

and laid upon the table and the President be immediately notified of the Senate's action.

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

### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant 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 Anuraag Singhal, of Florida, to be United States District Judge for the Southern District of Florida.

Mitch McConnell, John Boozman, Richard Burr, Shelley Moore Capito, John Cornyn, Mike Crapo, John Barrasso, Roy Blunt, John Thune, Steve Daines, Thom Tillis, Kevin Cramer, Chuck Grassley, Tom Cotton, Rick Scott, Roger F. Wicker, Cindy Hyde-Smith.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Anuraag Singhal, of Florida, to be United States District Judge for the Southern District of Florida, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

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

The yeas and nays resulted—76 yeas, nays 18, as follows:

[Rollcall Vote No. 403 Ex.]

#### YEAS—76

Alexander	Duckworth	Manchin
Barrasso	Durbin	McConnell
Blackburn	Enzi	McSally
Blumenthal	Ernst	Menendez
Blunt	Feinstein	Moran
Boozman	Fischer	Murkowski
Braun	Gardner	Murphy
Burr	Graham	Paul
Capito	Grassley	Perdue
Cardin	Hassan	Peters
Carper	Hawley	Portman
Casey	Hoeven	Reed
Cassidy	Hyde-Smith	Risch
Collins	Inhofe	Roberts
Coons	Johnson	Romney
Cornyn	Jones	Rosen
Cortez Masto	Kaine	Rounds
Cotton	Kennedy	Rubio
Cramer	King	Sasse
Crapo	Lankford	Scott (FL)
Cruz	Leahy	Scott (SC)
Daines	Lee	Shaheen

Shelby  
Sinema  
Sullivan  
Tester

Thune  
Tillis  
Toomey  
Warner

Wicker  
Young

#### NAYS—18

Baldwin  
Bennet  
Brown  
Cantwell  
Gillibrand  
Heinrich

Hirono  
Markey  
Merkley  
Murray  
Schatz  
Schumer

Smith  
Stabenow  
Udall  
Van Hollen  
Whitehouse  
Wyden

#### NOT VOTING—6

Booker  
Harris

Isakson  
Klobuchar

Sanders  
Warren

The PRESIDING OFFICER. On this vote, the yeas are 76, the nays are 18.

The motion is agreed to.

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Anuraag Singhal, of Florida, to be United States District Judge for the Southern District of Florida.

#### ORDER OF PROCEDURE

Mr. THUNE. Mr. President, I ask unanimous consent that notwithstanding provisions of rule XXII, at 4 p.m. today, the Senate vote on the motions to invoke cloture filed on Monday's session of the Senate in the order filed. I further ask that if cloture is invoked, the Senate vote on confirmation of Executive Calendar No. 465 and the nominations at a time to be determined by the majority leader in consultation with the Democratic leader; that if confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

The PRESIDING OFFICER. The Senator from Florida.

### CONDEMNING THE TERRORIST ATTACK AT NAVAL AIR STATION PENSACOLA ON FRIDAY, DECEMBER 6, 2019, HONORING THE MEMBERS OF THE NAVY WHO LOST THEIR LIVES IN THE ATTACK, AND EXPRESSING SUPPORT AND PRAYERS FOR ALL INDIVIDUALS AFFECTED BY THE ATTACK

Mr. SCOTT of Florida. Today we come together to honor the courage of our brave men and women in uniform—our heroes—and remember the victims of the tragic terrorist attack that took place at Naval Air Station Pensacola on the morning of Friday, December 6.

I would like to thank my colleagues, Senators RUBIO, PERDUE, ISAKSON, SHELBY, and JONES, for standing with me today as we honor the sacrifice and memory of the three victims and their families.

Amn Mohammed Sameh Haitham, known to friends and family as "Mo," was just 19 years old from St. Petersburg, FL. He was a great athlete who loved to make others laugh.

ENS Joshua Kaleb Watson of Alabama was a 23-year-old natural born leader and selfless volunteer who had lifted others up. Joshua died a hero after giving first responders information on the shooter's location while he was mortally wounded.

Amn Apprentice Cameron Scott Walters of Richmond, GA, was just 21 years old, with a contagious smile. His dream was to serve our country.

Our sailors and law enforcement officials showed heroism and bravery in the face of evil as they ran toward the shooter that day, saving lives. To our first responders who came to the swift aid of those in need, I would like to thank each one of them.

Today, the State of Florida stands united around the community of Pensacola and the families of victims as we pray for healing. I join my colleagues as we do everything we can to prevent future terrorist attacks.

Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 457, 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. 457) condemning the terrorist attack at Naval Air Station Pensacola on Friday, December 6, 2019, honoring the members of the Navy who lost their lives in the attack, and expressing support and prayers for all individuals affected by the attack.

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

Mr. SCOTT of Florida. Mr. President, 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. 457) was agreed to.

The preamble was agreed to.

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

Mr. SCOTT of Florida. I yield the floor to Senator RUBIO.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, I want to thank my colleague Senator SCOTT for offering this and all of our colleagues and, of course, all of the Senators who voted for it unanimously.

My colleague from Florida has already mentioned the three names of those in the service of our country who lost their lives in Pensacola. I will talk about them more in a moment.

I do want to say a couple of things. First, Pensacola really is one of the hidden gems of the State that Senator SCOTT and I represent. To understand Pensacola, you must understand that it is not just a city in which a naval facility is located. The Navy is very

much a part of the fiber of that community. I would almost equate it to a college town's relationship with a university; that is how much its identity is connected to this naval air station. This attack wasn't just an attack on this facility, but it was an attack on the heart and soul of Pensacola as a community.

As I had an opportunity to visit in the aftermath of the attack, I was not just deeply saddened by the loss of life but impacted, first, by the way the community responded and, second, by some of the stories, which I hope we will learn more about as the information comes out, of extraordinary bravery—not just the first responders but others who happened to be there at that time who exhibited extraordinary stories of heroism in the face of evil in this terror attack. People rushed into the building the gunshots were coming from instead of running away as most people would do. I want to point out some of those things.

ENS Joshua Kaleb Watson, who was mentioned earlier, happened to be the officer on deck at the time of the shooting, and he ran toward the shooter and was yelling for people to get out of the way. He actually proceeded to tackle the killer and fought him in an attempt to disarm him, all while being shot at least five separate times. He was wounded, but he, nevertheless, happened to make his way out to flag down first responders and be able to give an accurate description of the shooter, which ultimately allowed him to be neutralized.

Amn Mohammed Haitham's family moved to St. Petersburg from New Orleans after Hurricane Katrina. His school's assistant principal called him "the Perfect One" because he was a good student, a track star, and basketball player. This is a quote from the assistant principal:

[He] would walk into any room and it would light up. He had this magnetic personality—big smile, always happy. And people would always gravitate toward him.

His commanding officer told his father that it was his son Mohammed who had also bravely attempted to take down the gunman and lost his life.

Then there was Cameron Walters of Georgia, described as "an amazing guy, he always had something good to say to everybody, and was always smiling."

The morning of the shooting, Airman Walters was randomly assigned to watch duty in Building 633. He had been stationed in Pensacola for only 2 weeks before this attack.

Again, I want to thank Senator SCOTT, my colleague of Florida, for offering this. It ensures that not only will we not forget the heroes who sacrificed their lives while protecting fellow Navy members as this tragedy unfolded, but it also reminds us of the obligation we have to get to the bottom of how this happened and why this happened so that it may never, ever happen anywhere again.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

AGENT ORANGE

Mr. WARNER. Mr. President, I rise today to draw attention to a group of veterans who served this country decades ago but who continue to suffer to this day as a result of their service. I am talking about hundreds of thousands of veterans who were exposed to Agent Orange during their service.

From 1962 to 1975, the United States sprayed over 20 million gallons of Agent Orange across Vietnam, Cambodia, and Laos. Millions of our servicemembers, not to mention millions of Vietnamese civilians, were exposed. Fifty years later, hundreds of thousands of Vietnam-era veterans are still paying the price.

From the start, the Federal Government has tried to slow-walk attempts to cover the care these veterans earned. It wasn't until 1991 that the VA recognized the connection between Agent Orange exposure and several diseases and conditions, finally allowing these veterans to seek treatment from the VA. Currently, the list of conditions at the VA stands at 14, but science tells us the list is far from complete.

In 2017, then-Veterans Affairs Secretary Shulkin called for three more conditions to be added to the list: bladder cancer, underactive thyroid, and Parkinson's-like symptoms. Now, these weren't randomly chosen. They were conditions found by the National Academy of Science to be connected to Agent Orange exposure.

The science was there. The VA was there. Yet this White House and its OMB Director, Mick Mulvaney, have blocked this effort to expand the list of conditions.

Do you know what the deciding factor was? It wasn't scientific evidence. It wasn't the advice of VA doctors. No, the White House decided that the cost of providing care to 83,000 veterans suffering from these conditions was just too high, and for that this administration turned its back on 83,000 veterans who answered the call to serve.

Unfortunately, this is just the latest example of the Federal Government trying to avoid paying for the care of men and women our Nation sent to war. My office hears regularly from veterans facing problems like prostate cancer, Parkinson's, and other conditions that have been linked to Agent Orange. Time and again, we hear how the VA tries to deny benefits on the basis of a technicality. This is just not right. Unfortunately, this administration is far from the first to ignore evidence about Agent Orange in order to save a few bucks.

I want to share a few stories from my State of Virginia, where more than 204,000 Vietnam veterans currently call home. In many cases, veterans who were exposed to Agent Orange have been fighting multiple administrations to get these life-or-death benefits—benefits they earned by their service decades ago.

One veteran, William Badgett of Hampton, VA, was exposed to Agent Orange during his service in Vietnam with the Army. He was in the 101st Airborne, 1st Cavalry, where he served as a helicopter mechanic and supply sergeant. He has been diagnosed with a number of health conditions, including enlarged prostate, osteoporosis, kidney disease, and hardened arteries, none of which are on the VA's presumptive list.

While the VA considers prostate cancer to be on the list, Mr. Badgett's enlarged prostate is not presumed by the VA to be connected to his exposure to Agent Orange simply because it is not cancer.

Another example: Sam Harvey from Newport News, VA, was exposed to Agent Orange during the Vietnam war. He served in the U.S. Navy from 1966 to 1970 aboard the USS *Constellation*. He was diagnosed with aggressive prostate cancer. Yet, with prostate cancer being on the presumptive list, he struggled to get VA approval for the treatment he needs.

Finally, I want to talk about Dorman Watts from North Chesterfield, VA. He suffered for years to get the disability rating from the VA that will qualify him for the comprehensive care from the VA. He has prostate cancer and heart disease and is currently undergoing radiation treatment from a private provider. This is unacceptable.

That is why I am glad Congress included important accountability measures as part of the Defense appropriations legislation we passed this week. Finally, after years of reluctance, years of ignoring the science, these veterans are going to get some of the answers about the conditions that have resulted from their service.

There is more than enough evidence to expand the list of Agent Orange-related conditions. We should be thanking these veterans for their service, not nickel-and-diming them. I urge my colleagues to listen to the veterans in their States, and I urge the White House to let the VA provide these veterans with the benefits they have earned.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COTTON). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

APPROPRIATIONS

Mr. CORNYN. Mr. President, following the longest government shutdown in history earlier this year, it seemed to be a bipartisan consensus that we need to get back on track with the regular appropriations process. Both parties knew there was a funding crisis at stake this fall if we could not come together and reach a compromise, so this summer, that is exactly what we did—or at least we thought we did.

At the time we reached an agreement that set top-line funding levels for defense and nondefense spending, there was a promise not to derail the appropriations process with poison-pill policy riders, and we got it done in August with plenty of time to spare. It wasn't perfect. No negotiated product ever is, but we knew this agreement would provide us the time and the space and the framework to get the appropriations process back on track and leave room for necessary debate on government spending habits. As our national deficit continues to grow, that could not be more critical. I actually remember a time when concern about the deficit and debt was a bipartisan concern, but apparently, it is not currently.

Before we hit the first funding deadline, our Democratic colleagues backed out of the commitment they made in August of 2019. The open debate we hoped for did not happen. We were forced to pass two short-term funding bills known as continuing resolutions, and now, here we are, just days away from the current continuing resolutions expiration, reading text of these funding bills that total nearly \$1.4 trillion. We are reading these for the first time.

When it comes to the appropriations process, I have learned from experience; you are never going to be 100 percent happy. That is just the nature of compromise. You have got to weigh the good, the bad, and the ugly and decide how the scales tip. There is certainly a lot of calculating when it comes to these appropriation bills, but let me start with the good. I think the national security appropriations package goes a long way to rebuilding our military, providing them the resources they need to maintain readiness, and providing our Armed Forces with the resources they need to face growing threats around the world. From adversaries like Russia and China, to rogue regimes like North Korea and Iran, our military must be prepared to counter a diverse range of threats.

This funding bill will continue the work of Congress under President Trump to invest in our military by providing a nearly \$20 billion increase over last year's defense funding levels. It will provide funds to both modernize and grow our aging fleet so we can continue to send our troops around the world where they are needed. One of the major challenges we face is the development of new technologies by our adversaries. We cannot have our enemies deploying hypersonic glide vehicles, artificial intelligence, and missile defense systems that rival or perhaps surpass our own. That would be destabilizing. That may produce a miscalculation, which would be dangerous.

This bill sends funding toward the research and development of new technologies so we can stay on the leading edge. We should not be satisfied with anything other than America being in the lead when it comes to our national security.

I am glad this package also includes a number of provisions that support our men and women in uniform, including a 3.1 percent pay increase, which is the largest in a decade. Above all, this defense funding answers our commanders' request for steady and predictable funding so they can address and plan for the threats of today and prepare for those we will face tomorrow.

In addition to strengthening our national security, this package will also make our community safer here at home. It sends vital funding to the Department of Justice law enforcement grant programs and invests \$1.4 billion in the border wall system on the Southwest border. As a border State Senator, I can tell you the Border Patrol, whom I consider the experts when it comes to border security, say there are three components of border security: There is physical infrastructure; there is technology; and then there is the personnel, the boots on the ground. This appropriation bill invests \$1.4 billion in this system that includes a border wall.

Despite concerted attempts from our Democratic colleagues, the President's authorities to transfer funds that he deems necessary for border security remain intact.

Now, the domestic spending bill takes strides to address some other challenges. It allows us to bolster our fight against the opioid epidemic, expand mental health access, and improve our crumbling transportation infrastructure. It includes \$400 million for farmers and ranchers in Texas and elsewhere affected by drought, trade wars, and low commodity prices. It would also send an additional half a billion dollars to the Army Corps of Engineers that can be used for infrastructure projects right here at home.

With less than a year until the next election, it would provide more than \$400 million in additional funds to safeguard our election systems so that voters can head to the polls with the confidence that their vote will be counted correctly.

As we continue to bring down healthcare costs for the American people by providing them more choice and competition for their premium dollar, this legislation permanently repeals some of the three most oppressive ObamaCare taxes that are burdening American families: the premium tax, the Cadillac tax, and the medical device tax.

This bill also extends funding for critical healthcare programs like community health centers. This is the safety net in our healthcare system, the community health center. It is something I have long supported.

Despite pushes from our colleagues across the aisle, appropriators also managed to fight off an electric vehicle tax credit expansion, which would be nothing more than a taxpayer subsidy for wealthy Americans who want to purchase electric vehicles.

There are a lot of great provisions in these appropriations bills to address some of our top priorities, but I remain concerned that, with some of the shortcomings, these could also be described as the bad part of this appropriation process.

The domestic funding bill includes a range of controversial provisions that will move us further away from our goal of decreasing the national debt. It significantly increases deficit spending without offsets or pay-fors for long-needed reforms for mandatory spending programs, which are the primary cause of our deficits and debt, accounting for about 70 percent of Federal spending.

This bill also includes a terrible provision, which is a retroactive tax on American energy companies. We did this without any sort of consideration by the committee of jurisdiction—the Finance Committee, upon which I sit—with no opportunity to provide amendments or even a debate on this massive retroactive tax. The only choice we are given now that it has been included as a result of the negotiations among five people is the choice to vote either up or down on this massive piece of legislation.

This bill also extends other tax benefits, without addressing problems with the Tax Code, which actually have a negative impact on American businesses and families.

This funding bill would also extend the National Flood Insurance Program, which is long overdue for reforms. This sidesteps the need for those reforms entirely. The program is hemorrhaging money, and we need to be looking at ways to improve it, instead of continuing to flush good money down the drain.

As I mention, we started this process on a strong path with the budget agreement that was reached in August. I know I wasn't alone in thinking that would help us get the regular appropriations process back on track, but things quickly took a turn—not for the good, not for the bad—but for the ugly. Our colleagues let government funding come second to their disagreements with the President. They tried to inject the very poison pills they vowed to steer clear of and derailed the process that they committed to restoring.

Rather than having an open debate and votes on spending, as we planned, the process fell to just a handful of people negotiating behind closed doors. This is reminiscent of the smoke-filled backroom deals that Congress has long been criticized for, and we really have no alternative but to vote up or down on this massive \$1.4 trillion spending package without any opportunity to debate it or, more importantly, to change it by offering amendments.

The way I see it, this has been the plan of Speaker PELOSI and the minority leader here in the Senate all along. If you think about it, this really puts the power in their hands, which is exactly what they want, and they can extract concessions and other things that

are important to them, rather than allow the process to work as it was intended to do through regular order, through the regular appropriations process.

This also takes power from their very own Members because no Democrat or Republican can offer any amendment to this which can change it at all under this closed process. So this really isn't just an affront to the Members on this side of the aisle; it is an affront to their own Members who have no opportunity to offer amendments or have meaningful debate and modify the bill.

Our Democratic colleagues have held these appropriations process hostage for the past several months. Over what? I think that is an important question. Well, as it turns out, it was their obsession with .3 percent of our Nation's budget. That is not how this process should work, and it is certainly not how to make decisions that are in the best interest of the country.

As further evidence of the rush to get this done without adequate consideration or debate or amendment, our House Democrats even had to violate their own 72-hour posting rule for major legislation just to get this legislation done before we leave this week.

It is frustrating to see our colleagues across the aisle undermine what could have been a very productive discussion about our Nation's spending habits, about deficits and debt and what our priorities should be, and, instead, chose to move forward with these bills, which fall short in any number of places.

I must say that the majority leader, the Senator from Kentucky, was committed to a process of getting these appropriations back on track so we could give a voice to all Members in these negotiations and take them up in an orderly fashion so amendments could be offered, and they could be debated and voted on, all of which has now been swept to the side.

I am also grateful for the tireless work of the chairman of the Appropriations Committee in the Senate, the Senator from Alabama, Mr. SHELBY, as well as the other members of the committee who have been negotiating an agreement to support our national defense and avoid book-ending the 2019 year with a second shutdown.

As we move closer to a vote on these appropriations bills tomorrow, I am going to continue to review their text. They are massive pieces of legislation, and we have only recently gotten access to them. I will be making my individual decision—as I trust each Member will—on whether to support these appropriations bills and whether they represent the best interests of their States and of the American people.

The PRESIDING OFFICER. The assistant Democratic leader.

#### RELIEF ACT

Mr. DURBIN. Mr. President, it is hard to believe that in this Nation of immigrants we have such a broken immigrant system, but it is a fact.

We have addressed so many problems in this system over the years. A few

years ago on the floor of the Senate, we passed a comprehensive immigration reform bill, which didn't survive in the House of Representatives. So it is no surprise that, on a regular basis, we face challenges when it comes to our existing immigration laws.

One of the most serious challenges is the green card backlog in this country. To try to describe it in just the simplest terms, under the current law, in my estimation, there are not nearly enough immigrant visas—also known as green cards—available each year. Each year in America, there are 226,000 family green cards available and 140,000 employment green cards available. That is 140,000 each year for a nation of 350 million people. So many of those who are aspiring to get a green card and ultimately move to a permanent resident status and citizenship wait and wait and wait for the day to arrive.

Children in many of these families who are from workers currently in the United States on things like the H-1B visa age out when they reach the age of 21, and they are no longer protected by their parents' presence. So they are at risk of being deported, even as they go into their teenage years. It is a horrible situation. It is really a heart-breaking situation. I have come to meet and know many of the families affected by it.

We are trying to deal with this green card backlog with the reality of current politics in Washington. Under the current political environment, there are limitations on what we can do.

My response is to increase the number of green cards that are available each year so we have more than 140,000 available. There are currently at least 800,000 people waiting for 140,000 green cards to come up each year. As a consequence, we are in a predicament, where we don't have nearly enough green cards for the people who are waiting for them.

I would increase that number, but politically that is not going to happen. The President doesn't agree with that position, and many Republicans in the Senate and the House don't agree either.

Senator LEE and I have confronted this issue, coming at it from different perspectives. Initially, we were at odds on how to approach it. I objected to a bill he brought to the floor; he objected to a bill I brought to the floor; and then we sat down to talk.

The bill I brought to the floor, as I mentioned earlier, would increase the number of green cards, would make sure that the families would be protected from deportation while they are waiting and would allow them to travel and to change jobs. That is called the RELIEF Act. I have introduced it. It has been introduced in the House of Representatives by Congresswoman SHALALA. It is a bill I still support and would like to see pass. That is my preference.

It is not a bill that would pass in the Senate at this time, so Senator LEE

and I sat down to try to find common ground, if we could, on an approach that might work to deal with the backlog in a humane fashion and to protect the families during the course of that.

We have come up with a proposal which I think moves us in the right direction. It is an agreement between us—a bipartisan agreement—which we are now hoping to offer to the Senate for consideration as quickly as possible.

I will very quickly state a summary of what it tries to achieve.

It protects immigrants and their families who are stuck in the green card backlog I mentioned. Immigrant workers and their immediate family members would be eligible for what is called early filing for their green cards. Immigrant workers would not receive their green cards early, but while waiting, they would be able to switch jobs and travel without losing immigration status.

The amendment includes a critical protection from the RELIEF Act that protects the children of immigrant workers from aging out of green card eligibility while the family is waiting so they will not face deportation.

Green card set-asides for immigrant workers stuck in the backlog overseas are provided. The amendment reserves 4,600 green cards on an annual basis for immigrant workers stuck in the backlog overseas and not eligible for early filing. The number is based on the actual or, at best, approximate number of the actual number of people who applied for employment green cards from overseas each year.

Third, it addresses abuses in H-1B temporary work visas. The first thing Senator LEE and I want to make clear is that we are committed, first and foremost, to American workers getting jobs.

In those circumstances where American workers with certain skills are not available, we have what is known as the H-1B visa. Working with Senator GRASSLEY, what we tried to do is to come up with a bipartisan way of strengthening that system.

Included in the strengthening of this amendment is a 50-50 rule, which says that the amendment would prohibit a company from hiring additional H-1B workers if the company's workforce is more than 50 employees and more than 50 percent are actually temporary workers. I personally believe those companies are suspect, and this bill raises that question. The 50-50 rule, as I mentioned, is from a bill Senator GRASSLEY and I introduced. It was part of comprehensive immigration reform.

The reality is, there is abuse in the H-1B system. We don't try to solve every aspect of it, but we do address what we consider to be one of the starting points of the problem we currently face.

Here is where we are. Senator LEE and I have reached a bipartisan agreement on what we think is a reasonable approach, and we want to make sure it

is acceptable to our colleagues to move forward.

I have been working on the Democratic side; Senator LEE has been working on the Republican side. We don't believe we can get it done at this very moment, but we are hopeful to get it done very quickly. The reason is obvious. These families affected by this backlog are really going through hardships and concerns no family should face. The sooner we resolve them, the better.

As I have talked to many of these families, they have asked: Why don't you sit down with Senator LEE to see if you can reach an agreement? I did. We have. Now I hope we can move forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from the Utah.

Mr. LEE. Mr. President, it has been an honor and privilege to work with my friend and distinguished colleague, the senior Senator from Illinois, on this important project.

I have been working on bringing about an end to the arbitrary per country caps put in place on employment-based green cards for nearly the entire 9-year period I have been in the U.S. Senate. At no point has it been an easy process. These are significant and weighty issues, and they require attention.

Senator DURBIN and I have spent the last couple of months negotiating in good faith with a lot of energy and a lot of time and attention given to the project not only by the two Members involved, Senator DURBIN and myself, but also by our very dedicated and devoted staffs who have really put a lot of shoe leather, sweat, blood, and tears into this effort.

I am grateful to Senator DURBIN for being willing to work with me on this. I have enjoyed working with him over the years on a number of projects, including the passage just about a year ago—almost exactly a year ago—of the FIRST STEP Act. This was the result of a project that Senator DURBIN and I had been working on for 8 continuous years up until that point, culminating in a lot of proposals, including things like the Smarter Sentencing Act, the Sentencing Reform and Corrections Act, and, ultimately, the FIRST STEP Act. Like I said, that was passed almost exactly a year ago.

At no point in that process was there an easy path forward, an easy path toward victory. Yet he and I remained united in our desire to see something get passed.

Senator DURBIN and I, along with our staffs, have put a lot of energy and attention into this effort as well to try to bring about a resolution of the problem created by the arbitrary per country caps placed on employment-based immigrant visas.

I am very pleased with the outcome of those negotiations. I am very confident that this is something we can get passed into law. He and I are going to continue to work together. I am

going to make sure we have the buy-in we need. I want to make sure the co-sponsors of the legislation are comfortable with what we have negotiated and that they understand it.

To that end, I thank the Senator from Illinois and his staff and also my own staff for working on this. I have every hope, expectation, and confidence that this is going to result in something that can pass—something I believe that can—and will soon pass with the unanimous support of the Members of this body.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

#### SECURE ACT

Mr. CARDIN. Mr. President, several times on the floor of the Senate I have talked about the issue of retirement security. It has been a priority for me during my entire career in the U.S. Congress.

When the United States has led the world in just about every economic indicator, there is always one in which the United States is not doing well; that is international savings, particularly retirement savings.

When we take a look at recent figures, we find that 48 percent of those who are near retirement—over 55 years of age—have zero amounts in retirement funds. Almost half of our near elderly have no retirement funds and pensions at all. Twenty-nine percent have zero savings. So we need to do a lot better.

The issue is very much compromised because we have seen a major trend in the employment world from defined benefit plans to defined contribution plans.

In the defined benefit world, the employer guarantees certain benefits to their employees who take the risks of the market. In a defined contribution plan, it requires the employee to put his or her own money aside and be disciplined in order to do that. As a result, we find less retirement security for many wage earners today. This puts pressure on our Social Security system.

Social Security is a very, very important program, but it is only supposed to be one leg of a three-legged stool of retirement security, including private retirement and private savings.

We have responded in the past, and we have taken action. I am very proud of the work I first started doing in the House of Representatives with then-Congressman ROB PORTMAN. The two of us worked on pension legislation. We were able to get it enacted, and it made a big difference.

I hope we will be voting on these Omnibus appropriations bills tomorrow. We are going to have a chance to take a major step forward on retirement security with the passage the SECURE Act.

The SECURE Act, Setting Every Community Up for Retirement Enhancement Act, is a bill that was first

acted upon by the Senate Finance Committee back in 2016, so this has been a long time in coming. It passed the House of Representatives by a vote of 417 to 3, so you see that there is very strong bipartisan support for this next chapter in retirement security. It expands opportunities for Americans to increase their retirement savings and improve the portability of lifetime income options.

Many provisions are included in the SECURE Act. I want to talk about just a few, several of which I was very proud to be part of working to include within the SECURE Act.

First, for the first time in many years, we do something about the required minimum distribution. Under current law, once you reach 70½ years of age, you are required to take out a certain amount of your retirement income. The problem with that is, people are living longer and longer and longer, and their retirement income becomes inadequate the longer they live. They may have planned to live to be 80, 85, or 90 but find they still have an active lifestyle well beyond that. The required minimum distribution works against them being able to maintain an adequate amount of retirement funds for later in life.

This bill takes a step forward in increasing the date in which you are required to take out a minimum distribution to 72 years of age.

We are now also providing retirement opportunities for part-time workers. This is a major improvement on our retirement programs. I might tell my colleagues that part-time work affects women much more than men. This is something that was long overdue, and I am very pleased that this is also included in this legislation.

Part of the legislation that Senator PORTMAN and I have worked on deals with the fact that we have defined benefit plans that are available today, but in some cases employers have found it impossible to continue these plans for new employees. These are called “closed plans.”

Well, these defined benefit plans are still there to protect those who were enrolled in the plan before they became closed. Here is the problem. As more and more people are employed by the company who are not in this plan and more of the people who were in the defined benefit plans are no longer around, the nondiscrimination rule test is much harder to be met, and, as a result, these plans may have to be frozen or canceled, and that would be to the detriment of those who are currently protected under these closed plans. I have been told that as many as 400,000 workers would risk losing benefits by the end of this year if we do not take action to change the nondiscrimination rules in regards to these closed plans. The SECURE Act includes the provision to do this. I was very happy to work with Senator PORTMAN in getting that done. That is included

in this legislation, and it is very important that we enact it before the end of December.

There is a provision in here that I worked on with Senator ROBERTS, a bipartisan proposal to deal with church pension plans. We have had a church pension plan on the books for many years, but we have gotten inconsistent IRS regulations as it relates to the management of these pension plans, particularly when you are dealing with church-affiliated institutions, such as daycare centers or nursing homes. This legislation will clarify that so that these church plans can continue. It affects thousands of workers, and it makes a positive difference on retirement security.

The SECURE Act also includes a provision that will exempt State and local firefighters and emergency responders from income tax liability that was never intended on some pension plans. All of that is included in the SECURE Act, and it will help a great deal in dealing with the issue I raised at the beginning of my remarks, retirement security for individuals.

Now, we will get that done, I hope, this week. We expect to vote on the bill, hopefully, within the next day. That will be a major step forward for retirement security, but it is not the end. We have to do a lot more, and that is why Senator PORTMAN and I have filed the Retirement Security and Savings Act. That is a bill that contains almost 50 different provisions. Some are included in the SECURE Act, and we are grateful for that, but most are not. What is included in the Retirement Security and Savings Act builds on the SECURE Act to provide greater opportunities for retirement security.

