

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prevent the United States from defending itself from imminent attack.

The PRESIDING OFFICER. The majority leader is recognized.

MAKING TECHNICAL CORRECTIONS—S.J. RES. 68

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the clerks be allowed to make technical corrections to the engrossing of the amendments to S.J. Res. 68.

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

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 384.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Robert Anthony Molloy, of the Virgin Islands, to be Judge for the District Court of the Virgin Islands for a term of ten years.

#### CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Robert Anthony Molloy, of the Virgin Islands, to be Judge for the District Court of the Virgin Islands for a term of ten years.

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

## LEGISLATIVE SESSION

Mr. MCCONNELL. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 491.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Silvia Carreno-Coll, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

#### CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Silvia Carreno-Coll, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

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

## LEGISLATIVE SESSION

Mr. MCCONNELL. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

### AMENDING TITLE 18, UNITED STATES CODE, TO PROTECT PAIN-CAPABLE UNBORN CHILDREN—Motion to Proceed

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 420.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 420, S. 3275, an act to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

#### CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 motion to proceed to Calendar No. 420, S. 3275, an act to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

Mitch McConnell, Tim Scott, Joni Ernst, Roy Blunt, Tom Cotton, Kevin Cramer, Cindy Hyde-Smith, Chuck Grassley, Marsha Blackburn, Richard Burr, Mike Rounds, Mike Lee, John Hoeven, Shelley Moore Capito, Mike Braun, Steve Daines, Lindsey Graham.

#### WITHDRAWAL OF MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I withdraw the motion to proceed.

The PRESIDING OFFICER. The Senator has that right.

### BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 17.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 17, S. 311, an act to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

#### CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 motion to proceed to Calendar No. 17, S. 311, an act to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

Ben Sasse, John Boozman, Cindy Hyde-Smith, David Perdue, Tim Scott, Joni Ernst, Lindsey Graham, John Cornyn, James Lankford, Mike Rounds, John Hoeven, Mike Crapo, Thom Tillis, Roger F. Wicker, John Thune, Mike Braun, Mitch McConnell.

#### WITHDRAWAL OF MOTION TO PROCEED

Mr. MCCONNELL. I withdraw the motion to proceed.

The PRESIDING OFFICER. The Senator has that right.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 569.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Katharine MacGregor, of Pennsylvania, to be Deputy Secretary of the Interior.

#### CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Katharine MacGregor, of Pennsylvania, to be Deputy Secretary of the Interior.

Mitch McConnell, John Boozman, John Cornyn, Mike Crapo, Kevin Cramer, Tim Scott, Mike Rounds, James E. Risch, Roger F. Wicker, Steve Daines, John Barrasso, John Hoeven, Todd Young, Pat Roberts, John Thune, David Perdue, Lisa Murkowski.

#### LEGISLATIVE SESSION

Mr. MCCONNELL. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session and consider Calendar No. 416.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The senior assistant legislative clerk read the nomination of Travis Greaves, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

##### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Travis Greaves, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

Mitch McConnell, Cindy Hyde-Smith, Thom Tillis, John Thune, Mike Crapo, Mike Rounds, Steve Daines, Kevin Cramer, Richard Burr, John Cornyn, Shelley Moore Capito, Todd Young, John Boozman, David Perdue, James E. Risch, Lindsey Graham, Roger F. Wicker.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum calls with respect to the cloture motions be waived.

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

The PRESIDING OFFICER. For the information of the Senate, the motion to proceed to Calendar No. 420 was not agreed to; it was only made.

The PRESIDING OFFICER. The Senator from Louisiana.

5G

Mr. KENNEDY. Mr. President, I want to talk for a few minutes today about 5G, the Federal Communications Commission, and swamp creatures.

We have all heard a lot about 5G, and 5G is just incredibly fast internet. It will make possible things like driverless cars, telemedicine, and the internet of things.

I want to caution all of us that these things are not going to happen overnight. In fact, some parts of our country already have 5G, and we don't have driverless cars and the internet of things and long-distance surgery.

These innovations are going to happen over a long period of time, and in the meantime, there is going to be a lot of hype from the telecommunications companies. Why? Because they want to sell you 5G. They are going to tell you that 5G can do all these incredible things. They are going to tell you that 5G can grow hair, that 5G can cure erectile dysfunction, that 5G can do this and it can do that.

Look, I want to be on record as saying 5G is going to be extraordinary, but it is not going to happen overnight. The emergency that some of our telecommunications companies are trying to create is not nearly the emergency that really exists because they have something they want to sell you. I am not putting them down. That is free enterprise.

How does 5G work? Well, it is wireless technology. When I have 5G on my phone and you have 5G on your phone, we communicate—whether it is 5G wireless technology or otherwise—through radio waves. Radio waves go from my phone to your phone, and they carry data. It is called electromagnetic radiation, but all it is, is really radio waves. And there are all different kinds of radio waves. It depends on the frequency.

Do you know who owns those radio waves? The FCC doesn't. The telecommunications companies, which use those radio waves, don't. The Federal Government doesn't, except in this sense: You own those radio waves. The American taxpayer owns those radio waves. And they are incredibly valuable because telecommunications companies line up when the FCC has new radio waves available for them. They line up to bid on those radio waves, which they can use. We call that spectrum.

There is a certain type of radio wave going through the air—or spectrum, if you will—that is perfect for 5G. It is like Goldilocks' porridge—it is not too hot; it is not too cold; it is just right. The telecommunications companies want to use that C band, we call it, or midrange spectrum. I am going to call it C band. They want the FCC to license it to them.

Well, right now, using that spectrum, that C band—remember, these are the radio waves, the spectrum, that are just perfect for 5G. Right now, using this C band spectrum are a number of satellite companies, most of which are foreign-owned. The major satellite companies that are using it right now happen to be domiciled in Luxembourg—wonderful country and wonder-

ful people. Do you know what they pay to the American taxpayer to use that spectrum? Nothing. Zero. Nada.

You say: Well, how did that happen, KENNEDY? You just told me that these radio waves are very valuable and that the telecommunications companies are lined up to lease them. How did the foreign satellite companies get the C band for nothing if they are using it right now?

I don't know. It wasn't this FCC, but some FCC just gave it to them and said: Here, use it for free.

I wasn't there. I am not necessarily criticizing them. I am just telling you they got it for nothing. But they didn't get a license. They don't have a lease. They have a privilege to use it. In the fine print of the document that gives them this privilege, at any time, the FCC can take it back because the foreign satellite companies don't have a property interest. They don't own it. They don't have a lease. They didn't pay anything for it. They just have the privilege to use it until the FCC wants to take it back.

Now, the foreign satellite companies—and I am not criticizing them. God bless them. They are making a lot of money using this spectrum that belongs to the American taxpayer for free. Well, that is the way it has been for a while. Now, some telecommunications companies like Verizon and others—good companies—they say: We need that C band, FCC. We need that C band to use for 5G.

Well, the satellite companies—I will call them the Luxembourg satellite companies—once again, good people. Luxembourg is a good country. They said: Well, we are using the C band right now. We don't want to give it up to the telecommunications companies, but we will make you a deal.

They went to the FCC. The satellite companies said to the FCC: We are using the C band right now, and even though we didn't pay a single solitary dime for it, we know the telecommunications companies want it to implement 5G, so here is what we will do. You, FCC, give us the C band. Give it to us, and we will turn around and make sure that the telecommunications companies get to use it. We will lease it to them.

The amount of money that the foreign satellite companies would have made was about \$70 billion. I call it "The Bank Job" robbery. Remember that movie that came out in 2008, "The Bank Job"? It was a 2008 heist movie. It was about the 1971 Baker Street robbery in London. I call this proposal "The Bank Job" robbery. I don't see how the foreign satellite companies made the proposal with a straight face. Give us this C band that belongs to the American people. Just give it to us, and we are going to sell it to the telecommunications companies and pocket the \$70 billion.

Do you know what? Our FCC almost did it. They were this close. They said: Oh, we have to do this because we have