

Union of Cuba (UNPACU) that have been arbitrarily imprisoned;

(4) commends Mr. Ferrer for his unwavering commitment to advance democratic principles, human rights, and fundamental freedoms in Cuba; and

(5) recognizes the important contributions of UNPACU and all of its members for their efforts to promote greater respect for democratic principles, human rights, and fundamental freedoms in Cuba.

**SENATE RESOLUTION 455—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF RICHARD ARJUN KAUL V. SENATOR CHARLES SCHUMER, ET AL**

Mr. McCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 455

Whereas, Senator Charles Schumer has been named as a defendant in the case of *Richard Arjun Kaul v. Senator Charles Schumer, et al.*, Case No. 19-CV-13477-BRM-JAD, currently pending in the United States District Court for the District of New Jersey;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

*Resolved*, That the Senate Legal Counsel is authorized to represent Senator Schumer in the case of *Richard Arjun Kaul v. Senator Charles Schumer, et al.*

Mr. McCONNELL. Mr. President, I send to the desk a resolution authorizing representation by the Senate Legal Counsel and ask for its immediate consideration.

Mr. President, this resolution concerns a civil action pending in New Jersey Federal court against Senator Schumer and various private entities. The plaintiff previously brought a lawsuit arising out of the revocation of his medical license by the New Jersey State Board of Medical Examiners, and that lawsuit was dismissed. In this lawsuit, plaintiff asserts a conspiracy among Senator Schumer and two large insurance companies, a bank, a law firm, and a media company, to obstruct and undermine plaintiff's previous lawsuit by having the Senator use his influence over the presiding judge to dismiss the case. Plaintiff's claims against Senator Schumer are subject to dismissal for failure to State a claim and on jurisdictional grounds. This resolution would authorize the Senate Legal Counsel to represent Senator Schumer in order to seek dismissal of the claims against him.

**SENATE CONCURRENT RESOLUTION 30—RECOGNIZING THE NEED TO IMPROVE PHYSICAL ACCESS TO MANY FEDERALLY FUNDED FACILITIES FOR ALL PEOPLE OF THE UNITED STATES, PARTICULARLY INDIVIDUALS WITH DISABILITIES**

Mr. BLUMENTHAL (for himself, Mr. CASEY, Mr. BROWN, Ms. CANTWELL, Mr.

MERKLEY, Ms. HASSAN, Ms. DUCKWORTH, Mr. MURPHY, Ms. HARRIS, Mr. WHITEHOUSE, Mr. VAN HOLLEN, Mr. COONS, Mrs. MURRAY, and Ms. HIRONO) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 30

Whereas the First Amendment to the Constitution of the United States—

(1) prevents Congress from making any law respecting an establishment of religion, prohibiting the free exercise of religion, or abridging the freedom of speech, the freedom of the press, the right to peaceably assemble, or the right to petition for a governmental redress of grievances; and

(2) was ratified on December 15, 1791, as 1 of the 10 amendments that constitute the Bill of Rights;

Whereas the Bill of Rights, specifically the First Amendment to the Constitution of the United States, calls for the right of all individuals to peaceably assemble, meaning that all individuals, regardless of their physical ability, shall be offered equal opportunity to access all amenities that are federally funded, in whole or part, with the exception of certain sites of historical importance approved by the Architectural and Transportation Barriers Compliance Board (referred to in this preamble as the “United States Access Board”) or a nonpartisan commission convened by the United States Access Board;

Whereas, in the 29 years since the signing of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), there have been advances in technologies that benefit individuals with disabilities, such as automatic doors;

Whereas, in 2018, the Centers for Disease Control and Prevention reported that—

(1) 61,000,000 individuals in the United States have a disability that impacts major life activities;

(2) 1 of every 7 adults experience a mobility impairment, which is the most common form of disability; and

(3) as people age, disability becomes increasingly common, affecting an estimated 2 of every 5 older adults;

Whereas, as significant advances in medical treatment result in improved health outcomes, the incidence of disability has increased over time;

Whereas, in 2016, an estimated 25.1 percent of veterans in the United States, or more than 2,000,000 individuals, reported having a service-connected disability;

Whereas the Act entitled “An Act to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped”, approved August 12, 1968 (42 U.S.C. 4151 et seq.) (commonly known as the “Architectural Barriers Act of 1968”), was enacted to ensure that certain federally funded facilities are designed and constructed to be accessible to individuals with disabilities;

