

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—asaulting 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

many midcareer diplomats. Applications to the Foreign Service are at a 10-year low during this Presidency—a hollowing out at every level. It will take a generation to recover.

But as vicious as the attacks on Federal employees have been during the first 3 years of this administration, in recent months, we faced an even more insidious threat from a President who incites his followers to violence in one breath or tweet and spews venom against individual—individual—public servants by name in the next. These verbal assaults have led to harassment of government employees, like those who appeared as witnesses in the House. The President's supporters have acted, in many cases, on his incitements. There have been at least 29 criminal attacks or threats prosecuted in our courts where the attacker was echoing the President's rhetoric, according to one analysis.

This need to maintain support for our Federal employees is going to be especially important in the next several months when events will unfold that are sure to evoke strong passions across the political spectrum and around the country.

First, the election season is heating up, as will, no doubt, the President's criticisms of those with whom he disagrees, and we are going to consider the question in this body of impeachment, as they are doing so today in the House.

I know it is hard, but I ask my fellow Americans to set aside for a moment how they feel about the impeachment case. Set that aside, and think about the particular individuals who testified, what they did and what they did not say. Think about Ambassador Taylor and Mr. Kemp, who learned four languages, not to seek personal wealth or personal glory but to advocate for our country. Think about being raised on stories of Nazi and Soviet oppression of your parents, like Marie Yovanovitch. No one could have faulted her for seeking a more comfortable life here. Instead, she ventured back out to some of the most dangerous parts of the world and sometimes at significant personal risk to herself. She went abroad to extend the American people's hand of friendship and to pursue our interests. She went as the direct, chosen representative of three Presidents.

These public servants don't have the luxury of choosing the policies they pursue or of just speaking their own minds at any time. Setting aside the personal beliefs they may hold, all the public servants I have spoken to so far served America under both administrations of both parties. Even last month, they did not have the luxury of speaking their minds on subjects of their choice or at a time of their choosing, as we do right here in the U.S. Senate. No, congressional subpoenas and their duty to our constitutional laws compelled them to testify, not to opinions but to facts.

The witnesses spoke about their love of country and pride in serving it. They did not speak about political affiliations or show any desire to undermine, let alone overthrow, this or any other President. They honored their oath of office, just as other dedicated civil servants and Foreign Service Officers do every day, striving to accomplish what Congress, the President, and their agency leaders ask of them.

Nobody—nobody—who swears the same oath to the Constitution, as we do in this Chamber, should criticize them for honoring their oath.

Far from a nefarious deep state, the depth of knowledge, the expertise, and the diligence of public servants show the depth of our agencies of government, the depth of our state. They are the ballast that keeps the ship of state on course.

We believe that America's strength springs not only from the undisputed benefits of a free people pursuing their ambitions and dreams but also from sometimes harnessing those talents for important national purposes.

We believe that America's greatness has resulted not only from a collection of individuals acting alone but from our capacity to work together for the common good. We should not see government as the enemy but as the imperfect instrument by which we can accomplish together, as a people, what no individual or corporation can accomplish alone.

I ask my colleagues to stop, to think about what we have built in this country—a system of government that has helped eradicate many diseases, sent mankind to the Moon, built the infrastructure to connect the continent, and so much more. American ingenuity, harnessed to common purpose through government, powered these achievements.

As we look to the future, let's consider what it will take to maintain our momentum and maintain our greatness as a united country. It takes people. It takes skilled people, and it takes, among others working in our free society, a dedicated public service. We will lose those public servants, as we are already seeing, if people keep attacking them.

Let's ask ourselves a simple question. What kind of country do we want to be—a country that embraces all who serve, in uniform and out of uniform, or a country that retreats even further into tribalism and political echo chambers?

I am proud to stand with our civil servants. In 2017, Senator SULLIVAN and I cofounded the Foreign Service Caucus to support our diplomats, a bipartisan start toward turning the tide.

This week, we have taken additional steps forward with the passage of paid parental leave for Federal employees, and we will pass a well-deserved pay raise shortly. There is so much more we can do. Senators can start right now and take personal responsibility for ushering in a new era of respect for

all of our public servants. I ask my colleagues on both sides of the Capitol to stop the insults, stop the verbal assaults, and stop questioning the patriotism of these fine Americans.

We can fight over programs; we can fight over budgets; but let's not speak ill of civilians who serve. Let's not hurl the term "bureaucrat" as a slur. Let's not call people in certain government agencies "scum." Let's disagree with witnesses without questioning their patriotism.

Let's remember that those who join the Federal service do so out of a desire to help their fellow Americans and that they deserve our respect and our thanks. If we want to know what is really going on with the Federal program, we should be talking to our civil servants to get ideas about what is working and what needs to be fixed. They are always willing to offer their opinions for those purposes. If you want to root out waste, fraud, and abuse, let's keep open the lines of communication with Federal employees and whistleblowers. Remember that Federal employees cannot bargain for wages or benefits, so, instead, they bargain for a workplace that works better for the American people.

On April 19, we will mark 25 years since the bombing of the Alfred P. Murrah Federal Building in Oklahoma City—America's deadliest domestic terror attack, where 168 people perished, many of them Federal workers. As we honor all those who were killed that day, we must come together, across the aisle. We must reject the idea of politically motivated violence. And we must do it every day, not just on the anniversary of that tragedy.

We can do this. I have confidence we can do it because we have done something like it before. I mentioned at the outset of my remarks our universal respect for our fellow citizens and aspiring citizens who serve in the military. But it wasn't always universally so.

During the war in Vietnam, many of us remember how polarized and divided our country was and how in some cases disagreement over the war morphed, for some, into directing anger at our troops. This country learned from that mistake. We turned the tide. We came together. Now we have nearly universal agreement that it is wrong to blame servicemembers for carrying out decisions to go to war that they had no part in making themselves; that you can disagree with the war but still embrace the warrior.

For too many of our colleagues, especially as we witness what is happening on the other side of the Capitol, that fallacy is playing out again today; people are blaming and attacking public servants for following the laws they are sworn to uphold, for obeying lawful subpoenas, and for doing their duty to tell the truth.

I am an optimist, and I believe today's critics will learn from our past mistakes and correct our approach in the future, just as we learned after the

Vietnam war that it was wrong to criticize or focus our anger on our soldiers, even if we disagreed with the war they were deployed to undertake and fight.

I hope we will take that same approach with respect to our civil servants; that we will understand and honor their service. I hope we will all then jointly proclaim that alongside the greatest military in the world, we have the greatest civil service and the greatest Foreign Service the world has ever seen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

FIRST STEP ACT ANNIVERSARY

Mr. GRASSLEY. Mr. President, I am here today to commemorate and celebrate the 1-year anniversary of a groundbreaking achievement. On December 18, 2018, the Senate passed the FIRST STEP Act. Three days later, President Trump signed this far-reaching legislation into law. The FIRST STEP Act is the most significant criminal justice reform law in a generation.

I am proud of the work we accomplished 1 year ago on the Senate floor by voting it out of this Chamber with a rollcall vote of 87 to 12. This historic vote means a lot to this Senator, who then was chairman of the Judiciary Committee. In fact, in one of the conference rooms in my office in Washington, I have the official tally sheet from this bill's vote framed and hung on a wall. Now Iowans, advocates, and those who visit my office can see this piece of history.

Our criminal justice system is based on the rule of law. That means when you commit a crime, you should be punished. But the punishment should fit the crime. If the penalty is too harsh, it doesn't do any more to deter criminal activity, and it is a bad value for our taxpayers when you keep people in prison if it doesn't do any good to have them there.

Overly harsh penalties can also make it harder for prisoners who are trying to change their lives to turn over a new leaf. It is worth noting that almost all criminals are eventually released from prison.

Our criminal justice system must do much more than punish and deter. It should rehabilitate and prepare prisoners to reenter society. That is exactly what the FIRST STEP Act does. It gives nonviolent prisoners an incentive to participate in programs in prison, such as job training, drug treatment programs, and counseling, which have been shown to reduce recidivism.

The FIRST STEP Act also makes sentencing more fair. It leaves tough penalties in place for the worst criminals, but it reduces mandatory minimum sentences, giving judges the ability to tailor punishment to fit the crime.

Today marks a very happy occasion and a time of reflection. However, we must remain focused on the future and

implementation of that law. With vigilant and consistent oversight into the implementation of the FIRST STEP Act, we can ensure these goals of reducing recidivism and improving our criminal justice system are met.

I have had the opportunity to meet with dozens of former prisoners who have been released because of the reforms in the FIRST STEP Act, and I also had a chance to meet with some of the families. These former prisoners are inspiring. They are finding jobs. They are taking care of their families. They are paying their taxes and contributing to their communities. They have told me that the FIRST STEP Act gave them hope. It reminded them that the rest of the country had not forgotten about them but wanted them to succeed.

The FIRST STEP Act gives former prisoners a better chance at changing their lives. Every day, there are more success stories. No doubt, there will be some prisoners who don't learn a lesson and return to a life of crime, but the reforms we put into place have been shown at the State level to reduce crime by reducing recidivism. It is the right thing to do for people in the criminal justice system, but it is a good value for the taxpayers, as well, because it costs tens of thousands of dollars to keep people in prisons.

As we commemorate the FIRST STEP Act, it is important to acknowledge that this was a bipartisan effort. A lot of people didn't think it was even possible, but we did it by working together and finding a way to work out a reasonable compromise.

First and foremost, I want to acknowledge Senator DURBIN. I guess you would call the two of us partners in crime. There is no better advocate for criminal justice reform than Senator DURBIN, and this bill would never have passed without his hard work and willingness to forge this bipartisan compromise.

I point especially to Senator LEE because he knows the criminal justice code inside out, and when we needed people to tell us what we could or could not do, what was reasonable, he had an answer. So I want to thank Senator LEE.

I also thank Senators CORNYN, SCOTT, WHITEHOUSE, BOOKER, and LEAHY, among others.

I also want to recognize President Trump and give a sincere thank-you to him and his team, particularly Jared Kushner, for the support and leadership in this space.

Today, December 18, will always be an important day for me as a legislator. I look forward to making sure that this law is implemented successfully and to finding additional ways to improve our criminal justice system.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. YOUNG. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the McFarland nomination?

The yeas and nays were previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: 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. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 38, as follows:

[Rollcall Vote No. 402 Ex.]

YEAS—56

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

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—6

Booker	Isakson	Sanders
Harris	Klobuchar	Warren

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I ask unanimous consent that with respect to the McFarland nomination, the motion to reconsider be considered made