



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, FIRST SESSION

Vol. 165

WASHINGTON, WEDNESDAY, FEBRUARY 6, 2019

No. 23

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, the source from which we come and the goal to which we travel, enter into our lives and make us more like You. Strengthen our Senators. Equip and empower them with Your heavenly grace, so that they may solve the problems of our times with Your wisdom and love. May their labors help make America a nation You can trust and bless. Lord, grant that the powers of justice, understanding, and cooperative endeavors will be used to unify this land we love.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. CRAMER). Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S. 340

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 340) to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar on the next legislative day.

STATE OF THE UNION MESSAGE

Mr. McCONNELL. Last night, the President shared a hopeful vision of a bright future for our country. In part, he reminded us that the future is bright because of the big steps we have taken together in the past 2 years to move the Nation forward—steps such as historic tax reform that has helped middle-class families across America keep more of what they earn; the regulatory reforms that have amped up our economy and fueled job creation; the landmark legislation we passed to combat the opioid epidemic; the long-needed investment in our Armed Forces that gives our servicemembers the tools and training they need to keep us safe.

As I mentioned yesterday, some of these accomplishments were delivered by Republicans alone, but the lion's share of them were bicameral and bipartisan. They combined the ideas and priorities of both sides of the aisle and both Chambers of Congress. So even though I know our Democratic colleagues' first instinct these days is to reflexively criticize anything President Trump says or does, I hope they took some pride in the strong state of our Union which the President described.

This great country belongs to all of us, and it is going to take all of us to keep moving forward. As the President put it, "cooperation, compromise, and the common good."

Last night, the President highlighted, in particular, the national challenges he sees as most urgent and as top priorities for his administration this year. Tackling them will require that same bipartisan spirit in Congress. He restated the administration's commitment to addressing the humanitarian and security crisis at our Nation's southern border, to fighting on behalf of American workers and job creators, to rebuilding America's infrastructure, and to helping simplify families' budgets by lowering the cost of healthcare and prescription drugs. On these and other challenges, the American people deserve the full attention of a fully functioning Congress. They deserve a Democratic Party that puts the public interest ahead of political spite and comes to the table to negotiate necessary compromises.

Well, it will not be long before we will see if this institution can rise to the occasion. The next deadline for appropriations will arrive in a little over a week, and Members in both Chambers will need to prove we can move past making points and start actually making a difference.

Throughout the coming year, if we are serious about advancing meaningful policy, this basic requirement will remain the same—good-faith efforts between a Democratic-controlled House and a Republican-controlled Senate and President Trump's administration.

Another challenge the President mentioned is the ongoing obstruction of his nominations to the executive branch and the Federal courts. He was absolutely right about that. To a historic degree, Senate Democrats have slow-walked well-qualified nominees, gumming up committee consideration and burning weeks of valuable time on the floor. As I have said time and

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S875

again, this mindless obstruction is unacceptable.

So I was encouraged the President took an opportunity last night to highlight for the Nation exactly what we are up against in this regard. We are into the third year of his Presidency—the third year—and the American people deserve a fully functioning and fully staffed Federal Government after 3 years. It is time for their elected representatives to be part of the solution.

I know several of our colleagues are discussing ways to help the Senate better fulfill its duty in this area. I hope there will be cooperation from the other side of the aisle to identify and advance a durable and fair solution.

President Trump offered a clear picture of the ways in which our policies are delivering significant results to families across America and the urgent challenges we still need to confront together. He offered us a powerful reminder that America's strength and goodness are inextricably linked with our commitment to individual liberty and free enterprise and that we can never allow the United States of America to dim our light by sliding into the failures of socialism. Socialism has failed everywhere it has been tried, and we are not going to try it in this country. We need to do right now what we need to in order to move forward together.

The brief Democratic response showed us one potential way forward. Our colleagues across the aisle could simply deny the facts in front of us about the progress that has taken place—progress which middle-class families all across America can tangibly feel—and use the same, tired, forgettable clichés to divide our Nation along political lines, but the President offered a chance to walk together, unified, along a higher road. Both the tone and the substance of his speech would strike any fair observer as reasonable and thoroughly bipartisan.

Once again, the only way this divided Congress will be able to choose greatness and deliver significant legislation to the American people is by focusing on, as President Trump put it, “cooperation, compromise, and the common good.”

That will need to be our motto moving forward. The Nation we love deserves no less. The American people will be watching us.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATURAL RESOURCES MANAGEMENT ACT—MOTION TO PROCEED—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 47, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to S. 47, a bill to provide for the management of the natural resources of the United States, and for other purposes.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

STATE OF THE UNION MESSAGE

Mr. SCHUMER. Mr. President, last night President Trump had the opportunity to bring our parties together and offer the Congress and the country a new vision for the next 2 years of divided government. President Trump squandered the opportunity with a forgettable and, oftentimes, incoherent speech. At times, he called for unity without specifics, and at other times he served up divisive campaign rhetoric that he has used so frequently in the past.

The President's speech was like a 90-minute performance of “Dr. Jekyll and Mr. Hyde,” calling for comity but lacing it throughout with invectives. Unfortunately, President Trump seemed more excited and placed more emphasis on the Mr. Hyde parts of the speech than on the Dr. Jekyll parts.

Listen to a few of the contradictions in the speech. There were so many that I can't mention all of them.

President Trump says he believes in legal immigration but not illegal immigration, but every bill he has pushed on immigration has cut legal immigration as well as illegal immigration, including the proposal he has now sent over, in the debates, where he changes the asylum process dramatically.

President Trump said he would only work with us in Congress if we abandoned our oversight duties. He is back to his old tricks—hostage-taking. He said: I am not going to advance the causes of the American people if Congress investigates me.

Congress is supposed to do oversight of the executive branch. It is one of the things the Founding Fathers put in the Constitution. They were weary of overweening Executive power. They wanted Congress to be a check.

What is President Trump afraid of? If he weren't afraid of these investigations and if he weren't afraid of something that might be there that he did that was wrong, he would shrug his shoulders and say: Let them go forward.

But, instead, he threatens. He threatens the American people by saying: Unless these investigations stop, I am not going to move forward on anything.

How about this one? This one made everybody's eyes roll, even on the Re-

publican side. He said if he weren't elected President, we would be in a war with North Korea—what hyperbole. It is not just hyperbole—what untruth, what selective memory. President Trump began his time in office by precipitously ramping up tensions with North Korea. They were much lower under President Obama than they were with President Trump.

Maybe the most blatant contradiction of all, which makes you just lose respect for the integrity and honesty of the President, was when President Trump spoke about the need to defend protections for Americans with preexisting conditions, while at the very same time his administration is waging a lawsuit that would eviscerate protections for preexisting conditions. How can the President have the nerve to get up on the podium last night and say he wants to preserve preexisting conditions and wage a lawsuit, support a lawsuit that tries to undo them? It is shocking hypocrisy—that one maybe most of all for a speech that had many.

Of course, there were a whole lot of omissions in the speech that many Americans felt should have been placed in. Let me give an example. The President did talk about a few potentials for bipartisan compromise. We Democrats would love to compromise with the President and come up with some things that would advance the causes of working families in America.

He mentioned infrastructure and prescription drugs, but instead of offering substantive ideas and spending some time on these issues, he delivered a couple of lines about each and then moved on. It seemed obligatory and perfunctory. There was no new sinew, no real way to figure out if there is a way we can come together and get something done, because he really didn't seem interested.

He talked about the future of America and didn't even mention climate change. How could you do that? Every scientist who has studied it knows that in the next 10, 20, 30, or 40 years, climate change is going to evoke huge changes in our country and in our world. If you believe in the future and you want to have a good future for our children and grandchildren, which we all do, you can't ignore climate change. You may have different views on it, but you can't ignore it.

He also talked a great deal about the safety of the American people, but there was not one mention about gun safety—not one. Again, maybe not to President Trump, maybe not to his hard-core supporters, but to the rest of America, to talk about the need for security and the safety of Americans and not to talk about gun safety misses the mark badly.

Then he rattled off economic statistics—how great everything is—but completely ignored the difficult economic realities of working Americans. Why do so many Americans not have faith in the future? Why do so many Americans worry that their children