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Senate

The Senate met at 10 a.m. and was called to order by the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi.

PRAYER

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

Let us pray.

God of grace and glory, on Your people, shower Your blessings. Be for us a shield and sure defense. Lord, as we live in this tangled world, give us the wisdom to keep our eyes on You.

Bless our Senators. Crown their deliberations with Your wisdom so that Your purposes will prevail. Lord, quicken in our lawmakers noble impulses as You sanctify their efforts with Your mercy and might.

Be merciful to us. Forgive our faults, and remember that we are but dust, like a wind that blows by and is gone. Lord, keep us from stumbling or slipping.

We pray in Your gracious Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 12, 2019.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi, to perform the duties of the Chair.

CHUCK GRASSLEY,
President pro tempore.

Mrs. HYDE-SMITH thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Aurelia Skipwith, of Indiana, to be Director of the United States Fish and Wildlife Service.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Senate Legislative Agenda

Mr. McCONNELL. Madam President, I have spoken at length about the serious impact the Democrats' impeachment obsession has had on months' worth of important legislative priorities. For months, the Republicans have been calling for bipartisan solutions to the NDAA, to the appropriations process, and more, but only in the last couple of days, here in mid-De-

cember, have our Democratic colleagues gotten sufficiently serious about these must-pass bills.

In the meantime, while we have waited on the House Democrats to act, the Senate has made good use of our floor time to complete the American people's business with respect to nominations. Last week alone, the Senate confirmed two executive branch nominations and put eight impressive jurists in seats on Federal district courts.

This week, we have considered yet another slate of the President's well-qualified nominees. The Senate will consider today John Sullivan, of Maryland, to serve as Ambassador to the Russian Federation, Stephen Hahn, of Texas, to serve as Commissioner at the Food and Drug Administration, and Aurelia Skipwith, of Indiana, to be Director of the U.S. Fish and Wildlife Service.

Already this week, we have confirmed two more outstanding jurists to the Court of Appeals for the Ninth Circuit—Patrick Bumatay, of California, and Lawrence VanDyke, of Nevada. Mr. Bumatay is a graduate of Yale and Harvard Law School. He clerked for the Eastern District of New York and the Tenth Circuit, practiced in the private sector, and served in a variety of roles with the Department of Justice. Mr. VanDyke graduated from Montana State University and Harvard Law School. His career has included a clerkship with the DC Circuit, time as a State solicitor general, and service as Deputy Assistant Attorney General at the Department of Justice. Both of these jurists are well qualified, and both have widespread respect from legal peers. Now they are the 49th and 50th circuit judges to have been nominated by President Trump and confirmed by the Senate in the last 3 years.

As I have said before, these kinds of milestones are emphatically not partisan achievements. It is not one party or the other that benefits when our

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



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Federal courts consist of men and women who understand that a judge's job is to follow the law, not to make the law. The entire country benefits from that. Our constitutional system benefits from that as well. If a judge's applying our laws and our Constitution as they are written strikes anybody as a threat to one's particular agenda, it is the agenda that needs to change, not the judiciary the Framers intended.

On another matter, as I said, the Democrats' fixation with impeachment has pushed critical governing priorities right into the eleventh hour. Just yesterday, after months of delays and hostage-taking, the House Democrats finally approved an NDAA conference report. Next week, the Senate will pass it and send this overdue legislation to President Trump. Yet, of course, we need to follow up Defense authorization with Defense appropriations so that we actually supply the funding our servicemembers need to carry out their missions and our commanders need to plan for the future.

It is not just defense funding that has been hampered by the Democrats' impeachment obsession and reluctance to do anything bipartisan. All Federal funding has been jeopardized by the House's procrastination. That includes critical domestic programs with implications for every one of our colleagues and all of our constituents. Even today, at this late date, the Democratic leadership is continuing to delay a bipartisan agreement on appropriations. Even now, at the eleventh hour, the Democratic leadership is still threatening to potentially tank the whole process and force another continuing resolution.

Look, the story is the same as it has been for months—partisan policy demands, poison pills. It is exactly the playbook the Speaker of the House and the Democratic leader had explicitly promised months ago, in writing, they would not use in order to sabotage appropriations.

Let me say that again. Last summer, the Speaker of the House and the Senate Democratic leader explicitly promised in writing that they would not use poison pills or changes to Presidential transfer authorities to sabotage the appropriations process. Yet, even in mid-December, they are still using those tactics to jeopardize all of our progress.

It doesn't have to end this way. I know earnest discussions are still underway as our colleagues in both Chambers work to fix this. I urge the Democratic leadership to let the committees do their work, to let the Congress do its work, and to let us pass legislation on a bipartisan basis next week.

