

same side when it comes to support for the men and women who keep us safe and for our vulnerable international partners who look to us for leadership.

HEALTHCARE

Mr. MCCONNELL. Madam President, on another matter, this week, we will vote on another effort by our Democratic colleagues to undo successful Trump administration policy. In recent days, our colleagues across the aisle have forced two failed votes on similar resolutions. One would have cut taxes for the wealthiest residents in blue States at the expense of working families everywhere else. The other would have resurrected an Obama-era proposal to bury American energy under redtape.

Both of those efforts failed, but our Democratic colleagues are back at it—back at it—with another bad policy. This time, they would like to reverse Trump administration guidance that has reduced healthcare premiums for American families and reaffirmed protections for those with preexisting conditions.

Section 1332 of ObamaCare gives States the opportunity to escape some of that law's worst burdens. States have the opportunity to apply for waivers that allow for more types of health insurance plans and more options for consumers.

More than a dozen States have already had these waivers approved, not just red States. Democratic Governors in places like Colorado, Delaware, and Rhode Island have applied for and received these waivers. Where Governors of both parties are embracing this opportunity, good things are happening. According to one analysis, in the seven States where new waivers were implemented during the Trump administration, it seems that premiums declined—declined—by 7.5 percent.

The Trump administration guidance continues this success and gives States even more of what they asked for—even more flexibility to escape ObamaCare's burdens and more choices for consumers and lower premiums. But, apparently, our Democratic colleagues are not terribly fond of letting States shake off the unhelpful strictures of ObamaCare. Perhaps, it makes their signature law look bad that Governors of both parties are so eager to escape it.

That can't be their public argument. In their effort to reduce this flexibility, some Democrats are rehashing tired, old claims about a conspiracy to hurt Americans with preexisting conditions. Republicans have been clear, and we have been consistent. We support protections for Americans with preexisting conditions.

The CMS Administrator, Seema Verma, has specifically stated that “a section 1332 waiver cannot undermine coverage for people with pre-existing conditions.” That is the head of CMS.

In fact, it is this Trump administration's policy that will help American

families, including those with pre-existing conditions, by helping to bring down the soaring premiums and restore the dwindling options that ObamaCare's failures have brought about.

I urge the Senate to reject this misguided resolution. We don't need healthcare policy from the supporters of “Medicare for None,” Democrats' grand scheme to take away the health insurance plans of 180 million Americans and replace it with a one-size-fits-all government plan. Americans deserve more say, not less.

HEMP

Mr. MCCONNELL. Madam President, on one final matter, when I joined President Trump last year as he signed the farm bill, we marked a new chapter for an historic American crop. In a victory for growers, processors, and manufacturers across the country, especially in my home State of Kentucky, my initiative for full hemp legalization became law.

This morning, the U.S. Department of Agriculture plans to take the important next step. Secretary Perdue will release a new USDA regulation to implement my initiative and move hemp closer to being treated just like every other commodity. This new policy will help farmers around the country continue pioneering this crop into the 21st century.

I am proud to say that Kentucky is prepared to take the lead. For generations, our growers and producers have made the Bluegrass State an agricultural powerhouse, well-positioned at the forefront of hemp's resurgence. Following the downturn in tobacco, it was my tobacco buyout legislation that helped farmers transition toward new opportunities, and a growing number are looking to this past crop—one grown by Washington, Jefferson, and Henry Clay—as they plan for the future.

As the buyout payments came to an end, I secured the creation of hemp pilot programs in the 2014 farm bill, empowering farmers and researchers to begin a multiyear experiment with hemp's capabilities.

Thanks to leaders like Agriculture Commissioner Ryan Quarles and his predecessor, now-Congressman JAMES COMER, Kentucky was leading the charge. The results were clear. The pilot program was working. So we knew the 2018 farm bill had to take the next step.

I am grateful to Agriculture Committee Chairman PAT ROBERTS, who included my hemp initiative in the bill that is now law. I would also like to thank the many Members on both sides of the aisle, including Senator RON WYDEN, who have helped in this effort as well.

My hemp provisions in the farm bill directed USDA to craft a new regulatory framework so hemp could be cultivated nationwide, with each State

given the opportunity to develop its own plan for hemp oversight.

I am grateful that Secretary Perdue accepted my invitation for a Kentucky hemp tour so he could see our progress up close and learn from Kentucky hemp farmers and regulators as USDA developed its policies.

This year alone, hemp is growing on more than 26,000 acres in Kentucky, across 101 of our 120 counties. It supports hundreds of jobs and tens of millions in sales.

I impressed upon USDA the need to finalize this new framework before the 2020 growing season. I would like to thank Secretary Perdue and the USDA for fulfilling this commitment with the announcement we are expecting later this morning. I look forward to reviewing USDA's guidelines and hearing from hemp stakeholders around Kentucky.

Our work to support the future of hemp is hardly over. There are ongoing conversations with the FDA on CBD products and ongoing work to help growers and retailers to access credit and financial products. There will inevitably be ups and downs as this new industry develops, but today's announcement is another crucial step. It is a privilege for me to stand with Kentucky farmers every step of the way. Together, we will continue charting hemp's course well into the future.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

COMMERCE, JUSTICE, SCIENCE, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, INTERIOR, ENVIRONMENT, MILITARY CONSTRUCTION, VETERANS AFFAIRS, TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2020

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3055, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3055) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

Pending:

Shelby amendment No. 948, in the nature of a substitute.

McConnell (for Shelby) amendment No. 950, to make a technical correction.

The PRESIDING OFFICER. The Senator from Illinois.

VENEZUELA

Mr. DURBIN. Madam President, I want to comment on an incident that occurred late last week on the floor of the Senate regarding temporary protected status, known as TPS, for people from the country of Venezuela.

TPS can be provided by the President to nationals of a country when that country is experiencing violence or a catastrophe that makes returning to the country unsafe. This is a protection offered by America under many different administrations to help those who might be in the United States when a calamity occurs in their home countries. It has often been granted for countries suffering outbreaks of war or natural disaster, which leads me to the issue of Venezuela.

Currently, the United States is working with regional partners to foster an end to a disastrous dictatorial regime still claiming power in Venezuela.

I was there last year, and I saw what was heartbreaking, considering that this was once a proud Latin American democracy.

People are literally starving in Venezuela. They faint in the workplace from lack of nutrition. Hospitals don't have electric power or the most basic medicines. I visited a children's hospital in Caracas, and they told me they didn't have any antibiotics or the basic cancer drugs necessary for the children who came to their hospital.

Millions are fleeing Venezuela as refugees into neighboring countries. There is brutal political repression. Opposing the dictator, Maduro, is a virtual guarantee of house arrest or worse. Staggering government corruption and a systematic dismantling of that country's democracy are taking place on a regular basis and resulted in election results which were incredible and not believed by anyone in the region when they were announced a few months back.

I have been supportive of this administration's efforts to work with other nations to support the interim Presidency of Juan Guaido and provide assistance to millions of fleeing Venezuelans.

While I fear this issue has escaped President Trump's attention, one simple step he can take is to grant temporary protected status to Venezuelans currently in the United States. Some are here as students and others are here on work visas, but they are on temporary status. What I am asking the President to do is to give them temporary protected status so they will not have to return to Venezuela while the danger still lurks.

Despite repeated requests by myself and many of my colleagues on both sides of the aisle, President Trump has repeatedly refused. He goes to audiences in Florida and talks about confronting the Venezuelan dictatorship, then he turns around and refuses to give protection to the Venezuelans in the United States who need this protection.

Ironically, while the President's Department of State has issued travel warnings advising Americans not to visit Venezuela because of the danger, this President still will not protect Venezuelans within the United States who are afraid to return.

I have met many such Venezuelans in my home State of Illinois, and I can tell you they are desperately worried about returning to the chaos, violence, and hopelessness of the current Venezuela.

Since the White House refuses to act, the House of Representatives passed a bipartisan bill granting temporary protected status to Venezuelans this last July by a 272-to-158 margin. Senator BOB MENENDEZ of New Jersey, MARCO RUBIO of Florida, and I have introduced a similar Senate bill, but the majority leader, Senator McCONNELL, refuses to bring up any bill that might not meet the approval of President Donald Trump, even a bill offered by leaders in his own political party.

Senator MENENDEZ and I have tried to call up the House bill for passage only to face objection repeatedly from Senate Republicans.

Last week, to deflect blame from President Trump and the Senate Republicans who object to our bill, the junior Senator from Florida came to the floor with his own approach. He blocked the bipartisan House Venezuela TPS bill from passing and offered a dubious amendment, undermining TPS for others as the price for helping the Venezuelans. In other words, he said: Well, perhaps we can help Venezuelans as long as it is at the expense of others who are in similar status from other countries.

His proposal would in fact significantly weaken the entire temporary protected status. For example, his proposal would require congressional approval of any extension of TPS beyond the original period, and it would limit such extension to an arbitrary 18-month period.

Ultimately, the proposal from the junior Senator from Florida is using the plight of Venezuelans to basically gut the existing Temporary Protected Status Program.

We have seen folks on the other side of the aisle resort to this when it came to DACA—Republicans in the Senate trying to use a vulnerable population, such as the young people who were raised in the United States and want a chance to work their way to citizenship, as bargaining chips for an anti-immigrant agenda. Once again, these Members are simply refusing to stand up to the President when he fails on these issues.

The solution, indeed, is simple. This administration should grant temporary protected status on its own to the Venezuelans, but it refuses. Senate Republicans could pass the bipartisan House bill to grant Venezuelans temporary protected status, but the Senate Republicans refuse.

Let everyone be clear where the real failure to help Venezuelans actually rests.

ORDER OF BUSINESS

Madam President, at the request of the Republicans on the Senate side, later today, I will be making a unanimous consent request relative to the healthcare issue, which was raised by Senator McCONNELL earlier. I am told they are not quite ready this morning, so I am going to defer that offer until later in the day when they will be ready, and we can have a colloquy on the floor of the U.S. Senate.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

APPROPRIATIONS

Mr. SCHUMER. Madam President, even as the Senate works through a grouping of appropriations bills on the floor this week, the Republican leader has been falsely accusing Democrats of delaying the overall process. He just seems to be in a box and pulls things out of thin air.

The crux of the issue, as everybody knows, is that the Republican leadership in the Senate and on the Appropriations Committee has refused to sit down and negotiate with Democrats on bipartisan allocations to the various agencies. This has always been how we have done the appropriations bill when we have succeeded—Democrats and Republicans sitting down together and negotiating the 302(a)s and (b)s, but, here, the Republicans, without consultation of the Democrats, just unilaterally proposed taking over \$12 billion from critical health programs and military families to pay for the President's border wall—a wall President Trump promised Mexico would pay for.

Democrats, of course, are not going to proceed to a defense bill that steals from our troops to pay for a border wall the American people don't want and aren't supposed to pay for, but in this Republican hall of mirrors, that means Democrats are "delaying a pay raise for our troops," as the leader charged yesterday, even though that is not true, and I believe he knows very well that the pay raise is strongly bipartisan.

The truth is simple. As the leader knows, the annual pay raise will go into effect regardless of whether we pass Defense appropriations or the NDAA.

In fact, the Department of Defense just confirmed to the Senate Democratic appropriators yesterday that the pay raise for our troops will take effect on January 1, without requiring any further legislation. The troops and their families will see a 3.1-percent pay raise in January. I know the President ties the majority leader in a box, in a knot, and he sort of flails around and doesn't know how to get out of it because he is afraid to tell President Trump what he is doing will not pass, but instead he blames Democrats—that

seems to be his wont these days—but it is just totally false. It is not according to just me but according to the Department of Defense.

He even went a step further. In the Republican hall of mirrors, Democrats might even be “delaying military assistance for Ukraine.” Can you believe the majority leader would say something like this? The comments are laughable. It was the Trump administration that delayed hundreds of millions of dollars’ worth of already appropriated, urgently needed military assistance to Ukraine earlier this year—a fact now being investigated by the House impeachment inquiry.

The fact is, the only purported delay in the appropriations process is Republicans insisting on taking money from our military to spend on a border wall—something Democrats will not countenance. That is it.

If the Republican appropriators dropped that request and sat down with Democrats, the negotiated bipartisan way forward—which is the only way appropriations can proceed—I am sure we could line up the rest of the bills for the year. So let’s cut the nonsense.

Leader MCCONNELL, have the honor and decency and courage to tell President Trump that he is going to bolix up the whole process again, just as he did the last time. We can roll up our sleeves and get to work if he would do just that.

We are already working on the non-controversial bills, and we could do it for the rest, if and when our Republican friends decide to meet us halfway.

HEALTHCARE

Mr. President, tomorrow, Senate Democrats will use a provision of the Congressional Review Act to force a vote on one of the most crucial policy questions we have faced all session—the future of healthcare protections for Americans with preexisting conditions. The Trump administration has tried several different ways to undermine these protections and sabotage our healthcare system.

One of the most damaging efforts is this rule that gives the States the green light to use taxpayer dollars to push junk health insurance plans. These plans are hardly worth the paper they are printed on. Many don’t cover maternity care, prescription drugs, mental health, or preventive services. Many could offer insurance companies a way around the requirement to pay for your treatment if you develop a preexisting condition.

Just imagine signing up for one of these plans and then you discover that your child’s heart condition or cancer or lifesaving prescriptions drugs were not covered when you need it most? That shouldn’t be allowed to happen. Republicans and this administration are trying to allow it to happen.

As you can imagine, many insurance companies love the idea. Data from the National Association of Insurance Commissioners shows that the top three companies that issue these junk

plans spend barely 40 percent of premiums on healthcare—just 40 percent. Just think about that. Republicans want to use taxpayer dollars to fund these junk plans. Is that money going toward paying for people’s healthcare? No. It is going to pad insurance company profits.

Tomorrow, the Senate will face a simple choice on whether or not to defend protections for Americans with preexisting conditions. My Republican friends can either stand with the Trump administration and use taxpayer dollars to pad profits for insurance companies or stand up for American families who struggle to afford healthcare.

CLIMATE CHANGE

Mr. President, finally, on climate, last week, I announced a bold new plan to rapidly phase out gas-powered vehicles for clean vehicles. We need a plan of this scale and ambition to reduce one of the largest drivers of carbon emissions—transportation—while at the same time creating tens of thousands of new jobs and reinvigorating American auto manufacturing.

Predictably, the deep-pocketed special interests in Big Oil and Gas are already lining up to oppose this plan. Over the years, Big Oil and Gas have spent millions of dollars in lobbying to kill climate-friendly legislation and protect their bottom lines. A headline ran yesterday announcing: “Big Oil gears up to fight Schumer electric vehicle plan.”

Well, I have three words for Big Oil: Bring it on. Bring it on, because this fight is too important. Climate change is happening right now, and it is resulting in more severe weather, sea-level rise, and drastic changes to our agriculture.

As we speak, California is suffering from some of the worst wildfires it has ever seen. Scientists tell us that if we do not take drastic action to alter our current path, we will not be able to avoid the most damaging consequences of climate change.

Bring it on, because this plan is supported not only by the environmental community and climate action groups but by labor unions like the UAW, the IBEW, the AFL-CIO, and by large automakers like Ford and GM. They all know that the future is moving toward clean cars, and we ought to get there before China and create tens of thousands of new good-paying jobs right here in the United States.

Bring it on. If the special interests of Big Oil and Gas want to oppose thousands of good-paying jobs for American workers, if they want to oppose America’s leading the world in the industries of the future, if they want to oppose protecting our planet for our children and grandchildren, then, they are on the wrong side of history, and we will fight them every single step of the way.

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.

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

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

H.R. 3055

Ms. COLLINS. Madam President, I am delighted that the Senate is taking up four very important appropriations bills, one of them I discussed at length last week; that is, the Transportation-HUD appropriations bill, which I authored along with my ranking member, Senator JACK REED of Rhode Island. In forging that bill, we gathered information from 75 of our fellow Senators, who had 950 requests. We went through each of the requests very carefully, and we have built a bill that is truly bipartisan, that reflects the priorities of this body, and that I trust will be approved as part of this package later this week.

I also want to take the opportunity today, as I am managing the four bills in the unavoidable absence of the full committee chairman, Senator SHELBY, to talk about some of the other appropriations bills that have been brought before us.

As the Presiding Officer is well aware, the Appropriations Committee is a committee that makes a real effort to work together to put aside petty partisanship and, instead, listen to one another and work for the common good. We make an extraordinary effort to find common ground. How I wish that could be done throughout Washington today. But the Appropriations Committee remains a bastion of common sense, of collegiality, and of working together to seek common ground. That is why we have had such success in reporting so many of the appropriations bills, and I am very proud that the T-HUD bill, as we call the transportation and housing bill, was one of those that was reported unanimously by a vote of 31 to 0.

For the next few moments, I would like to talk about another bill that had unanimous support on the committee, and that is the CJS appropriations bill—Commerce, Justice, and Science.

Let me begin by acknowledging the hard work of the chairman, Senator MORAN, and the ranking member, Senator SHAHEEN, for their work in balancing the many priorities that are included in this bill. Once again, we saw the chairman and the ranking member working together as a team in a bipartisan—indeed, a nonpartisan—way in order to find common ground.

I would like to comment on a few of the provisions of the bill that I think are particularly important. First, I am encouraged that the bill continues to provide strong support for the National Sea Grant College Program, despite the administration’s desire to eliminate this program. The committee actually provided an increase of \$7 million over last year’s funding level. The University of Maine Sea Grant Program is a

national leader in ocean research and, as you know, is very important to the Presiding Officer from Florida as well.

(Mr. SCOTT of Florida assumed the Chair.)

Within the sea grant program, there is \$2 million for critical lobster research, building on the \$2 million that was included last year. The sea grant program recently announced seven research awards supported by this funding, four of which were awarded to Maine entities in recognition of their extraordinary expertise and research. These investments will help us to better understand how the lobster stock is reacting to changing environmental conditions and ensure that this iconic industry—indeed, one of the very symbols of the State of Maine—continues to thrive.

The problem is that we are seeing increasing warming of the Gulf of Maine. In fact, it is warming the second fastest of any body of water in the world. That has brought new kinds of sea life; for example, there is an invasive green crab that has never existed in Maine waters. So we are watching the impact very carefully, particularly on our lobster.

I am also glad that the bill prioritizes the development of technologies to better track the right whale population. The number of right whales is problematic. While it is not as low as it was a few years ago, it is still troublesome that the population continues to be under stress.

NOAA Fisheries has targeted the Maine lobster industry with potentially very onerous right whale regulations, despite the government's inability to adequately monitor the movement of these right whales.

We must better understand where the right whales are and where they are not. This, too, is important in terms of our warming waters. The major food supply for the right whales has moved to the north toward Canada, and that is why the entanglements we have seen—which we all deplore—have involved Canadian gear. I think that is very important to recognize.

There have also been some Canadian ship strikes. Our lobster men and women have been such careful stewards of the resource, and that has been true for generations. Lobstering is often a family business, passed on from generation to generation. The lobster men and women of Maine care deeply about our lobster stocks and about ensuring that lobsters are there for generations to come. They have been extraordinary conservationists. They invented the V-notching of lobsters, the sizing to make sure that lobsters that are big and breeders are tossed overboard or those that are too small are returned to the water. Unfortunately, our Canadian counterparts often do not follow those same cooperative conservation measures, and there is an area off the coast of Maine that is known as the gray zone, where it is in dispute whose waters—whether it is the United States or Canada's—the gray zone is.

We will find American and Canadian lobstermen, both in that area or close by, with our lobster men and women following strict conservation methods, such as throwing back the lobsters that are too small or the big breeder lobsters, only to see their Canadian counterparts keep those lobsters and, in some cases, they are undoubtedly the very lobsters that have been thrown back into the sea by our lobster men and women. So those conflicting conservation measures between American and Canadian fisheries have caused Mainers to grow increasingly concerned that their Canadian counterparts are threatening the sustainability of critical fishing stocks, as well as that fragile right whale population.

The bill that has been reported by the Appropriations Committee encourages NOAA to work cooperatively with State, national, and Canadian fishery officials on these important issues.

I also want to express my thanks to the subcommittee for rejecting the President's proposed elimination of the Economic Development Administration, known as the EDA, and instead providing a reasonable increase. The investments made through the EDA provide vital financial support for rural Mainers to boost economic growth and create more jobs. It has been an essential partner with States, with local governments, and with the private sector in boosting areas of Maine's economy.

The bill also focuses attention on an issue that I know the Presiding Officer is very aware of because of his membership on the Aging Committee, which I am privileged to chair, and that is the serious problem of financial fraud directed at our seniors. The GAO, a few years ago, estimated that our seniors lose nearly \$3 billion a year to financial fraud. I think that is just the tip of the iceberg because many seniors are too embarrassed to report the fraud they have suffered. It is important. It is vital that the Justice Department continue to fight financial fraud.

I am delighted that the former Attorney General, Jeff Sessions, implemented my recommendation that every U.S. attorney's office should have designated a financial fraud attorney who can bring cases and help to protect our seniors. We need to aggressively prosecute illegal robocallers and increase efforts to collect unpaid fines and penalties imposed on them by Federal agencies. It is only our national efforts that can go after a call center that is located in India, for example, as some of them have been. While to the Justice Department, the individual amounts may seem small, they are devastating to a senior who has worked hard to save money for their retirement years. In addition, when you aggregate all those losses, they result in literally billions of dollars.

The bill also provides increased investments to law enforcement at all levels—partnerships that are especially

critical to preventing the heroin and opioid epidemic that plagues my State of Maine and many others. Naming just a few, the Comprehensive Opioid Abuse Program and the Drug and Veterans Treatment Courts are essential to the multifaceted approach it will take to stem this epidemic.

