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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, November 8, 2019, at 1 p.m.

Senate

WEDNESDAY, NOVEMBER 6, 2019

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, thank You for not leaving us alone in a challenging world. You remain our refuge in every storm. We call You when troubles come, and You rescue us even from self-inflicted wounds. You clean up our debris, restoring us to Your sweet fellowship.

As our lawmakers commit this day to You, help them navigate through its turbulence. May Your Spirit impinge on their minds, guiding them by the light of Your truth. Lord, be the resource they need to be faithful stewards of Your unfolding providence.

We pray in Your gracious Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. CRAMER). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I would like to speak for 1 minute as in morning business.

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

PRESCRIPTION DRUG COSTS

Mr. GRASSLEY. Oh boy, I have had to scratch my head upon hearing some criticism of the Finance Committee's Prescription Drug Pricing Reduction Act from supposedly fiscally conservative, pro-taxpayer organizations, to mention a couple, like FreedomWorks and Americans for Tax Reform.

The Grassley-Wyden bipartisan bill ought to have a lot of support. It would save taxpayers more than $100 billion. You would think fiscally conservative organizations would want to back that. Of course, some of these fiscally conservative organizations receive substantial funding from Big Pharma.

I can't think of a better opportunity to enact bipartisan entitlement reform that would significantly lower the debt and help rein in entitlement spending bill. This bill happens to be judged by the Congressional Budget Office, a nonpartisan group working for the Congress as a whole, saying that it would save a little over $100 billion.

Reining in entitlement spending is a goal that I campaigned on, and nearly every one of my Republican colleagues have campaigned on that same platform. Now is the chance to carry out those campaign promises, in other words, to stand on the platform you ran on.

In an era of gridlock and partisanship, do supporters of less government spending and balanced budgets really think their goal could be achieved without bipartisanship? Nothing gets done in the U.S. Senate that isn't somewhat bipartisan. The good news is that my legislation is bipartisan, and support for the bill is growing every day.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

LEGISLATIVE AGENDA

Mr. MCCONNELL. Mr. President, yesterday, the Senate confirmed David Tapp of Kentucky to serve on the U.S. Court of Federal Claims. Today, we will turn to more of President Trump's impressive nominees for the Federal Judiciary.

Last week, Senate Republicans had hoped to proceed to the urgent priority of funding our national defense, but for the second time in 2 months, Senate Democrats filibustered defense funding. They blocked the Senate from funding our Armed Forces.

Over the summer, the Speaker of the House and my colleague the Democratic leader both signed onto a bipartisan, bicameral budget deal that Democrats hammered out with President Trump's team in order to avoid

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

exactly—exactly—the kind of partisan stalemate that we are now experiencing and avoid a 12-bill omnibus. The agreement laid out specific top-line numbers and ruled out poison pills—the agreement we all reached just a couple of months ago.

With respect to Presidential transfer authorities, the agreement that we all agreed to 2 months ago specifically stated that ''current transfer funding levels and authorities shall be maintained.'' The President's transfers authorities as they relate to border funding, or anything else, were to remain exactly as they existed in current law. This is the deal we signed off on just 2 months ago. The deal just simply preserves the status quo that was established by bipartisan legislation last fiscal year. The same transfer authorities, by the way, would also be preserved if Democrats tank the appropriations process and we end up with a continuing resolution. That was the deal. Democrats were onboard. I entered the terms into the CONGRESSIONAL RECORD and both the Speaker and the Senate Democratic leader posted the terms of the deal in their press release, but now our Democratic counterparts have gone back on their word.

Contrary to the agreement, Democrats are now insisting on poison pills and, thus, blocking the resources and certainty our men and women in uniform need.

While Senate Democrats block defense funding, House Democrats continue to hold up USMCA and the 176,000 new American jobs it would create. All their time and energy seems to go to House Democrats' 3-year-old impeachment journey and the unfair, precedent-breaking process by which the House has conducted its inquiry so far.

Last week, House Democrats passed their first votes on impeachment and codified their irregular process. They passed a resolution that fails—fails—to provide President Trump the same rights and due process that past Presidents of both parties have received.

Here is what the Democrats' resolution effectively says: No due process now, maybe some later, but only if we feel like it. I repeat: No due process now, maybe some later, but only if we feel like it.

Well, while we wait for our Democratic counterparts to come back to the table and allow this body to complete urgent bipartisan legislation, we are going to continue confirming more of President Trump's impressive nominees and giving the American people the government they actually voted for.

FIRST AMENDMENT

Mr. MCCONNELL. Mr. President, now, on another matter, I have come to the floor frequently in recent months to warn about dangerous anti-speech, anti-First Amendment headwinds blowing out of Washington, DC. I have warned about proposals from our Democratic colleagues that seemed tailor-made to chill the free exchange of ideas and make it more difficult for Americans to engage in political speech.

Just a few days ago, on October 23, I explained how the threat of heavy regulatory burden has already ''frightened media platforms into rejecting political ads altogether. It's a textbook example of policy designed to reduce the amount of free speech in this country.''

Then, 7 days later, here is what happened. Twitter announced that their platform will ban all political ads. The online platform is banning advertisements for candidates for office and political campaigns.

What is more, they say they are also banning issue ads, which do not even reference a specific campaign but merely seek to give one perspective on a subject.

Twitter's leadership has tried to produce a rationale for banishing paid political speech. The argument boils down to the same misunderstandings that have been used to undermine free speech for decades.

Here is what Twitter's CEO said: ''We believe political message reach should be earned, not bought.'' This kind of surface-level argument may sound good at first, but it quickly gives way to an arbitrary process of picking winners and losers in the competition of ideas. Here is what I mean: Twitter's new rules would seem to forbid either a small liberal nonprofit or a small conservative nonprofit from putting money behind an issue ad to amplify their perspective. But what about the press? Will media corporations large and small remain free to buy paid advertising to promote editorials and opinion writers? Will cable news networks and national newspapers remain free to advertise their political speech?

It would seem that Twitter will either have to ban opinion journalists and the press from advertising their own work or else create an enormous double standard that would just amplify the already privileged speakers who already possess multimillion-dollar platforms. It would just help clear the field for those elites by denying the same tools to fledgling speakers who are not already famous.

Consider this: Back in July, the CEO of Twitter praised two Democratic Presidential candidates in a Twitter post of his own. This gentleman has 4.3 million followers. It seems fair to conclude that these subscribers have not followed him solely due to the standalone merits of his commentary but in part because they are interested to hear from a powerful person who runs a hugely influential company. And, of course, Twitter has worked hard and spent money for years to grow its business and make itself famous—efforts that have raised the profile of its CEO. There is nothing wrong with that, but it illustrates the impossibility of any top-down standard to determine who has earned an audience.

How many millions of dollars go into publicity campaigns for Hollywood actors or musicians or media personalities? How many millions of dollars in advertising and corporate strategy have made CNN, FOX, MSNBC, and the New York Times into what they are today? When these people and these institutions speak out on politics, are they using megaphones they have earned or megaphones that have been bought? Obviously, such distinctions are impossible to draw. This is exactly why the act of free speech is not separate from the resources that make speech possible. Let me say that again. This is exactly why the act of free speech is not separate from the resources that make speech possible.

Twitter's announced policy would not level the playing field. It would only reinforce echo chambers. It would prevent a local candidate on a shoestring budget from using a small amount of money to promote a tweet so more of his neighbors can learn about his campaign. It would seemingly reserve a special privilege for major media corporations, while denying nonprofits the same opportunity. Such a policy would not bolster our democracy. It would degrade democracy. It would amplify the advantage of media companies, celebrities, and certain other established elites, while denying an important tool to the Americans who disagree with them.

My personal view is that the American people do not need elites to predetermine which political speakers are legitimate and which are not. I believe that holds true whether the elites live in Washington or Silicon Valley or anywhere else.

Obviously Twitter can set whatever policy it wants. It is a private sector company. But companies respond to incentives. It is easy to see the influence of Washington and leading Democrats behind this announcement—pretty easy. My Democratic colleagues have threatened to impose huge regulatory liability on platforms that run political ads. And now a prominent platform has preemptively decided that allowing certain kinds of political speech is more trouble than it is worth. It does not serve our democracy for Democratic leaders to chill or suppress the free exchange of ideas through Federal policy. It does not serve our democracy for private sector leaders to take away a crucial tool that helps less prominent speakers make their case to the American people.

MEASURE PLACED ON THE CALENDAR—H.R. 4842

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due a second reading.

The PRESIDING OFFICER. The leader is correct.

The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows: