

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 1267 to amendment No. 1266.

Mr. McCONNELL. I ask unanimous consent that the reading of the Amendment be dispensed with.

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

The amendment is as follows:

Strike "4" and insert "5"

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. McCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 550.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The clerk will report the nomination.

The legislative clerk read nomination of Stephen E. Biegun, of Michigan, to be Deputy Secretary of State.

#### CLOTURE MOTION

Mr. McCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Stephen E. Biegun, of Michigan, to be Deputy Secretary of State.

Mitch McConnell, Steve Daines, Mike Rounds, David Perdue, Pat Roberts, Shelley Moore Capito, John Thune, John Boozman, Roger F. Wicker, Richard Burr, Mike Crapo, John Cornyn, Rob Portman, Richard C. Shelby, Roy Blunt, Jerry Moran, John Hoeven.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

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

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. LEAHY. Madam President, I support the fiscal year 2020 National Defense Authorization Act. The final, conferenced version of this bill reflects

a compromise. As with any compromise, there are things I support and things I wish the final bill had included.

Of great significance is the inclusion in this bill of a provision providing 12 weeks of paid parental leave for all Federal employees. There are Federal employees in every corner of this country, including in Vermont. We lead by example when we say that the Federal Government will support new parents, who will now be able to be home with their new child in those important first days. I hope that this example is one that can be replicated throughout our workforce.

The fiscal year 2020 NDAA includes important wins for servicemembers, their families, and our national security as well. I am pleased that at long last we have successfully introduced a phase-out of the so-called Widows' Tax. This bill mandates gender integration for Marine Corps training, makes much needed progress in addressing the use and after effects of open-air burn pits, and demands new standards for microelectronics supply chains, so we know our technology is working for us.

Closer to home, the bill authorizes \$30 million to construct a new Army Mountain Warfare School in Jericho. This is important to Vermont and to the Nation. This major construction project will allow the Vermont Army National Guard, one of the Nations' few mountain battalions, to better fulfill their mission of training soldiers from the Guard, Reserves, and Active Duty to accomplish their mission in cold, rugged terrain. Vermont is an ideal training ground because its mountains and climate are challenging, but still allow training throughout the year for all levels of expertise. That training is important to the Army because mountain skills require the ability to move from one place to another when major obstacles are in the way, something valuable anywhere the Army operates.

The bill includes an important measure based on an amendment I filed as well to improve condolence payment authorities for civilians who are killed as a result of U.S. military operations. We have included funds for this purpose for years through the appropriations process, but very few payments have been made and record keeping has often been poor. The new provisions in this bill aim to improve the process and increase its use, so that when civilians are harmed in war, their families are not left economically destitute as well.

I am disappointed that this bill does not include measures that were adopted by the House of Representatives to repeal authorizations for the use of force that were adopted nearly two decades ago. We simply must have a debate in Congress about our ongoing engagement around the world that relies on these AUMFs.

I wish the final agreement had included a hazardous substance designa-

tion for the dangerous chemicals known by their abbreviations PFAS and PFOA, nor was a sufficient authorization included that would support the cleanup of these chemicals. The NDAA also includes authorization of the President's Space Force, which I believe increases bureaucracy at the expense of our real priorities.

Nonetheless, I believe this is a good bill that supports our troops, and for that reason, I support its passage.

#### VOTE EXPLANATION

Mr. MERKLEY. Madam President, I wish to state for the record that although an important engagement in Oregon kept me from being present in the Capitol to participate in the cloture vote on this year's National Defense Authorization Act, NDAA, I would have voted nay had I been present.

I am pleased that the NDAA would phase out the reduction of survivor benefit plan annuities to ensure that the families of our fallen servicemembers receive the Federal support they need and deserve; would guarantee 12 weeks of paid family leave for Federal employees; fence funds for the introduction of new Intermediate-Range Nuclear Forces, INF; limit nuclear cooperation agreements under section 123 of the U.S. Atomic Energy Act with countries that lack safeguards; and support the legally-binding and verifiable limits of the New START Treaty as being in the national security interest of the United States. However, other aspects of the bill are cause for serious concern, outweighing these strong points, and must not be overlooked.

