, so I am not going to pull anything over on you, but let's do it.

For the people who are following this and saying: Well, how did that end? Let us say to them it ended by both of us agreeing to pursue a committee hearing on this important subject as soon as possible and appealing to the chair of the Committee on the Judiciary to ask for that hearing.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I thank my friend, the Senator from Illinois, and I appreciate his dedication to detail and to the hard work he has put into the area of immigration and reform.

Yes, you are right. That was a difficult process. It went through 6 years ago, and I commend you, even though you and I reached different conclusions as to the ultimate outcome of that legislation.

My point there is simply to say: It is, and properly should and always is, going to be the case that it can be easier to get something done that is more narrowly focused. In this case, we have a bill the Senator from Illinois has himself cosponsored in the past. It has been modified by another provision that he has also sponsored in the past. We should be able to do this one.

It is not my place to commit on behalf of the Committee on the Judiciary or its chairman whether we are going to have hearings. I reiterate my view that no further factual development of

this is necessary. I don't believe a hearing is necessary.

I am never going to object to simply holding more hearings on it, and if that is what the chairman of the Committee on the Judiciary is inclined to do, I am certainly not going to interfere with that. In the meantime, I am going to continue to do everything I can to get this thing passed. It is ready to pass. It is ready to pass right now. I am going to continue to find every way possible to get this the consideration it deserves.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I am coming to the floor to speak on a different subject, but I do want to acknowledge that this is an issue I follow as well. I actually cosponsored Senator LEE's bill. I do hope what my friend from Illinois proposed, in terms of a process—that that process will take place and that we can get this legislation, or a variation thereof, passed through the Senate; that we deal with this issue is something I hear a lot from my constituents in Virginia—specifically, Northern Virginia.

Again, although no piece of legislation is perfect, I think the direction Senator LEE has put forward is one I carefully considered before I cosponsored the legislation. Again, the only way we are going to get this resolved is if we go through this process. Nobody on the Senate works harder on immigration issues and with more passion and willingness to get to yes on an issue than the Senator from Illinois, so I thank him for his work as well.

TRIBUTE TO VICTORIA BRAHM

Mr. President, I came down here today to address the question I came for, to actually continue the tradition of my friend Senator Ted Kaufman. I had the distinction of serving here as a staff member for a long time and filled in for a few years when Senator Biden became the Vice President of the United States.

What Senator Ted Kaufman did was he came, during his tenure in the Senate, on a regular basis, came to this floor and highlighted the contributions of exceptional Federal employees. He highlighted the work they do every day to make our Nation and communities safer, healthier, and stronger.

I came to the floor earlier this year to congratulate three Virginians who were recognized by the Partnership for Public Service as finalists for the Service to America Medals. Within the world of Federal employees, this award may not be as well known as the Oscars, but the award, the Service to America Medals, are known as the "Sammies."

During my time on the floor earlier, when I spoke about the Virginians who were nominated, I spoke about Ambassador Michael Kozak from Arlington, Kara De Castro from Haymarket, and John Wagner from Ashburn. Each of these public servants have made significant contributions to our national

security, as well as to global peace and human rights. We are indebted to them for their contributions, and I congratulate them again for their much deserved recognition as finalists.

Unfortunately, none of this year's winners hail from Virginia. Still, I want to congratulate the 2019 Federal Employee of the Year, Victoria Brahm from Wisconsin. Ms. Brahm is a career public servant who has spent more than 37 years working in the VA system.

Since 2015, she has served as the director of the Tomah VA Medical Center. When she arrived, the center was struggling with unsafe medical practices, high staff turnover, and other issues impacting the quality of care that veterans were receiving. In the years since her arrival, there has been a rise in patient satisfaction and a dramatic drop in the use of opioids and other prescription pain relievers.

Under Director Brahm's leadership, preventable in-hospital complications have also dropped significantly, and the center has risen from one of the worst ranked hospitals in the VA system to the top 10 percent. This remarkable turnaround that is making life better for our veterans is due in many ways to the work of Ms. Brahm. Congratulations, Ms. Brahm, and thank you for your service.

Congratulations, as well, to all of this year's award winners who hail from around the country, not just Washington, DC. While the Federal workers we recognize today are exceptional, the truth is they are not the exception. Federal employees across the country dedicate their lives to serving the country, to protecting its people, and to making sure our tax dollars are properly spent.

