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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, December 3, 2019, at 2 p.m.

Senate

MONDAY, DECEMBER 2, 2019

The Senate met at 3 p.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 who transforms common days into transfiguring and redemptive moments, continue to guide our lawmakers with Your might.

Lord, make our Senators brave enough for these momentous times as they seek to live worthy of Your great Name. May they not trust in their wisdom or power but rely on You to keep them secure. Guide them around life's pitfalls. Bring them through the darkness to a haven.

Lord, cleanse the fountains of their hearts from that which defiles so that they may be fit vessels to be used for Your glory. Let Your peace be within them as Your Spirit inspires them to glorify Your Holy 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. HAWLEY). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to address the Senate for 1 minute as in morning business.

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

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. GRASSLEY. I have come to the floor many times to speak with my colleagues about the U.S.-Mexico-Canada trade agreement. I recently spoke with my colleagues in the House of Representatives and also officials within the administration about the same subject. By all accounts, the deal is close on the United States-Mexico-Canada trade agreement.

I urge House Democrats to act quickly and be reasonable so we can finally deliver certainty on this issue to the American people. It has now been more than a year since the leaders of Canada, Mexico, and the United States signed the agreement, so Americans have waited a year for what can happen now. This modernized trade agreement will create hundreds of thousands of new jobs and help Americans grow wages for our workers.

The end of this year's legislative session is rapidly approaching, as we all know. If a deal cannot be reached by the end of this week, I do not see how the USMCA can be ratified in the year we are in. As it is, the window of opportunity for 2019 is extremely tight. Now is the time for the Democratic-controlled House of Representatives to finally act so we can act in the Senate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Dan R. Brouillette, of Texas, to be Secretary of Energy.

SENATE LEGISLATIVE AGENDA

Mr. CORNYN. Mr. President, I had a wonderful Thanksgiving break, and I trust the Presiding Officer did, too. I hope all enjoyed time with their families and friends last week.

It was my pleasure to be back home in Texas and spend time with some incredible people who and some organizations that are doing a lot of good in their communities.

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



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For example, I volunteered at the Central Texas Food Bank, which has a service area that is twice the size of Massachusetts. It has been fighting hunger for nearly four decades. I joined those there to help distribute to low-income families some of the food they had collected as they prepared for Thanksgiving, and I had the chance to speak with dozens of constituents there in the Austin area.

Then I got in my car and went south about 70 miles to San Antonio, which is my hometown, where I volunteered with the preparations for the 40th annual Raul Jimenez Thanksgiving Dinner. As I said, this dinner has been going on for 40 years, and it serves 25,000 people each year in the San Antonio area who might otherwise go hungry. The numbers are immense. I spent a little bit of time as a volunteer with a number of folks and picked the turkeys apart and broke them up into small, bite-sized pieces. They told me that they served 9,400 pounds of turkey during this 40th anniversary dinner. It is really one of my favorite events each year, and it was made even more special since they dedicated this year's dinner to Mary, Raul's wife, who, sadly, passed away earlier this year.

Then I traveled up to Wichita Falls, where I was able to spend a little bit of time at Sheppard Air Force Base with the families of deployed airmen. I think it is very important that we remember, particularly during the holidays, that having a loved one in the military service who is deployed and separated from the rest of the family involves a lot of sacrifice, not only on the part of the servicemember but on the ones who are left behind, as that hole in your heart feels a little bit bigger during the holidays.

My dad served 31 years in the U.S. Air Force. Fortunately, by the time I came along, his long-term deployments had long been over. Still, every time I meet a young family whose loved one is deployed overseas while the family waits behind, it tugs at my heartstrings. So we thank not only those who wear the uniform of the U.S. military but those family members as well, who, I believe, also serve.

We have an all-volunteer military. No one makes you join the military anymore in America. We should thank all of them for their service in different ways.

It was encouraging to me to meet with these patriots and thank them for their sacrifices and help to distribute a little bit of Thanksgiving love and food ahead of the holiday.

I came back here to Washington refreshed, having spent that time with constituents and family and friends, and I am eager to get back to work.

We know that the countdown to Christmas is on, and we have a long to-do list before we are through. One of our top priorities, strange as it may sound, is to actually pass appropriations bills to fund the government for the remainder of the fiscal year. I be-

lieve that the single most important function of the Federal Government—something that none of us can do individually nor the States collectively—is to provide for the common defense. The way we do that is by funding our military and making sure that they have the training, the leadership, and the materials they need in order to fight and win our Nation's wars or, ideally, to not have to fight our Nation's wars because nobody will dare mess with the U.S. military.

That is why it is particularly sad to see that we find ourselves balled up in this appropriations process this late in the year. Over the summer we came to a bipartisan, bicameral agreement to guide the appropriations process and, hopefully, to eliminate this uncertainty going into the Christmas season. Last August we had an agreement that provided a roadmap for negotiations this fall, and we all promised to work together in good faith and to stay away from poison pill policy riders and other things that might derail this appropriations process.

Well, obviously things did not work the way we had planned. Unfortunately, our Democratic colleagues went back on their promise because of a disagreement over 0.3 percent of the federal budget. You heard that correctly—0.3 percent. A disagreement over domestic spending involving 0.3 percent of the Federal budget derailed all of the appropriations process and leaves us in our current state of dysfunction.

So rather than passing appropriations bills on time, as we were on track to do, we passed two short-term funding bills, and we are working day and night to avoid needing another one when the current continuing resolution expires on December 20. I know Chairman SHELBY and our colleagues and the staff on the appropriations committees have been trying to build consensus on these funding bills, and I can only hope and pray that we can reach an agreement soon.

There are a lot of other things that we can and should be doing. We started this year off with a government shutdown, and we can't afford to make that an annual affair, but this roller coaster ride involving short-term spending bills puts us in a bad position, particularly for our military and other areas of government that need certainty and need to be able to make plans.

As our troops are serving around the globe to keep us safe, as well as our friends and allies abroad, we need to do everything in our power here at home to give them the stability they need to succeed. Our commanders and military leaders have repeatedly told us how difficult it is to plan for the future without a predictable budget, and the constantly evolving threat landscape only underscores that need. We need to get that done.

In addition to funding the military, we need to finish up the National Defense Authorization Act and get it to

the President's desk. Every year since 1961, Congress has passed the National Defense Authorization Act without delay, and now is not the time to get bogged down in partisan fights in Congress and fail to do what we have done each year since 1961.

Unfortunately, our Democratic colleagues in the House are trying to use this must-pass piece of legislation to leverage some of their liberal wish list. The version of this legislation passed by the House earlier this year is so partisan that it didn't get a single Republican vote—not one. Putting our national security on the line in order to pander to radical factions in the opposing party is absolutely shameful. There are some things that should rise above politics, rise above partisanship, and providing for our military is first on that list.

I appreciate our colleagues on the Armed Services Committee, led by Chairman INHOFE, who have been fighting to get these poison pills out of this legislation so we can pass the National Defense Authorization Act without any additional delay. It is critical that we get these bills moving before everyone heads home for the holidays.

There is one other piece of legislation I hope we can deliver before we leave. Over the last few weeks, I have been hearing rumors—which I hope are true—that a deal on the USMCA is very close. The USMCA, of course, is the U.S.-Mexico-Canada Trade Agreement, which is the successor to NAFTA, the North American Free Trade Agreement.

NAFTA is reported to support, according to the U.S. Chamber of Commerce, about 13 million jobs in America—8 million with our binational trade with Canada and 5 million with Mexico. This comes after nearly a year of negotiations between the administration and Speaker PELOSI and her House colleagues to resolve some differences, and I am cautiously optimistic that we may yet see an agreement soon. We have been anxious to get the final agreement so the House can begin processing it and then send it over here so we can begin reviewing it in the Senate Finance Committee.

The experts have told us that this agreement would lead to increased wealth for the United States and more than 176,000 new jobs. So it is time to get it ratified, but with the House continuing its single-minded obsession to impeach the President, I hope this trade agreement doesn't fall victim to impeachment mania.

Whether I am meeting with farmers, ranchers, manufacturers, small businesses or just average Texans, one of the top questions I get at home is this: When is the USMCA going to pass?

I heard last week that it is one of the top Federal priorities for the Central Texas Food Bank. I would like to be able to head home for Christmas in a few weeks with some great news for my constituents back home.

With impeachment using up most of the oxygen in Washington, I am afraid

our ability to get bipartisan work done is getting smaller and smaller. If the impeachment circus makes its way to this side of the Capitol, that ability may completely go away. If we stick to the timeline of the Clinton impeachment, that would mean the articles of impeachment would be voted on in late December, and then, literally, for the first 5 or 6 weeks of 2020, the Senate would be required to sit as the jury in impeachment proceedings, during which time nothing else can be done.

We need to check these critical items off of Congress's to-do list over the next few weeks—the things that we can and should get done before the Christmas holidays, and I am eager to get to work and to do my part.

Our hope is that our friends on the other side of the aisle will join us in the same commitment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. 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 MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

CYBER SECURITY

Mr. SCHUMER. Mr. President, allow me to begin on a topic that doesn't currently concern legislation or nominees on the floor but one that does concern our national security and the privacy of the American people.

Over the summer, I requested a review of the potential risks posed by FaceApp, a widely used Russian-based mobile application that requires the full and irrevocable access of its users' photos and data. Very recently, the FBI responded to my request in writing, warning that the FBI "considers any mobile application or similar product developed in Russia, such as FaceApp, to be a potential counterintelligence threat, based on the data the product collects, its privacy and terms-of-use policies, and the legal mechanisms available to the Government of Russia that permit access to data within Russia's borders."

