

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER (Mr. SASSE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 55, nays 38, as follows:

[Rollcall Vote No. 401 Ex.]

YEAS—55

Alexander	Gardner	Portman
Barrasso	Graham	Risch
Blackburn	Grassley	Roberts
Blunt	Hawley	Romney
Boozman	Hoehn	Rounds
Braun	Hyde-Smith	Rubio
Brown	Inhofe	Sasse
Capito	Johnson	Scott (FL)
Cassidy	Jones	Scott (SC)
Collins	Kennedy	Shelby
Cornyn	Lankford	Sinema
Cotton	Lee	Sullivan
Cramer	Manchin	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	
Fischer	Perdue	

NAYS—38

Baldwin	Hassan	Rosen
Bennet	Heinrich	Schatz
Blumenthal	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Smith
Carper	Leahy	Stabenow
Casey	Markey	Tester
Coons	Menendez	Udall
Cortez Masto	Merkley	Van Hollen
Duckworth	Murphy	Warner
Durbin	Murray	Whitehouse
Feinstein	Peters	Wyden
Gillibrand	Reed	

NOT VOTING—7

Booker	Isakson	Warren
Burr	Klobuchar	
Harris	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 38.

The motion is agreed to.

The PRESIDING OFFICER. The Senator from Texas.

HOSTAGE NEGOTIATIONS

Mr. CRUZ. Mr. President, I rise today to talk about one of our most complicated areas where diplomats have to engage when brutal regimes and terror groups seize Americans and use them as hostages, hoping to extract concessions from our government. These are situations that are infuriating, and they are heartbreaking. At the same time, they are immensely complicated. There are no easy solutions when dealing with hostage-takers.

We know what doesn't work. We know that paying ransom for hostages, as the Obama administration did with Iran to the tune of billions of dollars,

only incentivizes more hostage-taking. It is exactly the behavior you would expect from hostage-takers, and it is exactly the behavior we have seen played out over and over. My colleagues and I, along with the Trump administration, have sought other ways of securing the release of American hostages.

Sometimes what is called for is diplomatic pressure. So early in my tenure in the Senate, the very first bill that I passed into law was legislation that kept Iranian regime figures who had seized American hostages in 1979 from receiving diplomatic visas to come into the United States.

I also recently joined with Senator COTTON to introduce the Global Hostage Act, a bill that would require the President to impose sanctions on foreign government officials responsible for taking Americans hostage.

The Trump administration recently secured the release of Americans held hostage in Iran without the need for pallets of cash flown in the darkness of night. Nevertheless, all of these solutions are imperfect. So it is no surprise that even in countries where we enjoy successes, those successes are often heartbreakingly partial, with hostages left behind.

Today, I want to talk about two countries, specifically, where Americans from my home State of Texas are languishing today.

In Syria we have seen some Americans released while others remain away from their families. This summer, American Sam Goodwin and Canadian Kristian Baxter were released by captors in Syria, which were joyful developments on their own and encouraging signs of progress. But Austin Tice remains in captivity after more than 7 agonizing years. Austin is a Texan and a veteran Marine Corps captain who served our country in Iraq and Afghanistan. He was working as a freelance journalist to inform Americans about the horror of the Syrian conflict when he was captured.

I have repeatedly had the opportunity to sit down and visit with Austin's parents, Marc and Debra. Austin's picture sits on my desk in my Senate office, and I remain committed to working with President Trump, with the Trump administration, with my colleagues in Congress to bring Austin home.

I joined with 51 Senators, 120 Representatives to write a letter to President Trump affirming that "the Tice family and your own administration are confident that Austin is alive" and calling on President Trump to redouble our country's efforts to bring him home. No one should doubt the entire U.S. Government's commitment to this task.

Secondly, in Venezuela, we have also seen partial progress but partial progress of a different sort. In the case of the Citgo 6—five American citizens and one permanent American resident—they have been released from

jail, which is a good thing, but they remain under house arrest.

So while Jose Luis Zambrano, Alirio Zambrano, Jorge Toledo, Gustavo Cardenas, Tomeu Vadell, and Jose Angel Pereira are no longer under the constant threat of dying from abuse and neglect, they are still very much held captive and away from their loved ones. Today, here in the gallery, are Gabriela and Alirio Rafael, the daughter and the brother of Alirio Zambrano.

These five Texans and one Louisianan are now 2 years into their nightmarish journey. They had been summoned to Caracas a week shy of Thanksgiving, and upon their arrival, they were summarily detained and remained in jail on orders of the Venezuelan military. They would go days without food and months without sunlight, but the random punishments were nothing if not persistent.

I have met members of the Citgo 6 families many times. Alexandra Forseth, Alirio Zambrano's daughter, shared with me haunting accounts that came from her father. He described exactly how harrowing the experience has been and the physical toll it has taken.

These families have left no stones unturned in their efforts to bring back their loved ones. They have hired lawyers who have grappled with the shifting and inadequate legal institutions in Venezuela, and they have found little recourse.

After years of this literal darkness, just last week the Citgo 6 were released to house arrest. This is progress. It is undeniable progress, but it is far from enough. Here, too, we must redouble our efforts to ensure their full release, to ensure that they can come home to America. Every effort must be made to bring them back to the United States, to their families, to their children, to their homes.

Sergio Cardenas, the son of Gustavo Cardenas, was born with a rare disease, and at the age of 17, he is battling chronic congestive heart failure. The doctors and his family are gravely concerned that he will never see his father.

Jose Toledo's mother is severely handicapped and requires constant medical attention and care. Alirio and Jose Luis both have teenage daughters currently in high school. These families are waiting for their fathers, for their sons, for their husbands to come home.

Venezuela has a seat on the United Nations Human Rights Council. If human rights means anything, it is that citizens of all countries are entitled to speedy due process and that human rights violations must have human rights remedies. The Citgo 6 have suffered enough. It is past time for them to be released back to their families.

Finally, let me say I believe that the light of truth—calling attention to these human rights atrocities—can overcome the darkness of imprisonment. The voices of the families and

the voices of those who speak out on their behalf resonate and resonate loudly. Those who are keeping Americans wrongfully imprisoned, who are committing evil, should know that we will not give up. We will not rest until these Americans are set free.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

PEARL HARBOR NAVAL SHIPYARD SHOOTING

Ms. HIRONO. Mr. President, 2 weeks ago today, the State of Hawaii was in shock as an active shooter took the lives of two workers at Pearl Harbor Naval Shipyard and wounded a third worker.

Located on Joint Base Pearl Harbor Hickam, the shipyard is a pillar of our community. It employs over 6,400 workers who labor every day to keep our Pacific Fleet "Fit to Fight."

Hawaii is a small place where we have deep connections to one another. Almost everyone in Hawaii either is related to or knows someone who works on base or in the shipyard. In my State office in Honolulu, a member of my staff has a son who is an apprentice at the shipyard and who was there that day. These connections are part of the reason why the shooting has impacted our State so deeply. Too many families were waiting that day for news of their loved ones in harm's way.

The investigation into what happened is ongoing, and there is no easy explanation for what happened and why.

It is clear that no community in our country is immune from the tragedy of gun violence. Today, I rise to honor the lives of those we lost—Roldan A. Agustin and Vincent J. Kapoi, Jr.

Mr. Kapoi and Mr. Agustin were both dedicated Department of Defense—DOD—civilian shipyard workers and members of the International Federation of Professional and Technical Engineers Local 121.

Roldan Agustin was 49 years old and lived in Ewa Beach. He was adored by his family, who describe him as a "true American patriot" who dedicated his career to his country. After serving honorably in the U.S. Navy, Mr. Agustin also served in the Army National Guard, retiring as a staff sergeant, having deployed to Afghanistan and Kuwait.

At Pearl Harbor Naval Shipyard, he served as a DOD civilian employee, working as a shop planner in non-destructive testing and a metals inspector.

In paying tribute to their lost loved one, Mr. Agustin's family said in a statement:

He was a loving son, brother, uncle, and friend to many. Having grown up in Waipahu, Roldan enjoyed working on cars with his friends and spending time with his family and adored his nieces. We will forever remember Roldan to be humble and honest, and a generous and patient man.

Vincent Kapoi was 30 years old and lived in Honolulu. He grew up in Waiānae and graduated from Kameha-

meha schools. His father, brother, sister, and sister-in-law are also civilian employees at the shipyard, where he served as a metals inspector apprentice. He was dearly loved by his family, which includes his wife, parents, siblings, aunties, uncles, grandmother, cousins, and friends.

His wife offered these loving words:

I have been through a lot of tragedy in my life, but nothing compares to losing the love of your life. I will miss you truly, and I will always love you Vincent J. Kapoi Jr.

His sister Theona said in a family statement:

He will always be that easy going, fun loving, "let's do this" man that will remain in our hearts. There are so many unanswered questions. We all have to be honest, it changes nothing because we can't bring him back. What we must do is honor his memory, keep him alive in our hearts.

I also want to honor Roger Nakamine, who was wounded in the attack. Mr. Nakamine was working as a civilian apprentice at the shipyard when he was wounded.

Upon leaving the hospital about a week after the attack, Mr. Nakamine said:

My family and I would like to express our gratitude to the first responders and the expert medical staff at Queen's, as well as to all the friends and extended 'ohana who have been reaching out to offer their support physically, emotionally and spiritually. Our deepest condolences go out to the friends and family of Vincent Kapoi Jr. and Roldan Agustin.

Roldan and Vincent, like thousands of their fellow workers, dedicated themselves to the shipyard's critically important mission of repairing, maintaining, and modernizing the U.S. Pacific Fleet in defense of our country.

In recognition of their service and in keeping with the words of their families, I ask all my colleagues to join me in honoring the lives of those we lost: Roldan Agustin and Vincent Kapoi, Jr.

This is a photograph that depicts the memorial, which was set up the day after this tragedy, where friends and family brought lei to honor their fallen heroes, their loved ones.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

5G

Mr. KENNEDY. Mr. President, I rise briefly today to thank a number of my colleagues—first, the senior Senator from Mississippi, ROGER WICKER, who has offered a bill called the 5G Spectrum Act.

I have offered a bill pertaining to the 5G spectrum, as well, and my two Democratic friends, Senator SCHATZ and Senator CANTWELL, have offered a bill on that subject as well.

We have been working enthusiastically and in good faith for some time to try to work out our differences on this legislation so that we could pass it this calendar year. I regret that we are not going to be able to work out our differences for the moment, but we are going to continue our efforts in good faith.

The good news about all this legislation is that we all agree that the FCC should conduct a public auction of the 5G spectrum.

What does that mean? We all have heard about 5G. It is extraordinarily fast internet—100 times faster than we have right now. But in order for 5G to work, there is a certain part of our spectrum, or our radio waves, if you will, that the telecommunications have to use to deliver the 5G service. It is called the C-band.

Of course, when we communicate between and among each other on the internet or by cell phones through wireless technology, all we are doing is sending electromagnetic radiation or radio waves from my device to your device. It is obviously more complicated than that, but at its fundamental level, that is what it is.

These radio waves and the airwaves through which though radio waves travel—this electromagnetic radiation—belong to the American people. It is called spectrum, and that is what we mean when we talk about 5G spectrum. We can't lose sight of that fact.

The wireless telecommunication companies provide an extraordinary service. They are going to make 5G possible with the help of the U.S. Government and our other forms of government, but we cannot lose sight of the fact that none of this would be possible without that spectrum, and that is owned by the American people. That spectrum is essential.

As a result of the efforts of some swamp creatures both in and out of government, we came that close to having this spectrum, which belongs to the American people and is worth as much as \$30 billion to \$60 billion, given away in a backroom through a private auction to three satellite companies that happen to be domiciled in foreign countries.

The excuse given was that these three foreign satellite companies can conduct an auction themselves and allocate it to the American telecommunication companies that need it for 5G faster than the FCC can, even though the FCC has only conducted about 100 of these public auctions generating about \$123 billion for the American people. Why? Because the American people own the spectrum that is being auctioned off. It is theirs. But there was a proposal that came that close to passing the FCC to just give this spectrum to these three companies and let them keep the \$30 to \$60 billion that the spectrum auction would have generated and let them decide who was going to get to participate in the 5G throughout our country.

I thank the FCC. Fortunately, the FCC, at the last minute, said no, and I want to thank them. Hence, we have the legislation by Senators WICKER, CANTWELL, SCHATZ, and myself, and the good news about the legislation is that it would require a public auction by the FCC of the spectrum that belongs to the American people. The auction