I appreciate that the subcommittee has once again rejected cuts to the COPS Anti-Heroin Task Force, a program that has helped Maine's Drug Enforcement Agency target illegal opioid sales.

I want to finally highlight the increased funding for the Byrne-JAG and COPS hiring programs, and for the Regional Information Sharing Systems known as RISS. Many of Maine sheriffs have come and talked to me about the importance of the RISS Program. It supports a cooperative effort of information sharing to fight crimes at all levels and has been particularly useful to Maine's rural counties. There are also important investments supporting the FIRST STEP Act, which we passed late last year. It will help implement the goals of the new law, particularly with respect to rehabilitative programs at the Bureau of Prisons. We need to make sure those who are being released from our jails and prisons have the skills and tools they need to pursue a lawful life and not resort to their previous habits that landed them in jail. That is why the educational and job training programs we have in Maine and elsewhere are so important and will be expanded by this bill.

Those are just a few of the terrific provisions that are in the CJS appropriations bill. Again, I commend the chairman, the ranking member, and the entire Appropriations Committee for their hard work.

The PRESIDING OFFICER. I recognize the majority whip.

REMEMBERING KAY HAGAN

Mr. THUNE. Mr. President, before I begin, I want to say I was sad to hear of the death of former Senator Kay Hagan yesterday. Kay represented the State of North Carolina in the Senate.

She was a very dedicated public servant. I think she was someone whom all of us who were here at the time enjoyed working with and always was a very bright presence. As I said, she was tremendously dedicated to the people she represented and the issues she cared so deeply about. Our thoughts and prayers are with her and her family today. I ask all Members to continue to lift her family up.

H.R. 3055

Mr. President, I also congratulate the Senator from Maine on the work she is doing on the appropriations process as it is moving forward. She chairs a very important subcommittee on the Appropriations Committee and also is involved in so many other issues.

One thing she was speaking about that I certainly wanted to mention was the work she does to protect seniors across this country. It is a very vulnerable population—vulnerable to the

fraud attempts made by bad actors out there. She mentioned robocalls. She has been a leader on the legislation to try and ban the types of robocalls that prey on our senior citizens and lead to all that fraud that happens—the billions of dollars she referenced every single year. It is important because there are so many perpetrators of schemes out there that are designed to prey on and take advantage of those populations in our country, particularly our elderly who are susceptible to that. I thank her for her leadership on that, as well as many other issues that are involved in the appropriations bill she mentioned earlier.

HEALTH INSURANCE PLANS

Mr. President, later this week, we are going to vote on a Democratic resolution to repeal guidance the President issued to give States more flexibility to design insurance plans that meet the needs of their residents. Democrats have tried to portray this resolution as a move to protect people with preexisting conditions. That is just a smokescreen. Democrats know very well that Republicans are committed to protecting those with preexisting conditions.

In reality, this is just another political messaging bill. It is also another attempt by Democrats to maximize Washington control of American's healthcare. In keeping with their push toward socialism, Democrats want to make very sure the States don't have the chance to escape from any of ObamaCare's bureaucracy.

Let me back up a minute and talk about the waiver and guidance from the President the Democrats are attacking. Section 1332 of the Affordable Care Act—the law the Democrats enacted on a completely partisan basis—allows States to apply for waivers from certain ObamaCare requirements. The requirements that can and cannot be waived are the same today as they were the day ObamaCare passed. Let me repeat that. The ObamaCare requirements that can or cannot be waived are the same today as they were the day ObamaCare passed.

The 2018 guidance from the White House did not change anything about what requirements can and cannot be waived under section 1332. Let me be very clear, 1332 waivers do not allow States to waive ObamaCare's preexisting condition protections; they do not allow health plans to utilize preexisting condition coverage exclusions; they do not allow health plans to refuse coverage for people with preexisting conditions; and they do not allow plans to charge individuals more based on a preexisting health condition.

So what do 1332 waivers do? The waivers give States the opportunity to take action to stabilize insurance markets and try out new ways of providing coverage to individuals who might not otherwise be able to afford insurance. My colleagues across the aisle would have the American public believe these

waivers will “allow States to greenlight substandard, junk insurance plans.” Well, let me remind my colleagues that these plans that they deride as “junk plans” are the very same short-term, limited-duration plans that were permitted in 7 out of the 8 years of the Obama administration.

Another refrain that we will hear from my Democratic colleagues is that the administration's guidance will permit States to waive certain health benefits, or what we call EHBs. I remind them that the Affordable Care Act itself permits the waiving of EHBs by States. The Trump administration guidance does not change this. Again, while the Democrats would have people believe the Republicans are destroying essential health benefits, States can already choose to waive them but, to date, have not.

Most of the States that have applied for waivers have wanted to use them for reinsurance programs in order to drive down premiums. Again, waivers give States some relief from ObamaCare's one-size-fits-all requirements, which allows them to try out new ways to drive down prices and help individuals afford care. It is about choice. It is about empowering Americans to decide what type of coverage meets their needs.

We might not be having this conversation today if ObamaCare had lived up to the rosy promises that were made when it was passed. Yet I don't have to tell anyone that it didn't come anywhere close to living up to those promises. ObamaCare was supposed to give Americans without health insurance access to affordable care while it preserved the health insurance of the millions of Americans who were satisfied with the plans they already had. As everyone knows, what actually happened was quite different.

Millions of Americans lost their plans. Health insurance premiums went up, not down. Also, premiums and out-of-pocket costs on the exchanges were unaffordable for many people from the very first day. The average monthly premium for a family plan on the exchanges has increased by \$742 over the past 4 years. That is close to the average mortgage payment in my home State of South Dakota. So it is not surprising that States would be looking for ways to help families afford care through these 1332 waivers.

Waivers are, in fact, helping to lower premiums. Seven States that received waivers saw the average premiums for a benchmark silver plan drop by 7½ percent from 2018 to 2019. States are using these 1332 waivers to make healthcare more affordable and ObamaCare premiums less burdensome. They are not using the waivers to do anything to undermine protections for people with preexisting conditions, which is something, as I said earlier, they cannot legally do anyway.

It is worth noting that more than one State with a Democratic Governor—not a Republican Governor but a

Democratic Governor—has applied for a 1332 waiver this year. So are Democratic Senators here suggesting that these Governors want to undermine the protections for people with preexisting conditions? I don't think so.

Numerous Americans are struggling to afford their ObamaCare premiums, and many others have been priced out of the ObamaCare market altogether. It only makes sense to give States as much flexibility as possible to address ObamaCare's problems and expand insurance access for their residents. Yet the Democrats are so set on maximizing Washington's control of American's healthcare that they are determined to oppose any ObamaCare flexibility even if that flexibility results in there being lower premiums for the American people.

Today's resolution is just another example of the Democrats' prioritizing their political ideology over the welfare of the American people, and I hope it will be defeated.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

MR. PORTMAN. Mr. President, I appreciate my colleague from South Dakota's talking about this issue before us this week, which is these 1332 waivers, and he is absolutely right. Millions of Americans are getting less expensive healthcare. Isn't that the whole idea here, that healthcare needs to be affordable and that we need to have good, quality healthcare?

There is nothing in these waivers—by the way, many of which are going to States that have Democratic Governors—that prohibits people from getting coverage for preexisting conditions. In fact, that is the law of the land, so that these 1332 waivers cannot take away people's rights to healthcare should they have preexisting conditions.

I think this is the sort of thing we ought to be supporting in this Chamber, there being more affordable healthcare and healthcare for people who otherwise couldn't afford it.

APPROPRIATIONS

MR. PRESIDENT, my colleague from Maine, Senator COLLINS, is on the floor. We discussed earlier that we are actually legislating today. I think that it is great because we are passing spending bills. The Senate will pass four different spending bills, and she will manage all four of them. These are bipartisan bills that will end up getting passed here in this Chamber this week that will then go over to the House where they will be confereed with the five bills they have passed. The bills aren't that far apart in terms of the total amount of money each bill has in the so-called 302(b) category, but there are some differences. We will work those out, and we will, hopefully, get those to the President for his signature. That is how this place should operate.

H.R. 3055

Mr. President, Senator COLLINS' bill is the transportation bill. This one is

particularly important to my State of Ohio and to other States around the country that are desperate for some more funding for infrastructure.

Specifically, in her transportation bill, she deals with these bridges that need to be replaced that are obsolete, and many are dangerous. We have one in Ohio, called the Brent Spence Bridge, which is not only obsolete but has no shoulder anymore because it keeps having to be widened to accommodate the traffic. So it makes it very dangerous. We have been trying for years to get the funding for that. This bill has some funding that will help with regard to these kinds of bridges that have heavy traffic but are unsafe.

This is what we ought to be doing around here. Let's get this done. It is infrastructure. It is something we should be able to agree on as Republicans and Democrats because it is good for the people we represent. So I thank the Senator from Maine for her work on that.

WORKFORCE DEVELOPMENT

Mr. President, I am here to talk about the historic workforce needs we have in this country and, if we do the right things to respond to it, the historic opportunity we have to bring people out of the shadows and into work by providing them with the skills they need to be able to access the jobs that are out there.

Pro-growth Federal policies, including the tax reform we passed here, the tax cuts, the regulatory relief, and some of the things we have done with regard to opening up more energy resources, are helping to boost job creation, increase wages, and grow our economy. As an example, the most recent data from the Commerce Department shows that the economy grew by a healthy 2.6 percent in the first half of this year and that official unemployment is now down to 3.5 percent. That is the lowest it has been in 50 years. So the economy is moving.

To me, what is most exciting is that we are seeing solid wage growth for the first time in years. In just over the past couple of years, nonsupervisory employees, including blue-collar workers, have seen about a 6-percent increase in their wages. That is about \$1.30 per hour. Think about that. After a decade—really, a decade and a half—in my home State of flat wages, which are wages that haven't kept up with inflation, we now see real wage growth. Now, over 2 years, 6 percent at \$1.30 an hour means something to the people I represent, but it will also be compounded year after year if we continue this.

This is all great news for the people I represent. They have been frustrated. They work hard, play by the rules, do the right thing, and then they can't get ahead. Now they are starting to get ahead, and that is good. I hear from small business owners in Ohio who have been able to do a lot with the tax cuts and tax reform by creating new jobs and making new investments. Ev-

eryone has. I have literally met with dozens of small businesses around our State and have had roundtable discussions.

I have asked them specifically: What happened with regard to the tax relief? Where is it going? It is going toward better equipment and better technology. Therefore, there is better productivity from workers. It is going to higher wages, and it is going to better benefits for workers.

For the past 18 months, we have seen more job openings in America than there have been people who have been looking for work. Think about that. Consistently, every month for the past 18 months, we have had more job openings out there than there have been people who have been looking for work. At no time in this century has that happened. This is precedent-setting, and it is a good thing. It is all good news, but it is not the whole story.

Part of the story is that we are still seeing a lot of individuals who are missing the benefits of this economic expansion. Why? In part, they don't have the skills that are needed to take advantage of this economic growth. You have more jobs out there than you have people who are looking. Yet you have this skills gap that keeps us from being able to have the right people in the right place for the right jobs.

I hear from a lot of employers who say they cannot continue to grow if they cannot find these workers. Some companies even say they are going to have to leave Ohio or leave the United States if they don't have the workforces because a workforce, like other inputs, is very important to our having a competitive economy. So we have to solve this problem.

In Ohio and elsewhere, there are now thousands of job openings for positions for welders and machinists in factories, for medical technicians in hospitals, and for computer programmers and coders in almost every sector of our economy. This morning, if you go to ohiomeansjobs.com, you will see some of these jobs advertised. There are about 150,000 jobs out there. These jobs that you will see are what economists call middle-skills jobs. They don't require one to have a college degree, but they do require one to have some training and expertise after high school.

What we have to do is to close that skills gap by providing more of this training and education for these workers. The supply of skilled workers in this category—students who pursue post-high school certificates—falls way short of the demand that is out there, and it is holding back our economy from fulfilling its potential.

In the most recent skills gap study from 2018, Deloitte and the Manufacturing Institute highlighted this widening problem. As of August, there were roughly 484,000 unfilled manufacturing jobs across America. Yet the study found that the skills gap may leave an estimated 2.4 million manufacturing jobs unfilled between 2018 and

10 years from now, 2028, with there being a potential negative impact of \$2.5 trillion.

So the skills gap is already there, but, unfortunately, it is widening. If we don't do something about it, we are going to have a lot more unfilled manufacturing jobs—good jobs with good pay.

The best known early training for these kinds of jobs is called career and technical education, or CTE. Some of you might remember it as being called vocational education. I will say that today's vocational education is not yesterday's. It is high technology. It is great equipment. It is providing the level of skills that young people actually need to understand what is out there in the real world and to get a job. This is a very important part of what we are doing as a country, and I see it all over Ohio.

Recently, I toured the Vantage Career Center in Van Wert, OH, where juniors and seniors in high school from more than a dozen school districts study things like carpentry, like automotive technology, like welding, like criminal justice.

A few weeks ago, I was able to speak to over 1,000 impressive CTE students here in Washington, DC, who were advocating for their program. In fact, they talked to a lot of the Representatives here in the Senate. The group is called SkillsUSA, and their rally every year is really inspiring.

These young people are eager to get this training. They want to get the training in order to get the jobs that are out there. We need to get more young people engaged in that, more parents signing off on that, and more high school counselors signing off on that.

I cofounded and cochair what is called the CTE Caucus here in the Congress. It is focused on holding up and lifting career and technical education. We have gone from two Senators to now 29 Senators in our CTE Caucus. Our goal is to increase the awareness of CTE programs generally and make sure people know this is a good education option for them, to get more students interested in career training, and to provide the resources and the opportunities to connect these young people with skilled jobs that offer good pay and benefits. We have passed some good legislation to do that.

Last year, the President signed into law my Educating Tomorrow's Workforce Act. That bill and the Perkins grants in the States that are currently providing \$1.3 billion in funding every year for ambitious, federally funded high schools help to encourage high quality. They make sure that the CTE programs are high-performing. Yet career and technical education goes well beyond these great high school programs.

Certificate-granting, workforce-training programs post-high school are another key way to close that skills

gap. In fact, it is probably the most important way because you can get an industry-recognized certificate that can lead directly to a job. Think of the many workforce training programs that are being offered at your local community college or at your local technical or trade school.

For these post-high school training opportunities, we have a problem, and we have a solution. The problem is that they are expensive, and a lot of young people can't afford them. The opportunity is to allow Pell grants to be used for these kinds of training programs. Currently, we use the Pell grants to help expand access to college-level education here in America. For low-income families, their kids can go to college on Pell grants. Unfortunately, they can't use the Pell grants to take this short-term, 15-week training program and see the light at the end of the tunnel in order to get the good-paying jobs at the end of it and have no debt.

The bipartisan JOBS Act, which I have cosponsored with Senator TIM KAINE, of Virginia, will allow us to do just that. It will allow us to do the same thing we do with college with these shorter term training programs that will give you a high-quality, industry-recognized credential. Under current law, low-income students are eligible for Federal Pell grants if they attend college for an associate's degree or a bachelor's degree but not if they choose to enroll in an accredited skills training program for under 15 weeks. In this economy and in this day and age, that doesn't make sense at all.

I am supportive of Pell grants for college. You should know that more than half the young people who take out Pell grants for college don't end up getting the college degrees or the certificates or anything that helps them to get those jobs. Whereas, in these short-term training programs, it is highly likely, based on the experience we have looked at, that they will get those certificates, and they will get those jobs.

The JOBS Act is needed right now to meet the needs out there. These kinds of workforce training programs provide students with the academic and technical skills, knowledge, and training necessary to succeed in their future careers. They encompass the kinds of high-quality, rigorous job training programs that are easily transferable to those jobs that are in demand right now, whether it is learning how to conduct HVAC installation, how to operate a factory machine—which includes, by the way, being able to program a computer that helps run that machine—or how to program computers generally, how to be a coder, how to ensure you have the skills to be in one of our great healthcare tech jobs that are open right now.

These programs teach students the practical, transferable skills that keep our economy moving. I hear about this every time I am home in Ohio. During the recent work period that just

wrapped up, I held two separate roundtables—one at Brainerd Industries in Dayton, OH, and one at Talon Products in Cleveland, OH—talking about this issue with business owners, with administrators from our community colleges, with students themselves, with workers who are on the job. Guess what. All of these groups agree that the JOBS Act is a great idea whose time has come. They all agree that the skills training programs create a path to good-paying jobs, and they want the help.

What is more, we know that a lot of business owners will help these employees, once they get that job, to be able to go back to school if they want to, maybe to get a 2-year or a 4-year degree, maybe even to get a master's degree, say, in engineering, to take their education to the next level.

The fact that you do a short-term training program to get a job doesn't mean you are not going to go back to college, and that might be appropriate, in some companies, for many individuals. In fact, a representative from Clark State Community College, Crystal Jones, who was in attendance in Dayton, OH, said that she specifically believes a lack of Pell grant assistance for young people looking to get training certificates is a significant barrier. She said it makes it more difficult in their efforts to ensure that employers get the skilled workers they need. She said the JOBS Act will help.

Crystal is right. The JOBS Act has been endorsed by the National Skills Coalition, the Association for Career and Technical Education, the Business Roundtable, and so many other groups. We are told that it is the No. 1 priority of the Association of Community College Trustees and of the American Association of Community Colleges.

A lot of us here in this Chamber support our community colleges. They do an awesome job. Well, this is their top priority, so we should listen to them.

I am also pleased that the JOBS Act was included in President Trump's fiscal year 2020 budget proposal. I thank the President for that, and I thank the administration for supporting it, as I thank so many other outside stakeholders who are promoting this idea. Let's allow Pell to be used for short-term training programs that we need.

The reason this JOBS Act has such strong support is that it is the best proposal out there right now to help fill this skills gap that we have. It will cover programs that, at a minimum, require 150 hours and 8 weeks to complete. Alternative proposals are out there, but they severely limit the programs by requiring many more hours—320 hours, as an example, in one program.

Our community colleges in Ohio tell me that none of their short-term training programs—none of them—would qualify for that number of hours—programs like welding, precision machining, CDL programs for truck drivers, electrical trades. They all need the JOBS Act, and they need it now.

As we work to reauthorize the Higher Education Act this year, passing the JOBS Act is the top priority for Senator KAINE and me. It is also supported by Chairman ALEXANDER and Ranking Member MURRAY of the Health, Education, Labor, and Pensions Committee, and we strongly appreciate their support.

I hope colleagues on both sides of the aisle will join us to get this legislation enacted. It just makes too much sense not to do it.

If we make career and technical education a priority and if we enact the JOBS Act, as I have discussed today, we are going to address the No. 1 issue we are now hearing from employers all around the country, and we are going to help so many thousands of Americans have a better opportunity going forward.

We are going to help our economy at a time when we need to have this workforce there in order to have the economy continue to grow.

There is momentum in Ohio today, with businesses expanding and seeking skilled workers, but the skills gap is an impediment. We need to seize this opportunity, keep our economy moving in the right direction, and help Ohioans develop the skills to grow in the career of their choice and to fulfill their potential in life.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 1044

Ms. SMITH. Mr. President, I thank my colleague from Ohio for raising these issues about the skills gap. This is something that is very important in Minnesota, as well, and I agree with him. I think this should be a place where we could find some bipartisan agreement. So I thank him for his words today.

Mr. President, today I rise to talk about another gap that I would like to ask my colleagues for help in filling.

For many Americans, the 35-day government shutdown during the last holiday season is a distant memory. The national parks have reopened with their usual programming; airports are running normally; and Federal employees are back on the job with the back-pay they had lost through no fault of their own because of the Federal Government shutdown.

But for one group of workers, things are not back to normal. These are the low-wage workers employed by Federal contractors serving in cafeterias, providing building security, and keeping Federal buildings clean. These Federal contractors work shoulder to shoulder with Federal employees, and though they are often invisible, they play a crucial role in keeping the Federal Government working for Americans.

Thousands—potentially hundreds of thousands—of these workers at Federal facilities all across the country were not allowed to work during the Federal Government shutdown. They went without paychecks during the height of

the holiday season. They skipped Christmas gifts. They missed tuition payments. And they even, in some cases, were unable to afford the insulin they need to stay alive if they live with diabetes.

Unlike Federal employees, these employees of Federal contractors didn't get backpay when the government reopened. They were ready and willing to work every single day of those 35 days of the shutdown, but they couldn't, through no fault of their own, and they paid the price. That is just not right.

Making ends meet in a low-wage job is hard enough, and making ends meet when you miss two paychecks—when those paychecks are taken away from you—is nearly impossible. Families who didn't get the income they were expecting were forced to borrow from friends. They were forced to rely on the help of others. They had to make difficult choices, and many of them are still in a financial hole that was not created by them and that they can't dig themselves out of.

So, colleagues, I rise today to ask you to help me in righting this injustice, and I am glad to be joined on the Senate floor by several of my colleagues who also have been strong advocates for these workers. Senator BROWN from Ohio, Senator VAN HOLLEN from Maryland, Senator Kaine from Virginia, along with many of my colleagues, have helped to try to right this wrong. In this way, we have introduced bipartisan legislation to provide modest backpay to these workers.

The House included our backpay language in the appropriations package that is on the Senate floor today. It is in the bill that the House passed. Unfortunately, Senator McCONNELL's substitute amendment strips out this critical provision that would provide backpay to these Federal contract workers.

Today, what I am proposing is that we come together in a bipartisan way and that we add back the backpay language—put it back in the legislation—and I have filed an amendment that would accomplish this.

I have talked with many of my colleagues on both sides of the aisle here in the Senate Chamber, and I have to tell you, I have not found a single person who was willing to say—who even wants to say—that these Federal contractors don't deserve backpay. In fact, more often than not, when I talk to my colleagues, they will say: Didn't we take care of that?

Well, colleagues, we didn't take care of that, and now we have an opportunity to fix this gap. We have an opportunity to do something for these Federal contract workers who are proud Federal Government employees in almost every sense of the word.

Our proposal would allow contractors to fund backpay for their employees through a well-known and often-used contracting process known as equitable adjustment.

Often people will say: Oh, TINA, this is a good idea, but it would be so difficult to accomplish this.

Well, actually, there is an existing mechanism for accomplishing exactly what we need to do here, and it is called equitable adjustment.

I have also made clear to my colleagues who have asked questions about this that I am happy to work with anyone who has suggestions for what we can do to further improve this proposal. But we have been told across the board that this is a good way of accomplishing this—an equitable way, a way that would have good accountability—and that it would work.

Over the last 10 months, I have been proud to stand with Federal contract employees who have been fighting for this amendment and to stand with so many others around the country.

Tragically, in July, one of our strongest voices for these workers, SEIU 32BJ President Hector Figueroa, passed away unexpectedly at age 57. Hector was an amazing advocate for workers all over this country. He knew how important it is to solve this Federal contractor backpay problem, and he understood viscerally exactly what difference it would make in the lives of people who lost that income. It should not be lost forever.

Hector led 170,000 janitors, food service workers, and others in their efforts to secure decent wages and better working conditions, and he played a crucial role in making sure that these workers' voices were heard on Capitol Hill and in State legislatures. Hector was a source of inspiration for both workers and public officials, and I miss him as a partner in this effort.

Colleagues, recently we also lost another partner in this fight. Chairman Elijah Cummings from Maryland was a longtime champion for Baltimore workers, and he was the leader of the primary House committee on Federal workplace issues.

In March, Chair Cummings led a letter with 48 House Members saying that "we must act to ensure . . . federal contractor employees are made whole." So I rise today to urge my colleagues that Federal contract workers should be made whole, as Chair Cummings worked so hard to accomplish.

Let's not forget Chair Cummings' message. Let's not forget the passion and the work of Hector Figueroa. Let's not forget about these workers. Let's follow on the advocacy of these people and so many others to pass backpay for Federal contract workers and make sure that these hard-working Americans get the backpay they deserve.

I am so grateful to be joined on the floor today by several of my colleagues, including Senator CHRIS VAN HOLLEN, who has been such a strong advocate for Federal Government contract workers in making sure that they do not have to pay the price for this shutdown, which happened through no fault of their own. I am very glad to be here with Senator VAN HOLLEN today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

TRUMP ADMINISTRATION

Mr. VAN HOLLEN. Mr. President, I want to start by thanking our colleague, the Senator from Minnesota, Ms. SMITH, for her steadfast support for this group of Federal contract employees who were left behind, and I plan to address my remarks to that subject in one moment.

Before I do that, I just want to call on every Senator to stand up against the vicious character assassination that is taking place against patriotic Americans testifying under oath in the House.

Today we are hearing, in the House, the testimony of Lieutenant Colonel Vindman. Here is an individual who served as an officer in the U.S. Army, an infantry officer overseas, including in South Korea and Germany and a deployment to Iraq for combat operations, where he was wounded in an IED attack and awarded a Purple Heart.

Just a little while ago, the House heard sworn testimony from Ambassador William Taylor, who is currently our Acting Ambassador to Ukraine. He also served in the U.S. Army. He served in Vietnam; he served in Germany. Later, in a different capacity, he served in Baghdad as the director of the Iraq Reconstruction Management Office. He served in Kabul, Afghanistan, coordinating international assistance. He was selected by Secretary Pompeo to be our Acting Ambassador in Ukraine.

So we can disagree on a whole lot of things. We can also reach different conclusions based on the facts. But I hope every Member, including, importantly, our Republican Senate colleagues, will stand up against the character assassination being launched at these witnesses who are giving testimony under oath and under penalty of perjury.

It is absolutely disgraceful—this kind of character assassination, impugning people's motives. These are patriotic Americans.

At the very least, we should agree on that.

AMENDMENT NO. 1044

Mr. President, I also believe we should agree on this important initiative that has been brought before this body by Senator SMITH to do justice and be fair to contract workers who perform a lot of thankless and often unnoticed tasks for the Federal Government but who are essential to its workings. These are cafeteria workers. These are janitors. These are folks who work in Federal offices not just in Washington, DC, but all over the country.

When we had that unnecessary and shameful 35-day government shutdown, we not only locked out a lot of Federal workers from doing their jobs, not only did the Small Business Administration freeze approvals of small business loans, which were important to many businesses around the country, not only did the Department of Agriculture shutter the farm service centers in rural communities, not only did thousands of homeowners face long delays

in loan processing approvals from the FHA, but these Federal contract workers who, in many cases, are living paycheck to paycheck, went without pay for 35 days, and they never recouped that pay.

We did the right thing in this body for Federal Government employees. We recognized that the government was shut down through no fault of their own. There was nothing Federal workers did to cause the government shutdown. They wanted to be at work doing their jobs for the American people, and we recognized that. We recognized that they should not be penalized for something they had nothing to do with. We should do the same thing now for Federal contract workers. That is exactly what this measure will do.

These contract workers typically make between \$450 to \$650 a week. These are not people living high on the hog. These are people getting by day to day.

One of them is Ms. Lila Johnson. She is from Hagerstown, MD. She worked as a cleaning services contractor for the Department of Agriculture for over 20 years. She is the primary breadwinner for her family and is helping raise two grandchildren. During the shutdown, she struggled with her rent, her car payments, and her life insurance payments on top of keeping food on the table. She lost \$1,600. That may not sound like a lot to some Senators, but I can tell you it is a lot of money for someone living paycheck to paycheck, trying to meet the bills, and who is the family's primary breadwinner.

What this bill is about is making sure Lila Johnson, and others like her, are not penalized for something they had nothing to do with, harmed by something that was totally beyond their control.

I thank Senator SMITH. I thank our colleague Senator BROWN and my colleague from Maryland Senator CARDIN.

I also want to remember, as my colleague from Minnesota did, Elijah Cummings, who passed away recently—a great Marylander. I knew Elijah for over 20 years. He committed himself to many causes important to social justice, both for Marylanders and for every American, and this was one of them. This is one of the things that he just recognized was fundamentally unfair—people who were scraping to get by paycheck to paycheck being punished for something they had nothing to do with—wanting to show up for work, wanting to show up for work every day but being shut out and then denied their paycheck. Let's remedy this wrong, and let's make sure we adopt this measure.

Thank you.

I thank the Senator from Minnesota. I yield the floor.

The PRESIDING OFFICER. I recognize the Senator from Virginia.

Mr. KAINES. Mr. President, I thank my colleagues for their eloquent words on behalf of the Federal contractors.

If you are a Virginia Senator, and if you are a Maryland Senator, you meet Federal contractors on any occasion all around the State. We often think of the Federal contractors as significantly located in the DC-Metro area or in Hampton Roads, but some of the smallest counties in Virginia have significant Federal contractors. So I am very happy to join my colleagues and applaud Senator SMITH's efforts in this regard.

All Americans were affected by the unnecessary shutdown at the end of last year—people trying to go to parks to enjoy time with their families or visiting other Federal installations that were down. We saw the lines of Federal employees waiting outside of Jose Andres's DC Central Kitchen in cold January weather. Federal employees, many in uniform, were trying to get free meals.

Some of the most affected, as my colleagues have explained, were workers who were suddenly without paychecks through no fault of their own. These workers—800,000 of them—worked directly for the Federal Government. We were able to secure backpay for those workers and in a very positive way. This is something that the body did together, which I think is important. We not only got a backpay bill for Federal workers for those affected by the last shutdown, but we put in a guarantee that in any future shutdown they would get their pay. Once you have done that as a guarantee, why have a shutdown? If you have guaranteed that people will be paid, why would you lock them out of their office and deprive them of the ability to serve their fellow Americans?

Hundreds of thousands of contract workers were not included in that backpay bill, and thus they have been left behind. Many of these Americans are paid on an hourly basis. They are not annual salary employees, and they do live paycheck to paycheck. When the shutdown hit, they went home without pay for weeks—5 weeks—and no word on when or whether their job would start back up again.

The people I meet who are in this category are very hard-working. They are security guards; they are cafeteria workers; they are cleaning staff; they are IT workers—people whose diligent functioning in their jobs sort of keep the lights on and the enterprise going.

Missing a whole month's pay is not a trivial thing for most American families, and many of the families had to borrow, rely on friends and families to get by, and used the services of soup kitchens or clothes closets. Many likely are still carrying debt incurred because of the shutdown. Some had to make withdrawals from their Federal Thrift Savings Plans, with penalty and interest because of that.

The individuals were affected, but it is also, bluntly, their families, and even the communities and local businesses in and around where there are these contracting employees.

During the shutdown, I asked Virginians to share stories with me, and many did. These are Federal employees who were affected by the shutdown, but it was not just the employees who shared it, it was also these contractors.

Of course, I did hear a number of stories of Virginians coming together. I had a chance to go work as a volunteer at the DC Central Kitchen, and what struck me is how many of the volunteers were people who had been furloughed. They weren't being paid, and they wanted to serve their fellow Americans, but because they were being locked out of their office, they decided to go to the Central Kitchen and work serving meals to their Federal colleagues.

Alongside some of the stories that were coming together, I did hear tough stories about people who ended up forgoing necessary expenses. I will just read a couple to you. These are all from Virginians who are Federal contractors.

Michael, from Herndon said:

Like many of your constituents, I work as a government contractor for a small business. My entire household income depends on serving government clients, which I am unable to do in light of the government shutdown. My company is losing revenue every day and has arrived at the point where we must force employees to use vacation, take leave without pay, or be furloughed. Unlike federal employees who will almost certainly receive back pay once the shutdown is resolved, my employees and I have no such recourse. I've lived in the Washington DC area for almost 25 years and worked exclusively in serving the government industry, and this is the first time I've been compelled to contact my elected officials.

Bottom line: I'm struggling. My employees are struggling. Our families are struggling. Small business(es) are the engine of economic growth and stability in our region and the shutdown is destroying us. Please work with all parties to reopen the government as soon as possible.

Sukumar, from Great Falls said:

I am the CEO of a small business in Virginia which is 100% focused on federal contracts. After two weeks of shutdown and no end in sight, we are nearing a point where we are losing revenue (because our people can't work), invoices are not getting paid by the Government and we are facing a dire cash flow situation. This will affect our ability to make payroll needing to borrow monies at higher interest rates and increase the perils of shutting down our business. Many of our furloughed employees are having a tough time paying bills and making ends meet. Some of them are contemplating a private sector career, leading to the loss of valuable talent to serve the government.

