

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

APPROPRIATIONS

Mr. SCHUMER. Mr. President, Senate Democrats had hoped to work with our Republican colleagues this year on a fully bipartisan process. It got off to a great start when the four congressional leaders reached a budget deal over the summer, but it quickly went awry.

Senate Republicans departed from the bipartisan process by unilaterally proposing their own allocations to the various agencies. This was not part of the agreement. This was not in the spirit or concept of the agreement. It was always, when we agreed, that we would work out the 302(b) allocations. Instead, the Republicans went ahead, unilaterally, and they proposed moving \$12 billion—\$12 billion—from critical health programs and military families to pay for the President's border wall, and that was way out of bounds.

The Republican leader has accused Democrats, myself included, of breaking our budget deal by not going along with these very partisan bills. He knows—and every Member of this Chamber, Democrat and Republican, knows well—that Democrats are not going to support a unilateral move by the Republicans to take \$12 billion away from military families, education, opioids, and NIH and put it into the President's vanity, partisan wall. So, until Republicans get serious about negotiating a bipartisan way forward, the partisan appropriation bills are all we have and they cannot move forward.

Now, in the last few days, after conversations that I had with Leader MCCONNELL, Speaker PELOSI, and Leader MCCARTHY, we are seeing some positive signs that we can get the process back on track. This month, Democrats and Republicans worked through a package of bipartisan appropriation bills on the floor with few issues. Now, as we speak, both parties, both sides—Democrats and Republicans, House and Senate appropriators—have started talking again about restarting the good-faith negotiations on the remaining bills.

We hope this moves forward in a bipartisan way. Each side has to agree. I will repeat my view. If President Trump stays out of it, we will come to an agreement. If President Trump messes in, if the Republican leader feels so in obeisance to Donald Trump, who doesn't have any concept of how to get things done around here, then we will not get it done, and we may have a second Trump shutdown with the leader going along, which will not succeed. It will not succeed in getting them what they want.

So I hope that with a little effort and compromise, we in Congress can find a

way forward on appropriations by working together.

WHISTLEBLOWERS

Mr. President, on the whistleblower, yesterday, the House Intelligence Committee announced the schedule for its first week of public hearings in the House impeachment inquiry, including testimony from the current and former top U.S. diplomats in Ukraine. These public hearings are a reminder that the whistleblower's account has already been corroborated many times over by officials with firsthand knowledge of the situation.

Yet there remains a searing focus by the President and one Member of this Chamber on the whistleblower. Even though his or her account has been verified by other sources, the White House and, most particularly, the junior Senator from Kentucky, seem committed to discrediting the whistleblower, disclosing the whistleblower's identity, and turning the rightwing media machine on this person—and they can be vicious.

The junior Senator from Kentucky went so far as to block a simple resolution from my friend the Senator from Hawaii, MAZIE HIRONO, that would have reconfirmed the Senate's support for whistleblower protection laws—laws that have been on the books for a very long time.

The whole concept started with the Continental Congress, even before the Constitution. We are going down a dangerous road when Members of this body are refusing to stand up for our Nation's laws, particularly those laws that enforce the rule of law and make sure our government is doing what the people want.

These attempts to expose the whistleblower are unfortunately not the only example of how a few of my colleagues are taking the defense of this President too far. It seems that with each coming week, sometimes each coming day, the President's allies in Congress come up with a new tortured defense of his actions. House Republicans have gone from attacking the process because it was closed to attacking it because it was opened. They have gone from insisting on "no quid pro quo" to saying "maybe quid pro quo but who cares?"

Here in the Senate, we heard a new one from the chairman of the Judiciary Committee, who said the Trump policy on Ukraine was so "incoherent" that the administration was "incapable of performing a quid pro quo." That is a good one. Seriously, he said that. They are reaching. They are reaching as far as they can because they know that the facts—at least as we have heard from the House; we will wait until they come over here, if they do—that the facts about what the President did are so damning.

There was even a Member of this Chamber who went so far as to insult the Speaker's intelligence at a political rally—a childish and nasty smear that is far out of bounds.

Nobody is happy about the fact that the House is examining the potential impeachment of a President. It has always been a sad and somber process. But there is no excuse for jumping to conclusions, advocating for lawbreaking, or resorting to nasty insults. This is a time when we must check partisanship at the door, study the facts in the case, and make our own independent judgments. That is our duty. I will remind all of our colleagues that history will one day judge whether or not we lived up to it.

PRESIDENT ERDOGAN

Mr. President, on ISIS, next week President Trump will welcome Turkish President Erdogan to the White House. Frankly, it is confounding that President Trump is rolling out the welcome mat to an autocrat whose recent actions have threatened our allies and partners.

For over 5 years, American and coalition troops, including our Syrian Kurdish partners, worked shoulder to shoulder in northern Syria to bring ISIS to the brink of defeat. But after the President's calamitous decision to greenlight Erdogan's military operation and precipitously withdraw American troops, Turkish forces and their proxies have advanced far into northern Syria, committing atrocities without accountability. It is a shameful betrayal of our Syrian Kurdish partners, and it has thrown our efforts to defeat ISIS into chaos. At least 100 ISIS detainees have reportedly broken out of prison and disappeared, and they could be very dangerous to us in our homeland.

While we are glad that terrorists like al-Baghdadi have been taken off the field, a fundamental question remains: What is the administration's plan to secure and defeat ISIS?

It is unacceptable that a month into this crisis, the President has chosen to welcome Erdogan to American soil before explaining to Congress his plan to defeat ISIS. So ahead of Erdogan's arrival next week, I and several of my Democratic colleagues are sending a letter to President Trump demanding that he submit to Congress a comprehensive plan to secure the enduring defeat of ISIS.

There are questions that need to be answered immediately. How many ISIS members have been accounted for in the wake of our withdrawal? How are we going to stabilize former ISIS territory? What training will we give to the forces on the ground to continue fighting ISIS? These questions need to be answered at once. They are far more urgent than welcoming an autocrat who just bullied the President into giving him everything that this autocrat wanted.

NOMINATION OF STEVEN J. MENASHI

Mr. President, finally, on Mr. Menashi, in a few minutes—maybe as of now—the Judiciary Committee will be holding a vote on a nominee who is dangerously unfit to serve on the U.S. Second Circuit Court of Appeals—Mr.

Steven Menashi of New York. His nomination should not be allowed to continue.

Mr. Menashi has a very troubling record on race, women's equality, LGBTG rights, and the rights of immigrants. His conduct before the Judiciary Committee was insulting, his contempt for the Senate reprehensible, and his refusal to be forthcoming about his record is outright disqualifying.

But if members of the committee needed any more evidence to vote against Menashi's nomination, they should read this morning's New York Times. The headline reads "Appeals Court Nominee Shaped DeVos's Illegal Loan Forgiveness Effort." The Times reports that during Mr. Menashi's tenure working with Secretary DeVos at the Department of Education, he played a leading role in designing an illegal effort to deny debt relief to thousands of students swindled by for-profit colleges.

Let me repeat. Mr. Menashi concocted a plan to illegally use the private Social Security data of defrauded student borrowers to deny them debt forgiveness after they were preyed upon by for-profit schools. A Federal judge ruled that these efforts violated privacy laws.

This is someone the President wants us to make an appellate court judge? A judge is supposed to uphold the law, interpret the law, and have a reverence for the law, not someone who schemes to break the law, as Mr. Menashi did.

Mr. Menashi's nomination is an embarrassment to this country. It is an insult to millions of hard-working young Americans saddled with student debt. It is an insult to women and LGBTQ Americans, to African Americans and immigrants, and to everyone who believes in the rule of law.

If anyone has not earned the privilege of a lifetime appointment to the bench, it is Mr. Menashi. I urge every Member of the Judiciary Committee to vote against his nomination.

I yield the floor.

THE PRESIDING OFFICER. The majority whip.

DEFENSE APPROPRIATIONS

Mr. THUNE. Mr. President, on Tuesday morning, I visited with Secretary of Defense Mark Esper. We talked about the military's needs and national security priorities, and we talked about the fact that more than a month into the new fiscal year, Congress still hasn't funded the military for fiscal year 2020. We shouldn't have needed to talk about that. We should have passed the Defense appropriations bill for 2020 weeks ago, but Democrats won't let us.

Last week, Democrats blocked consideration of the 2020 Defense appropriations bill for the second time. Apparently they have every intention of continuing to block military funding. This is politics at its worst. And make no mistake—this is politics. A couple of months ago, Democrats and Republicans got together and agreed on defense and nondefense funding levels for

2020 and 2021. The idea was to pave the way for the passage of appropriations bills in a timely fashion. It seemed for a moment that despite Democrats' fixation on partisan politics and impeachment, we could actually go about funding the government and the military in a somewhat bipartisan fashion, but apparently that was too much to ask of the Senate Democrats. Senate Democrats are currently running from the agreement, attempting to derail the defense funding bill with poison pills that would prevent the bill from ever being enacted into law.

Funding our military should be the first priority of every Member of Congress. The safety of our country depends on the strength of our military. If we don't get national security right, the rest is conversation. Getting national security right means making sure our military is adequately funded, making sure we are funding the needs of the current military and preparing for future priorities. It should go without saying that an essential part of this responsibility is getting that funding passed in a timely fashion.

Right now, since we haven't passed the 2020 funding bill, the military is operating under a continuing resolution that maintains funding levels from last year. There are multiple problems with that.

In the first place, the military is operating without all the funding it needs. For example, the Pentagon can't fully support the pay increase military members should be getting.

In addition, the continuing resolution prevents the military from starting key projects that will help ensure our men and women in uniform are prepared to meet the threats of the future. The Pentagon can't start new procurement projects. New research and development initiatives that keep us a step ahead of our adversaries are put on hold.

All told, under a continuing resolution, the military's purchasing power is reduced by roughly \$5 billion each quarter. Five billion dollars each quarter that we continue to operate under a continuing resolution is the amount of purchasing power that is lost to our military to meet their critical priorities. To put that in perspective, that is the equivalent of losing out on about 56 F-35 Joint Strike Fighter planes, depending on the variant, every 3 months; or nearly 2 complete Virginia-class attack submarines, like the recently commissioned USS *South Dakota*; or about 5,000 Joint Air-to-Surface Standoff Missiles, like those used to clean up the site of the Baghdad raid or strike Syrian chemical weapons facilities in 2018. That \$5 billion isn't spare change; it is funding for critical military priorities.

In November of 2018, the bipartisan National Defense Strategy Commission released a report warning that our readiness had eroded to the point where we might struggle to win a war against a major power, like Russia or

China. That is a dangerous situation for our country to be in, and we need to keep working to rebuild our military. That starts with making sure our military is fully funded in a timely fashion.

On the floor last week, I noted that Democrats would like us to believe that they are serious about legislating and that their years-long obsession with impeaching the President isn't distracting them from doing their job. After the Democrats' defense filibuster last week, it is becoming clear that the Democrats are incapable of putting anything ahead of partisan politics, including the safety of our country and the well-being of our military.

It is particularly ironic that the Democrats are blocking this defense funding bill, which would provide \$250 million in assistance to Ukraine, at the same time they are trying to impeach the President for allegedly delaying Ukraine funding. Think about that.

It is hard to know what to say to my Democrat colleagues. It should not be this hard to convince them that funding our military is more important than scoring points against the President.

I hope the leader will continue to bring up the defense funding bill and that enough of my Democratic colleagues will decide to join us in getting this funding to our military. It is the very least we can do for the men and women who spend every day working to keep us safe.

VETERANS DAY

Mr. President, Veterans Day is coming up on Monday, and our Nation will pause to remember all those who have served in our military. I will be calling my dad, who will be 100 in December—a World War II vet who flew Hellcats in the Pacific—to thank him again for his service.

As a U.S. Senator, I have had the privilege of meeting many veterans—men and women who decided they were willing to lay down their lives if necessary to ensure that their families, communities, and fellow countrymen could enjoy the blessings of freedom. Members of the military give up a lot for us. They forgo physical comforts and embrace sacrifice.

They accept long deployments and days of duty that start before dawn or stretch long into the night. They accept the fact that they will miss Thanksgivings and birthdays and Christmases, first steps and first days of kindergarten, date nights and little league games, and family reunions. They shoulder the burden of facing evil head-on so that the rest of us will never have to. And many of them bear the scars—the physical wounds and the invisible wounds—that war can also leave.

We enjoy tremendous blessings, and we are used to them. We are used to waking up in safety. We are used to going about our days in safety. We are used to voting in safety, attending church in safety, reading the newspaper in safety, expressing political