

meal will come from. People are afraid to leave their homes.

And so for those reasons, as well as the following—this amendment would also slash refugee assistance being used at this very moment to evacuate and resettle the U.S. allies and partners who served alongside Americans in the War on Terror.

Likewise, Senator PAUL is proposing we rescind the funding that supports important bipartisan priorities like promoting regional security, countering Chinese influence, and ending this pandemic.

And that is not all. The amendment also jeopardizes funds being used to recover and secure U.S. military equipment.

We may no longer be funding the Afghan National Army, but we still urgently need these repurposed funds to keep American equipment out of the wrong hands.

In short, Senator PAUL's amendment could undermine U.S. national security; it would abandon the Afghan people in their darkest hour; and it would betray the American people's commitment to supporting our Afghan allies.

Finally, let me just say that this body overwhelmingly supports the swift passage of Iron Dome. Despite what others may have said, even on this floor, Democrats in the Senate are not holding up this critical funding. In the House, there may have been a very small handful of bipartisan opposition. And the only reason it is being held up in this body is because of this amendment. He is not a member of the Democratic caucus.

This is a defensive, lifesaving system built on years of cooperation with our ally Israel. I am disappointed we are in this situation. But because of all of these reasons, I must object to the Senator's substitute amendment.

The PRESIDING OFFICER. Objection to the modification is heard.

Mr. PAUL. Madam President. The PRESIDING OFFICER. Is there objection to withdrawing the request?

Mr. PAUL. Madam President, reserving the right to object, I think it is very clear, and very important that it be very clear, that I have offered to fully pay for the Iron Dome system with an extra billion dollars. The objection is coming from the Democrat side. They are objecting to it being paid for.

We have offered this fund of \$6 billion. We have offered to modify it and make it less so there will still be some remaining money in this system. We have offered other funds. We have offered a basically open invitation to the other side that we just think it ought to be paid for. So the objection from the other side is to paying for Iron Dome, to paying for the billion dollars.

Interestingly, aid is already going to Afghanistan while the Taliban is in charge. Now, allegedly, that aid is going to charitable organizations. But the history of the Taliban has been to withhold, control, manipulate, and corrupt charitable organizations as well.

I think it is a mistake to have money already flowing into the new government under the Taliban and to charitable organizations because it basically makes their job easier. It will make the public more pacified if they are being fed by the Western world. They wouldn't be as happy if the money is destroyed in this chaos. So, really, in some ways, you do help to stabilize the Taliban by sending more money there.

But Secretary Blinken was asked this very question in committee by myself: Can you guarantee the \$6 billion will not be released at any time to the Taliban?

And he said no; the implication being that if the Taliban behaves, he sees this \$6 billion going to the Taliban. I think it is a big mistake.

This is a big issue. Iron Dome is a big issue, but it is also a big issue whether we send money to the Taliban. They already have \$80 billion worth of our weapons. I think it will be a real big mistake to send money indirectly or directly to the Taliban so I object.

The PRESIDING OFFICER. The objection is heard.

Mr. MENENDEZ. Madam President.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Let me just simply say, this is a figleaf.

We could have, today, passed Iron Dome as the House of Representatives passed it, send \$1 billion, and make sure that Israelis and Palestinians would be safer as a result of the terrifying actions that Hamas and others take. There is no reason for this.

I know my colleague has not been particularly supportive on foreign aid in general, and in this case in particular, but the reality is that we have an opportunity here.

Now, I am convinced that Iron Dome will get done. We will get the resources to our allies, the State of Israel. But it is a shame that we have to have the uncertainty that is pending as a result of the objection that has been had.

We don't need to find a pathway in this particular way, which, you know, is only going to undermine our own national security interests as it relates to Afghanistan.

With that I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Madam President, I request that I am able to make my remarks prior to the vote.

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

NOMINATION OF JONATHAN EUGENE MEYER

Mr. PETERS. Madam President, I rise in support of Jonathan Meyer's nomination to be general counsel at the Department of Homeland Security, or DHS.

Mr. Meyer understands the unique challenges facing DHS, and he has the legal and management experience and vision needed to succeed in this important role. Throughout the confirmation process, Mr. Meyer has demonstrated that he understands the complex legal

issues facing DHS and the importance of ensuring the Department cooperates with congressional oversight.

DHS has not had a Senate-confirmed general counsel for over 2 years. DHS needs qualified, Senate-confirmed leaders in place to effectively carry out its critical mission of safeguarding our Nation. Mr. Meyer is an accomplished lawyer and dedicated public servant who is well qualified to serve as the Department's chief legal officer.

I urge my colleagues to join me in supporting the confirmation of Jonathan Meyer to be general counsel for DHS.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Jonathan Eugene Meyer, of Ohio, to be General Counsel, Department of Homeland Security.

VOTE ON MEYER NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Meyer nomination?

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Arizona (Mr. KELLY) are necessarily absent.

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 403 Ex.]

YEAS—51

Baldwin	Hickenlooper	Portman
Bennet	Hirono	Reed
Blumenthal	Kaine	Rosen
Booker	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Leahy	Schumer
Capito	Lujan	Shaheen
Cardin	Manchin	Sinema
Carper	Markey	Smith
Casey	Menendez	Stabenow
Coons	Merkley	Tester
Cortez Masto	Murphy	Van Hollen
Duckworth	Murray	Warner
Durbin	Ossoff	Warnock
Gillibrand	Padilla	Warren
Hassan	Paul	Whitehouse
Heinrich	Peters	Wyden

NAYS—47

Barrasso	Cruz	Kennedy
Blackburn	Daines	Lankford
Blunt	Ernst	Lee
Boozman	Fischer	Lummis
Braun	Graham	Marshall
Burr	Grassley	McConnell
Cassidy	Hagerty	Moran
Collins	Hawley	Murkowski
Cornyn	Hoeben	Risch
Cotton	Hyde-Smith	Romney
Cramer	Inhofe	Rounds
Crapo	Johnson	Rubio

Sasse	Sullivan	Tuberville
Scott (FL)	Thune	Wicker
Scott (SC)	Tillis	Young
Shelby	Toomey	

CLOTURE MOTION

Mr. SCHUMER. I have a cloture motion at 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 concur in the House amendment to S. 1301, an act to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans, and for other purposes.

Charles E. Schumer, Angus S. King, Jr., Gary C. Peters, Tammy Baldwin, Christopher A. Coons, Chris Van Hollen, Elizabeth Warren, Patrick J. Leahy, Michael F. Bennet, Richard J. Durbin, Brian Schatz, Benjamin L. Cardin, Sheldon Whitehouse, Debbie Stabenow, Tim Kaine, Martin Heinrich, Jacky Rosen.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum call for the cloture motions filed today, October 4, be waived.

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

ORDER FOR STAR PRINT—S. Res. 357

Mr. SCHUMER. Mr. President, I ask unanimous consent that S. Res. 357 be star printed with the changes at the desk.

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

MORNING BUSINESS

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 21-0C. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 19-37 of May 3, 2019.

Sincerely,

HEIDI H. GRANT,
Director.

Enclosures.

TRANSMITTAL NO. 21-0C

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(C), AECA)

(i) Prospective Purchaser: Government of the United Arab Emirates.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 19-37; Date: May 3, 2019; Implementing Agency: Army; Funding Source: National Funds.

(iii) Description: On May 3, 2019, Congress was notified by Congressional certification transmittal number 19-37 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of up to four hundred fifty-two (452) Patriot Advanced Capability 3 (PAC-3) Missiles Segment Enhanced (MSE). Also included are tools and test equipment, support equipment, publications and technical documentation, personnel training and training equipment, spare and repair parts, facility design, U.S. Government and contractor technical, engineering, and logistics support services, and other related elements of logistics, sustainment and program support. The estimated cost was \$2.728 billion. Major Defense Equipment (MDE) constituted \$2.7 billion of this total.

This transmittal reports the inclusion of an additional five hundred ten (510) Patriot Advanced Capability 3 (PAC-3) Missiles Segment Enhanced (MSE) (includes 10 fly-to-buy missiles). The following non-MDE items will also be included: tools and test equipment, support equipment, publications and technical documentation, personnel training and training equipment, spare and repair parts, facility design, U.S. Government and contractor technical, engineering, and logistics support services, and other related elements of logistics, sustainment and program support. The total cost of the new MDE articles is \$2.728 billion. The total notified cost of MDE will increase to \$5.428 billion, and the total notified case value will increase to \$5.90 billion.

(iv) Significance: The proposed articles and services will support the United Arab Emirates' ability to maintain a reserve stock of PAC-3 MSE missiles to ensure adequate capability to defend their homeland from regional threats. The proposed sale will also improve the UAE's Air Force and Air Defense's (AFAD's) ability to defend population centers, friendly forces, infrastructure, and other critical assets in support of combined contingency operations, and to promote regional security.

(v) Justification: This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of an important regional partner. The UAE has been, and continues to be, a vital U.S. partner for political stability and economic progress in the Middle East.

(vi) Sensitivity of Technology: The Sensitivity of Technology Statement contained in the original notification applies to items reported here.

NOT VOTING—

Feinstein Kelly

The nomination was confirmed.
The PRESIDING OFFICER (Mr. HEINRICH). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The majority leader.

LEGISLATIVE SESSION

Mr. SCHUMER. 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. SCHUMER. I move to proceed to executive session to consider Calendar No. 340.

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 Sarah A.L. Merriam, of Connecticut, to be United States District Judge for the District of Connecticut.

CLOTURE MOTION

Mr. SCHUMER. 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 Executive Calendar No. 340, Sarah A.L. Merriam, of Connecticut, to be United States District Judge for the District of Connecticut.

Charles E. Schumer, Brian Schatz, Benjamin L. Cardin, Robert Menendez, Tammy Duckworth, Christopher A. Coons, Kirsten E. Gillibrand, Jacky Rosen, Patrick J. Leahy, Mazie Hirono, Margaret Wood Hassan, Jack Reed, Sheldon Whitehouse, Tammy Baldwin, Richard J. Durbin, Chris Van Hollen, Tina Smith.

LEGISLATIVE SESSION

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

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

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.