On a related matter, while we hold out hope for a breakthrough in appropriations, we also know there has been one major casualty of Speaker PELOSI's impeachment obsession—Congress's ability to pass the President's USMCA this year.

It was more than a year ago that President Trump first signed the draft agreement with the leaders of Canada and Mexico—more than 12 months ago. That is how long the House Democrats have dragged their heels on the USMCA and have kept 176,000 new American jobs on ice. Now, at the eleventh hour, Speaker PELOSI has finally realized it would be too cynical and too nakedly partisan to allow her conference's impeachment obsession to kill the USMCA entirely.

So after a year of obstruction, she finally gave in to Republican pressure and struck a notional deal with the White House. But actions have consequences. That entire calendar year that House Democrats wasted has consequences. The Speaker's action was so belated that the administration is still—still—in the process of writing the actual bill. We don't have a bill yet. Once a bill is produced, the House has to take it up first, and then, under trade promotion authority that exists to protect the deals Presidents negotiate, after House passage, the bill spends up to 15 session days in the Senate Finance Committee. After that, there are up to 15 session days for the Senate to vote on the floor.

So, unfortunately, the Speaker's 12 months of delay have made it literally impossible for the Senate to take up the agreement this year. And if House Democrats send us impeachment articles, those have to come first in January, so the USMCA will get pushed back yet again.

Like I said, actions have consequences. There is just no way the Senate can make up for 12 months of House Democratic delays in just a couple of days. Governing is a question of priorities. Speaker PELOSI failed to make this trade deal a priority for the entire year, and we are now bound by the time requirements of TPA to protect the agreement here in the Senate.

On one final matter, speaking of priorities, listen to what the House Democrats are prioritizing. Listen to what they are doing today while all of this crucial legislation goes unfinished: more Judiciary Committee hearings on impeaching the President and on the floor, a vote on yet another far-left messaging bill with literally no chance of becoming law.

They are spending floor time on their socialist scheme to micromanage Americans' prescription drugs and put the Federal Government in charge of the medicines so many people rely on. The Speaker wants to take us down the road of nationalizing an entire industry and imposing Washington's stifling influence on the life sciences sector that produces lifesaving cures—never mind the fact that this far-left messaging bill has zero chance of passing the Senate and that President Trump has already threatened to veto it.

We know by now that political performance art takes precedence over bipartisan legislation where this Democratic House has been concerned. I

hope these stunts—stunts—come to an end soon. I hope the House finds time to finish negotiating the things we actually have to pass—the funding of the government. I hope we can do that in good faith. I hope our Democratic colleagues join Republicans at the table, and let's get the American people's business that must be done accomplished.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CHINA

Mrs. BLACKBURN. Madam President, this past Sunday, hundreds of thousands of protesters filled the streets of Hong Kong to remind Beijing that totalitarianism will no longer go unchallenged.

I was reading a New York Times article about this protest when I came across a particularly striking quote. When asked why she had taken to the streets, a 24-year-old biology researcher named Alice said:

We want Hong Kong to continue being Hong Kong. We don't want to become like China.

Madam President, I ask unanimous consent to have printed in the RECORD this article on the Hong Kong human rights protest, that appeared in the December 9 edition of the New York Times and that depicts a beautiful picture of what people will do for the cause of freedom.

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

[From the New York Times, Dec. 7, 2019]

HONG KONG PROTEST, LARGEST IN WEEKS, STRETCHES SEVERAL MILES

(By Javier C. Hernández and Elaine Yu)

HONG KONG.—Hundreds of thousands of protesters, basking in a recent election victory by Hong Kong's pro-democracy camp, poured onto the city's streets on Sunday in one of the largest marches in weeks to pressure the government to meet demands for greater civil liberties.

The huge turnout was a reminder to China's leader, Xi Jinping, that the monthslong campaign against his authoritarian policies still had broad support in Hong Kong despite a weakening economy and increasingly violent clashes between protesters and the police.

Tensions in Hong Kong, a semiautonomous territory, had eased somewhat in recent days, after pro-democracy advocates won a stunning victory in local elections two weeks ago, giving new hope to the movement.

On Sunday, demonstrators returned in force, packing city streets to denounce Mr. Xi's government, rail against police brutality and reiterate demands for greater civil liberties, including universal suffrage. They beat drums, sang protest anthems and chanted, "Fight for freedom." Though the march was largely peaceful, some demonstrators vandalized shops and restaurants and lit a fire outside the high court.