

You are more likely to be punished for not taking the shot than for taking the shot that kills innocents. That has to change, and we have some level of influence now, given the fact that we are engaged with them, to sort of steer them in that direction and explain to them what troubles our alliance here in Washington. We lose that influence if we walk away.

I do sympathize with the two points behind this resolution: reasserting congressional authority on foreign policy—I agree we need to have more oversight and engagement, and I agree that the conduct of this war in Yemen is horrifying and that what is happening to civilians there is terrible. I just don't think our pulling out makes it better. I actually think it makes it worse, and I actually think that in the long run, it sucks America into a much broader and more dangerous conflict. That is why I hope more Senators here today will oppose this resolution.

We do need to send a clear message to Saudi Arabia that what the Crown Prince did to Mr. Khashoggi is unacceptable, but this is the wrong way to do the right thing.

I yield the floor.

Mr. LEAHY. Madam President, I know I was supposed to speak next, but I know the distinguished Senator from Missouri has a unanimous consent request, so I yield to him.

Mr. BLUNT. I thank the Senator from Vermont.

AMENDING THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995

Mr. BLUNT. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3749, introduced earlier today by Senator KLOBUCHAR and myself.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3749) to amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, review, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes.

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

Mr. BLUNT. Madam President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (S. 3749) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3749

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES IN ACT; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Congressional Accountability Act of 1995 Reform Act”.

(b) REFERENCES IN ACT.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to that section or other provision of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.).

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; references in Act; table of contents.

TITLE I—REFORM OF DISPUTE RESOLUTION PROCEDURES

Subtitle A—Reform of Procedures for Initiation, Preliminary Review, and Resolution of Claims

Sec. 101. Description of procedures available for consideration of alleged violations.

Sec. 102. Reform of process for initiation of procedures.

Sec. 103. Preliminary review of claims by hearing officer.

Sec. 104. Availability of mediation during process.

Subtitle B—Other Reforms

Sec. 111. Requiring Members of Congress to reimburse Treasury for amounts paid as settlements and awards in cases of acts by Members.

Sec. 112. Automatic referral to Congressional Ethics Committees of disposition of certain claims alleging violations of Congressional Accountability Act of 1995 involving Members of Congress and senior staff.

Sec. 113. Availability of remote work assignment or paid leave of absence during pendency of procedures.

Sec. 114. Modification of rules on confidentiality of proceedings.

Sec. 115. Reimbursement by other employing offices of legislative branch of payments of certain awards and settlements.

TITLE II—IMPROVING OPERATIONS OF OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS

Sec. 201. Reports on awards and settlements.

Sec. 202. Workplace climate surveys of employing offices.

Sec. 203. Record retention.

Sec. 204. Confidential advisors.

Sec. 205. GAO study of management practices.

Sec. 206. GAO audit of cybersecurity.

TITLE III—MISCELLANEOUS REFORMS

Sec. 301. Application of Genetic Information Nondiscrimination Act of 2008.

Sec. 302. Extension to unpaid staff of rights and protections against employment discrimination.

Sec. 303. Clarification of treatment of Library of Congress visitors.

Sec. 304. Notices.

Sec. 305. Clarification of coverage of employees of Helsinki and China Commissions.

Sec. 306. Training and education programs of other employing offices.

Sec. 307. Support for out-of-area covered employees.

Sec. 308. Renaming Office of Compliance as Office of Congressional Workplace Rights.

TITLE IV—EFFECTIVE DATE

Sec. 401. Effective date.

TITLE I—REFORM OF DISPUTE RESOLUTION PROCEDURES

Subtitle A—Reform of Procedures for Initiation, Preliminary Review, and Resolution of Claims

SEC. 101. DESCRIPTION OF PROCEDURES AVAILABLE FOR CONSIDERATION OF ALLEGED VIOLATIONS.

(a) PROCEDURES DESCRIBED.—Section 401 (2 U.S.C. 1401) is amended to read as follows:

“SEC. 401. PROCEDURE FOR CONSIDERATION OF ALLEGED VIOLATIONS.

“(a) FILING AND REVIEW OF CLAIMS.—Except as otherwise provided, the procedure for consideration of an alleged violation of part A of title II consists of—

“(1) the filing of a claim by the covered employee alleging the violation, as provided in section 402;

“(2) the preliminary review of the claim, to be conducted by a hearing officer as provided in section 403;

“(3) mediation as provided in section 404, if requested and agreed to by the parties under that section; and

“(4) a formal hearing as provided in section 405, subject to Board review as provided in section 406 and judicial review in the United States Court of Appeals for the Federal Circuit as provided in section 407.

“(b) RIGHT OF EMPLOYEE TO FILE CIVIL ACTION.—

“(1) CIVIL ACTION.—Only a covered employee who has filed a claim timely as provided in section 402 and who has not submitted a request for a hearing on the claim pursuant to section 405(a) may, during the period described in paragraph (3), file a civil action in a District Court of the United States with respect to the violation alleged in the claim, as provided in section 408.

“(2) EFFECT OF FILING CIVIL ACTION.—Notwithstanding paragraph (2), (3), or (4) of subsection (a), if the covered employee files such a civil action—

“(A) the preliminary review of the claim by the hearing officer as provided in section 403 shall terminate upon the filing of the action by the covered employee; and

“(B) the procedure for consideration of the alleged violation shall not include any further review of the claim by the hearing officer as provided in section 403.

“(3) PERIOD FOR FILING CIVIL ACTION.—The period described in this paragraph with respect to a claim is the 70-day period which begins on the date the covered employee files the claim under section 402.

“(4) SPECIAL RULE FOR EMPLOYEES WHO FAIL TO STATE A CLAIM FOR WHICH RELIEF MAY BE GRANTED.—Notwithstanding paragraph (3), if a covered employee receives a written notice from the hearing officer under section 403(d)(2) that the employee has the right to file a civil action with respect to the claim in accordance with section 408, the covered employee may file the civil action not later than 90 days after receiving such written notice.

“(c) SPECIAL RULE FOR ARCHITECT OF THE CAPITOL AND CAPITOL POLICE.—In the case of an employee of the Office of the Architect of the Capitol or of the Capitol Police, the Office, after receiving a claim filed under section 402, may recommend that the employee use the grievance procedures of the Architect of the Capitol or the Capitol Police for resolution of the employee's grievance for a specific period of time. Any deadline in this Act relating to a claim for which the employee is using the grievance procedures, that has not already passed by the first day of that specific period, shall be stayed during that specific period.

“(d) ELECTION OF REMEDIES FOR LIBRARY OF CONGRESS.—

“(1) DEFINITIONS.—In this subsection:

“(A) DIRECT ACT.—The term ‘direct Act’ means an Act (other than this Act), or provision of the Revised Statutes, that is specified in section 201, 202, or 203.

“(B) DIRECT PROVISION.—The term ‘direct provision’ means a provision (including a definitional provision) of a direct Act that applies the rights or protections of a direct Act (including rights and protections relating to nonretaliation or noncoercion) to a Library claimant.

“(C) LIBRARY CLAIMANT.—The term ‘Library claimant’ means, with respect to a direct provision, an employee of the Library of Congress who is covered by that direct provision.

“(2) ELECTION AFTER PROCEEDINGS INITIALLY BROUGHT UNDER THIS ACT.—A Library claimant who initially files a claim for an alleged violation as provided in section 402 may, at any time before the date that is 10 days after a hearing officer submits the report on the preliminary review of the claim under section 403(c), elect to bring the claim for a proceeding before the corresponding Federal agency under the corresponding direct provision, instead of continuing with the procedures applicable to the claim under this title or filing a civil action in accordance with section 408.

“(3) ELECTION AFTER PROCEEDINGS INITIALLY BROUGHT UNDER OTHER CIVIL RIGHTS OR LABOR LAW.—A Library claimant who initially brings a claim, complaint, or charge under a direct provision for a proceeding before a Federal agency may, prior to requesting a hearing under the agency’s procedures, elect to—

“(A) continue with the agency’s procedures and preserve the option (if any) to bring any civil action relating to the claim, complaint, or charge, that is available to the Library claimant; or

“(B) file a claim with the Office under section 402 and continue with the corresponding procedures of this title available and applicable to a covered employee.

“(4) TIMING.—A Library claimant who meets the initial deadline under section 402(d) for filing a claim under this title, or any initial deadline for bringing a claim, complaint, or charge under the applicable direct provision, and then elects to change to alternative procedures as described in paragraph (2) or (3)(B), shall be considered to meet any initial deadline for the alternative procedures.

“(5) APPLICATION.—This subsection shall take effect and shall apply as described in section 153(c) of the Legislative Branch Appropriations Act, 2018 (Public Law 115-141) (except to the extent such section applies to any violation of section 210 or a provision of an Act specified in section 210).

“(e) RIGHTS OF PARTIES TO RETAIN PRIVATE COUNSEL.—Nothing in this Act may be construed to limit the authority of any individual (including a covered employee, the head of an employing office, or an individual who is alleged to have committed personally an act which consists of a violation of part A of title II) to retain counsel to protect the interests of the individual at any point during any of the procedures provided under this title for the consideration of an alleged violation of part A of title II, including as provided under section 415(d)(8) with respect to individuals subject to a reimbursement requirement of section 415(d).

“(f) STANDARDS FOR ASSERTIONS MADE BY PARTIES.—Any party in any of the procedures provided under this title, as well as any counsel or other person representing a party in any of such procedures, shall have an obligation to ensure that, to the best of the party’s knowledge, information, and belief, as formed after an inquiry which is rea-

sonable under the circumstances, each of the following is correct:

“(1) No pleading, written motion, or other paper is presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of resolution of the matter.

“(2) The claims, defenses, and other legal contentions the party advocates are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law.

“(3) The factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further review or discovery.

“(4) The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

“(g) PROCEDURE.—Nothing in this Act shall be construed to supersede or limit section 225(d)(2).”.

(b) CONFORMING AMENDMENT RELATING TO CIVIL ACTION.—Section 408(a) (2 U.S.C. 1408(a)) is amended—

(1) by striking “section 404” and inserting “section 401”;

(2) by striking “who has completed counseling under section 402 and mediation under section 403”; and

(3) by striking the second sentence.

(c) OTHER CONFORMING AMENDMENTS TO TITLE IV.—Title IV is amended—

(1) by striking section 404 (2 U.S.C. 1404); and

(2) by redesignating section 403 (2 U.S.C. 1403) as section 404.

(d) MISCELLANEOUS CONFORMING AMENDMENT.—Section 225 (2 U.S.C. 1361) is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

(e) CLERICAL AMENDMENTS.—The table of contents is amended—

(1) by striking the item relating to section 404; and

(2) by redesignating the item relating to section 403 as relating to section 404.

SEC. 102. REFORM OF PROCESS FOR INITIATION OF PROCEDURES.

(a) INITIATION OF PROCEDURES.—Section 402 (2 U.S.C. 1402) is amended to read as follows:

“SEC. 402. INITIATION OF PROCEDURES.

“(a) CLAIM.—

“(1) FILING OF CLAIM.—To commence a proceeding under this title, a covered employee alleging a violation of law made applicable under part A of title II shall file a claim with the Office. The Office shall not accept a claim which is filed after the deadline applicable under subsection (d).

“(2) CONTENTS OF CLAIM.—The claim filed under this section shall be made in writing under oath or affirmation, shall describe the facts that form the basis of the claim and the violation that is being alleged, shall identify the employing office alleged to have committed the violation or in which the violation is alleged to have occurred, and shall be in such form as the Office requires.

“(3) NO EFFECT ON ABILITY OF COVERED EMPLOYEE TO SEEK INFORMATION FROM OFFICE OR PURSUE RELIEF.—Nothing in paragraph (2), or subsection (b) or (c), may be construed to limit the ability of a covered employee—

“(A) to contact the Office or any other appropriate office prior to filing a claim under this section to seek information regarding the employee’s rights under this Act and the procedures available under this Act;

“(B) in the case of a covered employee of an employing office of the House of Representatives or Senate, to refer information

regarding an alleged violation of part A of title II to the Committee on Ethics of the House of Representatives or the Select Committee on Ethics of the Senate (as the case may be); or

“(C) to file a civil action in accordance with section 401(b).

“(b) INITIAL PROCESSING OF CLAIM.—

“(1) INTAKE AND RECORDING; NOTIFICATION TO EMPLOYING OFFICE.—Upon the filing of a claim by a covered employee under subsection (a), the Office shall take such steps as may be necessary for the initial intake and recording of the claim, including providing each party with all relevant information with respect to the rights of the party under this Act, and shall transmit immediately a copy of the claim to the head of the employing office and the designated representative of that office.

“(2) SPECIAL NOTIFICATION REQUIREMENTS FOR CLAIMS BASED ON ACTS BY MEMBERS OF CONGRESS.—

“(A) IN GENERAL.—In the case of a claim alleging a violation described in subparagraph (B) which consists of a violation described in section 415(d)(1)(A) by an individual, upon the filing of the claim under subsection (a), the Office shall notify immediately such individual of the claim, the possibility that the individual may be required to reimburse the account described in section 415(a) for the reimbursable portion of any award or settlement in connection with the claim, and the right of the individual under section 415(d)(8) to intervene in any mediation, hearing, or civil action under this title with respect to the claim.

“(B) VIOLATIONS DESCRIBED.—A violation described in this subparagraph is—

“(i) harassment that is unlawful under section 201(a) or 206(a); or

“(ii) intimidation, reprisal, or discrimination that is unlawful under section 207 and is taken against a covered employee because of a claim alleging a violation described in clause (i).

“(c) USE OF SECURE ELECTRONIC REPORTING AND TRACKING SYSTEM.—

“(1) ESTABLISHMENT AND OPERATION OF SECURE SYSTEM.—The Office shall establish and operate a secure electronic reporting system through which a covered employee may initiate a proceeding under this title, and which will keep an electronic record of the date and time at which the proceeding is initiated and will track all subsequent actions or proceedings occurring with respect to the proceeding under this title.

“(2) ACCESSIBILITY TO ALL PARTIES.—The system shall be accessible to all parties to such actions or proceedings, but only until the completion of such actions or proceedings.

“(3) ASSESSMENT OF EFFECTIVENESS OF PROCEDURES.—The Office shall use the information contained in the system to make regular assessments of the effectiveness of the procedures under this title in providing for the timely resolution of claims, and shall submit semi-annual reports on such assessments each year to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

“(d) DEADLINE.—A covered employee may not file a claim under this section with respect to an allegation of a violation of law after the expiration of the 180-day period which begins on the date of the alleged violation.”.

(b) CLERICAL AMENDMENT.—The table of contents is amended by amending the item relating to section 402 to read as follows:

“Sec. 402. Initiation of procedures.”.

SEC. 103. PRELIMINARY REVIEW OF CLAIMS BY HEARING OFFICER.

(a) **PRELIMINARY REVIEW DESCRIBED.**—Title IV (2 U.S.C. 1401 et seq.), as amended by section 101(c), is further amended by inserting after section 402 the following new section:

“SEC. 403. PRELIMINARY REVIEW OF CLAIMS.

“(a) **PRELIMINARY REVIEW BY HEARING OFFICER.**—

“(1) **APPOINTMENT.**—Not later than 7 days after transmission to the employing office of a claim pursuant to section 402(b), the Executive Director shall appoint a hearing officer to conduct a preliminary review of the claim.

“(2) **PROCESS FOR APPOINTMENT.**—The Executive Director shall appoint a hearing officer under this subsection in the same manner and in accordance with the same requirements and procedures applicable to the appointment of a hearing officer under section 405(c).

“(b) **ASSESSMENTS REQUIRED.**—In conducting a preliminary review of a claim under this section, the hearing officer shall assess each of the following:

“(1) Whether the claimant is a covered employee authorized to obtain relief relating to the claim under this title.

“(2) Whether the office which is the subject of the claim is an employing office under this Act.

“(3) Whether the individual filing the claim has met the applicable deadlines for filing the claim under this title.

“(4) The identification of factual and legal issues involved with respect to the claim.

“(5) The specific relief sought by the individual.

“(6) Whether, on the basis of the assessments made under paragraphs (1) through (5), the individual filing the claim is a covered employee who has stated a claim for which, if the allegations contained in the claim are true, relief may be granted under this title.

“(7) The potential for the settlement of the claim without a formal hearing as provided under section 405 or a civil action as provided under section 408.

“(c) **REPORT ON REVIEW.**—

“(1) **REPORT.**—Not later than 30 days after a claim is filed under section 402, the hearing officer shall submit to the individual filing the claim and the office which is the subject of the claim a report on the preliminary review conducted under this section, and shall include in the report the hearing officer’s determination as to whether the individual is a covered employee who has stated a claim for which relief may be granted under this title (as described in paragraph (6) of subsection (b)). The submission of the report shall conclude the preliminary review.

“(2) **EXTENSION OF DEADLINE.**—The hearing officer may (upon notice to the individual filing the claim and the employing office which is the subject of the claim) use an additional period of not to exceed 30 days to conclude the preliminary review.

“(d) **EFFECT OF DETERMINATION OF FAILURE TO STATE CLAIM FOR WHICH RELIEF MAY BE GRANTED.**—If the hearing officer’s report on the preliminary review of a claim under subsection (c) includes the determination that the individual filing the claim is not a covered employee or has not stated a claim for which relief may be granted under this title—

“(1) the individual (including an individual who is a Library claimant, as defined in section 401(d)(1)) may not obtain a formal hearing with respect to the claim as provided under section 405; and

“(2) the hearing officer shall provide the individual and the Executive Director with a written notice that the individual may file a

civil action with respect to the claim in accordance with section 408.

“(e) **TRANSMISSION OF REPORT ON PRELIMINARY REVIEW OF CERTAIN CLAIMS TO CONGRESSIONAL ETHICS COMMITTEES.**—In the case of a hearing officer’s report under subsection (c) on the preliminary review of a claim alleging a violation described in section 415(d)(1)(A), the hearing officer shall transmit the report to—

“(1) the Committee on Ethics of the House of Representatives, in the case of such an act by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress); or

“(2) the Select Committee on Ethics of the Senate, in the case of such an act by a Senator.”.

(b) **DEADLINE FOR REQUESTING HEARING AFTER PRELIMINARY REVIEW.**—Section 405(a) (2 U.S.C. 1405(a)) is amended to read as follows:

“(a) **REQUIREMENT FOR HEARINGS TO COMMENCE IN OFFICE.**—

“(1) **HEARING REQUIRED UPON REQUEST.**—If, not later than 10 days after a hearing officer submits the report on the preliminary review of a claim under section 403(c), a covered employee submits a request to the Executive Director for a hearing under this section, the Executive Director shall appoint an independent hearing officer pursuant to subsection (c) to consider the claim and render a decision, and a hearing shall be commenced in the Office.

“(2) **EXCEPTIONS.**—Paragraph (1) does not apply with respect to the claim if—

“(A) the hearing officer’s report on the preliminary review of the claim under section 403(c) includes the determination that the individual filing the claim is not a covered employee who has stated a claim for which relief may be granted under this title (as described in section 403(d)); or

“(B) the covered employee files a civil action as provided in section 408 with respect to the claim.”.

(c) **PROHIBITING HEARING OFFICER CONDUCTING PRELIMINARY REVIEW FROM CONDUCTING HEARING.**—Section 405(c) (2 U.S.C. 1405(c)) is amended by adding at the end the following new paragraph:

“(3) **PROHIBITING HEARING OFFICER CONDUCTING PRELIMINARY REVIEW FROM CONDUCTING HEARING.**—The Executive Director may not appoint a hearing officer to conduct a hearing under this section with respect to a claim if the hearing officer conducted the preliminary review with respect to the claim under section 403.”.

(d) **DEADLINE FOR COMMENCEMENT OF HEARING; PERMITTING ADDITIONAL TIME.**—Section 405(d) (2 U.S.C. 1405(d)) is amended by striking paragraph (2) and inserting the following:

“(2) commenced no later than 90 days after the Executive Director receives the covered employee’s request for the hearing under subsection (a), except that, upon mutual agreement of the parties or for good cause, the Office shall extend the time for commencing a hearing for not more than an additional 30 days; and”.

(e) **OTHER CONFORMING AMENDMENTS RELATING TO HEARINGS CONDUCTED BY OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS.**—Section 405 (2 U.S.C. 1405) is amended as follows:

(1) In the heading, by striking “**COMPLAINT AND**”.

(2) In subsection (c)(1), by striking “complaint” and inserting “request for a hearing under subsection (a)”.

(3) In subsection (d) in the matter preceding paragraph (1), by striking “complaint” and inserting “claim”.

(4) In subsection (g), by striking “complaint” and inserting “claim”.

(f) **OTHER CONFORMING AMENDMENT.**—The heading of section 414 (2 U.S.C. 1414) is amended by striking “**OF COMPLAINTS**”.

(g) **CLERICAL AMENDMENTS.**—The table of contents, as amended by section 101(e), is further amended as follows:

(1) By inserting after the item relating to section 402 the following new item:

“Sec. 403. Preliminary review of claims.”.

(2) By amending the item relating to section 405 to read as follows:

“Sec. 405. Hearing.”.

(3) By amending the item relating to section 414 to read as follows:

“Sec. 414. Settlement.”.

SEC. 104. AVAILABILITY OF MEDIATION DURING PROCESS.

(a) **AVAILABILITY OF MEDIATION.**—Section 404(a) (2 U.S.C. 1403(a)), as redesignated by section 101(c), is amended to read as follows:

“(a) **AVAILABILITY OF MEDIATION.**—

“(1) **NOTIFICATION REGARDING MEDIATION.**—

“(A) **COVERED EMPLOYEE.**—Upon receipt of a claim under section 402, the Office shall notify the covered employee who filed the claim about the process for mediation under this section and the deadlines applicable to such mediation.

“(B) **EMPLOYING OFFICE.**—Upon transmission to the employing office of the claim pursuant to section 402(b), the Office shall notify the employing office about the process for mediation under this section and the deadlines applicable to such mediation.

“(2) **INITIATION.**—

“(A) **IN GENERAL.**—During the period described in subparagraph (B), either the covered employee who filed a claim under section 402 or the employing office named in the claim may file a request for mediation with the Office, which shall promptly notify the other party. If the other party agrees to the request, the Office shall promptly assign a mediator to the claim, and conduct mediation under this section.

“(B) **TIMING.**—A covered employee or an employing office may file a request for mediation under subparagraph (A) during the period beginning on the date that the covered employee or employing office, respectively, receives a notification under paragraph (1) regarding a claim under section 402 and ending on the date on which a hearing officer issues a written decision relating to the claim under section 405(g) or the covered employee files a civil action with respect to the claim in accordance with section 408, as applicable.

“(3) **FAILURE TO REQUEST OR ACCEPT MEDIATION TO HAVE NO EFFECT ON TREATMENT OF CLAIM.**—The failure of a party to request mediation under this section with respect to a claim, or the failure of a party to agree to a request for mediation under this section, may not be taken into consideration under any procedure under this title with respect to the claim, including a preliminary review under section 403, a formal hearing under section 405, or a civil action under section 408.”.

(b) **REQUIRING PARTIES TO BE SEPARATED DURING MEDIATION AT REQUEST OF EMPLOYEE.**—Section 404(b)(2) (2 U.S.C. 1403(b)(2)), as redesignated by section 101(c), is amended by striking “meetings with the parties separately or jointly” and inserting “meetings with the parties during which, at the request of any of the parties, the parties shall be separated.”.

(c) **PERIOD OF MEDIATION.**—Section 404(c) (2 U.S.C. 1403(c)), as redesignated by section 101(c), is amended by striking the first 2 sentences and inserting the following: “The mediation period shall be 30 days, beginning on the first day after the second party agrees to the request for the mediation. The mediation period may be extended for one additional period of 30 days at the joint request of the covered employee and employing office. Any deadline in this Act relating to a claim for

which mediation has been agreed to in this section, that has not already passed by the first day of the mediation period, shall be stayed during the mediation period.”.

Subtitle B—Other Reforms

SEC. 111. REQUIRING MEMBERS OF CONGRESS TO REIMBURSE TREASURY FOR AMOUNTS PAID AS SETTLEMENTS AND AWARDS IN CASES OF ACTS BY MEMBERS.

(a) MANDATING REIMBURSEMENT OF AMOUNTS PAID.—Section 415 (2 U.S.C. 1415) is amended by adding at the end the following new subsection:

“(d) REIMBURSEMENT BY MEMBERS OF CONGRESS OF AMOUNTS PAID AS SETTLEMENTS AND AWARDS.—

“(1) REIMBURSEMENT REQUIRED FOR CERTAIN VIOLATIONS.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (D), if a payment is made from the account described in subsection (a) for an award or settlement in connection with a claim alleging a violation described in subparagraph (C) committed personally by an individual who, at the time of committing the violation, was a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, the individual shall reimburse the account for the amount of the award or settlement for the claim involved.

“(B) CONDITIONS.—In the case of an award made pursuant to a decision of a hearing officer under section 405, or a court in a civil action, subparagraph (A) shall apply only if the hearing officer or court makes a separate finding that a violation described in subparagraph (C) occurred which was committed personally by an individual who, at the time of committing the violation, was a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, and such individual shall reimburse the account for the amount of compensatory damages included in the award as would be available if awarded under section 1977A(b)(3) of the Revised Statutes (42 U.S.C. 1981a(b)(3)) irrespective of the size of the employing office. In the case of a settlement for a claim described in section 416(d)(3), subparagraph (A) shall apply only if the conditions specified in section 416(d)(3) for requesting reimbursement are met.

“(C) VIOLATIONS DESCRIBED.—A violation described in this subparagraph is—

“(i) harassment that is unlawful under section 201(a) or 206(a); or

“(ii) intimidation, reprisal, or discrimination that is unlawful under section 207 and is taken against a covered employee because of a claim alleging a violation described in clause (i).

“(D) MULTIPLE CLAIMS.—If an award or settlement is made for multiple claims, some of which do not require reimbursement under this subsection, the individual described in subparagraph (A) shall only be required to reimburse for the amount (referred to in this Act as the ‘reimbursable portion’) that is—

“(i) described in subparagraph (A), subject to subparagraph (B); and

“(ii) included in the portion of the award or settlement attributable to a claim requiring reimbursement.

“(2) WITHHOLDING AMOUNTS FROM COMPENSATION.—

“(A) ESTABLISHMENT OF TIMETABLE AND PROCEDURES BY COMMITTEES.—For purposes of carrying out subparagraph (B), the applicable Committee shall establish a timetable and procedures for the withholding of amounts from the compensation of an individual who is a Member of the House of Representatives or a Senator.

“(B) DEADLINE.—The payroll administrator shall withhold from an individual’s compensation and transfer to the account de-

scribed in subsection (a) (after making any deposit required under section 8432(f) of title 5, United States Code) such amounts as may be necessary to reimburse the account described in subsection (a) for the reimbursable portion of the award or settlement described in paragraph (1) if the individual has not reimbursed the account as required under paragraph (1) prior to the expiration of the 90-day period which begins on the date a payment is made from the account for such an award or settlement.

“(C) APPLICABLE COMMITTEE DEFINED.—In this paragraph, the term ‘applicable Committee’ means—

“(i) the Committee on House Administration of the House of Representatives, in the case of an individual who, at the time of the withholding, is a Member of the House; or

“(ii) the Committee on Rules and Administration of the Senate, in the case of an individual who, at the time of the withholding, is a Senator.

“(3) USE OF AMOUNTS IN THRIFT SAVINGS FUND AS SOURCE OF REIMBURSEMENT.—

“(A) IN GENERAL.—If, by the expiration of the 180-day period that begins on the date a payment is made from the account described in subsection (a) for an award or settlement described in paragraph (1), an individual who is subject to a reimbursement requirement of this subsection has not reimbursed the account for the entire reimbursable portion as required under paragraph (1), withholding and transfers of amounts shall continue under paragraph (2) if the individual remains employed in the same position, and the Executive Director of the Federal Retirement Thrift Investment Board shall make a transfer described in subparagraph (B).

“(B) TRANSFERS.—The transfer by such Executive Director is a transfer, from the account of the individual in the Thrift Savings Fund to the account described in subsection (a), of an amount equal to the amount of that reimbursable portion of the award or settlement, reduced by—

“(i) any amount the individual has reimbursed, taking into account any amounts withheld under paragraph (2); and

“(ii) if the individual remains employed in the same position, any amount that the individual is scheduled to reimburse, taking into account any amounts to be withheld under the individual’s timetable under paragraph (2).

“(C) INITIATION OF TRANSFER.—Notwithstanding section 8435 of title 5, United States Code, the Executive Director described in subparagraph (A) shall make the transfer under subparagraph (A) upon receipt of a written request to the Executive Director from the Secretary of the Treasury, in the form and manner required by the Executive Director.

“(D) COORDINATION BETWEEN PAYROLL ADMINISTRATOR AND THE EXECUTIVE DIRECTOR.—The payroll administrator and the Executive Director described in subparagraph (A) shall carry out this paragraph in a manner that ensures the coordination of the withholding and transferring of amounts under this paragraph, in accordance with regulations promulgated by the Board under section 303 and such Executive Director.

“(4) ADMINISTRATIVE WAGE GARNISHMENT OR OTHER COLLECTION OF WAGES FROM A SUBSEQUENT POSITION.—

“(A) INDIVIDUAL SUBJECT TO GARNISHMENT OR OTHER COLLECTION.—Subparagraph (B) shall apply to an individual who is subject to a reimbursement requirement of this subsection if, at any time after the expiration of the 270-day period that begins on the date a payment is made from the account described in subsection (a) for an award or settlement described in paragraph (1), the individual—

“(i) has not reimbursed the account for the entire reimbursable portion as required under paragraph (1), through withholdings or transfers under paragraphs (2) and (3);

“(ii) is not serving in a position as a Member of the House of Representatives or a Senator; and

“(iii) is employed in a subsequent non-Federal position.

“(B) GARNISHMENT OR OTHER COLLECTION OF WAGES.—On the expiration of that 270-day period, the amount of the reimbursable portion of an award or settlement described in paragraph (1) (reduced by any amount the individual has reimbursed, taking into account any amounts withheld or transferred under paragraph (2) or (3)) shall be treated as a claim of the United States and transferred to the Secretary of the Treasury for collection. Upon that transfer, the Secretary of the Treasury shall collect the claim, in accordance with section 3711 of title 31, United States Code, including by administrative wage garnishment of the wages of the individual described in subparagraph (A) from the position described in subparagraph (A)(iii). The Secretary of the Treasury shall transfer the collected amount to the account described in subsection (a).

“(5) NOTIFICATION TO OFFICE OF PERSONNEL MANAGEMENT AND SECRETARY OF THE TREASURY.—

“(A) INDIVIDUAL SUBJECT TO ANNUITY OR SOCIAL SECURITY WITHHOLDING.—Subparagraph (B) shall apply to an individual subject to a reimbursement requirement of this subsection if, at any time after the expiration of the 270-day period described in paragraph (4)(A), the individual—

“(i) has not served in a position as a Member of the House of Representatives or a Senator during the preceding 90 days; and

“(ii) is not employed in a subsequent non-Federal position.

“(B) ANNUITY OR SOCIAL SECURITY WITHHOLDING.—If, at any time after the 270-day period described in paragraph (4)(A), the individual described in subparagraph (A) has not reimbursed the account described in subsection (a) for the entire reimbursable portion of the award or settlement described in paragraph (1) (as determined by the Secretary of the Treasury), through withholdings, transfers, or collections under paragraphs (2) through (4), the Secretary of the Treasury (after consultation with the payroll administrator)—

“(i) shall notify the Director of the Office of Personnel Management, who shall take such actions as the Director considers appropriate to withhold from any annuity payable to the individual under chapter 83 or chapter 84 of title 5, United States Code, and transfer to the account described in subsection (a), such amounts as may be necessary to reimburse the account for the remainder of the reimbursable portion of an award or settlement described in paragraph (1); and

“(ii) shall (if necessary, notwithstanding section 207 of the Social Security Act (42 U.S.C. 407), take such actions as the Secretary of the Treasury considers appropriate to withhold from any payment to the individual under title II of the Social Security Act (42 U.S.C. 401 et seq.) and transfer to the account described in subsection (a), such amounts as may be necessary to reimburse the account for the remainder of the reimbursable portion of an award or settlement described in paragraph (1).

“(6) COORDINATION BETWEEN OPM AND TREASURY.—The Director of the Office of Personnel Management and the Secretary of the Treasury shall carry out paragraph (5) in a manner that ensures the coordination of the withholding and transferring of amounts under such paragraph, in accordance with

regulations promulgated by the Director and the Secretary.

“(7) CERTIFICATION.—Once the Executive Director determines that an individual who is subject to a reimbursement requirement of this subsection has reimbursed the account described in subsection (a) for the entire reimbursable portion, the Executive Director shall prepare a certification that the individual has completed that reimbursement, and submit the certification to—

“(A) the Committees on House Administration and Ethics of the House of Representatives, in the case of an individual who, at the time of committing the act involved, was a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress); and

“(B) the Select Committee on Ethics of the Senate, in the case of an individual who, at the time of committing the act involved, was a Senator.

“(8) RIGHT TO INTERVENE.—An individual who is subject to a reimbursement requirement of this subsection shall have the unconditional right to intervene in any mediation, hearing, or civil action under this title to protect the interests of the individual in the determination of whether an award or settlement described in paragraph (1) should be made, and the amount of any such award or settlement, except that nothing in this paragraph may be construed to require the covered employee who filed the claim to be deposed by counsel for the individual in a deposition that is separate from any other deposition taken from the employee in connection with the hearing or civil action.

“(9) DEFINITIONS.—In this subsection:

“(A) NON-FEDERAL POSITION.—The term ‘non-Federal position’ means a position other than the position of an employee, as defined in section 2105(a) of title 5, United States Code.

“(B) PAYROLL ADMINISTRATOR.—The term ‘payroll administrator’ means—

“(i) in the case of an individual who is a Member of the House of Representatives, the Chief Administrative Officer of the House of Representatives, or an employee of the Office of the Chief Administrative Officer who is designated by the Chief Administrative Officer to carry out this subsection; or

“(ii) in the case of an individual who is a Senator, the Secretary of the Senate, or an employee of the Office of the Secretary of the Senate who is designated by the Secretary to carry out this subsection.”

(b) CONFORMING AMENDMENT.—Section 8437(e)(3) of title 5, United States Code, is amended by inserting “an obligation of the Executive Director to make a transfer under section 415(d)(3) of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(d)(3)),” before “or an obligation”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to claims made on or after the date of the enactment of this Act.

SEC. 112. AUTOMATIC REFERRAL TO CONGRESSIONAL ETHICS COMMITTEES OF DISPOSITION OF CERTAIN CLAIMS ALLEGING VIOLATIONS OF CONGRESSIONAL ACCOUNTABILITY ACT OF 1995 INVOLVING MEMBERS OF CONGRESS AND SENIOR STAFF.

Section 416(e) (2 U.S.C. 1416(e)) is amended to read as follows:

“(e) AUTOMATIC REFERRAL TO CONGRESSIONAL ETHICS COMMITTEE OF DISPOSITIONS OF CLAIMS INVOLVING MEMBERS OF CONGRESS AND SENIOR STAFF.—

“(1) REFERRAL.—Upon the final disposition under this title (as described in paragraph (6)) of a claim alleging a violation described in section 415(d)(1)(C) committed personally by a Member of the House of Representatives

(including a Delegate or Resident Commissioner to the Congress) or a Senator, or by a senior staff of the House of Representatives or Senate, the Executive Director shall refer the claim to—

“(A) the Committee on Ethics of the House of Representatives, in the case of a Member or senior staff of the House; or

“(B) the Select Committee on Ethics of the Senate, in the case of a Senator or senior staff of the Senate.

“(2) ACCESS TO RECORDS AND INFORMATION.—If the Executive Director refers a claim to a Committee under paragraph (1), the Executive Director shall provide the Committee with access to the records of any preliminary reviews, hearings, or decisions of the hearing officers and the Board under this Act, and any information relating to an award or settlement paid, in response to such claim.

“(3) REVIEW BY SENATE ETHICS COMMITTEE OF SETTLEMENTS OF CERTAIN CLAIMS.—After the receipt of a settlement agreement for a claim that includes an allegation of a violation described in section 415(d)(1)(C) committed personally by a Senator, the Select Committee on Ethics of the Senate shall—

“(A) not later than 90 days after that receipt, review the settlement agreement;

“(B) determine whether an investigation of the claim is warranted; and

“(C) if the Select Committee determines, after the investigation, that the claim that resulted in the settlement involved an actual violation described in section 415(d)(1)(C) committed personally by the Senator, then the Select Committee shall notify the Executive Director to request the reimbursement described in section 415(d) and include the settlement in the report required by section 301(1).

“(4) PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.—If a Committee to which a claim is referred under paragraph (1) issues a report with respect to the claim, the Committee shall ensure that the report does not directly disclose the identity or position of the individual who filed the claim.

“(5) COMMITTEE AUTHORITY TO PROTECT IDENTITY OF A CLAIMANT.—

“(A) AUTHORITY.—If a Committee to which a claim is referred under paragraph (1) issues a report as described in paragraph (4) concerning a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, or a senior staff of the House of Representatives or Senate, the Committee may make an appropriate redaction to the information or data included in the report if the Chairman and Vice Chairman of the Committee reach agreement—

“(i) that including the information or data considered for redaction may lead to the unintentional disclosure of the identity or position of a claimant; and

“(ii) on the precise information or data to be redacted.

“(B) NOTATION AND STATEMENT.—The report including any such redaction shall note each redaction and include a statement that the redaction was made solely for the purpose of avoiding such an unintentional disclosure of the identity or position of a claimant.

“(C) RETENTION OF REPORTS.—The Committee making a redaction in accordance with this paragraph shall retain a copy of the report, without a redaction.

“(6) FINAL DISPOSITION DESCRIBED.—In this subsection, the ‘final disposition’ of a claim means any of the following:

“(A) An order or agreement to pay an award or settlement, including an agreement reached pursuant to mediation under section 404.

“(B) A final decision of a hearing officer under section 405(g) that is no longer subject to review by the Board under section 406.

“(C) A final decision of the Board under section 406(e) that is no longer subject to appeal to the United States Court of Appeals for the Federal Circuit under section 407.

“(D) A final decision in a civil action under section 408 that is no longer subject to appeal.

“(7) SENIOR STAFF DEFINED.—In this subsection, the term ‘senior staff’ means any individual who, at the time a violation occurred, was required to file a report under title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).”

SEC. 113. AVAILABILITY OF REMOTE WORK ASSIGNMENT OR PAID LEAVE OF ABSENCE DURING PENDENCY OF PROCEDURES.

(a) IN GENERAL.—Title IV (2 U.S.C. 1401 et seq.) is amended by adding at the end the following new section:

“SEC. 417. OPTION TO REQUEST REMOTE WORK ASSIGNMENT OR PAID LEAVE OF ABSENCE DURING PENDENCY OF PROCEDURES.

“(a) OPTIONS FOR EMPLOYEES.—

“(1) REMOTE WORK ASSIGNMENT.—At the request of a covered employee who files a claim alleging a violation of part A of title II by the covered employee’s employing office, during the pendency of any of the procedures available under this title for consideration of the claim, the employing office may permit the covered employee to carry out the employee’s responsibilities from a remote location (referred to in this section as ‘permitting a remote work assignment’) where such relocation would have the effect of materially reducing interactions between the covered employee and any person alleged to have committed the violation, instead of from a location of the employing office.

“(2) EXCEPTION FOR WORK ASSIGNMENTS REQUIRED TO BE CARRIED OUT ONSITE.—If, in the determination of the covered employee’s employing office, a covered employee who makes a request under this subsection cannot carry out the employee’s responsibilities from a remote location or such relocation would not have the effect described in paragraph (1), the employing office may during the pendency of the procedures described in paragraph (1)—

“(A) grant a paid leave of absence to the covered employee;

“(B) permit a remote work assignment and grant a paid leave of absence to the covered employee; or

“(C) make another workplace adjustment, or permit a remote work assignment, that would have the effect of reducing interactions between the covered employee and any person alleged to have committed the violation described in paragraph (1).

“(3) ENSURING NO RETALIATION.—An employing office may not grant a covered employee’s request under this subsection in a manner which would constitute a violation of section 207.

“(4) NO IMPACT ON VACATION OR PERSONAL LEAVE.—In granting leave for a paid leave of absence under this section, an employing office shall not require the covered employee to substitute, for that leave, any of the accrued paid vacation or personal leave of the covered employee.

“(b) EXCEPTION FOR ARRANGEMENTS SUBJECT TO COLLECTIVE BARGAINING AGREEMENTS.—Subsection (a) does not apply to the extent that it is inconsistent with the terms and conditions of any collective bargaining agreement which is in effect with respect to an employing office.”

(b) CLERICAL AMENDMENT.—The table of contents is amended by adding at the end of the items relating to title IV the following new item:

“Sec. 417. Option to request remote work assignment or paid leave of absence during pendency of procedures.”.

SEC. 114. MODIFICATION OF RULES ON CONFIDENTIALITY OF PROCEEDINGS.

(a) **MEDIATION.**—Section 416(b) (2 U.S.C. 1416(b)) is amended by striking “All mediation” and inserting “All information discussed or disclosed in the course of any mediation”.

(b) **CLAIMS.**—Section 416 (2 U.S.C. 1416), as amended by section 112 and subsection (a) of this section, is further amended—

(1) by striking subsection (a);

(2) by redesignating subsections (b) through (f) as subsections (a) through (e), respectively;

(3) in subsection (b), as redesignated by paragraph (2) of this subsection, by striking “subsections (d), (e), and (f)” and inserting “subsections (c), (d), and (e)”;

(4) by adding at the end the following:

“(f) **CLAIMS.**—Nothing in this section may be construed to prohibit a covered employee from disclosing the factual allegations underlying the covered employee’s claim, or to prohibit an employing office from disclosing the factual allegations underlying the employing office’s defense to the claim, in the course of any proceeding under this title.”.

SEC. 115. REIMBURSEMENT BY OTHER EMPLOYING OFFICES OF LEGISLATIVE BRANCH OF PAYMENTS OF CERTAIN AWARDS AND SETTLEMENTS.

(a) **REQUIRING REIMBURSEMENT.**—Section 415 (2 U.S.C. 1415), as amended by section 111, is further amended by adding at the end the following new subsection:

“(e) **REIMBURSEMENT BY EMPLOYING OFFICES.**—

“(1) **NOTIFICATION OF PAYMENTS MADE FROM ACCOUNT.**—As soon as practicable after the Executive Director is made aware that a payment of an award or settlement under this Act has been made from the account described in subsection (a) in connection with a claim alleging a violation of section 201(a) or 206(a) by an employing office (other than an employing office of the House of Representatives or an employing office of the Senate), the Executive Director shall notify the head of the employing office that the payment has been made, and shall include in the notification a statement of the amount of the payment.

“(2) **REIMBURSEMENT BY OFFICE.**—Not later than 180 days after receiving a notification from the Executive Director under paragraph (1), the head of the employing office involved shall transfer to the account described in subsection (a), out of any funds available for operating expenses of the office, a payment equal to the amount specified in the notification.

“(3) **TIMETABLE AND PROCEDURES FOR REIMBURSEMENT.**—The head of an employing office shall transfer a payment under paragraph (2) in accordance with such timetable and procedures as may be established under regulations promulgated by the Office.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to payments made under section 415 of the Congressional Accountability Act of 1995 (2 U.S.C. 1415) for claims filed on or after the date of the enactment of this Act.

TITLE II—IMPROVING OPERATIONS OF OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS

SEC. 201. REPORTS ON AWARDS AND SETTLEMENTS.

(a) **ANNUAL REPORTS ON AWARDS AND SETTLEMENTS.**—

(1) **REQUIRING SUBMISSION AND PUBLICATION OF REPORTS.**—Section 301 (2 U.S.C. 1381) is amended—

(A) in subsection (h)(3), by striking “claim” each place it appears and inserting “claim”; and

(B) by adding at the end the following new subsection:

“(1) **ANNUAL REPORTS ON AWARDS AND SETTLEMENTS.**—

“(I) **IN GENERAL.**—Subject to the rules issued by the applicable committee pursuant to paragraph (2):

“(A) **REQUIREMENT.**—The Office shall prepare and submit to Congress, and publish on the public website of the Office, an annual report regarding payments from the account described in section 415(a) that were the result of claims alleging a violation of part A of title II (referred to in this subsection as ‘covered payments’).

“(B) **REPORTING.**—The reporting required under this paragraph shall—

“(i) for a covered payment, or the reimbursable portion of a covered payment, described in paragraph (2), conform to the requirements of the rules issued by the applicable committee under such paragraph; and

“(ii) for a covered payment, or the portion of a covered payment, not described in paragraph (2)—

“(I) include the amount of the covered payment or portion of the covered payment and information on the employing office involved; and

“(II) identify each provision of part A of title II that was the subject of a claim resulting in the covered payment or portion of the covered payment.

“(C) **REPORTING PERIODS AND DATES.**—The reporting required under this paragraph—

“(i) for 2019, shall be submitted by the 60th day after the date on which the committees described in paragraph (2) issue the rules described in paragraph (2) and shall reflect covered payments made in calendar year 2019; and

“(ii) for 2020 and each subsequent calendar year, shall be submitted by January 31 of that year and shall reflect covered payments made in the previous calendar year.

“(2) **RULES REGARDING REPORTING OF COVERED PAYMENTS FOR EMPLOYING OFFICES OF THE HOUSE AND EMPLOYING OFFICES OF THE SENATE.**—

“(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this subsection, the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate shall each issue rules establishing the content, format, and other requirements for the reporting required under paragraph (1)(B)(i) with respect to—

“(i) any covered payment made for claims involving an employing office described in any of subparagraphs (A) through (C) of section 101(a)(9) of the House of Representatives or of the Senate, respectively; and

“(ii) the reimbursable portion of any such covered payment for which there is a finding requiring reimbursement under section 415(d)(1)(B) from a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, respectively.

“(B) **APPLICABILITY.**—The rules issued under subparagraph (A)—

“(i) by the Committee on House Administration of the House of Representatives shall apply to covered payments made for claims involving employing offices described in subparagraph (A)(i) of the House; and

“(ii) by the Committee on Rules and Administration of the Senate shall apply to covered payments made for claims involving employing offices described in subparagraph (A)(i) of the Senate.

“(3) **PROTECTION OF IDENTITY OF INDIVIDUALS RECEIVING AWARDS AND SETTLEMENTS.**—In preparing, submitting, and publishing the

reports required under paragraph (1), the Office shall ensure that the identity or position of any claimant is not disclosed.

“(4) **AUTHORITY TO PROTECT THE IDENTITY OF A CLAIMANT.**—

“(A) **IN GENERAL.**—In carrying out paragraph (3), the Executive Director, in consultation with the Board, may make an appropriate redaction to the data included in the report described in paragraph (1) if the Executive Director, in consultation with the Board, determines that including the data considered for redaction may lead to the identity or position of a claimant unintentionally being disclosed. The report shall note each redaction and include a statement that the redaction was made solely for the purpose of avoiding such an unintentional disclosure of the identity or position of a claimant.

“(B) **RECORDKEEPING.**—The Executive Director shall retain a copy of the report described in paragraph (1), without redactions.

“(5) **DEFINITION.**—In this subsection, the term ‘claimant’ means an individual who received an award or settlement, or who made an allegation of a violation against an employing office, under part A of title II.”.

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1)(B) shall take effect on January 1, 2019.

(b) **REPORT ON AMOUNTS PREVIOUSLY PAID.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Office of Congressional Workplace Rights shall submit to Congress and make available to the public on the Office’s public website a report on all payments made with public funds (to include funds paid from the account described in section 415(a) of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(a)), an account of the House of Representatives or Senate, or any other account of the Federal Government) prior to the date of the enactment of this Act for awards and settlements in connection with violations of section 201(a) of the Congressional Accountability Act of 1995 (2 U.S.C. 1311(a)), or section 207 of such Act (2 U.S.C. 1317), and shall include in the report the following information:

(A) The amount paid for each such award or settlement.

(B) The source of the public funds used for the award or settlement.

(2) **RULE OF CONSTRUCTION REGARDING IDENTIFICATION OF HOUSE AND SENATE ACCOUNTS.**—Nothing in paragraph (1)(B) may be construed to require or permit the Office of Congressional Workplace Rights to report the account of any specific office of the House of Representatives or Senate as the source of funds used for an award or settlement.

(c) **RULEMAKING POWERS.**—Section 501 (2 U.S.C. 1431) is amended in the matter preceding paragraph (1) by inserting “, section 301(l),” before “and 304(c)”.

SEC. 202. WORKPLACE CLIMATE SURVEYS OF EMPLOYING OFFICES.

(a) **REQUIRING SURVEYS.**—Title III (2 U.S.C. 1381 et seq.) is amended by adding at the end the following new section:

“SEC. 307. WORKPLACE CLIMATE SURVEYS OF EMPLOYING OFFICES.

“(a) **REQUIREMENT TO CONDUCT SECURE SURVEYS.**—Not later than 1 year after the date of the enactment of this section, and every 2 years thereafter, the Office shall conduct a secure survey of employing offices under this Act regarding the workplace environment of such offices. Employee responses to the survey shall be voluntary.

“(b) **SPECIAL INCLUSION OF INFORMATION ON SEXUAL HARASSMENT.**—In each survey conducted under this section, the Office shall survey respondents on attitudes regarding sexual harassment.

“(c) METHODOLOGY.—

“(1) **IN GENERAL.**—The Office shall conduct each survey under this section in accordance with methodologies established by the Office.

“(2) **CONFIDENTIALITY.**—Under the methodologies established under paragraph (1), all responses to all portions of the survey shall be anonymous and confidential, and each respondent shall be told throughout the survey that all responses shall be anonymous and confidential.

“(3) **SURVEY FORM.**—The Office shall limit the use of any information code or information on the survey form that makes a respondent to the survey, or the respondent’s employing office, individually identifiable.

“(d) **USE OF RESULTS OF SURVEYS.**—The Office shall furnish the information obtained from the surveys conducted under this section to the Committee on House Administration of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and Rules and Administration of the Senate.

“(e) **CONSULTATION WITH COMMITTEES.**—The Office shall carry out this section, including establishment of methodologies and procedures under subsection (c), in consultation with the Committee on House Administration of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and Rules and Administration of the Senate.”

(b) **CLERICAL AMENDMENT.**—The table of contents is amended by adding at the end of the items relating to title III the following new item:

“Sec. 307. Workplace climate surveys of employing offices.”

SEC. 203. RECORD RETENTION.

Section 301 (2 U.S.C. 1381), as amended by section 201(a), is further amended by adding at the end the following new subsection:

“(m) **RECORD RETENTION.**—The Office shall establish and maintain a program for the permanent retention of its records, including the records of preliminary reviews, mediations, hearings, and other proceedings conducted under title IV.”

SEC. 204. CONFIDENTIAL ADVISORS.

Section 302 (2 U.S.C. 1382) is amended—

(1) by redesignating subsections (d) through (f) as subsections (e) through (g), respectively; and

(2) by inserting after subsection (c) the following:

“(d) CONFIDENTIAL ADVISORS.—

“(1) **IN GENERAL.**—The Executive Director shall—

“(A) appoint, and fix the compensation of, and may remove, 1 or more confidential advisors to carry out the duties described in this subsection; or

“(B) designate 1 or more employees of the Office to serve as a confidential advisor.

“(2) DUTIES.—

“(A) **VOLUNTARY SERVICES.**—A confidential advisor appointed or designated under paragraph (1) shall offer to provide to covered employees described in paragraph (4) the services described in subparagraph (B), which a covered employee may accept or decline.

“(B) **SERVICES.**—The services referred to in subparagraph (A) are—

“(i) informing, on a privileged and confidential basis, a covered employee who has been subject to a practice that may be a violation of part A of title II about the employee’s rights under this Act;

“(ii) consulting, on a privileged and confidential basis, with a covered employee who has been subject to a practice that may be a violation of part A of title II regarding—

“(I) the roles, responsibilities, and authority of the Office; and

“(II) the relative merits of securing private counsel, designating a non-attorney representative, or proceeding without representation for proceedings before the Office;

“(iii) advising and consulting with, on a privileged and confidential basis, a covered employee who has been subject to a practice that may be a violation of part A of title II regarding any claims the covered employee may have under title IV, the factual allegations that support each such claim, and the relative merits of the procedural options available to the employee for each such claim;

“(iv) assisting, on a privileged and confidential basis, a covered employee who seeks consideration under title IV of an allegation of a violation of part A of title II in understanding the procedures, and the significance of the procedures, described in title IV, including—

“(I) assisting or consulting with the covered employee regarding the drafting of a claim to be filed under section 402(a); and

“(II) consulting with the covered employee regarding the procedural options available to the covered employee after a claim is filed, and the relative merits of each option; and

“(v) informing, on a privileged and confidential basis, a covered employee who has been subject to a practice that may be a violation of part A of title II about the option of pursuing, in appropriate circumstances, a complaint with the Committee on Ethics of the House of Representatives or the Select Committee on Ethics of the Senate.

“(C) **CONTINUITY OF SERVICE.**—Once a covered employee has accepted and received any services offered under this section from a confidential advisor appointed or designated under paragraph (1), any other services requested under this subsection by the covered employee shall be provided, to the extent practicable, by the same confidential advisor.

“(3) **QUALIFICATIONS.**—A confidential advisor appointed or designated under paragraph (1) shall be a lawyer who—

“(A) is admitted to practice before, and is in good standing with, the bar of a State of the United States, the District of Columbia, or a territory of the United States; and

“(B) has experience representing clients in cases involving the workplace laws incorporated by part A of title II.

“(4) **INDIVIDUALS COVERED.**—The services described in paragraph (2) are available to any covered employee (which, for purposes of this subsection, shall include any staff member described in section 201(d) and any former covered employee (including any such former staff member)), except that—

“(A) a former covered employee may only request such services if the practice that may be a violation of part A of title II occurred during the employment or service of the employee; and

“(B) a covered employee described in this paragraph may only request such services before the expiration of the 180-day period described in section 402(d).

“(5) **RESTRICTIONS.**—A confidential advisor appointed or designated under paragraph (1)—

“(A) shall not act as the designated representative for any covered employee in connection with the covered employee’s participation in any proceeding, including any proceeding under this Act, any judicial proceeding, or any proceeding before any committee of Congress;

“(B) shall not offer or provide services described in paragraph (2)(B) to a covered employee if the covered employee has designated an attorney representative in connection with the covered employee’s participation in any proceeding under this Act, except that a confidential advisor may provide

general assistance and information to such attorney representative regarding this Act and the role of the Office as the confidential advisor determines appropriate; and

“(C) shall not serve as a mediator in any mediation conducted pursuant to section 404.”

SEC. 205. GAO STUDY OF MANAGEMENT PRACTICES.

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study of the management practices of the Office of Congressional Workplace Rights.

(b) **REPORT TO CONGRESS.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under subsection (a), and shall include in the report such recommendations as the Comptroller General considers appropriate for improvements to the management practices of the Office of Congressional Workplace Rights.

SEC. 206. GAO AUDIT OF CYBERSECURITY.

(a) **AUDIT.**—The Comptroller General of the United States shall conduct an audit of the cybersecurity systems and practices of the Office of Congressional Workplace Rights.

(b) **REPORT TO CONGRESS.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the audit conducted under subsection (a), and shall include in the report such recommendations as the Comptroller General considers appropriate for improvements to the cybersecurity systems and practices of the Office of Congressional Workplace Rights.

TITLE III—MISCELLANEOUS REFORMS**SEC. 301. APPLICATION OF GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008.**

Section 102 (2 U.S.C. 1302) is amended by adding at the end the following:

“(c) **GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008.—**

“(1) **IN GENERAL.**—The provisions of this Act that apply to a violation of section 201(a)(1) shall be considered to apply to a violation of title II of the Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. 2000ff et seq.), consistent with section 207(c) of that Act (42 U.S.C. 2000ff-6(c)).

“(2) **CONSTRUCTION.—**

“(A) **NO LIMITATION ON OTHER LAWS.**—Nothing in this section limits the provisions of this Act that apply to a violation of a law described in subparagraph (B).

“(B) **OTHER LAWS.**—A law described in this subparagraph is a law (even if not listed in subsection (a) or this subsection) that explicitly applies one or more provisions of this Act to a violation.”

SEC. 302. EXTENSION TO UNPAID STAFF OF RIGHTS AND PROTECTIONS AGAINST EMPLOYMENT DISCRIMINATION.

(a) **EXTENSION.**—Section 201 (2 U.S.C. 1311) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

“(d) APPLICATION TO UNPAID STAFF.—

“(1) **IN GENERAL.**—Subsections (a) and (b) shall apply with respect to—

“(A) any staff member of an employing office who carries out official duties of the employing office but who is not paid by the employing office for carrying out such duties (referred to in this subsection as an ‘unpaid staff member’), including an intern, an individual detailed to an employing office, and an individual participating in a fellowship program, in the same manner and to the same extent as such subsections apply with respect to a covered employee; and

“(B) a former unpaid staff member, if the act that may be a violation of subsection (a) occurred during the service of the former unpaid staffer for the employing office.

“(2) **RULE OF CONSTRUCTION.**—Nothing in paragraph (1) may be construed to extend liability for a violation of subsection (a) to an employing office on the basis of an action taken by any person who is not under the supervision or control of the employing office.

“(3) **INTERN DEFINED.**—For purposes of this subsection, the term ‘intern’ means an individual who performs service for an employing office which is uncompensated by the United States to earn credit awarded by an educational institution or to learn a trade or occupation, and includes any individual participating in a page program operated by any House of Congress.”.

(b) **TECHNICAL CORRECTION RELATING TO OFFICE RESPONSIBLE FOR DISBURSEMENT OF PAY TO HOUSE EMPLOYEES.**—Section 101(7) (2 U.S.C. 1301(7)) is amended by striking “disbursed by the Clerk of the House of Representatives” and inserting “disbursed by the Chief Administrative Officer of the House of Representatives”.

SEC. 303. CLARIFICATION OF TREATMENT OF LIBRARY OF CONGRESS VISITORS.

(a) **CLARIFICATION.**—Section 210 (2 U.S.C. 1331) is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following:

“(h) **ELECTION OF REMEDIES RELATING TO RIGHTS TO PUBLIC SERVICES AND ACCOMMODATIONS FOR LIBRARY VISITORS.**—

“(1) **DEFINITION OF LIBRARY VISITOR.**—In this subsection, the term ‘Library visitor’ means an individual who is eligible to bring a claim for a violation under title II or III of the Americans with Disabilities Act of 1990 (other than a violation for which the exclusive remedy is under section 201) against the Library of Congress.

“(2) **ELECTION OF REMEDIES.**—

“(A) **IN GENERAL.**—A Library visitor who alleges a violation of subsection (b) by the Library of Congress may, subject to subparagraph (B)—

“(i) file a charge against the Library of Congress under subsection (d); or

“(ii) use the remedies and procedures set forth in section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16), as provided under section 510 (other than paragraph (5)) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12209).

“(B) **TIMING.**—A Library visitor that has initiated proceedings under clause (i) or (ii) of subparagraph (A) may elect to change and initiate a proceeding under the other clause—

“(i) in the case of a Library visitor who first filed a charge pursuant to subparagraph (A)(i), before the General Counsel files a complaint under subsection (d)(3); or

“(ii) in the case of a Library visitor who first initiated a proceeding under subparagraph (A)(ii), before the Library visitor requests a hearing under the procedures of the Library of Congress described in such subparagraph.”.

(b) **CONFORMING AMENDMENT.**—Section 210(d)(2) (2 U.S.C. 1331(d)(2)) is amended by striking “section 403” and inserting “section 404”.

(c) **EFFECTIVE DATE AND APPLICABILITY.**—The amendments made by subsection (a) shall take effect as if such amendments were included in the enactment of section 153 of the Legislative Branch Appropriations Act, 2018 (Public Law 115–141), and shall apply as specified in section 153(c) of such Act.

SEC. 304. NOTICES.

(a) **REQUIRING EMPLOYING OFFICES TO POST NOTICES.**—Part E of title II (2 U.S.C. 1361) is amended by adding at the end the following: “**SEC. 226. NOTICES.**”

“(a) **IN GENERAL.**—Every employing office shall post and keep posted (in conspicuous places upon its premises where notices to covered employees are customarily posted) a notice provided by the Office that—

“(1) describes the rights, protections, and procedures applicable to covered employees of the employing office under this Act, concerning violations described in subsection (b); and

“(2) includes contact information for the Office.

“(b) **VIOLATIONS.**—A violation described in this subsection is—

“(1) discrimination prohibited by section 201(a) (including, in accordance with section 102(c), discrimination prohibited by title II of the Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. 2000ff et seq.)) or 206(a); and

“(2) a violation of section 207 that is related to discrimination described in paragraph (1).”.

(b) **CLERICAL AMENDMENT.**—The table of contents is amended by adding at the end of the items relating to part E of title II the following new item:

“Sec. 226. Notices.”.

SEC. 305. CLARIFICATION OF COVERAGE OF EMPLOYEES OF HELSINKI AND CHINA COMMISSIONS.

(a) **CLARIFICATION OF COVERAGE.**—Section 101 (2 U.S.C. 1301), as amended by section 302(b), is further amended—

(1) by striking “Except as otherwise” and inserting “(a) **IN GENERAL.**—Except as otherwise”; and

(2) by adding at the end the following new subsection:

“(b) **CLARIFICATION OF COVERAGE OF EMPLOYEES OF CERTAIN COMMISSIONS.**—

“(1) **COVERAGE.**—With respect to the China Review Commission, the Congressional-Executive China Commission, and the Helsinki Commission—

“(A) any individual who is an employee of such Commission shall be considered a covered employee for purposes of this Act; and

“(B) the Commission shall be considered an employing office for purposes of this Act.

“(2) **AUTHORITY TO PROVIDE LEGAL ASSISTANCE AND REPRESENTATION.**—Subject to paragraph (3), legal assistance and representation under this Act, including assistance and representation with respect to the proposal or acceptance of the disposition of a claim under this Act, shall be provided to the China Review Commission, the Congressional-Executive China Commission, and the Helsinki Commission—

“(A) by the Office of House Employment Counsel of the House of Representatives, in the case of assistance and representation in connection with a claim filed under title IV (including all subsequent proceedings under such title in connection with the claim) at a time when the chair of the Commission is a Member of the House, and in the case of assistance and representation in connection with any subsequent claim under title IV related to the initial claim where the subsequent claim involves the same parties; or

“(B) by the Office of Senate Chief Counsel for Employment of the Senate, in the case of assistance and representation in connection with a claim filed under title IV (including all subsequent proceedings under such title in connection with the claim) at a time when the chair of the Commission is a Senator, and in the case of assistance and representation in connection with any subsequent claim under title IV related to the initial

claim where the subsequent claim involves the same parties.

“(3) **DEFINITIONS.**—In this subsection—

“(A) the term ‘China Review Commission’ means the United States-China Economic and Security Review Commission established under section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), as enacted into law by section 1 of Public Law 106–398;

“(B) the term ‘Congressional-Executive China Commission’ means the Congressional-Executive Commission on the People’s Republic of China established under title III of the U.S.–China Relations Act of 2000 (Public Law 106–286; 22 U.S.C. 6911 et seq.); and

“(C) the term ‘Helsinki Commission’ means the Commission on Security and Cooperation in Europe established under the Act entitled ‘An Act to establish a Commission on Security and Cooperation in Europe’, approved June 3, 1976 (Public Law 94–304; 22 U.S.C. 3001 et seq.).”.

(b) **COVERAGE OF STENNIS CENTER.**—

(1) **TREATMENT OF EMPLOYEES AS COVERED EMPLOYEES.**—Section 101(a)(3) (2 U.S.C. 1301(a)(3)) is amended—

(A) by striking “or” at the end of subparagraph (I);

(B) by striking the period at the end of subparagraph (J) and inserting “; or”; and

(C) by adding at the end the following new subparagraph:

“(K) the John C. Stennis Center for Public Service Training and Development.”.

(2) **TREATMENT OF CENTER AS EMPLOYING OFFICE.**—Section 101(a)(9)(D) (2 U.S.C. 1301(a)(9)(D)) is amended by striking “and the Office of Technology Assessment” and inserting the following: “the Office of Technology Assessment, and the John C. Stennis Center for Public Service Training and Development”.

(c) **CONFORMING AMENDMENTS.**—Paragraphs (7) and (8) of section 101(a) (2 U.S.C. 1301(a)) are each amended by striking “subparagraphs (C) through (I)” and inserting “subparagraphs (C) through (K)”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the enactment of the Congressional Accountability Act of 1995.

SEC. 306. TRAINING AND EDUCATION PROGRAMS OF OTHER EMPLOYING OFFICES.

(a) **REQUIRING OFFICES TO DEVELOP AND IMPLEMENT PROGRAMS.**—Title V (2 U.S.C. 1431 et seq.) is amended—

(1) by redesignating section 509 as section 510; and

(2) by inserting after section 508 the following new section:

“SEC. 509. TRAINING AND EDUCATION PROGRAMS OF EMPLOYING OFFICES.

“(a) **REQUIRING OFFICES TO DEVELOP AND IMPLEMENT PROGRAMS.**—Each employing office shall develop and implement a program to train and educate covered employees of the office in the rights and protections provided under this Act, including the procedures available under title IV to consider alleged violations of this Act.

“(b) **REPORT TO COMMITTEES.**—

“(1) **IN GENERAL.**—Not later than 45 days after the beginning of each Congress (beginning with the One Hundred Seventeenth Congress), each employing office shall submit a report to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the implementation of the program required under subsection (a).

“(2) **SPECIAL RULE FOR FIRST REPORT.**—Not later than 180 days after the date of the enactment of the Congressional Accountability Act of 1995 Reform Act, each employing office shall submit the report described in

paragraph (1) to the Committees described in such paragraph.

“(c) EXCEPTION FOR OFFICES OF CONGRESS.—This section does not apply to an employing office of the House of Representatives or an employing office of the Senate.”.

(b) CLERICAL AMENDMENT.—The table of contents is amended—

(1) by redesignating the item relating to section 509 as relating to section 510; and

(2) by inserting after the item relating to section 508 the following new item:

“Sec. 509. Training and education programs of employing offices.”.

SEC. 307. SUPPORT FOR OUT-OF-AREA COVERED EMPLOYEES.

(a) IN GENERAL.—Title V (2 U.S.C. 1431 et seq.), as amended by section 306(a), is further amended—

(1) by redesignating section 510 as section 511; and

(2) by inserting after section 509, as inserted by section 306(a), the following:

“SEC. 510. SUPPORT FOR OUT-OF-AREA COVERED EMPLOYEES.

“(a) IN GENERAL.—All covered employees whose location of employment is outside of the Washington, DC area (referred to in this section as ‘out-of-area covered employees’) shall have equitable access to the resources and services provided by the Office and under this Act as is provided to covered employees who work in the Washington, DC area.

“(b) OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS.—The Office shall—

“(1) establish a method by which out-of-area covered employees may communicate securely with the Office, which shall include an option for real-time audiovisual communication; and

“(2) provide guidance to employing offices regarding how each office can facilitate equitable access to the resources and services provided under this Act for its out-of-area covered employees, including information regarding the communication methods described in paragraph (1).

“(c) EMPLOYING OFFICES.—It is the sense of Congress that each employing office with out-of-area covered employees should use its best efforts to facilitate equitable access to the resources and services provided under this Act for those employees.”.

(b) CLERICAL AMENDMENT.—The table of contents, as amended by section 306(b), is amended—

(1) by redesignating the item relating to section 510 as relating to section 511; and

(2) by inserting after the item relating to section 509, as inserted by section 306(b), the following new item:

“Sec. 510. Support for out-of-area covered employees.”.

SEC. 308. RENAMING OFFICE OF COMPLIANCE AS OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS.

(a) RENAMING.—Section 301 (2 U.S.C. 1381) is amended—

(1) in the section heading, by striking “OFFICE OF COMPLIANCE” and inserting “OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS”; and

(2) in subsection (a), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(b) CONFORMING AMENDMENTS TO CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—The Congressional Accountability Act of 1995, as amended by section 305(a), is further amended as follows:

(1) In section 101(a)(1) (2 U.S.C. 1301(a)(1)), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(2) In section 101(a)(2) (2 U.S.C. 1301(a)(2)), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(3) In section 101(a)(3)(H) (2 U.S.C. 1301(a)(3)(H)), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(4) In section 101(a)(9)(D) (2 U.S.C. 1301(a)(9)(D)), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(5) In section 101(a)(10) (2 U.S.C. 1301(a)(10)), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(6) In section 101(a)(11) (2 U.S.C. 1301(a)(11)), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(7) In section 101(a)(12) (2 U.S.C. 1301(a)(12)), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(8) In section 210(a)(9) (2 U.S.C. 1331(a)(9)), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(9) In section 215(e)(1) (2 U.S.C. 1341(e)(1)), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(10) In section 220(e)(2)(G) (2 U.S.C. 1351(e)(2)(G)), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(11) In the title heading of title III, by striking “OFFICE OF COMPLIANCE” and inserting “OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS”.

(12) In section 304(c)(4) (2 U.S.C. 1384(c)(4)), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(13) In section 304(c)(5) (2 U.S.C. 1384(c)(5)), by striking “Office of Compliance” and inserting “Office of Congressional Workplace Rights”.

(c) CLERICAL AMENDMENTS.—The table of contents is amended—

(1) by amending the item relating to the heading of title III to read as follows:

“TITLE III—OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS”; AND

(2) by amending the item relating to section 301 to read as follows:

“Sec. 301. Establishment of Office of Congressional Workplace Rights.”.

(d) EFFECTIVE DATE; REFERENCES IN OTHER LAWS, RULES, AND REGULATIONS.—The amendments made by this section shall take effect on the date of the enactment of this Act. Any reference to the Office of Compliance in any law, rule, regulation, or other official paper in effect as of such date shall be considered to refer and apply to the Office of Congressional Workplace Rights.

TITLE IV—EFFECTIVE DATE

SEC. 401. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect upon the expiration of the 180-day period which begins on the date of the enactment of this Act.

(b) NO EFFECT ON PENDING PROCEEDINGS.—Nothing in this Act or the amendments made by this Act may be construed to affect any proceeding or payment of an award or settlement relating to a claim under title IV of the Congressional Accountability Act of 1995 (2 U.S.C. 1401 et seq.) which is pending as of the date after that 180-day period. If, as of that date, an employee has begun any of the proceedings under that title that were available to the employee prior to that date, the employee may complete, or initiate and complete, all such proceedings, and such proceedings shall remain in effect with respect to, and provide the exclusive proceedings for,

the claim involved until the completion of all such proceedings.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, without losing my right to the floor, I yield to the distinguished Senator from Minnesota for remarks on the matter we just moved.

Ms. KLOBUCHAR. Madam President, I thank the chairman.

I wanted to speak for a minute to thank Senator BLUNT for his work on the bill. This is a bill that fundamentally changes the way sexual harassment cases are handled in the Senate and in the House. The process we have will now protect victims of harassment instead of protecting politicians.

This was the work of many people. I thank Leader MCCONNELL and Senator SCHUMER, as well as the House leaders. I thank Senators GILLIBRAND, MURRAY, CORTEZ MASTO, CAPITO, and FISCHER from the Committee on Rules. And there are so many staff members I will thank later when we do additional speeches.

This was something we had to get done by the end of the year. Getting rid of that cooling-off period, getting rid of a lot of the Byzantine way these cases were being handled—this is going to be better for victims. I am proud the Senate has come together on a bipartisan basis to get this bill done.

The PRESIDING OFFICER. The Senator from Vermont.

S.J. RES. 54

Mr. LEAHY. Madam President, I commend my two friends, the Senator from Missouri and the Senator from Minnesota, for what they have done.

I am going to speak briefly about S.J. Res. 54. It would remove U.S. Armed Forces from hostilities either in or affecting the country of Yemen—except those forces engaged in operations directed at al-Qaeda or associated forces—unless and until a declaration of war or specific authorization for such use of U.S. Armed Forces has been enacted.

I commend my distinguished friend from Vermont, Senator SANDERS, for the leadership and perseverance he has shown on this issue. He has rightly insisted that the Congress, which alone has the power to declare war, act in response to the humanitarian catastrophe in Yemen—a catastrophe, we have to acknowledge, that the United States shares responsibility for causing as a result of our support for the Saudi military.

The Saudi military, by any objective measure, is guilty of war crimes in Yemen, and it is long past time for us to say: enough.

International outrage over this issue has been building steadily as the number of civilian casualties in Yemen—one of the world’s poorest countries—has swollen into the thousands as a result of Saudi Arabia’s intervention and ongoing aerial bombardment. We have all seen the photographs of the dead and the dying, of children who are nothing but skin and bones. Some

85,000 children have starved to death—85,000 children—and another 13 million Yemenis civilians are at risk of starvation, according to the United Nations.

Of course, the Houthis and the Iranians who support them share the blame for the death and destruction in Yemen, but we are not supporting them. We are not sharing intelligence with the Houthis and the Iranians or providing targeting assistance. We are not selling them weapons. That is what we are doing for the Saudis.

This joint resolution is about more than that. As if the kidnapping of the Lebanese Prime Minister Hariri, the blockade of Qatar, the imprisonment of Saudi women's rights activists, and the carnage in Yemen were not enough, the outrage toward Saudi Crown Prince Muhammad bin Salman finally boiled over with the horrific, premeditated murder of Jamal Khashoggi—a respected journalist who dared to criticize the royal family. Mr. Khashoggi's murder by Saudi Government agents at the Saudi consulate in Istanbul and the blatant lies by top officials in Saudi Arabia who tried to cover it up exposed the depth of the depravity of the Saudi royal family.

I have spoken about that despicable crime multiple times already so I will not repeat what I have said, but we know the Saudi royal family is still lying about who was involved. We also know that since long before murdering Mr. Khashoggi, the Saudi Government has had a sordid history of abducting, imprisoning, and executing dissidents and others after sham trials that violate international law.

The vote today on S.J. Res. 54 is the Senate's first response to the Saudi royal family and to the Trump administration. The disaster in Yemen is so appalling, and the murder of Jamal Khashoggi was so wicked, so repulsive, that no amount of money, no amount of oil, and no amount of lies can obscure it.

The Trump administration lobbied hard against this resolution, warning that despite the Saudi royal family's many misdeeds, the U.S.-Saudi relationship is too important to risk. No one is seeking to sever relations with Saudi Arabia. Far more important is that the United States, which is a great country, stands for the truth, for justice, for the laws of war, and that we don't stand by when a whole society of impoverished, innocent people is being destroyed or when top officials of another government—whether ally or adversary—conspire to murder a journalist or dissident and lie about it.

We have to make clear, the United States is not for sale, our integrity is not for sale. If the Saudi royal family hopes to salvage its tattered reputation and its relations with the United States, it will need to take far more decisive action to end the war in Yemen and bring to justice all those responsible, at the highest level, for murdering Jamal Khashoggi.

Mr. President, my distinguished colleague and dear friend is here to seek the floor, and I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Arizona.

FAREWELL TO THE SENATE

Mr. FLAKE. Mr. President, I wish to begin by noting that had the people of Arizona and America been truly lucky, my mother or father would have served in the U.S. House of Representatives and in the Senate. Everything I know about what matters most in life I learned first at their dinner table. For many reasons—they were otherwise preoccupied raising and feeding 11 children, working the land, running cattle to keep the F-Bar business going, and serving their church and community daily, and in too many other ways to count—my parents were too meaningfully occupied in life to detour to something that can be so frivolous as politics. So you got their son instead.

I rise to say, it has been the honor of my life to represent my home, Arizona, in the U.S. Senate and, before that, in the House of Representatives; that is, it has been the honor of my life after being Dean and Nerita's son, Cheryl's husband, and Ryan's, Alexis's, Austin's, Tanner's, and Dallin's father.

Through 18 years in Washington, our kids grew up thinking it was normal to have their faces plastered on campaign signs along the roadside when campaigns rolled around. They were dragged to countless fundraisers and campaign events. They were used to having their dad join them, sort of, with a choreographed wave on C-SPAN at dinnertime.

They spent summers in Washington catching fireflies and voting with their dad on the House floor. They served as interns and congressional pages. Much of it they enjoyed, some of it they endured, but through all of it, they were not just good sports but were extraordinarily understanding and supportive.

And Cheryl—well, Cheryl is the rock upon which our family is built. Her strength, equanimity, endless patience and love—her good humor even when congressional life was not always funny, and her belief, when disbelief would have been perfectly reasonable—these are but a few of the long list of things that leave me simply awestruck by my wife.

I think all of us who presume to hold these positions owe someone who loves us a debt we can never ever repay. If they cannot be repaid, they can at least be properly recognized—Cheryl, that girl I met on a beach so long ago, our wonderful children, my brothers, my sisters, our extended families.

John McCain often joked that the only way I ever got elected to anything was because of my hundreds of siblings and thousands of cousins. Well, the truth hurts, I reckon; Senator McCain just may have been on to something there. It was my honor to serve with him, as it has been my honor to serve with Senator KYL.

Today I am filled with gratitude—gratitude for the privilege of loving

and being loved by those people I mentioned and of serving the State and the country I love as well; grateful beyond measure and luckier than I deserve to be.

I leave here grateful and optimistic. I will always treasure the friendships that began here and the kindness shown to me and my family by all of you, my colleagues. I will forever cherish the work of our country that we were able to do together. From the bottom of my heart, I thank you all.

As I stand here today, I am optimistic about the future, but my optimism is due more to the country my parents gave to me than it is due to the present condition of our civic life. We, of course, are testing the institution of American liberty in ways that none of us ever imagined we would and in ways we probably never should again. My colleagues, to say that our politics is not healthy is somewhat of an understatement.

I believe we all know well that this is not a normal time and that the threats to our democracy from within and without are real, and none of us can say with confidence how the situation we now find ourselves in will turn out. Over the past 2 years, I have spoken a great deal on the subject from this Chamber, and there will be time enough later to return to it in other settings, but in the time I have here today, and with your indulgence, I instead wish to speak somewhat more personally.

As the authoritarian impulse reasserts itself globally, and global commitment to democracy seems to now be on somewhat shaky ground, I have been thinking a lot recently about the American commitment to democracy—where it comes from and how, if the circumstances were right, it might slip away.

This got me thinking back to when I was a much younger man and had the privilege of witnessing the birth of a new democracy in Africa. When I was about half the age I am now, for my church mission, I went to South Africa and Zimbabwe. I fell in love with the people in these countries.

When Cheryl and I were drawn back to Southern Africa a few years later for a job, we were in Windhoek, Namibia, in February of 1990, at the very moment that much of the world enslaved by totalitarianism was throwing off its shackles, and the free world that the United States had led since World War II was growing exponentially.

The Soviet Union was in a glorious free fall, shedding republics seemingly by the day, and Eastern Europe was squinting out into the light of liberation for the first time in 40 years. Free markets and free minds were sweeping the world. Freedom was breaking out in the Southern Hemisphere as well. The country where I was sitting that very morning was itself only days old.

In November of 1989—the same week the Berlin Wall came down—Namibia held its first election as an independent

nation, freed from the apartheid administration in South Africa. This had come to pass in no small part because of leadership from the United States, through the United Nations.

Just days earlier, an awe-inspiring document had been drafted only a few blocks away from where I sat in Windhoek—a new democracy's founding Constitution, the inspiration for which had been the marvel of free people everywhere and those who aspire to be free: the U.S. Constitution.

At the time, I was in Africa working for the Foundation for Democracy, trying to ensure that Namibia emerged from the process of gaining its independence as a democratic country. In my role at the foundation, I evangelized for democracy and democratic values, the benefits of which had been a given for me for my entire life.

I can safely say, though, that I learned more about democracy from the lives of those around me who aspired to it than those who experienced it as a birthright.

As I sat there in the brandnew African democracy, I read the speech that the playwright and new President of a newly democratic Czechoslovakia, Vaclav Havel, had just delivered before a joint session of the U.S. Congress, right across the way in the House Chamber. Havel, who had much of the previous decade in a Communist dungeon and whose last arrest as a dissident had been mere months before, was quite astonished to find himself president of anything, much less a country of his oppressors.

I sat there in Africa and read Havel's speech—an encomium to democracy, a love letter to America, literary and inspiring—and I was overcome by his words. There is nothing quite like the sensation of having someone who has been stripped of everything but his dignity reflecting the ideals of your own country back at you in such a way that you see them more clearly than ever before and maybe for the first time. In some ways, that man knows your country better than you know it yourself.

I can only imagine how surreal it must have felt for Havel as he stood before the entire Congress, the President's Cabinet, the diplomatic corps, Joint Chiefs of Staff assembled before him in the House Chamber of our Capitol Building, with the Vice President and Speaker of the House behind him, all standing in a sustained ovation, a deep respect from the oldest democracy in the world to the newest, whose leader had been a political prisoner just a season earlier.

Havel soberly poured out his gratitude to the United States for the sacrifice our country had made in liberating Europe once again and for the moral example of its leadership around the world in opposing the Soviet Union, "the country," he said, "that rightly gave people nightmares."

Havel's awed appreciation for the values that too many of us might take for granted brought home to me, an

American in my midtwenties sitting there in Africa, the power of the American example to the whole world and the humbling responsibilities that come with that power. It is no exaggeration to say that Havel's disquisition on democracy before Congress that day in 1990 was a turning point in my civic education.

Havel similarly called out to the whole world from Washington on that day in 1990, with grace and without rancor, but for one mistaken prophecy, which to me now reads as tragic, especially in the context of the here and now.

At the time, as the wall fell and the Soviet bloc that had been encased in Stalinism thawed, it was vogue among some historians, scholars, and others to declare "the end of history"—that the big questions had been settled, that liberal democracy was triumphal and inexorable, and that the decline of the impulse to enslave whole countries was also inexorable. Freedom had won, it was said, and forever.

The historian Francis Fukuyama, who had coined "the end of history" in an essay a year before, was much in demand, and it was likely that Havel would have been inspired by the fervor, which might explain this passage from his speech.

He said:

I often hear the question: How can the United States of America help us today? My reply is as paradoxical as my whole life has been. You can help us most of all if you help the Soviet Union on its irreversible but immensely complicated road to democracy.

Of course, history was not over. The road to democracy is not irreversible—not in Moscow, not in America, not anywhere.

After erecting a Potemkin village for democracy for an agonizing decade or so, the Russians thrust forward a strongman amid the chaos, a strongman who was determined to reassemble the pieces of a broken empire, in the process strangling Russian democracy in its cradle.

Vladimir Putin would go on to be President, and he is President still, and just as he hijacked democracy in his own country, he is determined to do so everywhere.

Denial of this reality will not make it any less real. This is something that is staring us in the face, right now, as we are gathered here today.

As we in America—during this moment of political dysfunction and upheaval—contemplate the hard-won conventions and norms of democracy, we must continually remind ourselves that none of this is permanent, that it must be fought for continually.

Civilization and the victories of freedom—history itself—are not a matter of once achieved, always safe. Vaclav Havel lived this.

The lovers of democracy I met in Namibia lived this. Our children, whose rights and prerogatives have never been in doubt, are for the most part unaware of it. But we are being power-

fully reminded just how delicate all of it is right now.

The stability of tested alliances, the steadiness of comportment, and the consistency of words and deeds sum up the best of water's-edge postwar American consensus on foreign policy.

It might seem that all of this has lately been tossed around like pieces on a board, but it is important to remember that we have seen such tumult before, and it is the genius of the architects of our liberty that we withstand it and emerge the stronger for it.

What struck me in Namibia that day with such force and has stayed with me ever since is how vital a beacon the United States is and has always been to the peoples of the world—both to those who are already free and those who still suffer tyranny.

It is a solemn obligation that we have as Americans. Let us recognize from this place here today that the shadow of tyranny is once again enveloping parts of the globe, and let us recognize as authoritarianism reasserts itself in country after country that we are by no means immune.

I stand here today, recognizing that I have had the good fortune during my time in the Senate to have been surrounded by supremely smart and dedicated staff, some of whom have worked for me for my entire 18 years in Washington.

My chiefs of staff—Steve Voeller, Margaret Klessig, Matt Specht, Chandler Morse, and Roland Foster have ably supervised a legislative team that included over the years people like Colleen Donnelly, Helen Heiden, Chuck Podalak, Kris Kiefer, Sarah Towles, Emily Nelson, Brian Canfield, Blake Tonn, Flaka Ismaili, Chance Hammock, Matt Sifert, Colin Timmerman, Melanie Lehnhardt, Hannah Grady, Brian Kennedy, Katie Jackson, James Layne, Andrea Jones, Kunal Parikh, Gary Burnett, Michael Fragoso, and so many others who drafted substantive legislation and consequential amendments that have been signed into law.

My schedulers, office managers, and press shop have been asked to explain a lot over the years, including my penchant for marooning myself on deserted islands, sometimes with people like Senator MARTIN HEINRICH, or forced to explain why I had been chased by elephants in Mozambique with Senator CHRIS COONS—people like Celeste Gold, Meagan Shepherd, Caroline Celley, Megan Runyan, Christine Chuceri, Michael Christifulli, Jacob McMeekin, Jason Samuels, Brownyn Lance, Liz Jones, Dan Mintz, Krista Winward, Jonathan Felts, Elizabeth Berry, and many more.

They have kept me largely out of controversy, if not out of elevators, during my entire time in office.

Dedicated caseworkers in my State offices have helped countless Arizonans with matters of immigration to veterans' issues to Social Security.

I am frequently stopped, as I am sure many of my colleagues are, in airports

and grocery stores and thanked for the good work done by my staff.

Thank you to Buchanan Davis, Mary Baumbach, Julie Katsel, Melissa Martin, Mike Nelson, Jeremy Thompson, Michael Vargas, Chris Stoller, Bob Brubaker, Blake Farnsworth, Chelsea Lett, Elizabeth Bustamante-Lopez, and so many others for such dedicated constituent work over the years.

To all who have served in my office: I will miss your wise counsel but, most of all, your friendship. Thank you.

I would also like to say a word of thanks to the institutional officers who serve the Senate so ably: the clerks, Parliamentarians, the floor staff, the pages, the Sergeant at Arms and his employees, and the Capitol Police, who keep us safe here in the Capitol and at times on distant baseball fields. I quite literally owe my life to them. Thank you.

As I give this last speech from the Chamber, I cannot help but look to my maiden speech I gave here just 6 years ago.

In it I talked about how 12 newly elected Senate freshmen in 2012 were invited to the National Archives and taken to the legislative vault, where we viewed the original signed copy of the first bill ever enacted by Congress, as well as other landmark pieces of legislation and memorabilia. Oaths of allegiance signed by Revolutionary War soldiers, witnessed by General Washington, documents and artifacts related to the Civil War, segregation, women's suffrage, and the civil rights movement were also on hand.

I noted that it was an affirmation to me of the tumultuous seas through which our ship of state has sailed for more than 200 years, with many brilliant and inspired individuals at the helm, along with personalities ranging from mediocre to malevolent. But our system of government has survived them all.

I also noted then and I will echo today that serious challenges lie ahead, but any honest reckoning of our history and our prospects will note that we have survived more daunting challenges than we now face. Ours is a durable, resilient system of government, designed to withstand the foibles of those who sometimes occupy these Halls, including yours truly.

So as I start a new chapter in the coming weeks, I am grateful most of all for the privilege of having served with all of you here.

It is my sincere hope that those in this body will always remember the words of Lincoln who said: "We shall nobly save or meanly lose the last best hope of Earth." The way forward, he said, "is plain, peaceful, generous, just—a way which, if followed, the world will forever applaud and God will forever bless."

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

TRIBUTE TO JEFF FLAKE

Mr. KYL. Mr. President, I would like to make just a couple of comments on

my friend's having left the Senate and with respect to the remarks that he just made.

The Senate has had some very good people over the years, and currently, but none have been more principled than my friend from Arizona, JEFF FLAKE.

It started for us to see when he was a Member of House of Representatives and at first singlehandedly fought inappropriate earmarks. He even managed to get himself appointed to the Appropriations Committee for a while so that he could carry on his crusade from within. In the end, he was successful.

I was pleased to support him as my successor to the U.S. Senate. He has his priorities right: faith, family, and country. He has spoken about both his faith and his family here.

Not very many of us have the opportunity to serve from a town named after our own family, and that is how far Senator FLAKE's roots go back in the State of Arizona.

He has spoken, not just today but on earlier occasions, from his heart about things that he sees need improvement here in the U.S. Senate. I think we are all aware of the things of which he speaks, and it has been appropriate for him to do so because, as he pointed out, in order for us to be a beacon to others around the world in support of liberty, individual freedom, we have to demonstrate how it can be practiced right here in the United States of America.

We would all like to leave this place better than we found it, and it is not easy to do, but Senator FLAKE has tried his best.

He also spoke about our democratic republic and our focus on individual liberty and how that has had an impact around the world and how others have tried to emulate what we do here. These are universal principles that we need to focus on. What he has reminded us of here today is that freedom is not free, and each day we all have to do our part from wherever we sit to ensure that future generations will enjoy the kind of freedom that we have had, and that starts with our representatives in the U.S. Government. It was a fitting subject for a farewell address, and wise counsel was given, as always.

I want to salute my colleague JEFF FLAKE as a person, though, as much as a public servant and Senator. He embodies what is right about the people of the United States of America. As I said, he has his priorities right, and he has been willing to serve based upon those priorities.

I wish him and his family all the best in their next endeavors. I know because of his dedication to this country and the principles in which he believes that his service will not end at the end of his time here in the U.S. Senate, and we will all be beneficiaries of that.

So to my friend and colleague JEFF FLAKE, Godspeed. I appreciate your remarks today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I am proud to stand before you today to honor my dear friend and colleague, Senator FLAKE of Arizona, and to pay tribute to his remarkable work here in the Senate as this optimistic evangelist of democracy.

I have been asked a fair amount in recent weeks about my friendship with JEFF—with Senator FLAKE—whose political beliefs differ very widely from my own. Yes, Senator FLAKE is a staunch conservative, and if you took a score card of the things on which we have voted the same or believe the same, there would not be a ton of overlap.

But he is also a patriot. He is a patriot who deeply loves our country and is willing to work across the aisle to stand up for the values and principles that have made our Nation the greatest on this Earth.

Our friendship stems from a foundation in similar experiences and similar worldviews formed at the same time. We are almost exactly the same age.

As you heard in his remarkable farewell address, time spent in Namibia, Zimbabwe, and South Africa as a young man truly shaped him and his view of the United States and our place in the world. At just about the same time, I was spending time in Kenya and South Africa having very similar experiences. This period in our young lives shaped our sense that this democracy is special, is important, is worth fighting for, and requires greater sacrifice of us than might be obvious here in the comforts of the United States.

Because of these shared experiences, we understand the ways—when our democracy is dysfunctional, when the world sees gridlock, especially today, especially on the continent we have both come to know and love in Africa—that there are competing models for how to organize a society that is rising in their visibility and their confrontation and their competition with our own. We know democracy matters, and believe we have to fight for it.

We respect each other and listen to each other, and over the years, I have been blessed to have the chance for us to work together. In a time marked by division and partisanship, Senator FLAKE rightfully recognizes that we need to get back to a time when compromise was rewarded rather than punished, when we worked together to do what is right rather than what is politically expedient.

Senator FLAKE has spent his career doing just that, unafraid to stand up for what is right—even when it is hard, even when it is inconvenient, even when it might go against President or party. He deeply respects our rule of law and has been willing to take risks for it.

He worked toward broad bipartisan immigration reform and stood up for the independence of the Federal Reserve. He has helped to pass legislation

to promote free and fair elections and political and economic reforms in Zimbabwe, where we have both traveled together twice, as well as to a dozen other countries.

He has come and stood on this floor time and again to demand a vote on legislation to protect the special counsel and to prevent an imminent constitutional crisis. He has taken risks and opened his heart in a way determined to help us come together rather than be torn apart, and for that, I am eternally grateful.

Whether meeting personally with world leaders or fighting for the people of Arizona here on the Senate floor or advocating for new policies in committee, Senator FLAKE's courage and his convictions have always been evident. His service as a Senator stands as a model and a challenge for many of us in this Chamber.

I look back fondly on our 6 years serving together. I was chair of the Africa Subcommittee of the Foreign Relations Committee when he first arrived, and he succeeded me in that role. That has given us opportunities to flee from elephants in Mozambique, to dine with dictators in Zimbabwe and elsewhere, and to advance democracy on continents we have come to know and love.

This year alone, we have been to nearly a dozen countries as we have tried in a bipartisan way to advance America's interests in places around the world where other models of governance are on the march. His leadership, his engagement, his deep respect and admiration for the people of Africa will be sorely missed in this Chamber and impossible to replace.

For me, personally, I will miss his humor, his friendship, his kindness, and his leadership. I know him as a decent, earnest, and kind man and a great husband and father, who loves nothing more than his talented wife Cheryl and his children, Tanner, Dallin, Austin, Alexis, and Ryan. He has also been blessed with a very talented staff who have worked tirelessly and been great partners in legislation and in service. My high view of his character comes, I will remind you, in this divided context, despite differences in our States and backgrounds, divergent voting records and different specific faith backgrounds. But all of that is wrapped up in a shared commitment to evangelize for democracy.

Despite our differences, I believe Senator FLAKE has exemplified how Washington and this Senate should work, particularly when it comes to respecting each other, holding true to our core values and principles, and defending them here and around the world, yet listening to each other and being willing to trust each other.

I only wish I had the blessing of Senator FLAKE's partnership in this Chamber for 6 more years, but it gives me hope thinking of the impact he will undoubtedly have on our country and

world in the years to come. I know he has so much more good left to do, and I look forward to supporting him in whatever path he chooses to accomplish that goal.

I want to close with some words Senator FLAKE spoke on this floor more than 1 year ago in announcing his decision to retire rather than seek reelection. He said:

[T]o have a healthy government, we must have healthy and functioning parties. We must respect each other again in an atmosphere of shared facts and shared values, comity, and good faith. We must argue our positions fervently and never be afraid to compromise. We must assume the best of our fellow man and always look for the good. Until that day comes, we must be unafraid to stand up and speak out as if our country depends on it because it does.

Senator FLAKE, thank you. Thank you for being unafraid to speak out for what is right, what is true, and what is just, and to risk friendship with this junior Senator from a much smaller State on the other side of the continent. Thank you for your service and your friendship.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to be here this morning to join my colleagues in saluting the public service of our friend Senator JEFF FLAKE.

In his remarkable book, "The Conscience of a Conservative," Senator JEFF FLAKE offered these words that apply to both sides of the aisle and across the political spectrum. Rather than constantly pursuing partisan advantage, he wrote, "the better path always is to break out of rigid ideological thinking, to listen to reasoned arguments on both sides, and to use your best judgment."

Reason and courage have defined Senator FLAKE's 18 years in Congress—12 in the House of Representatives and 6 here in the Senate. Throughout these years of service, he has always been knowledgeable, insightful, and dedicated to America and its values.

It has been a privilege to work closely with him on many vital issues. Senator FLAKE has always been willing to take on the most difficult challenges and offer constructive solutions, as his work on immigration reform demonstrates. As my colleague from Delaware has said, he is unafraid. He will take on any challenge, no matter the consequences.

As chairman of the Senate Aging Committee, I have appreciated his commitment to the well-being, safety, and security of seniors across the Nation and in his beloved home State of Arizona. Senator FLAKE was especially helpful in our committee's examination of international criminal cartels that were using unsuspecting American seniors as drug "mules" to smuggle narcotics across international borders, not realizing the cargo that they were carrying.

Senator FLAKE has been an outstanding leader on the Foreign Rela-

tions Committee as chairman of the Subcommittee on Africa and Global Health Policy. His firsthand knowledge of issues from his early mission work in South Africa and Zimbabwe has helped to guide his efforts. I was proud to have been a cosponsor of a bill he authored with Senator COONS to combat the wildlife trafficking crisis, which became law in 2016. In fact, it was on a congressional trip that I first met my friend JEFF FLAKE, and I remember thinking that he was so fascinating. He knew so many things of which I had very little knowledge.

He talked about his time in Africa, and I will always remember—and this will bring a smile to his lips as well—when he told me that the words for describing it being very cold outside were the equivalent of a phrase that sounded like "buy a coat." I am sure I ruined the pronunciation, but he is nodding affirmatively. I always loved that and will remember that little vignette.

When Senator FLAKE announced last year that he would not seek reelection, he offered these words on the Senate floor:

"We must respect each other again in an atmosphere of shared facts and shared values, comity and good faith. We must argue our positions fervently and never be afraid to compromise. We must assume the best of our fellow man and always look for the good.

I think it is significant that those words resonated both with the Senator from Delaware and with me, and I am sure with many others.

Senator JEFF FLAKE always gave his best, and he always helped us to find the good. I join my colleagues in wishing him, Cheryl, and his family well, and in expecting many more contributions from this leader of many gifts and determined principles.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

S.J. RES. 54

Mr. LANKFORD. Mr. President, there has been a long conversation about Yemen. Yemen is in a civil war. It has been a brutal civil war. There have been a lot of civilians killed and a lot of damage done to the country's interior.

Of the 30 million people who are living in Yemen, 22 million, currently, need humanitarian assistance. We have over 8 million people who are what is called "at risk" of severe starvation. It has the largest cholera outbreak in the world right now, and its currency has plummeted in value. We have over 2 million people inside the country who have been internally displaced. They, literally, can't live in their homes because the war is around their homes,

and they have had to flee from those spots—2 million people. It is a terrible situation.

Yet, while this body is arguing about supporting or not supporting the Saudis—should we be around it or should we not be around it?—our Ambassador, the leadership of the U.N., and our U.S. military—which this body is arguing we shouldn't engage to help—are currently putting people at the negotiating table in Sweden. For the past week, our military, which this body is saying shouldn't be engaged, has actually been the prime mover in getting all of the same players to the table to negotiate.

In just the last few hours, the Secretary General of the U.N., along with the rebel leadership and the legitimate leadership of Yemen in the civil war, have stepped out to make major announcements. The first major announcement they just released within the last hour was that they have committed to halting fighting around the seaport so that humanitarian assistance can get in.

The Houthis have, actually, dominated the seaport and taken all of the income from the seaport to finance their fighters. Their weapons are coming from Iran, and their income is coming from the port because they have taken the port over. Now the U.N. is going to run the port. That is a dramatic shift. Revenues from the seaport will be deposited into a central bank so that the rightful government, when this is all resolved, will actually give the revenue back to the people of Yemen. There will be a release in fighting—a pull-out in the major city around the seaport there. They have agreed that they are going to have a secondary meeting next month in order to work out the final details to actually shut this down.

So while this body is arguing about whose side we should take—the Iranians' or the Saudis'—and that is really what the body is arguing about—we are, actually, actively pushing the players to the table to resolve this.

This is the worst possible moment for this body to start arguing about whose side we should be on. I am fully aware that the Saudis' humanitarian history is deplorable. The whole world praises them because they now allow women to drive. I mean, we are in that bad of a humanitarian situation and of a human rights situation in Saudi Arabia. I am fully aware of the murder of Khashoggi and am fully aware of what they have done in other areas, but the Saudis have also been the only entity to give humanitarian aid to Yemen in order to help assist this.

The United States, by far, is the largest donor to what is going on in the humanitarian crisis in Yemen, but the civil war is not our problem. This is a proxy fight between Saudi Arabia and Iran that is being fought right on Saudi Arabia's southern border in Yemen. We shouldn't take sides in this other than to stand up against Iran's

aggression as it has moved into Iraq, as Iran has moved into Syria, and as Iran has moved into Lebanon. We don't want to see Iran dominate the entire region and destabilize the region, but we do want to bring peace to this region.

So what should we do in this situation?

I think we should speak with a very clear voice about the human rights violations of Saudi Arabia and call Saudi Arabia out to be a part of the civilized world, but I think punishing the innocent civilian casualties in Yemen is the wrong way to do it.

We should speak out on the issue of Khashoggi, and we should speak out on human rights in the entire region. We should stand up and ask: What can we do to stop the fighting and protect the civilians there? The best thing we can do is to be engaged with the Saudis but not in selecting targets and not in refueling their jets—we have already stopped all of that—but in being a presence there.

As Americans, we forget that most of the world does not try to protect civilians in battles like we do. Most of the world just carpet bombs and destroys and burns down cities. Do you want a good example of where America is not present? Look at Syria right now and at the year after year of barrel bombs, of chemical weapons—Americans are out; we are not advising—and at the destruction that is happening to the civilians.

If we want to see even more of that in Yemen, then let's back this out entirely. If we want to give Iran the upper hand in the peace negotiations that are happening right now, then let's tell them through this body that we don't support the Saudis anymore but that we support the Iranians, who started this civil war in Yemen.

The best thing we can do is to give the peace negotiations the opportunity to finish and to go well; to support, in every way that we can, the protection of civilians in that region; and to make sure that we are assisting with our advice on how to protect them and how to move forward. That is the best thing we can do—not argue about whether we are going to pull out or not pull out or engage in Yemen or not engage.

Let me be clear. Yemen is not our fight. That civil war is not our fight. Yet, in the ungoverned spaces of Yemen, there is a group called al-Qaida in the Arabian Peninsula. They use those ungoverned spaces and use the cover of the civil war to actively recruit worldwide. The most aggressive part of al-Qaida that is directly pointed at the United States in planning attacks, in orchestrating attacks, in putting out information for lone-wolf individuals all over the world on how to conduct attacks on airlines or in cities or in bus terminals originates from al-Qaida in the Arabian Peninsula in Yemen.

So while the civil war off to the west is not our fight, though we do want to

protect civilians and get them humanitarian aid—and we are helping with that—it is absolutely our fight to take it to al-Qaida in the Arabian Peninsula. Hadi, the rightful leader of Yemen, has given us the authority to take the fight to the terrorists there in his own country because he doesn't want al-Qaida in his country either.

As long as we are working with Hadi as the rightful leader—he is giving us the go-head to fight against al-Qaida in the Arabian Peninsula, and we should for our own security.

So I understand the politics of this, and I understand the messaging saying that we shouldn't have all of these things and painting this picture of us pulling out of Yemen for humanitarian reasons. But the fact is, the humanitarian assistance is going in because we are there. The fact is, we are helping reduce civilian casualties in that area, not increasing them. The fact is, the terrorist group al-Qaida in the Arabian Peninsula—the most aggressive group against us from al-Qaida—lives right there in Yemen, and we should be able to take the fight to them before they bring it to us again.

These are difficult issues. There is no simple solution to any of these, and I get that. It is a very messy civil war. But the last thing we should do is just pretend our disengagement protects civilians. It does not.

I have a unanimous consent request that is coming up that is currently in conversation to try to figure how out to bring it to the floor. I see there are some other speakers here on the floor who are ready to speak. I would like to yield the floor to others who want to speak and then speak again in a moment on a unanimous consent request.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today in support of the pending resolution to end U.S. support for the Saudi-led coalition's military action in Yemen and to reiterate my previous calls for our country to respond more clearly, more forcefully, and with moral purpose to the murder of Jamal Khashoggi by holding the Saudi Government accountable at the highest levels.

BLUE WATER NAVY VIETNAM VETERANS ACT

Mr. President, before my remarks on this resolution, I want to speak about another important matter before the Senate, and that is the Blue Water Navy Vietnam Veterans Act, which I urge my colleagues to take up and pass in this Congress. I thank Senator GILLIBRAND and a number of other leaders for their work on this bill. I have cosponsored it, along with more than 50 of my Senate colleagues.

This important legislation would ensure that thousands of Navy veterans exposed to Agent Orange during the Vietnam war, and their families, are able to receive the benefits they have earned.

When our soldiers signed up to serve, we made a promise to provide them

with the healthcare and benefits they deserve when they return home. The men and women who have served our country on the frontlines should not return home to find themselves left waiting at the end of the line and left waiting to get the healthcare they need or the benefits they have earned.

This bipartisan legislation has already passed the House of Representatives. It is time for us in the Senate to do the same and maintain our commitment to our veterans.

I do want to thank the Presiding Officer for the work we are doing together in a somewhat related area, and that is the area of burn pits—a modern-day version of what many of our soldiers experienced during the Vietnam war with Agent Orange. We have something going on right now where our soldiers who were stationed next to these major, expansive burn pits have come home sick. It is the same principle as Agent Orange.

I thank the Presiding Officer for his support for the bipartisan bill we are leading given that we have many good veterans from both Alaska and Minnesota who have come home with health problems.

S.J. RES. 54

Mr. President, turning to the pending matter, I would like to join those of my colleagues who have spoken in support of this bipartisan resolution. I have come to the floor before on this issue because it is so important.

It is time for Congress to speak with a clear voice in opposition to U.S. support for the Saudi-led coalition's operations in Yemen. We must make clear that we will not turn a blind eye to civilian casualties, as well as the ongoing humanitarian crisis that continues to devastate the country of Yemen and its people.

With this resolution, we can end U.S. support for the Saudi-led military action in Yemen. This is an important step. It demonstrates that Congress will perform its constitutional duty in authorizing military action and demanding that our policies and actions are consistent with our values.

In light of the bipartisan support for this resolution, which, of course, includes Senator SANDERS and Senator LEE—I would also mention that former Senator Franken from Minnesota had been involved in this as a leader when he served in the Senate—the administration should more forcefully advocate for a meaningful political process to end the fighting.

Following the war in Yemen and the horrific murder of Mr. Jamal Khashoggi, I am concerned that this administration lacks a comprehensive strategy for dealing with Saudi Arabia.

I have also been deeply concerned that the President continues to ignore human rights violations, the suppression of dissent, and the deaths of thousands of civilians in Yemen in order to maintain good relations with the Saudis. Yes, we have an important alliance with Saudi Arabia and an impor-

tant trade relationship, but that doesn't mean that you don't stand up when you see the kind of horror we have seen in Yemen and when you see the kinds of human rights violations we have seen in the death of Mr. Khashoggi.

Look no further than how the President has repeatedly dismissed his own intelligence community's assessment of the murder. This is after reports have made clear that the CIA believes with high confidence that this murder was called for at the highest levels of the Saudi Government, by the Crown Prince. His response stands in stark contrast to the founding principles of our democracy. If the President refuses to defend these values, then Congress must.

This is not who we are as a country. So I call on my colleagues to join me—and I am so glad we have bipartisan support for this resolution—in defending our values. But this is not all we should do. I support the comprehensive, bipartisan legislation introduced to ensure effective oversight of the U.S. policy on Yemen and demand meaningful accountability from the Saudi Government. This legislation includes provisions to suspend weapons sales to Saudi Arabia and impose mandatory sanctions on people involved in the death of Mr. Khashoggi.

While I support the recent decision to support U.S. aerial refueling—a decision of the administration—for Saudi coalition aircraft, as well as the sanctions that the administration imposed on 17 Saudi officials, this falls far short of the forceful response that our democratic values require.

In addition, I have previously voted to limit arms sales to Saudi Arabia, and I will continue to oppose the sale of certain weapons—particularly offensive weapons—to the Kingdom.

These are steps that we can and should take. While there is no question that we have common interests with Saudi Arabia and that Saudi Arabia has been our partner, these facts do not require our country to completely sacrifice our values.

The civil war in Yemen has now raged on for almost 4 years, resulting in widespread destruction in the country and one of the worst humanitarian crises in the world. More than 22 million people—half of them children—are in need of assistance, and 8 million people in the country are on the brink of starvation. The country's sanitation system, electrical system, and other critical infrastructure have been destroyed, leading to the most serious cholera outbreak in half a century. The ongoing violence has hindered the delivery of lifesaving humanitarian aid, including food and medicine.

Finding a peaceful resolution to the conflict is both a humanitarian imperative and critical to stability on the Arabian Peninsula.

The United States has a long history of being a global leader in providing humanitarian aid, and we cannot just

stand by and put our heads in the sand as this crisis continues. Our response to the fighting and the humanitarian catastrophe in Yemen must demonstrate that U.S. foreign policy and global leadership will always be rooted in our values. It must show that we will not overlook violations of human rights, whether by Saudi Arabia or by Houthi rebels in Yemen.

I urge my colleagues to join me in supporting this very important resolution and to really show the administration, to show the country, and to show the world that this Congress is actually fulfilling its obligations and constitutional duties. This is a very important moment for the U.S. Senate.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senate minority leader.

OPIOID EPIDEMIC

Mr. DURBIN. Madam President, I rise today to address the saddest and one of the most depressing issues of the moment, and that is the drug epidemic that faces America.

The reality of this drug epidemic is felt in every corner of this country. There is no suburb too wealthy, no town too small, no place in this country that hasn't been touched by the opioid and heroin epidemic.

The Centers for Disease Control put out a statement this morning that is important for us to truly understand this drug epidemic. What the Centers for Disease Control said is that fentanyl has become the deadliest drug in the United States. On Wednesday, they reported that fentanyl was involved in more deadly drug overdoses in 2016 than any other drug. There was a total of 63,632 drug overdose deaths in 2016, with fentanyl found to be involved in nearly 29 percent of those cases. By comparison, fentanyl was involved in only 4 percent of drug fatalities just 7 years ago—in 2011. That year, oxycodone ranked first; it was involved in 13 percent.

Lawmakers are struggling to deal with the sweeping opioid epidemic, and the CDC data shows that the problem goes further than the overprescription of opioid drugs.

From 2011 to 2016, cocaine consistently ranked second or third. During the study period, the age-adjusted rate of drug overdose deaths involving heroin more than tripled, as did the rate of drug overdose deaths involving methamphetamine.

Why do I bring up this issue of fentanyl? Because if you are discussing border security in America, you are talking about a number of things. You are talking about those who would assault our borders for a variety of reasons. You are talking about people who present themselves at our borders for a variety of reasons.

Let me try to make several concessions here that I think both parties agree with.

First, America needs border security. We cannot allow every person in the

world who wishes to come to this country entry into this country.

Second, we know people are trying to ship into this country things that are deadly and items that are contraband, that should not be part of America.

Third, we don't want anyone who is dangerous outside of our country to knowingly come into this country. Those who are here undocumented, if they are dangerous to our country, should be removed.

I hope that you would agree there is unanimous consensus on those three points.

The third point I am going to make and not dwell on at this moment is the fact that our immigration legal system is in shambles. It is awful. We currently are placing in tent camps on the border with Mexico hundreds and hundreds of children because of a circumstance created by this administration, which is almost impossible to understand or to explain.

But I want to focus specifically on fentanyl—on this drug fentanyl, which the CDC has told us is the deadliest drug in America today, overwhelmingly the deadliest drug in America today.

Where does it come from? Much of the production is in China, but it is produced in other places. Much of it transits into the United States across that Mexican border. So when we talk about border security and stopping the drug epidemic in America, let's be honest about it. Building a wall from one side of the United States to the other does not stop the flow of fentanyl into our country. Fentanyl is coming in through ports of entry—openings, legal openings—in the wall.

We heard yesterday from the experts that some 80 percent of the drugs that flow into the United States from Mexico come through our ports of entry. They are not putting them in backpacks and storming across the desert at night, trying to come across the Rio Grande. That may be a part of some effort, but when it comes to the deadliest of drugs coming into the United States, they are coming through our ports of entry.

What can we do about it? Well, the interesting thing we can do about it is to look at the obvious. I asked one of the experts, a Mr. McAleenan, who is with the Customs and Border Protection system—he does this for a living.

I asked him last year: If I gave you a blank check and said “Make our borders safer with Mexico,” what would you spend it on?

He said two things immediately: technology and personnel. That makes sense.

I said: Give me an idea of the kind of technology you think would make America safer.

He said: There is something called a Z-Portal.

I had never heard the term before. A Z-Portal is a scanning device; if you drive a car or a truck across our border, it scans it, x rays it, and can tell

basically what is inside. If you are trying to smuggle people in the back of a semitruck, it will show it. If you have firearms, it will show it. It will show contraband that is not supposed to be part of the declared shipment that is coming into the United States.

Doesn't it sound like a good idea to try to make sure that anything entering this country has been scanned?

Well, it turns out that 98 percent of the railroad cars that come into the United States are scanned. That is good news. I wish it were 100 percent, but 98 percent is good. What percentage of other vehicles coming into the United States are scanned currently? Eighteen percent. Fewer than one out of five vehicles are scanned.

I asked Mr. McAleenan, when he appeared before our Judiciary Committee this week: Why not more?

He said: Well, we need to buy more technology. We need to buy more scanners so that we can spot those who are trying to ship people or contraband or drugs into the United States.

I said: Well, I looked at President Trump's request for your Agency, and he asked for \$44 million for scanners.

What would it take, Mr. McAleenan, to have scanners to make sure that all of the vehicles coming into the United States are scanned?

He gave me the number: \$300 million.

That is a lot of money. But when you consider the cost of our drug epidemic and the deadly results of that drug epidemic, it is not a lot of money. And when you put it to the idea of a \$5 billion wall, it is laughable that this administration is insisting on a medieval wall as opposed to the technology that lets us look inside the vehicles that are shipping these deadly drugs into the United States and killing people in our country. That is the reality of what we face today.

I would say to this President: Don't shut this government down over border security; make smart border security choices. Listen to your professionals. Put aside your campaign speeches about “a wall from sea to shining sea” and listen to the professionals who will tell you, Mr. President, as they educated me, that there are better ways to keep America safe than to build a god-awful wall.

Walls can be overcome by ladders and tunnels underneath, but this technology we are talking about is inescapable. When you bring your vehicle through these scanning devices, we know a lot more about what you are trying to do.

And while we are on the subject, the hearing yesterday was about Mexican drug cartels. Some of the things that were told to us in that Judiciary Committee hearing were stunning. They estimate that the current economic activity of the Mexican drug cartels is part of a transnational network whose global revenue exceeds the gross domestic product of Mexico. What they are doing in creating this narcotic trade and exporting is now surpassing

the entire Mexican economy's production of goods and services. Breathtaking, isn't it? And it turns out that 10 years ago, we identified Mexican drug cartels as our greatest criminal threat at that time, and it still is today.

How do they do it? How do they produce so much narcotics in Mexico at our expense? Well, certainly the answer is obvious: We pay for the drugs. American dollars flow back into Mexico so that the cartels can keep in business, and something else flows back into Mexico: guns from America. Seventy percent of the crime guns that were seized in Mexico—70 percent of them had come from the United States. How did they get across the border? Well, first, it is not legal to export guns across that border. Secondly, it turns out they buy them the same way they buy them in the Midwest and come to Chicago to shoot up our streets. They go to gun shows where there are no background checks, and they buy these guns in volume, and they surreptitiously ship them across the border to the Mexican drug cartels. So it is a circle. The narcotics come here; the money and the weapons go from here back to Mexico. That circle is growing in size and in intensity.

So I asked an obvious question: Do we check on the vehicles that are southbound out of the United States, headed down to Mexico? The answer is almost not at all.

How are we going to deal with this drug epidemic and how are we going to deal with border security if, instead of addressing these very real issues that directly impact the drug epidemic in America, we are sitting here talking about \$5 billion for a wall?

All of us have voted for the Department of Homeland Security to build barriers where needed, to build fences—and they tell us they don't need a wall; they need a fence they can see through. We put money on the table for that year after year, and I will continue to do, to have a border that is actually secured. But this President is prepared to shut down the Government of the United States not for the technology that I have described to you—the successful technology that can reduce the flow of fentanyl, this deadliest of chemicals into the United States, not for the technology that could detect in these vehicles if they had a trailer full of people who are being smuggled in for whatever reason—no. This President is fixed on one issue: a \$5 billion wall.

I hope someone close to the President will sit down with him and explain the reality of border security. It goes way beyond a campaign speech. There are plenty of votes, Democrats and Republicans, for border security that is smart and border security that will work.

The hearings this week in the Senate Judiciary Committee really told the story. I am sure the President didn't follow those hearings, but I hope someone at the White House can and did

convince him: Don't shut down this government to build a wall. Appeal to Congress on a bipartisan basis to give our government the resources to make America safe.

If we could stop the deadly flow of fentanyl across that border, we will save American lives. We can do it. We know the technology that will accomplish it. Now, all we lack is the political will to get it done.

TRIBUTE TO JEFF FLAKE

Madam President, I am sorry I wasn't here earlier when he was on the floor, but I know that my friend and colleague, Senator JEFF FLAKE, gave his farewell address to the Senate, and he will be leaving soon. I wanted to honor him for his service in the Senate and thank him for all the things we have worked on together.

When the political history of our time is written, I think one of the most interesting chapters will be about my friend, Senator JEFF FLAKE, of Arizona. I hope that history will be able to explain to me how one of the ideological sons of Barry Goldwater, who was, in fact, the father of modern American conservatism—how this ideological son named JEFF FLAKE came to be viewed as a suspect conservative in Senator Goldwater's home State of Arizona.

I have always found JEFF FLAKE to be a conservative with a conscience, and I have been privileged to work closely with him on some of the most important questions of our time.

Most people, in observing Washington, think all we do is fight like cats and dogs, and Democrats and Republicans won't work together. That is not true. JEFF FLAKE and I were members of something called the Gang of 8. We produced a comprehensive, bipartisan immigration reform bill that passed on this Senate floor overwhelmingly 15½ years ago. Other members of the Gang of 8 included our current Democratic leader, CHUCK SCHUMER; MIKE BENNET, the Senator from Colorado; LINDSEY GRAHAM, the Senator from South Carolina; BOB MENENDEZ of New Jersey, Senator MARCO RUBIO of Florida; and that old iconoclast himself, Senator John McCain.

We met day after day and night after night to write an immigration reform bill. We fought like cats and dogs over some of the provisions, but in the end we agreed. We came up with a compromise bill, and it passed overwhelmingly. We spent hundreds of hours together because we knew that America needed immigration reform.

Senator FLAKE was a voice of conservatism in those discussions, but he was also a voice of conscience, compassion, and reason. I had to laugh at the description of my friend, Senator FLAKE, in an article in the Atlantic magazine last year. The reporter wrote:

Flake doesn't relish criticizing other people, but when he does, it is usually in a fatherly tone of disappointment. . . . He sometimes seems as if he just crash-landed here in a time machine from some bygone era of seersucker suits and polite disagreements.

Country before party—that is the North Star of JEFF FLAKE's political life. Adhering to that principle may have made him a one-term Senator from Arizona, but it also made him an extraordinarily good Senator and public servant.

The problems JEFF FLAKE tried honorably to solve haven't gone away. They still demand our attention. If we can approach these challenges with the same principles and openmindedness of Senator JEFF FLAKE, America will be a winner.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

AMENDMENT NO. 4096, AS MODIFIED

Mr. CORKER. Madam President, I ask unanimous consent that the Cornyn amendment No. 4096, as modified, be called up and reported by the clerk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Tennessee [Mr. CORKER], for Mr. CORNYN, proposes an amendment numbered 4096, as modified.

The amendment is as follows:

(Purpose: To provide that nothing in the joint resolution shall be construed to influence or disrupt any military operations and cooperation with Israel)

At the end, add the following:

SEC. 2. RULE OF CONSTRUCTION REGARDING CONTINUED MILITARY OPERATIONS AND COOPERATION WITH ISRAEL.

Nothing in this joint resolution shall be construed to influence or disrupt any military operations and cooperation with Israel.

FAREWELL TO THE SENATE

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Madam President, it is probably no surprise for my colleagues to know that I don't like much the idea of a farewell speech. I haven't spent a great deal of time contemplating it over the years I have been here. I am not a big fan of the concept. But I want to respect the tradition, especially since I have witnessed so many Senate traditions crumble over the last 12 years. So I will do my best to get through this without breaking up.

A traditional farewell speech in the U.S. Senate is full of accomplishments and thanks. I am going to skip half of that. I am extremely proud of my body of work over 34 years of public service, but it is for others to judge, and I won't dwell on it today, other than to say it is a long list and a tangible demonstration of the value of hard work.

The wonderful Barbara Bush said: "Never lose sight of the fact that the most important yardstick of your success will be how you treat other people—your family, friends, and coworkers, and even strangers you meet along the way."

So rather than talk about what I have done, I want to speak a few moments about my family, and I have three different families I want to talk about today: my actual family, my

family I like to call Missouri, or "Missouri"—we argue about it a lot—and my family here in the Senate.

First, my actual family—because they are the most important. In the words of author Andre Maurois, "without a family, man, alone in the world, trembles with the cold." I have been very warm my whole life. I have not "trembled" in the cold because I have always had my family.

My parents taught me that caring about the community around us was noble and good and that holding public office was an honorable endeavor, even though my parents were largely spectators and supporters and not candidates or officeholders. They just cared, and they wanted me to care too.

At the risk of going down the road of too many family stories, it may explain a lot that my dad fell in love with my mom when he saw her smoking a cigar and belting out, "Won't you come home, Bill Bailey," at a party; that my mother said I must say "trick or treat" and vote for JFK when I was 7; and that my father insisted that I not only learn the rules of football but that I also learn to tell a good joke and learn to laugh at myself.

My siblings. My two sisters and my brother have simply been the port in every storm.

My children. We have a large, blended family of many children and grandchildren that is close and loving. I adore them all, but I need to specifically mention my three children—Austin, Maddie, and Lily—because they were there from the beginning—infants in car seats going to political events, toddlers sitting sometimes not so quietly as I gave a speech, and, then, amazing troopers in the almost decade of my career when I was a single working mom, hauling them all over the State on campaigns. They now have forgiven me for the missed recitals and the missed field trips and the fact that I couldn't be the homeroom mom. Today, they have grown into amazing, strong adults who make me very proud.

And yee howdy, those grandchildren—I have 11, going on 12. I can't wait until they are all old enough to yell at them what my mom used to say to us when we were dawdling and too slow in getting to the car: "Last one in is a Republican."

My husband, Joseph—how lucky I am to have him as my best friend. We were married 16 years ago, after I was well into my political career and after he had achieved great success in business. He is proud and supportive of me always, but he certainly didn't bargain for the incredibly unfair treatment we got at his expense because of his business success. Let the record of the Senate now say what my Republican colleagues did not during my campaigns: Thank you, Joseph, for your integrity, your honesty, your generosity, and your heart, which has always directed you to do good, as you do well.

Then there is my Missouri family. I love my State—all of it, every corner

of it, even the parts that aren't very crazy about me. My honor to work for Missourians has been immense. I am incredibly grateful to them for the opportunity I have had to get up every day and work my heart out in an interesting, challenging career of public service, and so lucky to have made many, many good friends along the way. I am excited that I will now have more time for them.

David Stier said: "Family means no one gets left behind or forgotten," and that is how I feel about Missouri. That is why my office has tried very hard to help every individual who has come to us for help, every veteran who has needed assistance, every senior caught in Social Security redtape—no matter who they were or where they lived or what their politics were.

Then there is my staff family—my staff, here and in Missouri, in this job, in my previous jobs, and in many, many campaigns.

Richard Bach said it best: "The bond that links your true family is not one of blood, but of respect and joy in each other's life." They have been my rock, my compass, my inspiration, and my coach—the best and the brightest, looking not for money or fame but just to make a difference.

To my Senate staff here today and watching and to all the staff in my offices of the prosecutor's office, the auditor's office, the county legislature, and the State legislature, I respect each of you immensely. As you go forth in the world, remember the McCaskill office motto—they could cite it for you right now if I asked them: If you work hard, you can do well. But if you are having fun, you will do great.

We were happy, and it made a difference. George Bernard Shaw said: "A happy family is but an earlier heaven." Working with my staff was heaven.

Finally, to all my fellow Senators and all of the many people who work here in the Senate, I would be lying if I didn't say I was worried about this place. It just doesn't work as well as it used to. The Senate has been so enjoyable for me, but I must admit that it puts the "fun" in dysfunction.

Peter Morgan, an author, said: "No family is complete without an embarrassing uncle." We have too many embarrassing uncles in the U.S. Senate and lots of embarrassing stuff. The U.S. Senate is no longer the world's greatest deliberative body, and everybody needs to quit saying it until we recover from this period of polarization and the fear of the political consequences of tough votes. Writing legislation behind closed doors, giant omnibus bills that most don't know what is in them, K Street lobbyists knowing about the tax bill managers' package before even Senators—that is today's Senate—and no amendments.

Solving the toughest problems will not happen without tough votes. We can talk about the toughest problems, we can visit about them, we can argue about them, we can campaign on them,

but we are not going to solve them without tough votes. It will not happen. My first year in the Senate was 2007. We voted on 306 amendments in 2007. This year, as of yesterday, we have voted on 36. That is a remarkable difference. Something is broken, and if we don't have the strength to look in the mirror and fix it, the American people are going to grow more and more cynical, and they might do something crazy like elect a reality TV-star President. I am not kidding. That is one of the reasons this has happened.

Power has been dangerously centralized in the Senate. We like to say: Oh, we can't change the rules or we would be just like the House. We kind of are like the House, guys. We kind of are. A few people are writing legislation and a few people are making the decisions. We have to throw off the shackles of careful, open the doors of debate, reclaim the power of Members and committees, and, most of all, realize that looking the other way and hoping that everything will work out later is a foolish idea. For gosh sakes, debate and vote on amendments.

But with all the problems I have outlined, know that I love this place and you—almost all of you. You have filled my life with interesting work and unforgettable memories. We have argued, we have sung, we have fought, we have cried, and we have laughed together—just like family. You are family, and I will miss you terribly.

Desmond Tutu, a very wise man, said: "God's dream is that you and I and all of us will realize that we are family, that we are made for togetherness, for goodness, and for compassion."

Thank you very much.

I yield the floor.

(Applause, Senators rising.)

THE PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, while our colleagues show their affection for Senator MCCASKILL, let me talk a little bit about my relationship with her and her service to our State. She chose not to do that, but she has served Missourians at every level of government—as a county legislator, as a State legislator, as an extraordinary prosecutor, and as the State auditor, when her particular talent to find out exactly what was going wrong and point it out was maybe at its best use, and 12 years in the U.S. Senate.

I know that not too long ago CLAIRE and Joe took their family on a vacation to a ranch in the West. I was thinking about that, and thinking about her reminded me of a story I had heard about a wrangler at one of those ranches, who was just perfect on a horse. Somebody who was visiting asked: How do you get that good riding a horse?

He said: Well, first of all, you get on the horse and you put your boot in the stirrup. You put your heel right up against the back of the stirrup. You sit easily in the saddle, and you ride for

about 30 years. You ride for about 30 years.

If you had paid any attention to either the last Senate campaign in Missouri or the one I was involved in before that, you heard a lot about 30 years. In the case of Senator MCCASKILL and me, we have our own 30 years. About that long ago, she was starting her second term in the Missouri legislature—smart, well-prepared, all she always is. I was the first Republican elected secretary of state in 52 years and only a couple years older than her. In fact, we never had much of a fight about who was going to be called a senior Senator because neither wanted to be the particular senior anything at this point, but we began to work together.

CLAIRE was smart, she was quick, she was funny, she was insightful, and she was always well-prepared. She was also, by the way, on the Appropriations Committee that I had to report to. The questions were always tough and usually I could answer them. Even then, I often wondered how somebody as smart and well-prepared as CLAIRE could so often wind up on the wrong side of the issue of the day based on my view of the issue of the day. We still have that—the 8 years we were here together.

Let me tell you, on anything that involved Missouri, I think you would have a hard time finding an exception where we didn't get to the same place, where we didn't get there quickly, and where we didn't do everything we both could do to figure out how to reach a conclusion.

In fact, all week I was thinking, is there any way I can get to St. Louis to where the property transfer will be made for the new NGA, the National Geospatial West facility—\$1.3 billion facility—right where Pruitt-Igoe used to be, something new that will be the center of activity and something that was built at the site of a really bad government decision. We worked very hard to get that done. I was thinking, I am going to do that, until I found out it wasn't going to be next Tuesday; it was going to be today when Senator MCCASKILL was going to give this speech, and I knew I needed to be here and wanted to be here for that.

I also say that our staff—and her Washington staff is here—our staff in Washington, our staff in Missouri, to the best of my knowledge, have always worked closely on everything. They would even be at meetings where one of them would be explaining why I voted the way I did and the other would be explaining why CLAIRE voted the way she did, and they would often ride together. That was the way we worked together on citizen concerns, on Missouri concerns. That happened here as well.

CLAIRE talked about her family. Joe Shepard, a great friend of mine for—frankly, Joe was helping me before he started helping CLAIRE, but she pretty well totally converted him to her side

of the aisle, but we are still good friends.

I have gotten to know CLAIRE's sisters and appreciate her sisters. They are the best. They are always there for her. Occasionally, they will look just enough like CLAIRE that they could ride in her car in a parade and she could be in a parade somewhere else. CLAIRE's mom: The last person in the car is a Republican—I can absolutely hear CLAIRE's mom saying that. In fact, after I was elected to the Senate, I was in the Senate and happened to see Joe and CLAIRE's mom and went over to say hi. CLAIRE's mom said: Well, I would like to say it is nice to see you here, but based on everything I said in the campaign, I would be two-faced.

That was Betty McCaskill, and I liked her for it. I was at Betty McCaskill's memorial service during CLAIRE's campaign that year for her second election to the Senate. She was at my dad's memorial service during my election campaign to the Senate this time. As CLAIRE and Joe were leaving, CLAIRE said to me: What a perfect service for Leroy Blunt. Nobody in this body could say that like CLAIRE could say it because she knew my dad. When family got up, we talked about my dad, but CLAIRE knew that was not just a passing comment; it was knowing who we were and knowing who she is and what she knew about that.

Of all the times we voted differently, we have a relationship without pretense, as much as you can possibly have between two Members of the Senate from the same State. The best part of the last 8 years—we have been friendly for 30 years, but in the last 8 years, we really have become good friends. Old friends are hard to make. It takes a long time, say 30 years, to really make old friends.

I look forward to our time together after you leave here. I have benefited from our time together while you were here. Our State has benefited from your service in incredible ways at all levels. Even on the days we didn't disagree, I never doubted your sense that you were doing the right thing. It is an honor to be your friend, and it is an honor to have worked for you. Thanks for all you have done for the State of Missouri.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, the last thing one does in life is not necessarily the best. I have come to respect CLAIRE MCCASKILL over a long period of time. I have watched her walk in a room and watched heads turn. I have listened to her up front, answering questions: no nonsense, direct, truthful, to the very best of her ability. I found in her a great sense of conscience. She has this marvelous exterior. I think the interior is a little different.

There is a sensitivity there that is very special, Senator. I hope you never ever lose it because it is what gives you the ability to do what you do. Now I

expect to turn on my television set and turn on my radio and hear you many times and take a lot of good advice and have a few laughs listening to you.

I want to say thank you. You have represented your State well. You have stood tall. You have spoken out in our caucuses. You have let people know what you feel. You wear your heart on your sleeve, and you are one great woman.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I stand here today with a heavy heart, as we pay tribute to our friend and colleague, CLAIRE MCCASKILL of Missouri. Senators represent their State and, not surprisingly, they often reflect their State's heritage, traditions, and values.

The people of Missouri rightly prize their reputation as independent, straightforward, and trustworthy—qualities that define my friend, Senator CLAIRE MCCASKILL.

To that, I add another quality that defines this accomplished leader from the Show Me State. Like her inspiration in public service, President Harry Truman, Senator MCCASKILL is feisty. In her two terms in the Senate, Senator MCCASKILL has demonstrated her belief that no one party holds a monopoly on good ideas. It has been such a pleasure to work with her across the aisle on so many issues. She was always the best of partners: strong, strategic, determined, and she got a lot done.

An issue that brought us together as leaders of the Senate Aging Committee was the extensive bipartisan investigation we launched in 2015 into the extreme spikes in the prices of many prescription drugs. The findings of our investigation were appalling, and the reform legislation we coauthored is producing results in spurring approval of lower cost generic drugs and increasing transparency in the pharmaceutical industry.

Our work together on drug pricing uncovered the gag clauses that industry uses that can prohibit your local pharmacists from telling consumers if their prescription would cost less if they paid for it out of pocket rather than using their insurance. The Patient Right to Know Drug Prices Act that Senator MCCASKILL and I coauthored and that was signed into law this October ends this egregious practice, saving consumers money and improving healthcare.

We also investigated numerous financial scams that attempted to rob seniors of their hard-earned savings. Once again, working together, we were able to get a new law passed that tackled this serious issue as well. There is nobody in this body who is more talented at questioning individuals who came before our committee and were trying to shape the truth or deceive or distract than CLAIRE MCCASKILL. She, as Senator BLUNT mentioned, was always well-prepared; she was always insightful; and she was always tough.

I remember one hearing we had where the GAO was testifying before us, and sure enough, CLAIRE had read the entire GAO report—not just the executive summary, the whole report. Thus, her questions were so penetrating that she brought out information that never would have surfaced in that hearing.

As Missouri State auditor, a prosecutor, and a Senator, CLAIRE MCCASKILL has always been a champion for accountability, dedicated to rooting out waste, fraud, and abuse in government programs. She has always been determined to get to the truth and to get to the bottom of an issue. During the damaging shutdown of 2013, she stepped forward as a charter member of our Common Sense Coalition to help restore the faith of the American people and to reopen government.

I have worked so closely with Senator MCCASKILL during her entire time in the Senate, and I will miss her so much. She is a tough, no-nonsense leader, a dedicated public servant, and, most of all, a good friend.

CLAIRE, I thank you for your public service, and I wish you, Joseph, and your family all the best in the years to come.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Madam President, I rise today, as we all are, to recognize a marvelous person in CLAIRE MCCASKILL. I am going to go back to 2006, when CLAIRE was running for the U.S. Senate and I was too. The first time I saw CLAIRE MCCASKILL on TV was on C-SPAN. She was in a debate. I thought to myself: My, oh my. This lady has skills—because it is something I do, I study people who are good and I try to steal as much as I can from them and there was plenty to steal in her ability to get to the truth.

Then, CLAIRE and Jim Webb and I all won close elections in 2006 and showed up in this body. Those of you who know Webb, Webb was maybe the most intense person I ever have met in my life—an incredible human being in his own right—and I became good friends with Jim.

CLAIRE, I can't tell you the first time we met, but I can tell you when we met, it was like we had known one another our whole lives. CLAIRE had this ability to instill—and still has this ability. I want to talk in the future, not in the past. CLAIRE has the ability to welcome you and make you feel as good about yourself as you feel about her.

We got to be fast friends. She and Joseph are Sharla and my best friends in this body. In fact, when I got on the train a few weeks ago—and I probably shouldn't have done this, but it just happened—I happened to get on the train with Senator-elect Hawley. I didn't know him. I never met him. I never looked at the debates this time around when I was campaigning. He introduced himself to me. I will probably owe him an apology for this, but I said:

Yes, you just beat my best friend in the U.S. Senate—because she has been.

She is one of the reasons I have been able to come to this body and really enjoy it. As everybody said before, she is smart, she is very articulate, and she has a heart. Those three things are qualities that serve one well in the U.S. Senate.

And I, for one, am going to miss her presence here and her ability to tell the truth in a way that you have to be hard of hearing not to understand what she says because she has been a great Senator over the last 12 years. She has represented Missouri, and because we all have those two letters in from of our names—“U.S.” Senator—she has represented this country in an amazing way. I, for one, will miss her but will make a point to make sure the relationship we have developed in this body continues for the rest of our lives.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, I just wanted to address the Senator from Missouri to tell her that she has been a wonderful colleague for this Senator.

As someone of more moderation in her politics who comes from a Republican-dominated State, she has negotiated the political winds so well and has always kept her eye on representing her State. This Senator from Florida particularly appreciates that, because being a Democrat in a Republican State is not an easy task, and she has done it with such dignity, looking out for her people, looking out for the people who are voiceless. I just want her to know she has the appreciation of this Senator from Florida.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The assistant Democratic leader.

Mr. DURBIN. Mr. President, we recently heard a farewell speech from my colleague and friend, Senator CLAIRE MCCASKILL of Missouri. I grew up across the river from St. Louis in the town of East St. Louis, IL, and feel a familiarity with Missouri and St. Louis probably more than most residents of my State. We have had many great reminiscences about the city and her life, and I wanted to say a few words on the floor today as she ends her service in the U.S. Senate.

My boyhood hero was Stan Musial—“Stan the Man”—St. Louis Cardinals Hall of Famer and one of greatest ball players who ever lived. He retired in 1963 holding National League career marks for games played, at-bats, and hits. Asked to describe the habits that kept him in baseball for so long, Musial once said: “Get eight hours of sleep regularly. Keep your weight down, run a mile a day. If you must smoke, try light cigars. Then cut down on inhaling.”

“One last thing,” he added: “Make it a point to bat .300.”

CLAIRE MCCASKILL has always brought the same sort of natural-born

talent and relentless work ethic to public service that Stan Musial—“Stan the Man”—brought to baseball in St. Louis. She has stood for office 24 times—lost twice. That makes her batting average considerably better than .300.

Five years ago, Senator MCCASKILL and I teamed up to suggest a name for a beautiful new bridge that spanned the mighty Mississippi River between her State of Missouri and mine of Illinois, near St. Louis. Thanks to Claire’s leadership, it is called the Stan Musial Veterans Memorial Bridge. Locals all call it the Stan Span for short. It is a well-deserved, fitting tribute to my boyhood hero and a fitting tribute to CLAIRE MCCASKILL’s tenacity.

In an age of hyperpartisanship, CLAIRE MCCASKILL is a bridge builder. She doesn’t ask whether ideas come from the left or the right; she asks whether they will work. Like her own political hero, Harry Truman, she is a straight talker, and she can be a bulldog when it comes to demanding accountability for the people who pay for this government and those who rely on it. She has cast historic and heroic votes on the Senate floor. She voted for an economic stimulus package that helped prevent a second Great Depression. She voted to create the Affordable Care Act—one of the most important social and economic justice laws of our lifetime.

One story about CLAIRE MCCASKILL seems especially telling. Nearly 2 years ago, she was ready to vote to confirm Neil Gorsuch, a Trump appointee, to the U.S. Supreme Court. In Missouri, a red State, that was a pretty good vote for her politically. But when she met privately with then-Judge Gorsuch, she asked him about a case in which he had ruled that a trucking company was within its rights when it fired a driver who left his broken-down truck briefly on a sub-zero night to find help.

Senator MCCASKILL asked Judge Gorsuch: Did you ever think about what you would do if you had been that truckdriver?

The judge said: No.

Senator MCCASKILL changed her vote to no. It cost her politically, but that is the kind of Senator CLAIRE MCCASKILL is. Her idea of governing is to spend money wisely, punish misbehavior, and give people what they need in order to get through their daily lives. She has been a voice for truckdrivers and farmers and factory workers and a lot of ordinary people who work hard and still struggle to pay their bills. She has been a fearless champion of my Dreamers, and for that I will forever be grateful. Her votes to help these young people always were risky politically, but she never ever flinched. I will forever be in her debt for her show of courage on that one issue.

Incidentally, she showed the same courage and compassion when calling for an end to this administration’s cruel policy of separating immigrant families at our border.

This past year, she used her influence as ranking member of the Senate Homeland Security and Governmental Affairs Committee to investigate the causes of the opioid epidemic devastating America. That investigation showed how pharmaceutical companies knowingly sold dangerous and addictive pain killers in order to maximize profit. She worked diligently on a bipartisan basis to ensure passage of a law that will help combat the opioid epidemic and provide treatment for those who are addicted. And she has never ever wavered in her efforts to protect Americans with preexisting medical conditions.

Results, not just rhetoric—that is CLAIRE MCCASKILL.

As Stan Musial approached the plate for the last time before he retired, legendary sportscaster Harry Caray said: “Take a look, fans. Take a good long look. Remember the swing and the stance. We won’t see his like again.”

As Senator MCCASKILL leaves the Senate, take a look. Remember CLAIRE MCCASKILL and her personal brand of Missouri courage. May we all try to be bridge builders, as she has been.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

TRIBUTE TO CAPTAIN MARK D. BEDRIN

Mr. MORAN. Mr. President, thank you.

We all are surrounded by exceptionally dedicated young men and women who work side by side with us and whose lead we sometimes follow on issues—our staff. I am honored to have such a capable, dedicated, and loyal staff—to me but more importantly, to Kansans and to Americans.

Today I want to take just a moment to recognize the contributions of a member of that staff, U.S. Army CPT Mark Bedrin, who has spent the last year working in my personal office as part of the U.S. Army Congressional Fellowship Program.

Before Mark departs from my office to return to the Army, at the Pentagon, at the start of the new year, I rise to express my admiration and appreciation to Captain Bedrin for all the hard work and dedication in his service to our Nation.

Exactly 1 year ago, when I first learned that Captain Bedrin would be joining our office and our team, I called and welcomed him to the office, and I immediately was struck by his determination and his sense of duty. Since that first conversation with Mark, I knew he would be an asset to our team, and he absolutely has never disappointed.

Mark’s nearly 9 years of service in the U.S. Army have developed his leadership capabilities and shaped his perspective on defense issues that are of such national significance, making him a unique asset to our team who, as a member of the U.S. Armed Forces, helps us work to serve Kansans and their families.

Mark’s assignments have taken him and his wife, Katie, and their children,

Elizabeth and Patrick, around the world in service to our country. Mark has completed two combat deployments encompassing more than 22 months in Kandahar Province, Afghanistan, as a rifle platoon leader during the Afghanistan surge and as regimental battle captain overseeing most of the Regional Command South. He also completed a peacekeeping deployment to the Sinai Peninsula in Egypt, where he commanded a rifle company supporting the Multinational Force and Observers maintaining the treaty of peace between Egypt and Israel. Mark planned and completed multiple missions supporting Atlantic Resolve in Central and Eastern Europe as well.

Although Mark is a native of New York and he had never been to Kansas prior to his working in my office, he immediately got familiar with issues that Kansans face each day and made it a priority to spend time in Kansas and to see firsthand our way of life.

Following his trip to our military installations and equities in Kansas, I was grateful to learn of his impressions at each stop along the way. Like many in the military who visit our State, Mark returned to Washington, DC, with an appreciation for the quality of life that Kansans ensure that their servicemembers have in our State. We take care of their families. I appreciate Mark's noticing that, and it is so true.

Over the past year, I have continually been impressed by Mark's leadership. At every opportunity, he has proven himself to be an important and fully integrated member of our office, our team, and has carried that with equal weight and responsibility with my personal staff. His seamless communications and his skill in tackling issues big and small have been a great benefit to me. Mark has exceeded all of my expectations and has demonstrated a commitment to excellence that has been nothing short of outstanding.

Although I am sad that he will be leaving our office at the end of the month, I know he will serve the Army well next year in the budget liaison office, where I am confident he will be a highly effective ambassador to Congress for the Army.

Mark is one of the most impressive military officers I have had the honor of knowing, and I hold him in the highest regard personally and professionally. He is a significant asset to our country and to the U.S. Army. Mark represents the best that the Army has to offer, and I know he will continue to benefit the future of our Nation.

There is no group of people I hold in higher regard than those who serve our Nation, and I want to reiterate my gratitude to Mark and his wife, Katie, as an Army family dedicated to serving our country.

Once again, thank you, Mark, for all you have done for Kansans this year. Thank you for being an inspiration to me, causing me to work harder and care more. You have been a model of

selfless service and leadership. Our entire office, our staff here in Washington, DC, and our staff in Kansas will miss you. All know how much you contributed to the cause, and I know you will continue to do great things throughout your Army career and your life of service wherever that path may lead.

The PRESIDING OFFICER. The Senator from New Jersey.

S.J. RES. 54

Mr. MENENDEZ. Mr. President, I come to the floor today to talk about the U.S.-Saudi Arabia relationship in the broader context of America's interests in the Middle East.

I want to begin by responding to an op-ed Secretary of State Pompeo published in the Wall Street Journal in which he called the U.S.-Saudi Arabia partnership "vital." That statement reflects a distorted view of the U.S.-Saudi Arabia relationship that has permeated the Trump administration in which the United States is somehow dependent on the Kingdom of Saudi Arabia for regional stability and security cooperation. It is a view perhaps best articulated by the President's own unhinged pre-Thanksgiving statement in which he suggested that selling weapons to the Saudis was more important than America's enduring commitment to human rights, democratic values, and international norms, or the President and Secretary Pompeo's continued, incredulous insistence that we still don't know whether the Crown Prince is directly responsible for the murder of Jamal Khashoggi.

Desperate to justify this myopic view, Trump officials whimper that Saudi Arabia's military operations in Yemen are the only means to "root out" Iranian influence and defend the status quo of U.S. support for the Saudi-led coalition.

To put it another way, these morally blindered and blinded individuals believe that to advance America's interests in the region, there is no other option than dependence on Riyadh and no other way than business as usual. So the United States should just stay the course, resign to accept, with a so-called "vital" partner, a government that lures a Washington Post columnist—an American resident with U.S. citizen children—to its consulate in a third country with the express intent of eliminating his dissenting views from public discourse in the most gruesome way possible.

I, for one, reject Secretary Pompeo's false choice. We can be tough on Iranian aggression, and we can continue our efforts to eliminate al-Qaida and ISIS. At the same time, we can have a reality-based debate on the strategic utility of the U.S.-Saudi partnership. Our security interests and our values demand such a debate.

I believe that we can pursue an effective strategy to counter terrorism and Iranian aggression while also demanding better from the U.S.-Saudi Arabia partnership. That means standing up

for transparency, accountability, and truth when our partners flagrantly violate American values, disregard international norms, and take actions that undermine our broader strategic interests and run counter to regional security.

The Trump administration has cynically framed this vote as a binary, zero-sum choice: You are either for Iran, or you are for Saudi Arabia.

Well, my answer to that is, I am for the United States of America. I am for America's security interests. I am for American values. And I am for partnerships and alliances deeply rooted in both.

I can't imagine that any one of my colleagues on either side of the aisle would put me in the pro-Iran camp. I take a backseat to no one in the Senate in taking the lead to end Iran's pathway to a nuclear weapon and to end its nefarious promotion of terrorism across the world.

To be clear, the vote on S.J. Res. 54 is not about the totality of the U.S.-Saudi relationship; it is a vote about whether U.S. support for the Saudi-led coalition's actions in Yemen are in our national interests.

We do indeed have important security interests with the Saudis. Both of our nations benefit from cooperation in confronting threatening forces. Yet we cannot sweep under the rug the callous disregard for human life and the flagrant violations of international norms the Saudis have shown. That is why, as ranking member of the Senate Foreign Relations Committee, I continue to look for the opportunity to continue to examine components of the U.S.-Saudi relationship and determine whether that relationship requires a course correction.

Beyond Saudi Arabia, I do not want any of our security partners to interpret our relationship as a blank check. Unfortunately, whether due to the President's possibly unconstitutional financial entanglements or his family's overly cozy relationship with the Crown Prince, this administration is putting the Saudi Government on a pedestal that stands above America's values. They continue to extend a blank check to certain players within the Saudi Government, no matter how brazen their actions, rather than meaningfully seeking to influence Riyadh or ensure that U.S. policy toward Saudi Arabia is properly balanced and in line with our strategic interests, not directed by the personal and financial motives of select individuals in our government.

This refusal to stand up for American values, to assert true leadership, is part of the Trump administration's willful adherence to a misguided understanding of the most effective ways to bring stability to the Middle East. It is an outgrowth of the President's reckless, morally bankrupt approach to foreign policy and a love affair with authoritarian strongmen.

Mr. President, I hope today to frame some critical questions about the U.S.-

Saudi relationship in the context of America's long-term interests in the region. Let's start with taking stock of actions taken by Saudi Arabia over the last 2 years—the 2 years that, according to Secretary Pompeo, the Trump administration has been “rebuilding” the U.S.-Saudi partnership while we here in the “salons of Washington” were caterwauling about human rights.

In June of 2017, a quartet of Arab countries announced a full blockade of a fellow Gulf Cooperation Council member, Qatar. The Saudi-led bloc justified this blockade by accusing Qatar of transgressions that, while seriously concerning, are not unique to Qatar or even to some members of the Saudi-led bloc, such as financial support for terror.

This blockade tosses out decades of investment by Republicans and Democratic U.S. administrations to partner with the entire Gulf Cooperation Council—Qatar included—on security challenges ranging from Iran, al-Qaida, missile defense, maritime security, and cyber threats.

Put another way, the Saudi-Qatar dispute has translated into a lot more work for our military professionals and diplomats for the past year as the gulf Arabs have fought amongst each other and have interrupted critical priorities like defeating ISIS and countering Iranian aggression. It has also complicated the coordination with our Arab partners on U.S. foreign policy priorities, like stabilizing Libya and Syria, and, potentially, deeply undermined U.S. objectives, like stability in the Horn of Africa.

Who is the winner of this rift that has been constructed by our Saudi-led partners? Iran.

Mr. President, in turning to Yemen, the Saudis and their partners have continued their brutal air campaign in Yemen, often indiscriminately. Tens of thousands of innocent Yemenis have died, and millions more are on the brink of starvation. Meanwhile, Iran's influence has increased within the country, and al-Qaida has taken advantage of the chaos to expand its reach and control of Yemeni territory.

The winners of this fruitless war? Iran and al-Qaida.

Then, in November 2017, Mr. President, the Prime Minister of Lebanon traveled to Saudi Arabia for what he reportedly believed was to be a friendly visit with the Saudi Crown Prince.

Instead, the Crown Prince detained Prime Minister Saad Hariri and, on TV, forced him to resign from his position. Let that sink in for a moment. A newly minted Crown Prince effectively hoodwinked and intimidated a sitting Prime Minister into publicly resigning his position. This entire stunt was reportedly intended to push back on Iran's expanding influence in the region.

After days of high drama and uncertainty, including a refusal by Lebanon's President to accept the Prime Minister's resignation, Hariri left

Saudi Arabia via Paris and returned to a Lebanon where Iran's proxy Hezbollah remains not only a part of the Lebanese Government but, arguably, in a stronger position for rallying public support behind Hariri.

The winner of this foolish plunder? Iran.

Mr. President, that very same month of November 2017, Crown Prince Muhammad bin Salman directed the detention of hundreds of Saudi princes and executives at the Ritz-Carlton in Riyadh. While this effort was spun as a crackdown on corruption, it was clearly a crackdown on the Crown Prince's political competitors. Reports from this dark period in the gilded prison of the Ritz indicate that Saudi Government-directed forces tortured detainees and coerced them into transferring money to the government or giving up real estate and shares in companies.

Now, I don't know how they obtained those resources, and I am, in no way, condoning any graft and exploitation in the Kingdom, but this opaque process—outside any semblance of the rule of law and driven purely by the will of the Crown Prince—is not actually a sustainable approach to promoting transparency and accountability. In fact, it should and did send chills down the spines of investors and American companies that seek to expand commercial and economic ties in the Kingdom. A strong respect for the rule of law is an essential condition for doing business.

So when Trump points to the value of business ties with Saudi Arabia as a reason for not imposing consequences for Khashoggi's murder, let's remember that in the hands of the Crown Prince, anyone can be shaken down, locked up, or tortured at a five-star hotel in Muhammad bin Salman's Saudi Arabia. Let's also continue asking who exactly is benefiting from potential business ties.

Mr. President, Secretary Pompeo mentioned in his op-ed last week that the Crown Prince has “moved the country in a reformist direction, from allowing women to drive and attend sporting events, to curbing the religious police and calling for a return to moderate Islam.”

What the Secretary did not mention, however, are the deeply disturbing reports that, at the same time MBS was granting Saudi women the right to drive, he also detained many female activists who were themselves calling for the rights of women, including their right to drive. Now we are hearing reports that these women are being tortured and sexually harassed, bound to iron beds, electrocuted, and beaten.

Is this the kind of reform that Secretary Pompeo believes the United States should endorse?

As for calling for a return to moderate Islam, the Anti-Defamation League reports that Saudi state television hosted several hour-long programs this Ramadan that featured a preacher who called for God to destroy

the Christians, Shiites, Alawites, and Jews. Other analyses published by the Anti-Defamation League this November found that Saudi Government-published textbooks for the 2018-2019 academic year promote incitement to hatred or violence against Jews, Christians, women, and homosexual men.

As ADL CEO Jonathan Greenblatt said:

The United States must hold its ally Saudi Arabia to a higher standard. The U.S. cannot look the other way while Saudi Arabia features anti-Semitic hate speech year after year in the educational material it gives its children.

Mr. President, let's take stock of Saudi Arabia's contributions to regional stability. It seems a fitting time to ask if an approach that involves bullying another U.S. regional partner, holding the Prime Minister of Lebanon hostage, torturing female activists, business executives, and other princes, and carrying out a military campaign in Yemen that will result in the death of millions more civilians by year's end is an approach that is in line with U.S. values or priorities.

Has Iran been weakened by these actions? Is the focus still on al-Qaida and defeating ISIS? I don't think so.

Mr. President, the President has made it clear that no U.S. foreign policy objective, especially human rights, is as important to him as securing tens of billions of imaginary dollars to create million fantasy jobs through weapons sales to the Saudis.

Congress has long and well established the overseeing of the sale of weapons as part of U.S. foreign policy. We have learned throughout our history that selling weapons is a complex matter and that without close attention to the human rights practices of foreign buyers, the United States can easily find itself in the situation that we are now in with Saudi Arabia.

U.S. arms, today, are being used irresponsibly, tragically, and in possible violation of international law in the deaths and injuries of tens of thousands of innocent civilians, including of helpless children. The United States must elevate human rights concerns in all aspects of its foreign security assistance, including arms sales. Otherwise, the abuses that result will do more to foment the conditions of unrest and despair that are the breeding ground of conflict, war, and terrorism.

Secretary Pompeo also suggested that if the United States in any way reassesses its relationship with Saudi Arabia, the Kingdom will rush into Russian arms.

I would suggest, Mr. Secretary, that most countries in the Middle East are already hedging against perceptions that the United States is not invested in the region and that those assessments are based on the President himself—how else to explain Putin's high five with the Crown Prince at the G20 in Argentina? Is it from the parade of gulf rulers in Russia who are doing deals on the margins of the World Cup

earlier this year or by the announcements by several U.S. partners of talks to purchase the Russian S-400 system, despite the prospect of congressional sanctions under the CAATSA law?

Given not just the war in Yemen but also the murder of Khashoggi and the blockage of Qatar, I believe we need to take steps to recalibrate the future of the U.S.-Saudi relationship.

That is why I am disappointed that the Senate Foreign Relations Committee did not take up the Saudi Arabia Accountability and Yemen Act of 2018, which is legislation that I am leading, along with Senators YOUNG, REED, GRAHAM, SHAHEEN, COLLINS, and others. We will continue to work on this legislation next year. It does not seek to tear down the entire Saudi-U.S. relationship. Instead, it is carefully calibrated to force a rebalancing in priorities.

The United States should no longer be selling weapons to the Kingdom that will be used to kill women and children in Yemen. We should, however, continue to support Saudi Arabia's legitimate defensive needs, like intercepting Houthi missiles coming from Yemen.

The United States should no longer refuel Saudi coalition aircraft for operations in Yemen, which is clearly correlated with a rise in civilian casualties.

The United States must now take a stand against all stakeholders in this conflict that are blocking humanitarian access, preventing forward movement under the U.N. peace process, or receiving weapons from Iran.

Our bill also ensures that Congress right-sizes its oversight over this relationship. The Trump administration must follow the letter of the Global Magnitsky Act, and it must take a firm stand in support of human rights when it comes to Saudi Arabia.

This is not caterwauling or the media piling on. This is Congress doing what the American people elected us to do—ensure that the U.S. Government conducts foreign policy in a manner that protects the United States and the American people. We are not doing our job if foreign governments believe they can murder journalists and dissidents with impunity and disregard international norms without damaging their relationships with the United States.

Saudi Arabia has joined a sinister clique, along with North Korea, Russia, and Iran, in its assassination of Jamal Khashoggi. A few more weapons purchases cannot buy our silence, and they should not buy our silence. If the President will not act, Congress must. I yield the floor.

Mr. SANDERS. Mr. President, I ask unanimous consent to speak.

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

Mr. SANDERS. Mr. President, let me congratulate Senator MENENDEZ for his leadership role in addressing this crisis in Saudi Arabia.

In a few minutes, we are going to begin voting on a historical piece of

legislation, because I think, as conservatives have understood and as progressives have understood, for too many years, Congress has abdicated its historical and constitutional responsibility to be the body that determines whether or not this country is at war. What we have seen for a long time now under Democratic Presidents and under Republican Presidents and under Democratic Congresses and Republican Congresses is an abdication of that responsibility. I hope that today we begin the process of taking that back.

The war in Yemen is unauthorized. There has never been a vote in Congress to allow our men and women to participate in that war. Therefore, that war is unconstitutional, and it has to end. That is the vote that we will be having this afternoon.

Second of all, I think all Members are aware of the unbelievable humanitarian crisis that now exists in Yemen. It is the worst humanitarian crisis on Earth. Unless we use the power of this country not to help more bombs being dropped to kill people in that country but to use our power to bring the warring parties together, that situation will become even worse. The United Nations and others are telling us that Yemen is on the brink of the worst famine that we have seen in a very long time and that millions of people may die.

Third, it is time for the U.S. Congress to tell the despotic Government of Saudi Arabia that we do not intend to follow its lead in its military adventurism. Its intervention in the civil war in Yemen is the cause of the humanitarian disaster, as 10,000 people are developing serious illnesses—cholera and other illnesses—because the water infrastructure in Yemen has been destroyed by Saudi attacks.

Right now we have the opportunity to go forward in a strong bipartisan way.

I want to thank all of the Members of the Senate who gave us 60 votes yesterday in order to proceed and who gave us 96 votes on what I thought was a sensible germaneness point of order.

Now we have a number of amendments in front of us. Two of them, authored by Senator COTTON, will essentially undermine everything we are trying to accomplish. I very much hope that we defeat those amendments and that we tell the world we want the United States out of Yemen.

I would end on a positive note. As some may know, right now in Sweden, there are peace negotiations going on, and, as I understand it, just yesterday, a major breakthrough took place that allows for an exchange of some 15,000 prisoners of war. So some progress is being made in bringing the warring factions together, and there is evidence that the pressure from the international community and the U.S. Senate, making it clear that we will not continue to participate in that war, is helping the peace process.

Let us go forward today and defeat the amendments that are trying to un-

dermine this important resolution and tell the world that the United States of America will not continue to be part of the worst humanitarian disaster on the face of the Earth, that we want peace in that region, that we want humanitarian aid in that region, and that we don't want any more bombs or destruction.

Thank you very much.

The PRESIDING OFFICER. The Senator from Tennessee.

ORDER OF PROCEDURE

Mr. CORKER. Mr. President, we have eight votes, two of which I think we may be able to take. I hope that those who wish to have votes may talk just a little bit so that we can speed up the process.

The first vote will be 15 minutes; the remainder of the votes will be 10 minutes. We will begin that process with Young No. 4080. I think there is agreement for him to speak for 1 minute.

AMENDMENT NO. 4080

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to the vote in relation to Young amendment No. 4080.

The Senator from Indiana.

Mr. YOUNG. Mr. President, I just want to thank the chairman and his staff for working constructively with me on this amendment. I want to thank the Senator from Vermont and other Senators who have tried to do all they can to make sure that we hold Saudi leadership accountable over the course of this and maintain our norms of acceptable behavior, making sure that our military forces are respecting international humanitarian laws, that we assist our security partners, and that we stabilize the country of Yemen so that ISIS, al-Qaida, and Iran—the largest state sponsor of terror—cannot further entrench in the country and perpetuate their nefarious activity.

We wouldn't be at this point but for a lot of leadership across the aisle. I just thank all of those involved. I appreciate the consideration of my colleagues in voting for this amendment.

I yield back.

Mr. SANDERS. I yield back my time.

The PRESIDING OFFICER. The question occurs on agreeing to the amendment.

Mr. WHITEHOUSE. 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. CORNYN. The following Senator is necessarily absent: the Senator from North Carolina (Mr. TILLIS).

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

The result was announced—yeas 58, nays 41, as follows:

[Rollcall Vote No. 263 Leg.]

YEAS—58

Alexander	Harris	Nelson
Baldwin	Hassan	Paul
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Sanders
Brown	Jones	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Smith
Casey	Leahy	Stabenow
Cassidy	Lee	Tester
Collins	Manchin	Udall
Coons	Markey	Van Hollen
Corker	McCaskill	Warner
Cortez Masto	Menendez	Warren
Donnelly	Merkley	Whitehouse
Duckworth	Moran	Wyden
Durbin	Murkowski	Young
Feinstein	Murphy	
Gillibrand	Murray	

NAYS—41

Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cornyn	Hoeven	Rubio
Cotton	Hyde-Smith	Sasse
Crapo	Inhofe	Scott
Cruz	Isakson	Shelby
Daines	Johnson	Sullivan
Enzi	Kennedy	Thune
Ernst	Kyl	Toomey
Fischer	Lankford	Wicker
Flake	McConnell	

NOT VOTING—1

Tillis

The amendment (No. 4080) was agreed to.

VOTE ON AMENDMENT NO. 4096, AS MODIFIED

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Cornyn amendment No. 4096, as modified.

Mr. CORNYN. Mr. President, I ask unanimous consent that all future votes in the series be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. Mr. President, the joint resolution before us today will impact U.S. operations with allies beyond the Saudi-led coalition; it will affect our relationships with allies beyond the Saudi-led coalition against Houthi forces in Yemen, which is literally a proxy battle against Iran.

Members of this Chamber assert that this resolution is confined to Yemen and sends a strong message to Saudi Arabia. I disagree with that. This resolution also sends a message to our allies that question the reliability of the United States as a partner. It brings into question valuable U.S. intelligence-sharing operations around the globe, including with Israel and other regional allies, like Jordan, Japan, South Korea, and NATO.

Further, it risks emboldening Iran and global adversaries who intend to fill the voids left by our absence. Russia and China have been actively expanding their presence in the region and will see this as an opportunity to fill the vacuum.

Senator INHOFE and I offer this amendment to reassure Israel and our regional partners that the United

States intends to honor our commitments as the leader of the free world.

The PRESIDING OFFICER. Who seeks recognition?

The Senator from Vermont.

Mr. SANDERS. Mr. President, I just want to clarify with Senator CORNYN so there is no confusion: His amendment deals strictly with Israel and not regional allies; am I correct on that?

Mr. CORNYN. The amendment says: "Nothing in this joint resolution shall be construed to influence or disrupt any military operations and cooperation with Israel."

Mr. SANDERS. Thank you.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4096, as modified.

Mr. CORNYN. 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 bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Carolina (Mr. TILLIS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 264 Leg.]

YEAS—99

Alexander	Gardner	Murphy
Baldwin	Gillibrand	Murray
Barrasso	Graham	Nelson
Bennet	Grassley	Paul
Blumenthal	Harris	Perdue
Booker	Hassan	Peters
Boozman	Hatch	Portman
Brown	Heinrich	Reed
Burr	Heitkamp	Risch
Cantwell	Heller	Roberts
Capito	Hirono	Rounds
Cardin	Hoeven	Rubio
Carper	Hyde-Smith	Sanders
Casey	Inhofe	Sasse
Cassidy	Isakson	Schatz
Collins	Johnson	Schumer
Coons	Jones	Scott
Corker	Kaine	Shaheen
Cornyn	Kennedy	Shelby
Cortez Masto	King	Smith
Cotton	Klobuchar	Stabenow
Crapo	Kyl	Sullivan
Cruz	Lankford	Tester
Daines	Leahy	Thune
Donnelly	Lee	Toomey
Duckworth	Manchin	Udall
Durbin	Markey	Van Hollen
Enzi	McCaskill	Warner
Ernst	McConnell	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wicker
Flake	Moran	Wyden
	Murkowski	Young

NOT VOTING—1

Tillis

The amendment (No. 4096), as modified was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, we were going to have 10-minute votes. We have had two votes in 54 minutes. Can we not just vote? OK. All right.

I think we have two rollcall votes left. A number of Senators are doing voice votes, and then we will have the journalist resolution at the end, by voice also.

Go ahead, Senator CORNYN.

The PRESIDING OFFICER. The majority whip.

AMENDMENTS NOS. 4090 AND 4095

Mr. CORNYN. Mr. President, I ask unanimous consent that my amendments, Nos. 4090 and 4095, be made pending and reported by number.

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

The clerk will report the amendments by number.

The senior assistant bill clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes en bloc amendments numbered 4090 and 4095.

The amendments are as follows:

AMENDMENT NO. 4090

(Purpose: To require a report assessing risks posed by ceasing support operations with respect to the conflict between the Saudi-led coalition and the Houthis in Yemen)

At the end, add the following:

SEC. 2. REPORT ON RISKS POSED BY CEASING SAUDI ARABIA SUPPORT OPERATIONS.

Not later than 90 days after the date of the enactment of this joint resolution, the President shall submit to Congress a report assessing the risks posed to United States citizens and the civilian population of the Kingdom of Saudi Arabia and the risk of regional humanitarian crises if the United States were to cease support operations with respect to the conflict between the Saudi-led coalition and the Houthis in Yemen.

AMENDMENT NO. 4095

(Purpose: To require a report assessing the increased risk of terrorist attacks in the United States if the Government of Saudi Arabia were to cease Yemen-related intelligence sharing with the United States)

At the end, add the following:

SEC. 2. REPORT ON INCREASED RISK OF TERRORIST ATTACKS TO UNITED STATES FORCES ABROAD, ALLIES, AND THE CONTINENTAL UNITED STATES IF SAUDI ARABIA CEASES YEMEN-RELATED INTELLIGENCE SHARING WITH THE UNITED STATES.

Not later than 90 days after the date of the enactment of this joint resolution, the President shall submit to Congress a report assessing the increased risk of terrorist attacks on United States Armed Forces abroad, allies, and to the continental United States if the Government of Saudi Arabia were to cease Yemen-related intelligence sharing with the United States.

Mr. CORNYN. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. I appreciate the bipartisan support for the amendments and hope they can be adopted by voice vote, en bloc.

The PRESIDING OFFICER. Is there further debate?

If not, the question occurs on agreeing to the amendments en bloc.

The amendments (Nos. 4090 and 4095) were agreed to en bloc.

The Senator from Arkansas.

AMENDMENTS NOS. 4097 AND 4098

Mr. COTTON. Mr. President, I ask that my amendments Nos. 4097 and 4098 be made pending and reported by number.

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

The clerk will report the amendments by number.

The bill clerk read as follows:

The Senator from Arkansas [Mr. COTTON] proposes en bloc amendments numbered 4097 and 4098.

The amendment are as follows:

AMENDMENT NO. 4097

(Purpose: To clarify that the requirement to remove United States Armed Forces does not apply to the provision of materials and advice intended to reduce civilian casualties or further enable adherence to the Law of Armed Conflict)

On page 4, line 16, insert after "associated forces" the following: " or involved in the provision of materials and advice intended to reduce civilian casualties or further enable adherence to the Law of Armed Conflict".

AMENDMENT NO. 4098

(Purpose: To clarify that the requirement to remove United States Armed Forces does not apply to forces engaged in operations to support efforts to disrupt Houthi attacks against locations outside of Yemen, such as ballistic missile attacks, unmanned aerial vehicle attacks, maritime attacks against United States or international vessels, or terrorist attacks against civilian targets)

On page 4, line 16, insert after "associated forces," the following: "or to support efforts to disrupt Houthi attacks against locations outside of Yemen, such as ballistic missile attacks, unmanned aerial vehicle attacks, maritime attacks against United States or international vessels, or terrorist attacks against civilian targets,".

Mr. COTTON. Mr. President, I understand there will be 2 minutes of debate on amendment No. 4097.

The PRESIDING OFFICER. The Senator is correct.

Mr. COTTON. On amendment No. 4097, I will not ask for a recorded vote. I understand opposition is enough to defeat it. I want to simply say, though, that the geopolitical realities here are, if we withdraw our support for the coalition in the Arabian Peninsula, the fight is not going to stop. Saudi Arabia and the United Arab Emirates are not going to allow Iran to supply a rebel insurgency with missiles and UAVs and boats that can reach their citizens.

I suggest we should try to do everything we can to minimize civilian casualties. That is why this amendment simply says: The United States can provide information and material that would minimize civilian casualty and that would help those nations adhere to the law of armed conflict.

I regret that this amendment will not pass, but I think it will be a wise course of action for U.S. policy.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I urge my colleagues to oppose this amendment. I understand it will be on a voice vote. This exemption, just like the amendment that will follow, is so broad as to render the underlying resolution impotent.

Let's be clear. The existing conflict the United States is supporting is the

primary cause of the humanitarian catastrophe that exists today. Eighty-five thousand kids under the age of 5 have died of starvation and disease. This is the world's worst cholera epidemic in the history of the globe. If we were to adopt this amendment, it could potentially allow for continued unlimited assistance for the Saudi coalition to continue to exacerbate that nightmare.

I urge my colleagues, on a voice vote, to oppose this amendment.

The PRESIDING OFFICER. Is there no further debate?

The question occurs on agreeing to the amendment.

The amendment (No. 4097) is not agreed to.

AMENDMENT NO. 4098

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote in relation to the Cotton amendment, No. 4098.

The Senator from Arkansas.

Mr. COTTON. Mr. President, my last amendment was about the law of armed conflict and citizens of foreign nations. This amendment is about our citizens and our troops.

The Houthi rebels have fired more than 100 missiles into the Arabian Peninsula, into the Red Sea, and into the Gulf of Aden. They have used armed, unmanned aerial vehicles and boats to attack in international waters. They have supported terrorist attacks. All of these things can range coastguardsmen, sailors, airmen, soldiers, marines, and hundreds of thousands of U.S. citizens we have in the region.

My amendment will simply say that U.S. forces can engage in force protection of our own troops and our own citizens in the region. I hope we can agree that our Armed Forces should be able to take action in self-defense of themselves and our citizens in the region.

I yield back my time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, once again, I urge rejection of this amendment. If passed, it would, again, render the underlying resolution a moot point.

I would make two additional arguments against it: First, the entire rationale that the Saudis used for the military campaign in Yemen is to prevent Houthi attacks against Saudi Arabia. So if this was an exemption, then the United States could fully participate. Second, existing law already allows the U.S. Commander in Chief to protect U.S. troops against an attack or an imminent attack, and nothing in the resolution would take away the Commander in Chief's power to protect U.S. troops either here in the United States or abroad.

For those reasons, I would strongly oppose—that we object to this amendment which, if passed, would essentially gut the underlying resolution.

The PRESIDING OFFICER. The question occurs on agreeing to amendment No. 4098.

Mr. COTTON. Mr. President, 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 senior assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Carolina (Mr. TILLIS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 265 Leg.]

YEAS—45

Alexander	Fischer	McConnell
Barrasso	Flake	Murkowski
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Collins	Hoeven	Rubio
Corker	Hyde-Smith	Sasse
Cornyn	Inhofe	Scott
Cotton	Isakson	Shelby
Crapo	Johnson	Sullivan
Cruz	Kennedy	Thune
Enzi	Kyl	Toomey
Ernst	Lankford	Wicker

NAYS—54

Baldwin	Hassan	Nelson
Bennet	Heinrich	Paul
Blumenthal	Heitkamp	Peters
Booker	Hirono	Reed
Brown	Jones	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Smith
Coons	Lee	Stabenow
Cortez Masto	Manchin	Tester
Daines	Markey	Udall
Donnelly	McCaskill	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Moran	Whitehouse
Gillibrand	Murphy	Wyden
Harris	Murray	Young

NOT VOTING—1

Tillis

The amendment was rejected.

The joint resolution, as amended, was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to the vote on passage.

The Senator from Vermont.

Mr. SANDERS. Mr. President, we are actually at a historic moment here in the U.S. Senate. I want to thank all of the Senators who in a very bipartisan way have come together to say that the United States will no longer participate in the Saudi-led intervention in Yemen, which has caused the worst humanitarian crisis on Earth, with 85,000 children already starving today.

Today, we tell the despotic regime in Saudi Arabia that we will not be part of their military adventurism. Today, maybe in the most profound way, 45 years ago, the War Powers Act was passed—45 years ago. Today, for the first time, we are going to go forward utilizing that legislation and tell the President of the United States—and

any President, Democrat or Republican—that the constitutional responsibility for making war rests with the U.S. Congress, not the White House.

Let us pass this resolution.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I yield back.

The PRESIDING OFFICER (Mr. CASIDY). The joint resolution having been read the third time, the question is, Shall it pass?

Mrs. STABENOW. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), and the Senator from North Carolina (Mr. TILLIS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 41, as follows:

[Rollcall Vote No. 266 Leg.]

YEAS—56

Baldwin	Harris	Nelson
Bennet	Hassan	Paul
Blumenthal	Heinrich	Peters
Booker	Heitkamp	Reed
Brown	Hirono	Sanders
Cantwell	Jones	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Smith
Collins	Leahy	Stabenow
Coons	Lee	Tester
Cortez Masto	Manchin	Udall
Daines	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Moran	Wyden
Flake	Murphy	Young
Gillibrand	Murray	

NAYS—41

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Hoeben	Rounds
Capito	Hyde-Smith	Rubio
Cassidy	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Kyl	Thune
Cruz	Lankford	Toomey
Enzi	McConnell	Wicker
Ernst	Murkowski	

NOT VOTING—3

Graham	Heller	Tillis
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The joint resolution (S.J. Res. 54), as amended, was passed, as follows:

S.J. RES. 54

Whereas Congress has the sole power to declare war under article I, section 8, clause 11 of the United States Constitution;

Whereas Congress has not declared war with respect to, or provided a specific statutory authorization for, the conflict between military forces led by Saudi Arabia, including forces from the United Arab Emirates, Bahrain, Kuwait, Egypt, Jordan, Morocco, Senegal, and Sudan (the Saudi-led coalition), against the Houthis, also known as Ansar Allah, in the Republic of Yemen;

Whereas, since March 2015, members of the United States Armed Forces have been introduced into hostilities between the Saudi-led coalition and the Houthis, including providing to the Saudi-led coalition aerial targeting assistance, intelligence sharing, and mid-flight aerial refueling;

Whereas the United States has established a Joint Combined Planning Cell with Saudi Arabia, in which members of the United States Armed Forces assist in aerial targeting and help to coordinate military and intelligence activities;

Whereas, in December 2017, Secretary of Defense James N. Mattis stated, “We have gone in to be very—to be helpful where we can in identifying how you do target analysis and how you make certain you hit the right thing.”;

Whereas the conflict between the Saudi-led coalition and the Houthis constitutes, within the meaning of section 4(a) of the War Powers Resolution (50 U.S.C. 1543(a)), either hostilities or a situation where imminent involvement in hostilities is clearly indicated by the circumstances into which United States Armed Forces have been introduced;

Whereas section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)) states that “at any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs”;

Whereas section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c)) defines the introduction of United States Armed Forces to include “the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government when such military forces are engaged, or there exists an imminent threat that such forces will become engaged, in hostilities,” and activities that the United States is conducting in support of the Saudi-led coalition, including aerial refueling and targeting assistance, fall within this definition;

Whereas section 1013 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (50 U.S.C. 1546a) provides that any joint resolution or bill to require the removal of United States Armed Forces engaged in hostilities without a declaration of war or specific statutory authorization shall be considered in accordance with the expedited procedures of section 601(b) of the International Security and Arms Export Control Act of 1976 (Public Law 94-329; 90 Stat. 765); and

Whereas no specific statutory authorization for the use of United States Armed Forces with respect to the conflict between the Saudi-led coalition and the Houthis in Yemen has been enacted, and no provision of law explicitly authorizes the provision of targeting assistance or of midair refueling services to warplanes of Saudi Arabia or the United Arab Emirates that are engaged in such conflict: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REMOVAL OF UNITED STATES ARMED FORCES FROM HOSTILITIES IN THE REPUBLIC OF YEMEN THAT HAVE NOT BEEN AUTHORIZED BY CONGRESS.

Pursuant to section 1013 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (50 U.S.C. 1546a) and in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94-329; 90 Stat. 765), Congress hereby directs the

President to remove United States Armed Forces from hostilities in or affecting the Republic of Yemen, except United States Armed Forces engaged in operations directed at al Qaeda or associated forces, by not later than the date that is 30 days after the date of the adoption of this joint resolution (unless the President requests and Congress authorizes a later date), and unless and until a declaration of war or specific authorization for such use of United States Armed Forces has been enacted. For purposes of this resolution, in this section, the term “hostilities” includes in-flight refueling of non-United States aircraft conducting missions as part of the ongoing civil war in Yemen.

SEC. 2. RULE OF CONSTRUCTION REGARDING CONTINUED MILITARY OPERATIONS AND COOPERATION WITH ISRAEL.

Nothing in this joint resolution shall be construed to influence or disrupt any military operations and cooperation with Israel.

SEC. 3. REPORT ON RISKS POSED BY CEASING SAUDI ARABIA SUPPORT OPERATIONS.

Not later than 90 days after the date of the enactment of this joint resolution, the President shall submit to Congress a report assessing the risks posed to United States citizens and the civilian population of the Kingdom of Saudi Arabia and the risk of regional humanitarian crises if the United States were to cease support operations with respect to the conflict between the Saudi-led coalition and the Houthis in Yemen.

SEC. 4. REPORT ON INCREASED RISK OF TERRORIST ATTACKS TO UNITED STATES FORCES ABROAD, ALLIES, AND THE CONTINENTAL UNITED STATES IF SAUDI ARABIA CEASES YEMEN-RELATED INTELLIGENCE SHARING WITH THE UNITED STATES.

Not later than 90 days after the date of the enactment of this joint resolution, the President shall submit to Congress a report assessing the increased risk of terrorist attacks on United States Armed Forces abroad, allies, and to the continental United States if the Government of Saudi Arabia were to cease Yemen-related intelligence sharing with the United States.

The PRESIDING OFFICER. The Senator from Tennessee.

SUPPORTING A DIPLOMATIC SOLUTION IN YEMEN AND CONDEMNING THE MURDER OF JAMAL KHASHOGGI

Mr. CORKER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S.J. Res. 69.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 69) supporting a diplomatic solution in Yemen and condemning the murder of Jamal Khashoggi.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

The Senator from New Jersey.

Mr. MENENDEZ. Reserving the right to object, I do not intend to object. I just want to say that on this resolution, there is a central reason why I am not going to object.

I don't agree with some of the language that speaks about the economic interests we have with Saudi Arabia. I think their behavior is more than concerning, but what the distinguished