I am deeply concerned by this legislation's failure to prohibit funds for unauthorized war with Iran. There is no doubt that war with Iran would be a reckless, disastrous mistake. Yet the President has made a number of impulsive, provocative public statements that risk escalating tensions. Congress must protect its authority to declare war, and that means no blank checks to the administration for an unauthorized war with Iran.

It is also unthinkable that the final NDAA does not prohibit funds for intelligence support to the Saudi-led coalition in a war that has caused a catastrophic humanitarian crisis in Yemen. Communities have crumbled as a result of this conflict, and an acute cholera outbreak and famine have killed more than 85,000 children under the age of 5. The United States has no place supporting, prolonging, or being complicit in this war's widespread civilian casualties.

In addition, I am concerned that the NDAA does not prohibit funds for the deployment of a low-yield warhead on a submarine-launched ballistic missile. The use of this powerful and aggressive tool could drastically increase the risk of instigating a destabilizing nuclear arms race.

Here at home, the final NDAA conference report removed provisions to address PFAS water contamination. More than 16 million Americans currently drink water contaminated with PFAS chemicals, which can affect every major organ in the human body and put humans at higher risk of a wide variety of health conditions and complications including liver and kidney damage and thyroid disease. The decision to reject remedies to this urgent public health issue in the NDAA is deeply disturbing and completely unacceptable.

Finally, this NDAA does not include adequate safeguards to ensure accountability for wasteful defense spending. At a time when America far outspends every other nation in the world militarily, while working families are grappling with stagnant wages and rising costs of living, it could not be more important that the Pentagon and its contractors are accountable to American taxpayers. We should be doing far more to scrutinize defense spending and to evaluate whether we could maintain a strong military while redirecting badly needed funding to the American people's priorities on health care, housing, education, and infrastructure.

Mr. President, I wish to state once again that I would have voted nay had I been present. I look forward to working with all of my colleagues to resolve these critical issues in future bills and to advance the health, safety, and well-being of all Americans.

#### VOTE EXPLANATION

Ms. DUCKWORTH. Madam President, I was necessarily absent for vote No. 395 on confirmation of Executive Calendar No. 452, Aurelia Skipwith, of Indiana, to be Director of the United States Fish and Wildlife Service. On vote No. 395, had I been present, I would have voted nay on confirmation.

I was also necessarily absent for vote No. 396 on confirmation of Executive Calendar No. 530, John Joseph Sullivan, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation. On vote No. 396, had I been present, I would have voted nay on confirmation.

I was also necessarily absent for vote No. 397 on confirmation of Executive Calendar No. 543, Stephen Hahn, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services. On vote No. 397, had I been present, I would have voted nay on confirmation.

#### TRIBUTE TO JOHNNY ISAKSON

Ms. DUCKWORTH. Madam President, I rise today to recognize my colleague and friend, Senator JOHNNY ISAKSON, for a lifetime of service to our Nation that started with his time as a loadmaster in the Georgia Air National Guard, to his tenure in the Georgia General Assembly, to his years of pub-

lic service in the U.S. House of Representatives and the U.S. Senate.

With JOHNNY's retirement, the Senate is losing a truly great leader; a man of courage, whose dedication to this country has inspired me more times than I can count; a man of honor, who has worked tirelessly for the veteran community; and a man of compassion, who I am so grateful to be able to call a dear friend.

We will never be able to fully thank JOHNNY for all he has done for the rest of us, but today, I want to try. JOHNNY, thank you for being there for me at Walter Reed when I was a Wounded Warrior, just home from combat. Thank you for being by my side last spring, a decade and a half later, on my first trip back to Iraq.

Thank you for always being there when it matters the most, for being such an incredible advocate for our veterans, for giving the absolute best birthday and holiday presents, and for showing what it means to lead a life guided by integrity, a life defined by service.

You have made our Nation stronger and our Union more perfect. You will be missed every time this Chamber is gavelled into session.

#### JOINT EXPLANATORY STATEMENT

Mr. BURR. Madam President, this explanation reflects the status of negotiations and disposition of issues reached between the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence for the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020. This bill is named after two dedicated staffers—Matthew Young Pollard of the Senate Select Committee on Intelligence and Damon Paul Nelson of the House Permanent Select Committee on Intelligence—whose contributions to America will have an enduring, positive impact on our national security.

The explanation shall have the same effect with respect to the implementation of this act as if it were a joint explanatory statement of a conference committee. The explanation comprises three parts: an overview of the application of the annex to accompany this statement, unclassified congressional direction, and a section-by-section analysis of the legislative text.

I ask unanimous consent that the Joint Explanatory Statement for the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 be printed into the RECORD.

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

DAMON PAUL NELSON AND MATTHEW YOUNG POLLARD INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEARS 2018, 2019, AND 2020

The following is the explanation of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fis-

cal Years 2018, 2019, and 2020 (hereinafter, "the Act").

This explanation reflects the result of negotiations and disposition of issues reached between the House Permanent Select Committee on Intelligence (HPSCI) and the Senate Select Committee on Intelligence (SSCI) (hereinafter, "the Agreement"). The explanation shall have the same effect with respect to the implementation of the Act as if it were a joint explanatory statement of a conference committee.

The explanation comprises three parts: an overview of the application of the annex to accompany this statement; unclassified congressional direction; and a section-by-section analysis of the legislative text.

#### PART I: APPLICATION OF THE CLASSIFIED ANNEX

The classified nature of U.S. intelligence activities prevents the HPSCI and SSCI (collectively, the "congressional intelligence committees") from publicly disclosing many details concerning the conclusions and recommendations of the Agreement. Therefore, a classified Schedule of Authorizations and a classified annex have been prepared to describe in detail the scope and intent of the congressional intelligence committees' actions. The Agreement authorizes the Intelligence Community (IC) to obligate and expend funds not altered or modified by the classified Schedule of Authorizations as requested in the President's budget, subject to modification under applicable reprogramming procedures.

The classified annex is the result of negotiations between the congressional intelligence committees. They reconcile the differences between the congressional intelligence committees' respective versions of the bill for the National Intelligence Program (NIP) for Fiscal Years 2018, 2019, and 2020. The Agreement also makes recommendations for the Military Intelligence Program (MIP) and the Information Systems Security Program (ISSP), consistent with the National Defense Authorization Act for Fiscal Year 2020, and provides certain direction for these two programs. The Agreement applies to IC activities for Fiscal Year 2020.

The classified Schedule of Authorizations is incorporated into the bill pursuant to Section 5102 of Subdivision 1. It has the status of law. The classified annex supplements and adds detail to clarify the authorization levels found in the bill and the classified Schedule of Authorizations. The congressional intelligence committees view direction and recommendations, whether contained in this explanation or in the classified annex, as requiring compliance by the Executive Branch.

#### PART II: SELECT UNCLASSIFIED CONGRESSIONAL DIRECTION

Unclassified Direction related to Subdivision 1 of the Act relates to Fiscal Year 2020. Unclassified Direction related to Subdivision 2 originated in Fiscal Years 2018 and 2019. The term "Committees" refers to both SSCI and HPSCI.

#### UNCLASSIFIED DIRECTION RELATED TO SUBDIVISION 1

*Plans for Operations During Government Shutdowns by All Elements of the Intelligence Community.*

The Committees have an active interest in the impact of government shutdowns on the intelligence mission. Office of Management and Budget (OMB) Circular A-11, Section 124, outlines how agencies are supposed to plan for operations during government shutdowns, and Section 124.2 provides that agencies must share those plans with OMB. Additionally, Section 323 of the *Intelligence Authorization Act for Fiscal Year 2014* requires the Office of the Director of National Intelligence (ODNI), the Central Intelligence