Unfortunately, this commitment has not been honored by the Trump administration. In addition to the longest government shutdown in history, Federal workers have endured pay freezes, hiring freezes, bad-faith collective bargaining, and other efforts to dismantle our nonpolitical civil service. This is wrong. It is also unsustainable, and ultimately it will be everyday Americans who suffer the consequences of this administration's actions. If you drive out and drive down the morale of our workforce, the American people end up with a less good product.

I commit that I will continue fighting in the Senate to ensure this country is keeping its commitment to Federal workers because they deserve so much better than the treatment they have received recently.

#### FUTURE ACT

Mr. President, let me now, for a couple of moments, turn to another important issue where I fear we are not keeping our commitments, and that is our commitment to our Nation's historically Black colleges and universities, also known as HBCUs.

I will talk briefly in support of legislation introduced by my colleague from Alabama, Senator JONES, and my

colleague from South Carolina, Senator SCOTT. The legislation they introduced is called the FUTURE Act.

The FUTURE Act would provide a 1-year reauthorization of the mandatory funding for HBCUs and other minority-serving institutions that already expired on September 30. This is a commonsense bipartisan fix that is fully paid for, and it would allow us to keep our commitment to institutions across the country that are educating historically underrepresented and underserved students.

Virginia is home to five outstanding HBCUs whose funding would be preserved by this legislation: Virginia State University, Norfolk State University, Hampton University, Virginia Union University, which I was proud, prior to my tenure in government, to serve on the board of, and Virginia University of Lynchburg. All told, these institutions received nearly \$4 million in funding last year that is now at risk unless we pass the FUTURE Act.

I have letters of support here from the Presidents of Hampton, Norfolk State, and Virginia Union. These letters highlight the FUTURE Act and the importance of this funding to the representative universities.

Mr. President, I ask unanimous consent that these letters be printed in the RECORD.

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

HAMPTON UNIVERSITY,  
Hampton, VA, July 16, 2019.

Hon. MARK WARNER,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR WARNER: I am writing to request that you cosponsor S. 1279, the Fostering Undergraduate Talent by Unlocking Resources for Education (FUTURE) Act sponsored by Senator Doug Jones (D-AL) and Senator Tim Scott (R-SC). This bipartisan, bicameral bill was written to extend important mandatory funding for education in the sciences, technology, engineering, and mathematics (STEM) in Title III, Part F of the Higher Education Act of 1965 until September 30, 2021.

Title III, Part F, benefits Historically Black Colleges and Universities (HBCUs) and other Minority-Serving Institutions (MSIs) by providing mandatory funds that allow these institutions to better serve their students in the STEM fields. As I am sure you are aware, a STEM education is crucial to the growth and continued development of our economy. Hampton University and other institutions have benefited greatly from the availability and usage of these funds.

A report released by the White House National Science and Technology Council stated that the "national benefits of a strong STEM foundation cannot be fully realized until all members of society have equitable access to STEM education and [until] there is much broader participation by those historically underserved and underrepresented in STEM fields . . ." The report goes on to highlight the importance of diversity in the workplace leading to more engaged, innovative, and higher-performing organizations. Hampton serves all students, some of whom are low-income, first generation post-secondary students of color; an underserved population. One benefit of funding through Title III, Part F is that it directly helps

achieve the goal of diversifying our workforce and ensuring more underrepresented students are entering STEM fields.

The mandatory funds included in Title III, Part F, were originally established by the College Cost Reduction and Access Act for the years of 2008-2009, retained in the Higher Education Opportunity Act of 2008, and then extended until 2019 in the Health Care Education and Reconciliation Act of 2010. All three pieces of legislation were passed in the House and Senate on a bipartisan basis showing support for this crucial stream of funding.

However, this stream of funding is scheduled to expire September 30, 2019. Therefore, it is imperative that this bill passes both Chambers and becomes law before the expiration date. Again, I ask that you cosponsor S. 1279 and help institutions of higher education, HBCUs in particular, continue to provide the much needed services to the students on our campuses.

With all good wishes,

WILLIAM R. HARVEY,  
President.

NORFOLK STATE UNIVERSITY,  
September 5, 2019.

Hon. MARK WARNER,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR WARNER: On behalf of Norfolk State University, I ask your support in cosponsoring S. 1279, the Fostering Undergraduate Talent by Unlocking Resources for Education (FUTURE) Act sponsored by Senator Doug Jones (D-AL) and Senator Tim Scott (R-SC). This bipartisan, bicameral bill would extend important mandatory funding for education in the sciences, technology, engineering, and mathematics (STEM) in Title III, Part F of the Higher Education Act of 1965 until September 30, 2021.

The mandatory funding included in Title III, Part F, was established in 2008 by the College Cost Reduction and Access Act. The funding was later extended through authorizations in the Higher Education Opportunity Act of 2008, and the Health Care Education and Reconciliation Act of 2010. All three pieces of legislation passed in the House and Senate on a bipartisan basis with strong congressional support. Current funding will expire on September 30, 2019.

Title III, Part F, benefits Historically Black Colleges and Universities (HBCUs) and other Minority-Serving Institutions (MSIs) by providing mandatory funds that allow these institutions to support their students in the STEM fields. Whether it be innovations in cybersecurity, or emerging research in deep space exploration, Norfolk State University has a longstanding history of preparing students to excel in the STEM fields. Title III, Part F is a critical resource that has played an important role in NSU's success.

Continued funding for Title III, Part F is crucial to the growth and continued development of our economy and this University. Your cosponsorship and vote of support for S. 1279 is very much needed, and will represent a sound investment in America's future.

Sincerely,  
JAVAUNE ADAMS-GASTON, PH.D.,  
President.

VIRGINIA UNION UNIVERSITY,  
August 6, 2019.

Hon. MARK WARNER,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR WARNER: I write to you today to ask you to cosponsor S. 1279, the Fostering Undergraduate Talent by Unlocking Resources for Education (FUTURE) Act sponsored by Senator Doug Jones

(D-AL) and Senator Tim Scott (R-SC). This bipartisan, bicameral bill was written to extend important mandatory funding for education in the sciences, technology, engineering, and mathematics (STEM) in Title III, Part F of the Higher Education Act of 1965 until September 30, 2021.

Title III, Part F, benefits Historically Black Colleges and Universities (HBCU's) and other Minority-Serving Institutions (MSIs) by providing mandatory funds that allow these institutions to better serve their students in the STEM fields. STEM education is crucial to the growth and continued development of our economy, and my institution has benefited greatly from the availability and usage of these funds.

A report released by the White House's National Science and Technology Council said that the "national benefits of a strong STEM foundation cannot be fully realized until all members of society have equitable access to STEM education and [until] there is much broader participation by those historically underserved and underrepresented in STEM fields . . ." The report goes on to highlight the importance of diversity in the workplace leading to more engaged, innovative, and higher-performing organizations. Like my institution, HBCUs and MSIs serve all students, but primarily serve students who are low-income, first generation, and students of color, which would directly help achieve the goal of diversifying our workforce and ensuring more underrepresented students are entering the STEM fields.

The mandatory funds included in Title III, Part F were originally established by the College Cost Reduction and Access Act for the years of 2008-2009, retained in the Higher Education Opportunity Act of 2008, and then extended until 2019 in the Health Care Education and Reconciliation Act of 2010. All three pieces of legislation were passed in the House and Senate on a bipartisan basis showing support for this crucial stream of funding.

This stream of funding is scheduled to expire September 30, 2019, so it is imperative that this bill passes both Chambers and become law before the expiration date. Again, I ask that you co-sponsor S. 1279 and help me continue to provide the much-needed services to the students on my campus.

Sincerely,

HAKIM J. LUCAS, PH.D.,  
President & CEO.

Mr. WARNER. Mr. President, recently our colleagues in the House passed this important legislation on a bipartisan basis. Now it is time for the Senate to do the same. Let's pass the FUTURE Act without further delay and then work together on a comprehensive reauthorization of the Higher Education Act.

As Dr. Harry Williams, president of the Thurgood Marshall College Fund, said, America's HBCUs "simply do not have the time to wait for Congress to work out a deal." So let's put our broader policy differences aside for now and honor the commitments we made to HBCUs and other minority-serving institutions before Congress's inaction harms students in Virginia and around the country.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I rise to announce a new use of an old requirement. I rise to speak about the latest

Senate scorekeeping report which I filed this week in the CONGRESSIONAL RECORD. The CONGRESSIONAL RECORD is available to anyone online. This report could show overspending by committees and a number of other things. This is the first such report since I filed a current law budget for the fiscal year 2020 as authorized by the Bipartisan Budget Act of 2019.

This week's filing tracks the Senate's adherence to that current law budget and provides up-to-date budgetary information about the Federal Government for Congress and for the public. For the first time, a copy of the scorekeeping report can be found on the Senate Budget Committee's website to allow the American people to better track Congress's fiscal decision making. That is new.

Let me repeat that. For the first time, a copy of the scorekeeping report can be found on the Senate Budget Committee's website to allow the American people to better track Congress's decision making.

Since this is the first time the committee is posting the scorekeeping report on its website, I want to take this opportunity to explain the report for those taxpayers who are concerned, as I am, about our country's fiscal health and want to learn more.

I hope the people will look at the future months and each monthly report. A current-law budget allows the Senate to enforce the budget spending levels projected under current law. While it will not put us on a path to stabilizing our debt and deficits, like the levels approved by the Senate Budget Committee earlier this year would do, it tells the Congress to stop making our fiscal situation worse—to stop making our debt and deficits worse.

The scorekeeping report covers six primary areas. First, it shows whether authorizing committees are sticking to their allocation, which is just a fancy term for each committee's spending allowance. We track that for the 1-year, 5-year, and 10-year periods for this report. For the October 2019 report, all committees are in compliance and no breaches have been recorded since I filed the current-law budget on September 9. That is good news, though with our debt approaching \$23 trillion, going a month on the budget is not something to pat ourselves on the back over, but it is a good start.

Second, the report tracks whether the Appropriations Committee is adhering to the discretionary spending limits imposed by the most recent Bipartisan Budget Act. For fiscal year 2020, the limit on regular discretionary spending for accounts in the defense category is \$666.5 billion, and for the accounts in nondefense category, it is \$621.5 billion. Since full-year appropriations measures for this fiscal year have not yet been enacted, the only budgetary effects recorded are for advanced or permanent appropriations made through our prior law.

Third, the scorekeeping report tracks changes in mandatory programs. We

call that CHIMPS, which is used by the Appropriations Committee. That is so we are not using the very important wording of "changes in mandatory programs," actually making changes in mandatory programs without people knowing. The Appropriations Committee uses those changes in mandatory programs to offset new discretionary spending each year. In recent years, the Budget Committee has ratcheted down the total amount of changes in mandatory programs that can be used in a given year in an effort to hold the line on spending.

This year's total limit is \$15 billion—that is extra spending—and the report tracks the Appropriations Committee's adherence to that limit thus far. I know that many of my colleagues share my desire to finally end the practice of using changes in mandatory programs to inflate spending.

Fourth, the report tracks the amount of emergency and overseas contingency operations spending in appropriations bills. Emergency spending is not constrained by discretionary spending limits that I talked about, but it has the potential to cost hundreds of billions of dollars each year. To date, for fiscal year 2020, there has been \$8 million worth of emergency budget authority adjustments. These adjustments are the result of agriculture provisions and the additional supplemental appropriations for the Disaster Relief Act of 2019. Emergencies don't count against the budget, but they do go to increased debt. There is no requirement to adjust the budget to pay for emergencies.

Fifth, included in the report is information provided to me by the Congressional Budget Office that compares topline spending and revenue amounts, known as aggregates, to the current-law budget levels. The report shows there is currently enough room on the spending aggregate to accommodate all outstanding regular appropriations and no additional room for revenue loss.

Finally, the report includes the current balances of the Senate's pay-go scorecard. Pay-go stands for "pay as you go," a unique concept around here. In other words, was it paid for? If not, the report shows it on the scorecard. The Senate's pay-go scorecard, which is enforced with a 60-vote point of order, tracks the budgetary effects of legislation moving through Congress affecting mandatory spending and revenues. This report shows a zero balance on the Senate's pay-go scorecard due to the filing of new budgetary levels just last month.

As chairman of the Senate Budget Committee, I try to come to the floor regularly to sound the alarm about our country's unsustainable fiscal course. We are on a perilous path with the Congressional Budget Office projecting our debt and deficits to skyrocket in the coming years. Debt is the cumulative amount. Deficits are the annual amount.