Let me repeat this. These are the FBI's words in a letter sent to me just in the last few hours; that the FBI "considers," their words, "any mobile application or similar product developed in Russia, such as FaceApp, to be a potential counterintelligence threat."

The letter went on to say that the FBI is prepared to address foreign influence operations involving FaceApp against elected officials, candidates, political campaigns, and political parties.

In light of the FBI's warning, I strongly urge all Americans to consider deleting apps like FaceApp immediately and proceed with extreme cau-

tion when downloading apps from foreign countries that are known adversaries. The personal data that FaceApp collects from a user's device could end up in the hands of Russian intelligence services. It is simply not worth the risk.

Americans should be aware of the risks posed by certain mobile apps, particularly those developed in foreign countries that are known adversaries, before they download them. The FBI didn't name other countries, but I would certainly name not only Russia but China, Iran, and there are others.

Please, Americans, be careful, and let us let all of our intelligence agencies pursue this potential danger to America and ensure that it doesn't endanger our national security.

DEFENSE APPROPRIATIONS

Mr. President, on to the NDAA. The issue of FaceApp is a microcosm of a larger problem about cyber security and our foreign adversaries. There is no doubt that Russia and Vladimir Putin continue to meddle in our democracy and interfere in our elections. We should be doing everything in our power to stop it and prevent that from happening, from hardening our election infrastructure to ensuring that our military has the cyber authority needed to respond to attacks, to passing tough new sanctions to deter any foreign power from interfering in our elections.

So it is incomprehensible to me that at the moment, Leader McConnell and Senate Republicans are opposing the election security measures we wish to include in the annual Defense bill. It is amazing. There is bipartisan support for these, but Leader McConnell is once again saying that we are not going to do all we can to prevent Russia from interfering in our elections. That is right—the annual Defense bill, which passed the Senate months ago, remains in conference, in part, because Leader McConnell and Senate Republicans refuse to include important election security legislation. There is bipartisan legislation on this issue—the DETER Act and DASKA—that would trigger sanctions on any government that tried to interfere with American elections.

I don't care what your party is—Democratic, Republican, or any other, no good American wants Russia or any foreign power to be able to interfere in our elections. It is one of the things the Founding Fathers were most worried about. How can our Republican leaders sit blithely by, as the danger is real and as a bipartisan group is trying to prevent Russia from interfering and doing what we can to stop it. He is holding up the NDAA bill, in part, because of this provision.

Why the Republican leader and the Republican committee chairs are blocking this legislation is beyond me. Some have said the Trump administration is ready to act without these sanctions, even though it has failed to implement the sanctions targeted at Rus-

sia's Putin that are already on the books. Some have expressed concern about the sanctions on our allies and their partners while they know these issues can be addressed. When those arguments flail, they hide behind process complaints. No objection they have holds any water.

The NDAA, the Defense authorization act, might be one of the last chances to enact election security legislation before the upcoming Presidential election next year, including Senator VAN HOLLEN's proposal and other targeted sanctions offered by Senator MENENDEZ—both of which enjoy bipartisan support—is paramount. Inexplicably, Leader McConnell has yet again refused to allow these kinds of measures to go forward, refused to allow nearly any election security legislation from being considered in the Senate at all, and has repeatedly downplayed the threat of foreign interference in our elections.

Our country's top national security officials have warned repeatedly that our adversaries—North Korea, Iran, China, and, of course, Russia—are considering or working on new ways to meddle in our elections and that we have not done enough to prepare ourselves. We need now—not later, now—to take commonsense steps to protect the vital wellspring of our democracy: free and fair elections unimpeded by outside interference.

I urge Leader McConnell, I urge Senate Republicans to stand down and work with Democrats to secure our democracy. If there are Republican Senators who agree with us and don't want to say anything publicly, please go over to Leader McConnell privately and urge him to stand down.

IMPEACHMENT INQUIRY

Mr. President, on Wednesday, the House Judiciary Committee will hold its first hearing as a part of the impeachment inquiry, during which the constitutional history of impeachment will be examined and discussed with legal scholars. It is another example of how the House impeachment inquiry is proceeding in a deliberate, studious, and sober-minded manner, and it stands in stark contrast to some of the recent statements by Republicans on this side of the Capitol.

While the House investigation continues in search of the facts, certain Senate Republicans have made increasingly outlandish claims, including the assertion that Ukraine might have been involved in interfering with the 2016 election.

Let me be clear. The charge that Ukraine had something to do with election meddling in 2016 is a lie spread by Vladimir Putin to get things off his back. Putin and Russian intelligence services invented that lie to muddy the waters and distract from the fact that Russia, not Ukraine, interfered in our elections.

Now, disgracefully, we have sitting U.S. Senators helping spread that Russian propaganda in an effort to defend