Whereas title V of the Rehabilitation Act of 1973 (29 U.S.C. 791 et seq.)—

(1) prohibits discrimination against a person with a disability in programs and activities funded by the Federal Government;

(2) requires the elimination of architectural barriers for Federal employees and applicants with disabilities; and

(3) established the United States Access Board;

Whereas the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)—

(1) prohibits discrimination against a person with a disability by a State or local government, including any department, agency,

special purpose district, or other instrumentality of a State or local government, in programs and activities, transportation, communications, and the built environment;

(2) prohibits discrimination against a person with a disability in the activities of a place of public accommodation, which is an entity that is—

(A) generally open to the public; and

(B) within a category described in that Act, such as a restaurant, movie theater, school, day care facility, or doctor's office; and

(3) requires a newly constructed or altered place of public accommodation or commercial facility (such as a factory, warehouse, or office building) to comply with the Standards for Accessible Design;

Whereas the Fair Housing Act (42 U.S.C. 3601 et seq.)—

(1) prohibits discrimination on the basis of disability in multifamily housing, including military family housing; and

(2) requires the elimination of architectural barriers in common areas;

Whereas the United States Access Board has developed new guidelines for public rights-of-way that address various issues, including access for blind pedestrians at street crossings, wheelchair access to on-street parking, and various constraints posed by space limitations, roadway design practices, slope, and terrain;

Whereas the new guidelines developed by the United States Access Board cover pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way;

Whereas the aim of the United States Access Board in developing the new guidelines includes ensuring that—

(1) access for individuals with disabilities is provided wherever a pedestrian way is newly built or altered; and

(2) the same degree of convenience, connection, and safety afforded the public generally is available to pedestrians with disabilities;

Whereas, on the date on which the Attorney General adopts the new guidelines, the guidelines will become enforceable standards under title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.); and

Whereas the United States was founded on the principles of equality and freedom, and such principles require that all individuals, including individuals with disabilities, are able to engage as equal members of society: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) recognizes the importance of equal opportunity for individuals with disabilities in the United States;

(2) recognizes that too many facilities of Federal, State, and local governments remain inaccessible to individuals with disabilities due to architectural and other barriers;

(3) reaffirms its support of and requires full compliance with—

(A) the Act entitled “An Act to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped”, approved August 12, 1968 (42 U.S.C. 4151 et seq.) (commonly known as the “Architectural Barriers Act of 1968”);

(B) title V of the Rehabilitation Act of 1973 (29 U.S.C. 791 et seq.);

(C) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

(D) the Fair Housing Act (42 U.S.C. 3601 et seq.); and

(4) pledges to make universal and inclusive design a guiding principle for all infrastructure bills and projects and will continue working to identify and remove the barriers that prevent all people of the United States,

S. CON. RES. 23

including individuals with disabilities, from having equal access to the services provided by the Federal Government.

#### AMENDMENTS SUBMITTED AND PROPOSED

**SA 1256.** Mr. MCCONNELL (for Mr. CRAMER) proposed an amendment to the concurrent resolution S. Con. Res. 23, honoring the 75th Anniversary of the Battle of the Bulge fought during World War II, recognizing the valiant efforts of the Allied Forces in December 1944, and remembering those who made the ultimate sacrifice, all of which contributed to the Allied victory in the European Theater.

#### TEXT OF AMENDMENTS

**SA 1256.** Mr. MCCONNELL (for Mr. CRAMER) proposed an amendment to the concurrent resolution S. Con. Res. 23, honoring the 75th Anniversary of the Battle of the Bulge fought during World War II, recognizing the valiant efforts of the Allied Forces in December 1944, and remembering those who made the ultimate sacrifice, all of which contributed to the Allied victory in the European Theater; as follows:

Between the seventh and eighth whereas clauses in the preamble, insert the following:

Whereas, the heroic defense of Bastogne by the 101st Airborne Division became personified by General Anthony McAuliffe's reply to the German request to surrender with one word: "Nuts!";

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate.

#### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, December 12, 2019, at 10 a.m., to conduct a closed hearing.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, December 12, 2019, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, December 12, 2019, at 10 a.m., to conduct a hearing nomination of Crosby Kemper III, of Missouri, to be Director of the Institute of Museum and Library Services.

#### COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Thursday, December 12, 2019, at 10 a.m., to conduct a closed hearing.