Virginia, from McLean said:

I am a federal contractor working in Washington D.C. and a lifelong Virginia resident. I have been furloughed due to the government shutdown, and because of my status as a contractor will not be receiving compensation after this is over. . . . This is not a vacation for me, nor is it a vacation for any federal worker. . . . It's impossible to plan for lost pay when you are unsure how much pay you might be losing, and it's impossible to amend deadlines when you aren't sure how many projects are going to go unattended to and for how long. Many argue that federal workers should have savings to prepare themselves for the shutdown but I am a young person, this is my first job.

A Washington Post article from January detailed the struggles of many low-wage workers, including one who lives in the District, Julia, a contracted janitor for the last 27 years, most recently at the Department of Agriculture, who cares for her elderly mother with dementia. She has had to use the last of her sick days to keep money coming in. All told, she lost \$1,000 in savings, went into debt, and relied on the charity of churches for free meals.

Again, these are people who make the life choice—they could have made other choices, but they make the life choice to serve our government, meaning serving by, of, and for the people. They did that not for grand fame or glory or riches, but they do have an expectation that they will not be gratuitously kicked around—maybe a thank-you or maybe just being treated fairly.

I think we did take a step forward when we passed the backpay bill to guarantee that Federal workers would be treated fairly. I think Senator SMITH's amendment, which I am proud to be an original cosponsor of, that I hope we will have a chance to take up, would remedy the situation with respect to these workers. This is not for every contractor. This is the Fair Compensation for Low-Wage Workers Act, so it is specifically focused on compensation for the contractors who receive low wages, those who are most vulnerable and were most affected by losing salary for 5 weeks.

Here is the good news: The House included this provision in its appropriations bill this past summer. It is not in the appropriations bill we are now considering in the Senate.

I implore the majority leader and all of my colleagues to do for these low-wage Federal contractors what we did for Federal employees: recognize the hardships the shutdown caused these workers and their families and add backpay for Federal contractors, which is the bill we are getting ready to vote on.

This would be a little step forward and a precedent. We haven't necessarily done this in the past, but just as the guarantee of backpay for Federal employees, I believe, starts to build in a little bit of firewall against a shutdown, I actually think having a rule, a norm, that we would provide backpay for low-wage Federal contractors also starts to provide a little bit of a firewall against a shutdown.

I think we should all be anti-shutdown, and having mechanisms that make it harder to shut the government down, or less likely that we would shut it down, is something we should all support.

Without us intervening and doing right by these workers, many of them will take years to recover from the financial hole the shutdown put them in.

I ask my colleagues to join together and support Senator SMITH and her amendment.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank Senator Kaine for his work on this and speaking out on it. It is an issue of justice, an issue of fairness, and an issue that—I mean, how can you be against this? I don't even pretend to understand it.

Senator SMITH, who is still relatively new to this body, has taken a leadership role on an issue that is as important in terms of human rights as any I can imagine this body has taken up, this fight for Federal contract workers who suffered because of President Trump's disastrous shutdown earlier this year.

When you think about this, these are workers making \$8, \$10, and \$12—I know most of my colleagues don't know anybody—well, actually, they know people who make \$8, \$10, and \$12 an hour, they have just never actually asked them their names and talked to them about their lives to find that out. We dress well. We have great healthcare benefits. We have good wages here, and most of the people who serve us: the cafeteria workers here, the people who come in at night when we leave and clean our offices—in this case, many of them are Federal employees, but some of them are contract employees. That simply means—go to the Cleveland airport and talk to the people who drive the carts taking people to and from their planes or talk to the people who push the wheelchairs of people who have a little trouble getting on and off the planes. Those people don't work for United Airlines. They don't work for Cleveland Hopkins airport or Dulles or National or the airport in whatever it is called—sorry, Senator SMITH—in Minneapolis-Saint Paul. They work for contractors so often, and those are the people we are talking about. Those are the people who are ignored. They are making \$8, \$10, \$12 an hour. We don't pay attention to them in this body. We don't know their names. We don't speak for them too often. Senator SMITH, Senator Kaine, and I are speaking for them because we know what happened to them.

I think Americans don't realize that thousands of janitors and cafeteria workers and security guards spent weeks out of work because of Trump's disastrous shutdown. They are employed by private contractors, not the government, and they are paid too little to begin with, and they have no way of making up those lost hours and lost wages.

Missing a paycheck—you know, a lot of people in this country can absorb missing a paycheck if they are in the 1 percent or the 2 percent or the 5 percent or the 10 percent wealthiest people, certainly the billionaire President and his multimillionaire—except for those Cabinet members who are billionaires—Cabinet with their massive investment portfolios. But for most Americans—most Americans—missing a paycheck is a big deal.

The President doesn't understand and doesn't seem to care to understand that working people couldn't just send a letter to creditors, saying: Please excuse me this month, Mr. Landlord or Ms. Landlord, from paying rent or paying my mortgage or paying for my medications at the local CVS. They take money out of their savings, if they have any savings. It is awfully hard to have savings at \$10, \$12, and \$14 an hour. They take money out of those savings. Or, more likely, in the case of these contractors who earn \$10, \$12 and \$14 an hour, they turn to family members; they run up their credit cards; they go to payday lenders; and they never get out from under that, as you know.

Some of them—many, many of them—are still dealing with the debt. I remember talking to cafeteria workers in Senator Kaine's State in Arlington. Federal contractor workers who serve food in our Smithsonian museums are not Federal workers. Most people who go to the Smithsonian figure people who are serving the food and cleaning the place or cleaning the offices and exhibits are probably government employees, but they are not.

One worker told me: I have to pay rent, and I have other bills. I have a college student in his second semester, and he needs help with his books.

The president of one SEIU local, which represents janitors and security officers, said that those workers and their families "will continue to relive the trauma on a daily basis until they are compensated for 35 days of income"—35 days of income they went without. They are already living on the edge, and this body, because of its inaction, because of its head in the sand, because of its—pardon my language—boneheadedness, simply ignores them and just washes their hands. They say, "I don't know who they are, and I don't know their names, so we are not going to do anything to help them," even though it was the Trump shutdown that betrayed these workers.

The same President betrays workers by denying the overtime pay they have earned. The same President puts people in the Supreme Court who put their thumb on the scale of justice always to support corporations over workers, always to support Wall Street over consumers, and always to support health insurance companies over patients. Put on top of that the Trump tax cuts—a massive giveaway to the wealthiest 1 percent.

I spoke to a group of union members today. They want a transportation bill. They want an infrastructure bill. They know what the bridge looks like connecting my State in Cincinnati over the Ohio River with that of the Republican leader down the hall—Senator McCONNELL's State. They know the needs there. I have to say, we got no money because of this tax cut that my friends over here voted for, most of which went to the wealthiest 1 percent.

Because of the Trump shutdown, these workers we are talking about

went without paychecks. He has done nothing to fix it. It comes back to the dignity of work. All work has dignity. Dr. King said that no job is menial if it pays an adequate wage, but it also means getting to go to work every day and earning that pay.

For these contract workers, their work has dignity. If the President understood that, he would make sure they would get their paychecks. The House already passed backpay for contractors 4 months ago.

I ask my colleagues to join us on Senator SMITH's amendment because if you love this country, you fight for the people who make it work.

(Mr. CRUZ assumed the Chair).

AMENDMENT 1088

Mr. BROWN. Mr. President, I rise to speak about Amendment 1088, which I introduced with Senator JONES. The amendment is straightforward. It provides \$5 million to fund Centers of Excellence at 1890 land-grant universities. This amendment—I want to underscore this—includes an offset.

Let me tell you why I introduced this. The authorization for these Centers of Excellence was included in the 2018 farm bill. I offered it as an amendment in the Senate Agriculture Committee. It could be critical for schools like Central State, west of Columbus, in Ohio. The chairman and the ranking member of the Ag Committee supported it. The Senate majority leader supported it, as did the chair of the Ag Appropriations Subcommittee. The entire committee supported it. It passed by a voice vote.

Then we passed the farm bill and sent it to the President. We got 87 votes from this body for the farm bill. That is more than ever, I believe, any farm bill has ever passed the Senate. These centers will focus on important challenges facing the agriculture sector and its workforce.

I ask unanimous consent that the letter of support from Dr. Kent Smith, president of Langston University in Oklahoma on behalf of the Council of 1890 University Presidents, be printed in the RECORD.

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

ASSOCIATION OF PUBLIC &
LAND-GRANT UNIVERSITIES,
Washington, DC, October 29, 2019.

Hon. RICHARD SHELBY,

Chairman, U.S. Senate Committee on Appropriations, Washington, DC.

Hon. PATRICK LEAHY,

Vice Chairman, U.S. Senate Committee on Appropriations, Washington, DC.

Hon. JOHN HOEVEN,

Chairman, Senate Agriculture Appropriations Subcommittee, Washington, DC.

Hon. JEFF MERKLEY,

Ranking Member, Senate Agriculture Appropriations Subcommittee, Washington, DC.

DEAR CHAIRMAN SHELBY; VICE CHAIRMAN LEAHY; CHAIRMAN HOEVEN; AND RANKING MEMBER MERKLEY: On behalf of the Council of 1890 Presidents, I am writing to express our support for Senator BROWN and Senator JONES' amendment to the FY 2020 Agriculture Appropriations bill to fund the newly

created Centers of Excellence. As you know, these new Centers were authorized and created in the 2018 Farm Bill. The work of these Centers is a critical part of the future research in several strategic areas that our Universities will do on behalf of the country.

I understand that the amendment being considered by the Senate would provide half of the authorized annual funding for the new Centers. While we certainly appreciate that effort, we strongly encourage the Congress to fully fund the Centers to their authorized level. These Centers were promised to our Universities almost 30 years ago and while we are pleased that they are close to being a functioning reality, without this initial funding they will not get off-the-ground.

Again, we strongly support Senator BROWN and Senator JONES' efforts and look forward to working with you to have this amendment included in the final version of the FY 2020 Agriculture Appropriations Bill.

Sincerely,

KENT J. SMITH, Jr., Ph.D.,
Chair, Council of 1890
University Presidents,
President, Langston University.

Mr. BROWN. Dr. Smith notes that they have been promised these Centers of Excellence for 30 years. The Senate needs to act, and it needs to include my amendment to right this wrong.

I remind my colleagues that the 1890 land grants were created because many States, rather than allowing African-American students to attend the 1862 land-grant universities, decided to set up, in the name of segregation in those States, a separate system of colleges and universities.

The 1890s schools, as my colleagues know, despite providing a pathway to the middle class for generations of mostly African-American students, have been ignored or, at best, underfunded since their creation.

I have tried to figure out why my amendment is not just automatically set. Again, it was authorized by the Agriculture Committee; it passed the Senate unanimously; it was signed by the President. Why isn't this amendment acceptable? The majority can't be opposed because the House funded this program; the majority has cleared amendments that duplicate House money. It can't be because my amendment is too expensive, as the majority, I am told, is willing to clear a Thune-Hoeven amendment that funds Tribal colleges—which is a good thing—at the same level as my amendment.

I have worked with the committee to find an offset for my amendment, and even though the authorization is for \$10 million a year, at the committee's urging, I have reduced it to \$5 million, and still, for whatever reason, they can't see clear to support this.

I know if this came up for a floor vote, we would pass it overwhelmingly. I don't know why we need to do that rather than just accept this.

I urge my colleagues to include this commonsense, fully paid-for amendment in the appropriations bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, this isn't part of the remarks I had planned for, but let me just surprise the Senator from Ohio and say I agree with him. We need to pass a transportation bill.

He mentioned some of the union workers he was talking to this morning, and they want Congress to function as it should, which means we should pass our appropriations bills, the Transportation, Housing and Urban Development bill that the Senator from Maine is the bill manager on. We ought to do all of our appropriations bills, including keeping our commitment to our men and women in the military by passing the Defense appropriations bill.

Unfortunately, we know that politics has overwhelmed our ability to function here in Congress, and the Democrats, for some reason, decided to filibuster the Defense appropriations bill just recently.

What I worry about is this obsession with politics and dividing the Nation 12 months before the next general election, when everybody who is a registered voter will have a chance to vote on the next President of the United States. We are going to let that dominate our discussions to the failure of our ability to actually pass appropriations bills, fund the military, and fund a highway bill, which would provide much needed infrastructure development all across our country, including the fast-growing States like those the Presiding Officer and I happen to come from.

So I hope that the growing sense I have that we are simply going to quit functioning a year out before the election, because of the obsession over politics and impeachment mania, does not prove to be true. But the storm clouds are on the horizon, and I am becoming increasingly convinced that, unfortunately, that is the only thing Speaker PELOSI and the House Democrats care about, and our ability to actually get our work done is going to be tragically squandered.

DEATH OF ABU BAKR AL-BAGHDADI

Mr. President, let me talk about some good news. Of course, this weekend, the world celebrated as the hunt for the leader of ISIS—the latest terrorist organization that has dominated the news—finally came to an end, and President Trump announced the successful raid by U.S. troops that led to the death of Abu Bakr al-Baghdadi, the world's No. 1 terrorist. This, of course, is reminiscent of that effort under the Obama administration to take out Osama Bin Laden years after he led the effort to kill 3,000 Americans on 9/11 in New York and here in Washington at the Pentagon.

With the elimination of the ISIS caliphate earlier this year, it was only a matter of time before al-Baghdadi would run out of places to hide. I want to say how much I admire and appreciate the courage and the dedication of the men and women who contributed to

this raid and who actually made it happen. This is an amazing combination of talent, training, intelligence, and cooperation with our partners in the Middle East that led to this incredible and successful effort. I am grateful to our military leaders, our intelligence professionals, our servicemembers, and our allies who have been tirelessly working for this goal for years.

I applaud President Trump for making the difficult decision to put American troops in harm's way. Fortunately, it did not result in any loss of life or injuries, I am told, for the troops who actually executed the raid, but let's give credit where credit is due. Just as President Obama deserved credit for making the difficult decision to take out Obama Bin Laden, President Trump should be entitled to credit for making the difficult but important and correct decision to take out ISIS's leader.

Because of the decisive action and flawless execution of troops on the ground, it was a great day for freedom-loving people and for all Americans that the world's No. 1 most wanted man was brought to justice.

Coincidentally, yesterday, I was in Austin speaking to the Mortgage Bankers Association, and Admiral McRaven came on right after me. It was an amazing coincidence and a real treat for the mortgage bankers who, after I got through talking to them, got to hear from the man who led the raid that brought down Osama bin Laden in 2011. It was a remarkable moment to reflect on our Nation's ongoing fight to eradicate terrorism and the great leaders and the great professionals who have contributed to our efforts to keep America safe.

It is important that we all remember that the fight is not yet won and that it actually may never be finally concluded. We must remain committed to working with our allies in the region and around the world to continue to eliminate terrorism wherever we can and prevent its resurgence.

As I indicated earlier, later this week, the Senate will begin voting on spending bills to fund the Department of Defense so that they can continue this fight, and it would be ironic, indeed, if our Democratic colleagues thwarted our efforts to fund the Department of Defense once again in the wake of this incredible accomplishment by those professionals.

Last month, Democrats blocked us from even considering the defense spending bill. They decided their seemingly never-ending disputes with President Trump transcend national security.

I hope this weekend's announcement has brought this decision into some perspective. We need to quickly pass the defense spending bill to ensure that our military will not be impacted by these political games.

HEALTHCARE

Mr. President, on another matter, I continue to hear from my constituents

back home about the number of Texans who are struggling to cover the cost of their prescription medication. We know that deductibles, particularly under the Affordable Care Act, have gotten to be very high.

As a matter of fact, it is not uncommon to hear people say that they have a deductible of \$5,000 or more. The copays they have to pay for prescription drugs, strangely enough, in their deductible—the \$5,000 you would have to pay under your Affordable Care Act policy—they get none of the benefit of the negotiated discount or rebates that the drug companies get with prescription pharmacy benefit managers. That does not flow to the consumer. Actually, consumers are being treated much worse than the insurance companies and the pharmaceutical companies are and deriving virtually no benefit.

I have heard stories. We had one particularly profound story about a woman whose son is diabetic. He became an adult, and she described how purchasing his insulin affected many of his decisions, such as moving out of the house, getting a job, whether or not to marry, basically because he had to manage the high cost of the copay for the insulin that was necessary to preserve his life.

Unfortunately, as in many cases, people end up self-rationing their drugs to make them last longer, and that is at a great health risk to them, to skip doses or to take less or to otherwise not follow their doctor's orders.

People are frustrated and confused. They are increasingly worried about how they and their loved ones are going to continue to cover these rising costs, and they want to know what Congress intends to do about it. I frequently tell the folks back home that the most frustrating moments in Washington, DC, are when the White House and Congress agree and when Republicans and Democrats agree that something is a problem and needs to be done, but nothing gets done. That is a hard one to explain. Everybody says yes, we need to deal with high prescription drug costs, but we don't seem to be capable of getting things done.

I am always happy to share updates about the progress we make within our committees, such as the Finance and Judiciary Committees I serve on. Unfortunately, when it comes to getting a bill across the floor of the U.S. Senate, it has proved to be an insurmountable challenge.

We have spent a lot of time hearing from patients, healthcare providers, drugmakers, and other experts about prescription drug costs, and it is admittedly a very complex topic, but I think a lot of the folks involved in the business sort of enjoy that black box they operate in and they are afraid of the transparency that would actually reveal who is getting the money and why it is that the savings don't flow to consumers.

We have been looking at every stop a drug takes in route, from research and

development to the shelf of your medicine cabinet. We have seen some things that are pretty alarming. There are pharmaceutical CEOs earning big bonuses, of course, as sales go up. I am not opposed to CEOs getting paid well for new lifesaving and innovative drugs, but I am if they do it at the expense of consumers. We have seen pharmacy benefit managers who negotiate backdoor rebates and drive up out-of-pocket costs. Of course, there are also pharmaceutical companies that game the patent system to stave off competition as long as possible.

In one of our Finance Committee hearings, I was able to ask the CEO of AbbVie about their product HUMIRA, which is the most commonly prescribed drug in America today, I believe. It is the poster child for the kind of gamesmanship that I think ought to infuriate all of us.

HUMIRA is a wonderful drug. It is used to treat arthritis and a number of other conditions, and it has been available for about 15 years. One might think that would be sufficient time to cover the patent period and that a more generic or biosimilar alternative might be available, which would be cheaper, much to the benefit of consumers. You would be wrong.

AbbVie currently has 136 patents and 247 applications on HUMIRA. In fact, the maze of patents on HUMIRA is so complex that there is no biosimilar available in America. This jumbled network of patents makes it nearly impossible for a competitor to come into the market. To date, there are five competitors to HUMIRA in Europe—five—but not in America, not to the benefit of American consumers. All of these five competitors that sell a biosimilar alternative to HUMIRA in Europe are blocked from selling it in the United States until 2023. That is not an accident.

Again, I don't begrudge companies that discover lifesaving and innovative drugs getting the coverage of a patent for the appropriate period of time because that is where they recoup their research and development costs, and unfortunately not all of these drug discoveries turn out with a good story. But this strikes me as gamesmanship and an abuse of the system. Patents were intended to guard intellectual property and encourage researchers to pour time and resources into developing these new drugs. These drugmakers aren't just using the patent system to protect their intellectual property; they are abusing it, to the detriment of consumers, to increase their bottom line.

Earlier this year, I introduced a bill with our colleague from Connecticut, Senator BLUMENTHAL, to take aim at this practice. The Affordable Prescriptions for Patients Act disarms the so-called patent thickets to enable competitors to come to market sooner. This bill streamlines the litigation

process by limiting the number of patents these companies can use so companies can spend less time in the courtroom. Competitors would be able to resolve patent issues faster and bring their drugs to market sooner. Better competition, I am convinced, means better prices for patients.

Our country is a leader in pharmaceutical innovation, partly because we offer robust protection for intellectual property. And that is a good thing, but we have to do more to stop the bad actors taking advantage of those innovation protections in order to maintain their monopoly at the expense of the American people. That is exactly what the legislation I have introduced with Senator BLUMENTHAL would do. By the way, it passed unanimously out of the Senate Judiciary Committee.

The Affordable Prescriptions for Patients Act doesn't stifle innovation, it doesn't limit patent rights, and it doesn't cost taxpayers a dime. In fact, just the opposite is true. The Congressional Budget Office released a cost estimate for this bill and found that it would lower spending by more than half a billion dollars over 10 years. And that is just savings to the Federal Government for Medicare and Medicaid; there undoubtedly would be additional savings for consumers in their private health insurance.

Despite the fact that this legislation received the unanimous support of the Judiciary Committee in June, it has yet to make it to the Senate floor for a vote. As it turns out, I am informed that the minority leader, the Senator from New York, Mr. SCHUMER, is leading the charge in blocking the Senate's ability to consider that bill.

Our colleague the minority leader loves to say that the Senate is a legislative graveyard because we haven't voted on a number of ultrapartisan bills passed by the House, but when it comes to passing the bills that actually have bipartisan support—bills that could actually pass both Chambers and become law—it looks as though the minority leader has become the grave-digger-in-chief. Why he would refuse to allow a vote on a bill cosponsored by one of his own Members that would lower drug costs for patients across the country and save more than half a billion dollars over 10 years for taxpayers is beyond me. It seems like a no-brainer. Again, I am afraid that politics may have once again interfered with our Democratic colleague's interest in making sound public policy.

While our Democratic colleagues continue their crusade to remove the President from office, the American people's lives aren't getting any easier. Their lives aren't on hold such that they could just simply wait out the politics that seems to crowd out good public policy in Washington, DC. We know for sure that their prescription medications aren't getting any cheaper. So I would urge our colleague, the Senate minority leader, to quit blocking the bipartisan bill I have discussed

today so that our constituents—all of our constituents—in Texas, New York, Maine, and all over the country can begin to enjoy some relief from their mounting out-of-pocket drug costs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

UNANIMOUS CONSENT AGREEMENT

Ms. COLLINS. Mr. President, I would ask unanimous consent that rather than recessing at 12:30 p.m., we recess at 12:35 p.m.

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

Ms. COLLINS. Mr. President, I want to associate myself with the comments that were just made by the Senator from Texas on the important issue of lowering the cost of prescription drugs. Not only the Finance Committee and the Judiciary Committee but also the Senate Health, Education, Labor, and Pensions Committee have all reported good bills that would help provide relief from the ever-escalating costs of prescription drugs.

Like the Senator from Texas, I, too, have introduced a bipartisan bill with Senator TIM KAINES to prevent the gaming of the patent system in which a brand-name pharmaceutical company will wait until the last moment and then erect a thicket of new patents precisely to prevent a lower cost generic or biosimilar from coming to the market.

It is a shame that apparently the minority leader is blocking bills from coming to the floor in this area despite their widespread bipartisan support, according to what the Senator from Texas has just said. This is an issue we should address. Ninety percent of our seniors take at least 1 prescription drug, and 36 percent of them take 4 or more in a month's time, and they are particularly burdened by the high cost of prescription drugs.

I, too, have looked at the manufacture of HUMIRA, the best-selling drug in the world—a drug that brings some \$18 billion in profit to AbbVie, the manufacturer. That is fine that AbbVie has been able to recoup the considerable R&D that went into what truly is a miraculous drug for people with rheumatoid arthritis, psoriasis, and some inflammatory bowel diseases, but when the patent period has expired, they should not be allowed to block a lower cost generic or in this case biosimilar from coming to the market. Yet that is exactly what has happened.

AVIATION SAFETY

Mr. President, let me turn to speak on another important issue that is addressed in the Transportation appropriations bill that is on the Senate floor right now, and that is aviation safety. I know the Presiding Officer has done a great deal in this area, and the CEO of Boeing is testifying on Capitol Hill today.

The importance of aviation safety in light of the crashes of the two Boeing 737 MAX aircraft cannot be overstated. Last October, Lion Airlines Flight 610

crashed shortly after takeoff in Indonesia, killing all 189 passengers and crew on board. Just 5 months later, in March of this year, an Ethiopian Airlines flight crashed and killed 157 passengers and crew. It is simply unacceptable that both of these crashes involved the same aircraft, the Boeing 737 MAX, and were likely caused because of the new system known as MCAS, as well as the pilots' unfamiliarity with the system and a lack of training. More egregious was the fact that the changes that were made to MCAS sectors certification for this system had already been delegated by the FAA to Boeing. It is clear that Boeing did everything it could to avoid having to provide additional training or make pilots even aware of the MCAS system.

Like the Presiding Officer, I have met with some of the families of the victims of these crashes, and their pain and grief are truly heartbreaking. I am committed to ensuring that we never experience anything like this ever again.

As chairman of the T-HUD Subcommittee, I have been working with my ranking member, Senator JACK REED, to do our part in improving aviation safety. We need to hold accountable not only Boeing but also the FAA and any other entities that may have played a role in these crashes.

In July, our T-HUD Subcommittee held an oversight hearing of the FAA where we questioned the Acting Deputy Administrator and the Associate Administrator for Aviation Safety on the agency's review of the MAX aircraft, as well as the agency's aircraft certification processes. Since that time, numerous recommendations have been issued by the National Transportation Safety Board and the Joint Authorities Technical Review, which consisted of technical experts from leading international aviation regulators.

First and foremost, it is imperative that both Boeing and the FAA admit the mistakes made with the MAX aircraft and remedy those serious errors in order to gain the public's trust in the aircraft again. Just today, Boeing's CEO testified before Congress and admitted that Boeing "made mistakes and got some things wrong." However, we have yet to hear what specific changes the FAA will require from Boeing prior to bringing the MAX back into service and what long-term changes they will make to their aviation and aircraft certification process.

Ranking Member JACK REED and I continue to send letters and inquiries to the FAA for additional information regarding the agency's Organization Designation Authorization Program, or the ODA Program, as well as statements made by FAA officials at our July hearing, which appeared to be incomplete at best and possibly outright wrong.

We need to make sure the FAA is a check on the delegation process—a true check—and is not captured by the industry that it regulates. Safety has to

be the No. 1 priority for FAA—way ahead of making sure that manufacturers can meet their deadlines for aircraft delivery. Safety has to come first.

As a result of the work we conducted on our T-HUD Subcommittee and our oversight hearing, Ranking Member REED and I have provided increased funding for aviation safety and aircraft certification activities. The need for additional staffing has been confirmed by the Joint Authorities Technical Review report, which determined that FAA's certification office for Boeing had inadequate staff involved in the MAX certification program.

In addition, the Joint Authorities found that FAA needs to expand its staffing for human factors and human system integration work as it relates to aircraft certification. In other words, if there is a new system, we cannot allow training on that system to be bypassed and mention of that system to not be included in the manuals that accompany the aircraft. Pilots have to know, going into that cockpit, exactly what could happen, and they need training on simulators.

Clearly, a lot of work needs to be done on this issue. I believe we have taken some important first steps in the T-HUD bill that is before us.

I yield the floor.

RECESS

THE PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and assembled when called to order by the Presiding Officer (Mrs. CAPITO).

COMMERCE, JUSTICE, SCIENCE, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, INTERIOR, ENVIRONMENT, MILITARY CONSTRUCTION, VETERANS AFFAIRS, TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2020—Continued

THE PRESIDING OFFICER. The Senator from Louisiana.

RADIO WAVES

MR. KENNEDY. Madam President, I want to talk for a few minutes about money, 5G, and radio waves.

A radio wave is nothing more than electromagnetic radiation that moves through the air. That is all a radio wave is. Imagine a pond, and think of a radio wave as a ripple, or wave, in that pond. The wave kind of goes like this. It has a peak and a valley and then a peak and a valley. Eventually, it gets shorter and shorter. That is what a radio wave is. There are different kinds of radio waves. I don't know how many, but there are a bunch, and they are differentiated by the lengths of the peaks and the valleys.

Remember? The radio wave is doing this. As it goes to the top and comes to the bottom, that is called a cycle.

Frequency—you have heard that term before—is nothing more than how many cycles a radio wave goes through in one second. So we have out there—we can't see them, for they are invisible—thousands, millions of these radio waves that are, once again, going like this.

Now, what does that have to do with 5G? So 5G is nothing more than a certain type of radio wave. I will come back and talk a little bit about the 5G in a second.

When I make a cell phone call to the Presiding Officer, my voice is being converted into an electrical signal, as she knows. It is being sent to her phone through a radio wave. Once it gets my signal carried by the radio wave, her telephone converts it back into my voice. That is all a cell phone is.

I say: Hello, Madam President.

My voice is then converted into an electrical signal that is sent by a radio wave to her telephone. That is how a cell phone works.

What is 5G? "5G" stands for "fifth-generation wireless technology."

The very simple answer to "What is 5G?" is that it is an incredibly fast radio wave that can carry a huge amount of data. I mean, it is lightning fast. Even if you have fourth generation, it is 10-times faster than anything we have right now. Fifth generation's waves are going to be 10-times faster and will carry way more data, way more information. It is going to change the world, not just the United States of America. It is going to change the world. It is going to change space.

You have heard about the Internet of Things. 5G is going to be able to hook up all kinds of devices that will be able to talk to each other simultaneously.

Once we get 5G in America, I will be able to open my garage door from a half a mile away. The Presiding Officer will be able to set the timer on her coffee pot from here in the Senate if she wants to. Surgeons will be able to conduct surgery thousands of miles away from each other through the internet. We will have driverless cars. Do any of you ever get money out of an ATM? They are going to be gone. We will not need ATMs anymore. You will be able to get the money through a smartphone. Through 5G technology, farmers will be informed well in advance of when there are diseases encroaching upon their crops. We will not have to sign our names anymore. 5G will make possible what are called personal heat signatures. It is going to change the world.

Remember, 5G is just a radio wave. Who owns that radio wave and the air that it goes through? The people of America do. Every country owns its own radio waves. If there is any doubt, the Communications Act of 1934 says that the United States of America—you and I—own that radio wave and the ability to send that radio wave from my cell phone to the Presiding Officer's cell phone.

You will not be surprised to learn that not all radio waves—I told you

there were millions of them, billions of them—are made in the same way. There is a special kind of radio wave that is just perfect for fifth-generation wireless technology. This is called the C band. The C band is between 3.7 gigahertz and 4.2 gigahertz. That is the frequency. I think of it as being a certain type of radio wave that is perfect for C band that can be sent through the air to effectuate 5G. That certain radio wave and the air and the right to execute that service belongs to the American people, and the FCC is in charge of it.

The FCC auctions these radio waves all the time. When those at a radio company or a television company or an internet company say, "I need to use some of those radio waves," they go to the FCC. The FCC says: OK, we are going to auction that radio wave off because we believe in competition and because these radio waves belong to the American people, and so we want to get the best price.

In the last 25 years, the FCC has conducted over 100 auctions of radio waves. The FCC doesn't call them radio waves. It calls them spectrum. You have heard the term "spectrum auction." The FCC has done a public auction—over 100 of them—of these various radio waves, or bands of spectrum, and has brought in \$123 billion for the American people. It has done an incredible job.

Now we are about to assign the special radio waves for 5G. I don't blame them for trying. Yet there are three foreign-owned satellite companies, two foreign companies from Luxembourg—I love Luxembourg; it is a great country—and one foreign corporation from Canada—I love Canada—that have gone to the FCC and said that they can do an auction faster than the FCC can.

We need to get these 5G radio waves out to the wireless companies really fast. These three foreign satellite companies have said: If you will just give us those radio waves, we will auction them off for you, and we will do it a lot faster than you can.

When I first read about this, I said: Am I reading this right? The FCC has held over 100 auctions. They have brought in \$123 billion. We have these radio waves for 5G that the experts say are worth \$60 billion, and instead of auctioning them off and letting everybody fairly compete, these three foreign corporations want the FCC to give them the airwaves and let them auction them off, and the foreign companies get to keep the money. I am astounded. I said: Gosh, I couldn't ask for something like that with a straight face.

But do you know what is even more incredible? The FCC is thinking about doing it. They are thinking about doing it. They are thinking about taking \$60 billion that belongs to the American people and just giving it to this alliance of companies—two from Luxembourg and one from Canada—and saying "Here. It is yours. Go auction it