The deficit for the fiscal year that ended September 30 reached \$984 billion. While revenues were up \$133 billion over the previous year, or 4 percent, compared to fiscal year 2018, spending was up \$338 billion, or 7 percent, over the prior year. I can say that again. We overspent \$984 billion. Revenues were up \$133 billion, but spending was up \$338 billion. The Congressional Budget Office projects the budget deficit for the current fiscal year to top \$1 trillion. That is another trillion dollars added to our already high debt. That is overspending in spite of increased revenues.

We are long overdue for an honest conversation about the country's finances. I hope the Senate scorekeeping report can contribute in a small way to that conversation. I believe the more we allow the public to follow the dollars, the more pressure there will be on all of us to finally address our overspending problem. I truly hope all Members view this report and come to see it as a valuable tool for getting our books in order.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### APPROPRIATIONS

Mr. MCCONNELL. Mr. President, our Democratic colleagues insist that despite their political differences with President Trump, they are still prepared to tackle important legislation and do our work for the American people.

Well, next week they will have an opportunity to prove it. Congress has fallen badly behind schedule on appropriations. It has been a month since my Democratic colleagues filibustered government funding on the floor, blocking defense funding and a pay raise for our servicemembers. We need to get moving. The country is watching. It is time to make progress.

So in just a moment, I will file cloture on motions to proceed to two government funding bills, setting up votes for next week.

In order to meet Democrats halfway, the first House shell we will vote on will be a package of domestic funding bills. If we can get bipartisan support to take up that domestic funding bill, we will stay on it until we complete it. I hope Chairman SHELBY and Senator LEAHY can work together to craft a bipartisan substitute amendment.

Afterward, we will turn to a second package, including the defense funding that our Armed Forces and commanders need, especially in this dangerous time and considering current events, plus resources for other priorities such as the opioid epidemic. So we will be voting next week, and I urge all of our colleagues to move in that direction. Let's make good on all the talk about bipartisanship and finally make progress toward funding the government.

#### EXECUTIVE SESSION

##### PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF THE REPUBLIC OF NORTH MACEDONIA

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 5, Treaty Doc. No. 116-1.

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

The PRESIDING OFFICER. The treaty will be stated.

The senior assistant legislative clerk read as follows:

Treaty document No. 116-1, Protocol to the North Atlantic Treaty of 1949 on the Accession of the Republic of North Macedonia.

#### AMENDMENT NO. 946

Mr. MCCONNELL. I have an amendment at the desk and ask the clerk to report.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 946 to Treaty Doc. No. 116-1.

The amendment (No. 946) is as follows:

At the end add the following.  
"This Treaty shall be effective 1 day after the date of ratification."

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays have been ordered.

#### AMENDMENT NO. 947 TO AMENDMENT NO. 946

Mr. MCCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 947 to amendment No. 946.

The amendment (No. 947) is as follows:

Strike "1 day" and insert "2 days"

#### CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on treaties Calendar No. 5, Treaty Document No. 116-1, Protocol to the North Atlantic Treaty of 1949 on the Accession of the Republic of North Macedonia.

Mitch McConnell, David Perdue, John Cornyn, John Thune, John Hoeven,

John Boozman, Thom Tillis, Steve Daines, Roger F. Wicker, Pat Roberts, John Barrasso, Richard Burr, Shelley Moore Capito, Roy Blunt, Mike Rounds, Mike Crapo, James E. Risch.

#### LEGISLATIVE SESSION

Mr. MCCONNELL. I move to proceed to legislative session.

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

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 441.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Andrew P. Bremberg, of Virginia, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador.

#### CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Andrew P. Bremberg, of Virginia, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador.

Mitch McConnell, Rick Scott, Roger F. Wicker, Tim Scott, John Hoeven, Deb Fischer, Thom Tillis, Cindy Hyde-Smith, Steve Daines, James M. Inhofe, Lindsey Graham, John Boozman, Mike Crapo, James E. Risch, Richard Burr, Shelley Moore Capito, Jerry Moran.

#### LEGISLATIVE SESSION

Mr. MCCONNELL. I move to proceed to legislative session.

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

##### MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF COMMERCE AND JUSTICE, SCIENCE, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 141, H.R. 3055.