#### SUBCOMMITTEE ON SECURITY

The Subcommittee on Security of the Committee on Commerce, Science, and

Transportation is authorized to meet during the session of the Senate on Thursday, December 12, 2019, at 10 a.m., to conduct a hearing.

#### APPOINTMENT

**THE PRESIDING OFFICER.** The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194(a), as amended by Public Law 101-595, and further amended by Public Law 113-281, appoints the following Senator to the Board of Visitors of the U.S. Coast Guard Academy: The Honorable ROGER WICKER of Mississippi.

#### AUTHORIZING REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF RICHARD ARJUN KAUL V. SENATOR CHARLES SCHUMER, ET AL

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 455, submitted earlier today.

**THE PRESIDING OFFICER.** The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 455) to authorize representation by the Senate Legal Counsel in the case of Richard Arjun Kaul v. Senator Charles Schumer, et al.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

The resolution (S. Res. 455) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### HONORING THE 75TH ANNIVERSARY OF THE BATTLE OF THE BULGE FOUGHT DURING WORLD WAR II

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 326, S. Con. Res. 23.

**THE PRESIDING OFFICER.** The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 23) honoring the 75th Anniversary of the Battle of the Bulge fought during World War II, recognizing the valiant efforts of the Allied Forces in December 1944, and remembering those who made the ultimate sacrifice, all of which contributed to the Allied victory in the European Theater.

There being no objection, the Senate proceeded to consider the concurrent resolution, which had been reported from the Committee on Foreign Relations, without amendment, and with an amendment to the preamble as follows:

Whereas the Battle of the Bulge was the last major German offensive in Western Europe during World War II, designed to split the Allied Forces, regain the initiative in the West, and pressure the Allies to seek a negotiated peace;

Whereas, in the Ardennes region of Belgium and Luxembourg, more than 650,000 troops from the United States, Great Britain, Belgium, Canada, and other Allied Forces defeated Germany in the Battle of the Bulge, which began December 16, 1944, and ended January 25, 1945;

Whereas the Battle of the Bulge resulted in over 89,000 United States casualties, including 19,000 soldiers killed, 47,500 wounded, and more than 23,000 captured or missing-in-action;

Whereas the Allied Forces overcame formidable obstacles that included being greatly outnumbered by the German Army, harsh weather conditions, and the treacherous and unknown terrain of the Ardennes Forest region of Belgium and Luxembourg;

Whereas, on December 17, 1944, during one of the worst atrocities of the war in Europe, the Malmedy Massacre, 84 unarmed American prisoners of war were shot by troops of the 1st SS Panzer Division;

Whereas 11 African American soldiers of the 333rd Field Artillery Battalion were massacred by SS troops near Wereth, Belgium, and were identified as James Stewart of West Virginia, Due Turner of Arkansas, Curtis Adams of South Carolina, Mager Bradley of Mississippi, George Davis, Jr. of Alabama, Thomas Forte of Mississippi, Robert Green of Georgia, James Leatherwood of Mississippi, Nathaniel Moss of Texas, George Moten of Texas, and William Pritchett of Alabama;

Whereas the impressive leadership of Lieutenant General George S. Patton of the Third Army accelerated the success of the Allied Forces during the Battle of the Bulge;

Whereas, although Belgium lost more than 74,000 civilians during the war, in addition to many more having suffered through other atrocities that come with war, the people of Belgium persevered through the difficult period of time and rebuilt their lives the best they could after the war ended;

Whereas the success of the Allied Forces in beating back the German attack in the Battle of the Bulge made possible the final defeat and surrender of Nazi Germany in May 1945;

Whereas the citizens of Belgium and Luxembourg have generously hosted thousands of United States veterans and kept the memory of the Battle of the Bulge alive through numerous memorials and museums, including the Henri-Chapelle American Cemetery and Memorial, the Ardennes American Cemetery and Memorial, the Luxembourg American Cemetery, the Battle of the Ardennes Museum, the Bastogne War Museum, and the Bastogne December Historic Walk; and

Whereas, after the Battle of the Bulge ended, British Prime Minister Winston Churchill said, "This is undoubtedly the greatest American battle of the war and will, I believe, be regarded as an ever-famous American victory.": Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That the Senate—*

(1) commemorates, on December 16, 2019, the 75th Anniversary of the Battle of the Bulge in World War II;

(2) recognizes the valiant efforts of the various Allied Forces; and

(3) remembers the individuals who made the ultimate sacrifice, which contributed to the Allied victory in the European Theater.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed