

would be open to anybody who wants to bid. There would be a fair and level playing field, and it would be conducted in front of God and country in a public meeting. The best way to resist temptation is a strong set of values, a proper upbringing, and witnesses. There will be witnesses to this auction.

What we cannot agree on is how much money, if any, to give to the foreign satellite companies. You ask: Why should we give them a dime? Well, the foreign satellite companies, the three companies to which this spectrum was almost given, are currently using this spectrum. They don't need all of it. They don't even need close to all of it, but they have been using it for a number of years. The FCC just gave it to them. They didn't pay a dime for it.

Now, I am not criticizing. They put it to good use, but they don't own it. They don't have a license. They have sort of a 30-day, month-to-month lease. That is the way I think of it. And the lease agreement says that the FCC can take it back any time it wants to.

Since the satellite companies have been using the spectrum and they have customers, we want to be fair to these companies. Certainly, when we decide how to allocate the proceeds of the public auction in front of God and country, which the FCC is going to conduct, we certainly want to consider the satellite companies' interests. But I am not going to support giving them half of the money this auction generates because this money belongs to the American people. It can be used to extend 5G and other forms of broadband to those of us who don't live in major cities but happen to live in rural areas and are all still very much Americans.

So I rise today to say thanks to Senator WICKER, and I mean that from the bottom of my heart. I learned so much from working with him. I thank Senators CANTWELL and SCHATZ. We are going to keep working toward a compromise in a way that will allocate this money to everybody fairly and efficiently.

I am going to end as I began—that first and foremost in my mind is the American people because the American people own this spectrum.

I don't own this spectrum. The U.S. Senate doesn't own the spectrum. The three foreign satellite companies don't own the spectrum. The FCC doesn't own the spectrum. The telecommunications companies, for which we are grateful, don't own the spectrum. The American people own the spectrum, and the vast majority of the money generated by this public auction should go to them.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CRAMER. Mr. President, before I begin my comments about an upcoming nominee, I want to say in response to Senator KENNEDY that I agree 100 percent. Thank you.

#### NOMINATION OF DANIEL MACK TRAYNOR

Mr. President, later today the Senate will have the opportunity to vote on President Trump's second nomination to the U.S. District Court for North Dakota. My friend, Dan Traynor, has been nominated and we will be voting on his confirmation to be district judge for our district.

I have known Dan for a long time. That is why I was honored to recommend him to the President and pleased when the President nominated him earlier this year.

Dan received his bachelor's degree from the University of North Dakota and his jurist doctorate from the University of North Dakota School of Law. He clerked for the legendary chief justice of the North Dakota Supreme Court, Gerald VandeWalle, before heading to Devils Lake, ND, where he joined his family's law firm and where he works today.

Since that time, he has spent a couple of decades in various capacities, practicing various types of law, including being the assistant city attorney for Devils Lake. His extensive criminal and civil experience both as a prosecutor and defender in State and Federal courts and also in Tribal court are the main qualifications I think he brings to this important position. Again, I am honored to support him.

He has tried about 80-plus cases to a verdict or judgment or to a final decision, which I think is very good experience for somebody who is then going to stand in judgment. In addition, the ABA gave him a unanimous "well qualified" rating. He has also been recognized since 2015 as a "super lawyer." In 2017 he received Martindale-Hubbell's "AV Preeminent Rating."

So Dan's academic record, experience, and qualifications are more than adequate to be a good district judge. What makes him an exception is that Dan and his wife Trish, who is an Air Force veteran, are raising a beautiful family and are what we call pillars of their community and our State. As for Dan's family, his mom and dad, Jack and Jane, I know quite well, and they are what we would call legends in their community and in our State.

The bottom line is that Dan is eminently qualified in every way, including possessing the character, demeanor, and temperament, as well as the intellectual capacity, to be an excellent judge. I look forward to voting for him, and I urge my colleagues to do the same.

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

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

#### BIPARTISAN AMERICAN MINERS ACT

Mr. MANCHIN. Mr. President, I rise today to talk about something very

rare in Congress these days. On Monday—on Monday, after 4 long years of working hard through many uncertainties, Congress came together—Democrats and Republicans—to secure healthcare and pensions for our Nation's coal miners. We did our job. This confirms to me that we can do so much more. This is so important.

It was the coal miners of America who made us look beyond politics. These were hard-working people. They weren't Democrats or Republicans; they were hard-working Americans who built America.

I want to give my sincere thanks to all of my colleagues for putting partisan politics aside and for rising above the divisiveness and tribalism in order to keep the promise that was made in 1946.

Over 70 years ago, President Harry Truman recognized the importance of the workers who produced the coal for this country. After World War II, we had to keep this economy moving, we had to keep it churning, and we couldn't do it without the energy. Coal was basically the driver of this at that time, and there was a promise that the government would guarantee our brave coal miners benefits in return for their services. This agreement was a sacred promise between workers and our country, and it captured the very best of our American values.

This week, we kept the promise by including the Bipartisan American Miners Act in the end-of-the-year funding bill. We kept our promise to 13,000 retired coal miners and their families who will not lose their healthcare by the end of the year. We kept our promise to the 92,000 coal miners and their families who will not see their pensions drastically reduced starting next year.

Coal miners are the most patriotic people in America. They have done the heavy lifting. They have done everything that has been asked of them by this country. They provided the energy that made us the greatest country on Earth and the superpower—the only superpower in the world today.

Because of what they have done for our country, we have won two World Wars. We have built iconic American cities, and we have a strong middle class. They continue to provide the resources that make us the energy leader of the world, all while advancing the American dream.

The journey has not been short, and it sure hasn't been easy. In 2015, we knew the United Mineworkers of America's 1974 pension plan was severely underfunded. Unlike other public and private pension plans, the 1974 pension plan was well managed and funded prior to the crash in 2008—the economic financial crisis we had—which hit at a time when the plan was being drawn down more than ever because more people were retiring. The mining of coal, with the new automation, was being replaced, and a lot of miners were retiring out of it. This was coupled with the fact that many of the

beneficiaries are often retirees whose employers are no longer in the coal business—companies would shut down. In fact, there are only 10,000 active workers for 120,000 retirees. It doesn't take a mathematician to figure out that this is not going to work.

It placed the plan on the road to insolvency, and that was what started the collapse. If the plan became insolvent, these coal miners would have had their pensions cut, and the government Pension Benefit Guaranty Corporation would have had to step in and assume billions of dollars in liabilities. That would have started a tumbling effect on all of our privately insured and private pension plans. That is what we were trying to prevent from happening.

That is why I wrote the Miners Protection Act and introduced it with my fellow Senator from West Virginia, SHELLEY MOORE CAPITO, and Senators BOB CASEY and SHERROD BROWN. It was bipartisan from day one.

I was told to go through the regular order, which I did. In March of 2016, Cecil Roberts, the President of the UMWA, testified in front of the Senate Finance Committee, and the Miners Protection Act was passed out of the Finance Committee in September with strong bipartisan support and the chairman of the majority.

A month later, 16,300 retired coal miners and their widows received notices that their healthcare would be terminated by the end of that year. I knew—I knew we could not let Congress leave for Christmas without fixing it. This is a tactic that I haven't used. It is one of the rules and one of the privileges as a U.S. Senator that each one of us has. In December of 2016, at that time, I said I will shut down the government. I will make us go through the process and stay here as long as it will take to get this taken care of. I wanted to make sure that not one coal miner would lose their healthcare.

MITCH MCCONNELL would agree to nothing more than a 4-month extension on healthcare at that time. So 16,300 coal miners would have been forced to sit through the holidays and another 4 months of uncertainty, not knowing when it was going to come to an end. You talk about cruel and unusual punishment—that was it.

Things started to look up, though. In January of 2017, I received assurances from then-President-elect Donald Trump that he was committed to finding a fix, but by March, 22,600 coal miners received letters telling them their healthcare would be terminated by the end of April. By the end of April, it would be gone.

In typical fashion, Congress waited until the very last minute, but on May 1, we secured a permanent healthcare fix for 22,600 retired coal miners and their families.

Although this was a huge win, we still needed to fulfill other obligations and secure the miners' pension because it was in dire need, and it was in jeopardy of being cut drastically. Now I

was more determined than ever. I turned around and immediately introduced the America Miners Protection Act with Senator CAPITO, Congressman MCKINLEY, and Congressman WELCH to secure pensions for 92,000 coal miners. Now it was not only bipartisan; it was bicameral.

In February of 2018, I was appointed to the bipartisan, bicameral Joint Select Committee. I had the task of solving the country's pension crisis, including our coal miners, with all of our other pensioners in our Central States who are in dire need of our help too.

The United Mine Workers pension fund was the first fund in jeopardy. So I made it very clear during that—I said: If this starts tumbling, if this goes down, we will have to count on the PBGC, which basically is Federal Government funded, and if that happens, we are going to put that in insolvency. Then everything starts tumbling at a much faster rate, and it would be an absolute financial calamity for this country.

Things came to a head in October of this year. Murray Energy declared bankruptcy just this October. The largest coal producer we have for union workers was the Murray coal company. They declared bankruptcy. Basically, that significantly sped up the deadline for pensions and truly put us in a debt spiral.

Instead of going insolvent in 2022, which is what was predicted, the UMWA pension fund would now expedite—speed up to insolvency by 2020, next year. Not only that, but in between the time of securing healthcare and now three coal companies had gone bankrupt, putting another 13,000 more coal miners in jeopardy of losing their healthcare, 1,000 would have lost theirs at the end of this month and another 12,000 at the end of March.

This bankruptcy, in particular, got the attention of many of my colleagues. I appreciate all of you so much, knowing how difficult this was going to be on so many people and their families.

It was a call to action for Congress to step up to the plate and honor the promises made to our miners. In 1946, that was the only pension system in America that had the silver approval of Congress and the President of the United States—the only one.

In November, I was proud to partner with a bipartisan group of my colleagues again, including the majority leader this time, which I am so appreciative of. It is an act that would introduce the Bipartisan American Miners Act that would secure pensions for 92,000 coal miners and their families and 13,000 coal miners and their families who would get healthcare. Even though that was good news, we still weren't over the finish line.

On December 11, for the first time since I have been here—9 years—I put a hold on all Senate legislation. I said there is no way I am going to go home or anyone else is going to go home and

enjoy Christmas with their family and New Year's when you have this many people in dire straits in jeopardy—people who built America. If we can't stand up for them, whom do we stand up for? So I said: This is what we are going to do. I was very clear. I telegraphed it by December 11. There were no surprises.

After many negotiations with the House of Representatives and the White House, we finally secured a permanent fix in the spending deal, ensuring retired coal miners will not lose their healthcare or pensions.

Throughout all of these years, thousands of retired coal miners from all across the country have come to Congress. I know you have seen them walking around. They have their shirts on, their proud green shirts, if they are working. They are walking the halls, meeting with every person in Congress they possibly can to tell their stories and meeting with every Member. The reason for that is, these are people who have truly given their heart and soul, their blood, and their sweat to this country, and they are just saying: This is something we negotiated. We didn't take the money home. We basically invested this money into our pension and our healthcare, and now because of a bankruptcy loophole, we are the last in line, and we lose everything. Something is wrong. It is not who we are as Americans.

So we worked through all of this. They walked the halls tirelessly, fighting for what they earned, for what they paid for, and truly for what they deserved.

This would have never happened without their relentless dedication. I have said this. They dedicated themselves religiously, for almost 4 years, day in and day out, coming here—coming here at their expense. It has been the honor of my life to fight alongside them. I can't be more proud of anything I have been able to do in public service than to stand shoulder to shoulder with the people who have made America great. I feel so honored to have had that opportunity.

I thank all of my colleagues, current and former Members of this body, who have stood with them throughout the years, even when the going got extremely tough.

I ask unanimous consent to have printed in the RECORD a list of all of those who have cosponsored these bills.

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

SENATE COSPONSORS OF SENATOR MANCHIN'S  
MINERS PENSIONS AND HEALTHCARE BILLS  
S.2788—BIPARTISAN AMERICAN MINERS ACT OF  
2019 (116TH CONGRESS)

1. Capito
2. McConnell
3. Jones
4. Kaine
5. Duckworth
6. Brown
7. Casey
8. Durbin
9. Warner

10. Portman  
 11. Sinema  
 12. Van Hollen  
 13. Reed  
 14. Carper  
 S. 27 AS AMENDMENT TO NDAA—AMERICAN  
 MINERS ACT (116TH CONGRESS)

Entire Democratic Caucus

S. 27—AMERICAN MINERS ACT (116TH CONGRESS)

1. Kaine  
 2. Warner  
 3. Brown  
 4. Jones  
 5. Casey  
 6. Durbin  
 7. Sanders  
 8. Warren  
 9. Van Hollen  
 10. Blumenthal  
 11. Harris  
 12. Gillibrand  
 13. Markey  
 14. Sinema  
 15. Duckworth

S. 1105—MINERS PENSION PROTECTION ACT (115TH CONGRESS)

1. Capito  
 2. Brown  
 3. Casey  
 4. Warner  
 5. Franken  
 6. McCaskill  
 7. Nelson  
 8. Warren  
 9. Murray  
 10. Kaine  
 11. Donnelly  
 12. Heitkamp  
 13. Portman  
 14. Whitehouse  
 15. Durbin  
 16. Heinrich  
 17. Burr  
 18. Sanders  
 19. Booker  
 20. Duckworth  
 21. Wyden

S. 175—MINERS PROTECTION ACT OF 2017 (115TH CONGRESS)

1. Capito  
 2. Casey  
 3. Brown  
 4. Kaine  
 5. Warner  
 6. Portman  
 7. Tester  
 8. Murray  
 9. Sanders  
 10. Durbin  
 11. Franken  
 12. Booker  
 13. Donnelly  
 14. Heinrich  
 15. McCaskill  
 16. Heitkamp  
 17. Nelson  
 18. Burr  
 19. Sullivan  
 20. Whitehouse  
 21. Murkowski  
 22. Warren  
 23. Risch  
 24. Duckworth  
 25. Cotton  
 26. Udall  
 27. Harris

S. 1714—MINERS PROTECTION ACT OF 2015 (114TH CONGRESS)

1. Capito  
 2. Casey  
 3. Brown  
 4. Kaine  
 5. Warner  
 6. Roberts  
 7. Cotton

8. Risch  
 9. Rounds  
 10. Burr  
 11. Durbin  
 12. Tester  
 13. Kirk  
 14. Portman  
 15. Murray  
 16. Sanders  
 17. Boxer  
 18. Franken  
 19. Moran  
 20. Sullivan  
 21. Murkowski  
 22. Booker  
 23. Donnelly  
 24. Heinrich  
 25. Coons  
 26. McCaskill

Mr. MANCHIN. Mr. President, they have all recognized, just like President Truman, that our country would not be where it is today without them and that we needed to get this done—and we did.

I want to give you a little bit of a background and history of why this is so near and dear to me.

My grandfather came to this country—this wonderful country, the United States of America—in 1900 as a baby. He started working in the coal mines at 9 years of age. So he was able to get a fourth grade education before he had to go help support his family.

In 1927, he and my grandmother had four children, and my grandmother was pregnant with my uncle. So she would have had four and three-fourths of a child at that time. My grandfather would always tell me: JOEY, we couldn't pay the bills at the end of the month. He said: I never did see any money because it was all script, and it went to the company house or the company store. So the old song lyrics, "I owe my soul to the company store"—he truly did. He just said: We can't make it.

He would go out, and he would tell people: We have to do better than this. We have no healthcare. We have nothing to look forward to and we can't pay our bills and we are working 6 days like dogs. He had a mule. Poppa had a mule; he had a buggy; and he had a carbide light.

He would go in and have to do everything. He would have to, as he would say—he loved to say: Fire in the hole. He would always tell me that. Basically, what he meant by that is, he would have to go back into the mine. He would have to get a block of coal he was assigned to, and he would have to drill it. He would have to tamp it and put the dynamite in it, and he would pack it. Then he had to go back, and he would fire it. Then everything would blast away, and he had to get all the coal and load it by hand. This is what he did from 9 years of age.

He was trying to improve the quality of life for all coal miners. He said: This is not right. Well, he fought for those rights of coal miners. It is engrained in my family history.

The rest of the story is, in 1927—with those four children and being pregnant with Uncle Jimmy, because he was

talking about improving the quality of life for the people who did this unbelievable work for this great country, at a time when this country needed it, and the industrial age was coming—on Christmas Eve, they came to the company house where he lived and rented, took all of their furniture and threw it in the middle of the street. They threw them out because they said he was an organizer.

Papa was a survivor. He was just trying to survive, and he wanted other people to have the same quality of opportunity to survive. I know this is ingrained in me. Let me just tell you, when you saw these miners and you saw the fight they had in them, that is why. There is still more that we have to do. We have to do much more.

If you want to stop this from continuing and repeating itself in so many different professions, we have to change the bankruptcy laws in America. We cannot allow the bankruptcy laws in this country that put hard-working people—that take money out of the paychecks of hard-working people and let people from Wall Street come in and take over—through hedge funds or whatever they do—and rob them and put them at the back of the line.

Every working person in America who pays in out of their paychecks and their sweat and their blood and their hard work should be at the front of the line getting equal treatment, not just the financial institutions. That is why I am asking in a bipartisan way that we make sure we protect the people who continue to make this country go and make this economy turn. We can do that in this body and nowhere else.

In January, when we get back from recess, I will be working with my colleagues to move this legislation through Congress because if we cannot continue to stand for American workers ahead of the almighty dollar and Wall Street greed, what in the world are we here for? What is our purpose? How do you go home and look at people? "So sorry you lost everything. I wish we could do more." Well, we can do more. We just showed them we can do more for the miners. Let's make sure every working person is protected.

I have always said that we must set our priorities based on our values. If you can't set your priorities based on your values, you better check the box in the morning before you go to work. We have done that with the fight for our coal miners, and we will continue to do that for all American workers.

By working together across party lines since 2016, we have been able to secure lifetime healthcare benefits for 36,000 coal miners and their families. We have also secured pensions for 92,000 miners and their families. Most of these pensions are going to widows. Their husbands have passed away. Do you know what the average pension for a coal miner's widow is today? It is less than \$600. She doesn't have a portfolio. She doesn't have investments in the

stock market. She has Social Security and that \$590 pension, and they want to take that away.

That is what we fought for. That is why every one of us should be proud, Democrats and Republicans. We did our job because we stood here as Americans. We stood here representing America, not representing our parties and our tribal interests and not condemning each other. We did this working together, and we can continue to do a lot more.

Again, I thank all of my colleagues. I thank Cecil Roberts, president of the United Mine Workers, for being shoulder to shoulder all the way with us. I thank all the coal miners and their families, my colleagues in the House and the Senate, and President Trump for coming together to keep the promise that we have all made and that we should continue to make and keep.

I thank you all very much from the bottom of my heart. Merry Christmas to all, and to all, a good night. This has been very emotional, as you can tell. I know what this place can do. I have been here long enough that I have heard enough.

When I was Governor of the State and BOB BURR was sitting in his seat over there, I saw the good that came from him. It was basically all of us. Everybody in here has good in them or they wouldn't be here. Everybody came here for the right reason or they wouldn't have gotten here. This is not an easy place to get to, and by golly, when we get here, we try to do the right thing, and we did it. I can go home and you can go home, and we can be proud of what we did here. We finally did the job we were asked to do, and I want to continue doing that with you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

#### RECOGNIZING GOVERNMENT EMPLOYEES

Mr. VAN HOLLEN. Mr. President, I start by thanking my friend and colleague from West Virginia, Senator MANCHIN, for his remarks and for his steadfast support for workers throughout the United States of America and for working to try to bring us together in a bipartisan manner to get things done in the United States.

I rise today to give thanks to all who serve our country in uniform and as civilians. Even as partisan division and anger seem to reach new depths every day, Democrats and Republicans have remained united in our support and our high regard for our fellow Americans who honorably serve in the U.S. Armed Forces. Those who serve have earned every measure of gratitude shown to them by friends and neighbors and by all of us here in the Congress.

Other public servants deserve our thanks as well, but unfortunately, support for them is not nearly as unanimous or as universal. I will focus the remainder of my remarks on them. While they do not go into combat, they share the same dedication and love of

country as those who do. Many of them also go into harm's way—law enforcement officers, diplomats in war-torn lands, smokejumpers fighting forest fires—and all of them swear an oath to our Constitution, just like our troops and just like Members of Congress.

I am talking about Federal civil servants. These dedicated public servants, men and women, are not normally public figures, but the Nation saw their strength and their character at the witness table in last month's House impeachment hearings, Americans like Laura Cooper, David Hale, George Kent, Bill Taylor, Jennifer Williams, Marie Yovanovitch, all of whom have served in nonpolitical positions for all or most of their careers. All of them testified before Congress under subpoena.

These are just a few of the 2.1 million Americans who make up the Federal civil service and the Foreign Service. They work together here at home and abroad in every field of endeavor and on behalf of all of us. For example, budding entrepreneurs can call on Small Business Administration loan officers for help accessing capital and foreign commercial service officers to help sell their inventions to the world. Farmers know that the Natural Resources Conservation Service employees can help them keep their land productive for the long term. Foreign agricultural service diplomats help American farmers make a living feeding the world.

Yet, too many of our colleagues, including many on the other side of the aisle, have defamed public servants and now accuse those who testified in the House of attacking the President. That accusation has it exactly backward. The modern civil service was created after an attack on a President in order to prevent future attacks on Presidents. Yes, President Garfield was assassinated in 1883 by a disgruntled job seeker.

In those days, each President handed out most of the Federal jobs, often based on political allegiance more than skill. Imagine if that system still existed today—small business loans going only to campaign aides, law enforcement protecting only certain communities that voted for the President, and farm assistance being denied to those who backed the wrong Presidential candidate. Countries today with corrupt systems like that are among the poorest on Earth. None of this came to pass in America because the President who came after Garfield, Chester A. Arthur, signed a law creating the modern civil service.

Today, the President still has the authority to make political appointments to the most senior positions in the executive branch, but the overwhelming majority of positions are career civil servants who are hired based on merit, not political connections. The diplomatic corps was similarly professionalized in the decades that followed.

Put simply, that swamp was drained. Now other swamps have arisen, and ac-

tions like campaign finance reform are badly needed to address them, but professional civil servants are not the problem. In fact, since the civil service and Foreign Service were created, they have risen to every challenge. They mobilized America's resources to protect the public health and to beat back the Great Depression and wage war on fascism and on poverty.

Over the last half century, as the number of Americans they are serving has grown by more than 120 million, the number of civil servants has remained flat. That is doing a lot more with less.

If problems arise in the conception or execution of Federal programs, they must always be acknowledged and they must be fixed. Congress works hard to do that, often with the help of whistleblowers who raise the alarm about great fraud, waste, and abuse.

But some of my colleagues and our predecessors have made the terrible mistake over the last 40 years of systematically disparaging all "bureaucrats." This causes incalculable harm by turning good people away from public service and demoralizing those who are there. It hurts dedicated public servants to hear "bureaucrat" spat out as some kind of insult when the Senator or candidate doing so was probably more upset by the policies they were directed to implement than the civil servants implementing those policies.

Of course, the attacks and criticism leveled against Federal employees in the past were a lovefest compared to the hostility demonstrated by this administration and this President—assaulting them with name calling, assaulting bargaining rights, and even moving offices 1,000 miles away to get people to quit.

A new report by the Partnership for Public Service finds plummeting morale at the U.S. Department of Agriculture driven by a huge decline in scores at the USDA's Economic Research Service and the National Institute of Food and Agriculture. The Trump administration did not like the reports that those researchers at those agencies were publishing, and they punished them by suddenly moving their jobs halfway across the country and in the process lost hundreds of experienced, knowledgeable Federal employees in the area of agriculture. The vast majority of staff at those agencies lost their jobs when they decided not to move, and many of their jobs now remain unfilled. This has needlessly caused an upheaval that is delaying all sorts of reports on which those in the farming economy rely.

This administration's hostile atmosphere has been cited as contributing to a 61-percent increase in civil servants resigning during the first 18 months of this administration, including almost 1,600 leaving the EPA. Nearly half of our most senior Foreign Service officers left the government during President Trump's first 2 years, along with