Let me just give you a couple of examples. It improves the requirement for distribution, allowing individuals to be able to reserve more for the later years of their life. It also provides tremendous incentives for lifetime income.

Here is the problem. People may have retirement savings, and they say: Look, I guess I will live another 15 years. So they take their money out over 15 years, and, guess what, after 15 years, they are still healthy, but they have no money. Lifetime income guarantees that you will have income throughout your entire life. We provide incentives in our legislation on lifetime income options for retirement options when you retire.

We also make it easier for those who have student loans to be able to participate in retirement security. A lot of times, people would like to contribute to a pension plan but they have to pay off student loans. Well, we allow the paying off of student loans to act as a match for an employer's contribution—again, offering additional opportunities for people to participate in retirement savings.

We have provisions in here that particularly help low-wage workers. The bottom line is that low-wage workers

are the most challenged in order to participate in retirement security plans early in life. If you start a savings for retirement when you are young, it will produce the type of savings you need when you retire. Younger people have lots of obligations, including starting a family, paying off student loans, and all the things that we know about. So they need incentive. We have found that just the tax incentives alone will not be enough to get younger workers to participate in retirement.

We have the Thrift Savings Plan here for Federal workers, which is wonderful, because the Federal Government matches some of those contributions. What we are suggesting in the bill that we filed is expanding the tax credit program for savings, making it refundable directly into retirement accounts so that younger, lower wage workers will participate in retirement savings.

We provide provisions in this bill that help small businesses so small businesses can start retirement savings plans. All of that is included in the next step.

So, yes, let's approve the SECURE Act in the budget agreement, an important step forward, but let's recognize that we need to do a lot more. Let's work in a bipartisan manner in 2020 to build on the success of the SECURE Act to help Americans save for their retirement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

NOMINATION OF STEPHANIE DAWKINS DAVIS

Ms. STABENOW. Mr. President, I rise today because I am very glad to see the Senate moving forward in taking up the nomination of Stephanie Davis to be the district court judge for the Eastern District of Michigan.

Judge Davis was nominated by President Trump back in March to be a U.S. district judge for the Eastern District of Michigan. Our bipartisan Eastern District Judicial Nominations Advisory Committee strongly supported her. She was reported out of committee by a voice vote on May 22, and no one has expressed any concerns about her record, nor would they have a reason to express a concern. She is exceedingly qualified.

Judge Davis has been working in the U.S. Attorney's Office in the Eastern District of Michigan since 1997. During her time there, she has served in both the civil and criminal divisions. She has prosecuted fraud, bank robbery, embezzlement, violent crime, public corruption, and criminal conspiracies involving drug trafficking and money laundering. We are very lucky to have someone of her experience stepping forward and wanting to serve in this position. She has also overseen community and law enforcement initiatives and led the office's diversity efforts.

I have had the opportunity to meet with Judge Davis. I came away from my very first meeting, as well as subsequent conversations, being very im-

pressed with her background and her commitment to public service. She will be an excellent addition to the Federal judiciary, and I urge my colleagues to support her nomination.

I yield the floor.

NOMINATION OF ANURAAG SINGHAL

Mr. SCOTT of Florida. Mr. President, Judge Anuraag Singhal has honorably served the State of Florida for several years, and I proudly support his confirmation as a district judge for the Southern District of Florida today. He has built a distinguished legal career, serving as a criminal prosecutor for Florida's Seventeenth Judicial Circuit and later opening a private practice focused on criminal defense and appellate work. Throughout his career, he has demonstrated a firm commitment to the rule of law, and as Governor of Florida, I had the distinct honor to appoint Judge Singhal to Florida's Seventeenth Judicial Circuit court in 2011. I am equally honored to support his confirmation to the United States District Court for the Southern District of Florida today and know he will continue to serve our State and Nation well.

Ms. STABENOW. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill 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 Karen Spencer Marston, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Mitch McConnell, Mike Crapo, Thom Tillis, Mike Rounds, Lamar Alexander, John Hoeven, Roger F. Wicker, Pat Roberts, John Thune, Cindy Hyde-Smith, John Boozman, Tom Cotton, Chuck Grassley, Kevin Cramer, Steve Daines, Todd Young, John Cornyn.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Karen Spencer Marston, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator