

very day instead of having been stopped—stopped cold. Investors might still be facing the same unnecessary risks.

Now, there are plenty of examples from the commodities industry as well—people like Edward Siedle, a whistleblower who informed the Commodity Futures Trading Commission that JPMorgan Chase was failing to disclose conflicts of interest with some of its clients. Because Mr. Siedle decided to speak out about what he knew, the government collected hundreds of millions of dollars in settlements.

Whistleblowers like Mr. Siedle and the employees at Merrill Lynch deserve our gratitude, and they deserve our support. They help the Security and Exchange Commission and the Commodity Futures Trading Commission to do their job, and they help to promote transparency. With transparency comes accountability—in this case, for our financial system.

I will tell you something else they deserve. They deserve assurance that when they put their jobs and their reputation on the line, they will not be fired just for trying to do the right thing.

They deserve to know that if the government recovers money because of their disclosures, they will be able to get a decision on their award application in a timely fashion. Currently, whistleblowers don't have these assurances.

Last year, despite strong objections that I raised in a brief to the Supreme Court in the case of *Digital Realty v. Somers*, the Court ruled that a whistleblower who reports violations of our Nation's securities laws is protected from retaliation not all the time but only when he or she discloses the wrongdoing directly to the SEC.

Because of this ruling, if a whistleblower in the securities industry reports a concern to a supervisor at their place of work without also going to the SEC, they can be fired without any recourse; in other words, fired for the so-called crime they did, and what did they do? They did nothing more than what you might call the crime of committing truth. They have no legal protection or means of getting their job back.

That is not what Congress intended when it created the current Security and Exchange Commission Whistleblower Program, and that was done back in 2010. It is not what I intended when I voted for that whistleblower protection.

That law was supposed to protect whistleblowers who report wrongdoing. It was supposed to prevent them from being fired without just cause.

This decision has far-reaching implications that potentially affect others beyond those working in the securities industry.

Because the commodities whistleblower program was established through the same public law as the Security and Exchange Commission pro-

gram, that program incorporates many of the same provisions, including similar language to that which the Supreme Court ruled on during the *Digital Realty* case.

That means whistleblowers in yet another program face the prospects of having anti-retaliation provisions Congress put in place a decade ago suddenly yanked away from them. That is unacceptable to me. It is a scenario that should be unacceptable to every Member of this body who cares about keeping our financial system very strong, protecting the investor.

My bill prevents the Supreme Court ruling from becoming the status quo. It makes it clear that whistleblowers who report concerns about possible violations of our Federal securities and commodities laws are fully protected, whether they take their concerns to the Security and Exchange Commission or to the Commodity Futures Trading Commission, or to anyone else in their company who they reasonably believe has the ability to address their concerns. That is what companies should want. They should want it anyway, to keep their public respectability.

It is also a commonsense goal that we ought to be seeking, and it is commonsense.

When an employee tells his or her company about a concern, it gives the company a chance to investigate and address the concerns, and, if necessary, to self-report any problems to the Federal regulators.

Companies that come clean and self-report almost always receive reduced penalties. That is an outcome that is better for the company, and it is obviously better for the investors.

On another matter, my bill addresses concern for securities and commodities whistleblowers. I said before that if the government recovers money as a result of a whistleblower's disclosure, the whistleblower deserves at least an initial decision concerning their award application and to do it in a timely fashion. Unfortunately, my office has heard of far too many cases where whistleblowers have had to wait years to get a decision from the Securities and Exchange Commission after they apply for an award, and you apply for the award after you make the case for the government. Waiting that long is unacceptable. A year should be more than enough time for regulators to reach an initial determination regarding an award application.

My bill makes the 1-year standard law for both the Securities and Exchange Commission and the Commodity Futures Trading Commission whistleblowers. If the agency takes longer than a year to reach an initial decision, the whistleblower office must notify the chairman and the whistleblower of the cause for the delay.

Recently, I had the chance to sit down with Securities and Exchange Commission Chairman Clayton to discuss these changes. My staff worked

closely with the Securities and Exchange Commission and the Commodity Futures Trading Commission to craft the language. Now I urge all of my colleagues to support change, as well.

In addition to these changes, my bill irons out other differences between the Securities and Exchange Commission and the Commodity Futures Trading Commission whistleblower programs and ensures that whistleblowers reporting to both of these bodies have access to the same judicial remedies.

It also enables the Commodity Futures Trading Commission to hold more in the consumer protection fund. That is the fund used to pay out its awards to the whistleblower, and it allows the Commodity Futures Trading Commission to use money from the fund to teach stakeholders about the opportunities that are available to them through the whistleblower program.

Finally, my bill addresses a critical gap in protections provided to Foreign Service employees through the Whistleblower Protection Act. Due to a drafting error in the law, the Office of Special Counsel has stated that it doesn't have the authority to investigate instances of possible retaliation against Foreign Service workers when the retaliation comes in the form of a poor performance evaluation. That is an important task of the Office of Special Counsel and an important protection that Congress has afforded to other government whistleblowers. The Foreign Service office's people should have that as well. My bill closes that gap and makes it clear that Foreign Service workers should receive those same protections.

In closing, this bill contains commonsense changes. It reinforces and extends protections that Congress already granted in the past and ensures that whistleblowers working in different industries who make similar kinds of disclosures are equally treated and equally protected under the law. It also tells the Supreme Court of the United States: You didn't get it right. That is something I am certain we can all get behind—straightening out the Supreme Court when they don't follow congressional intent.

The bipartisan coalition of support for this bill is a strong testament to that. I thank my original cosponsors, Senators BALDWIN, DURBIN, and ERNST, for their enthusiastic support of this legislation. When it comes before the Senate for a vote, I urge all of my colleagues to do the same.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

PROVIDING FOR THE USE OF THE CATAFALQUE SITUATED IN THE EXHIBITION HALL OF THE CAPITOL VISITOR CENTER IN CONNECTION WITH MEMORIAL SERVICES TO BE CONDUCTED IN THE HOUSE WING OF THE CAPITOL FOR THE HONORABLE ELIJAH E. CUMMINGS, LATE A REPRESENTATIVE FROM THE STATE OF MARYLAND

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 27.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 27), providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the House wing of the Capitol for the Honorable Elijah E. Cummings, late a Representative from the State of Maryland.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 27) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

BUSINESS BEFORE THE SENATE AND APPROPRIATIONS

Mr. MCCONNELL. Mr. President, this week the Senate has several opportunities to make headway on important matters facing our country.

First, we will tend to a pending treaty protocol on the accession of a new member to NATO and reaffirm the importance of the alliance to the security of U.S. interests around the world. Then, we will consider yet another of the President's well-qualified nominees to the diplomatic corps. But while the Senate can take care of some of these matters on their own, much of the pressing business of the American people requires coordination with our colleagues across the Capitol.

Unfortunately, the only thing that seems to really inspire House Democrats these days is their obsession with overturning the results of the 2016 election.

In the weeks since the Speaker of the House gave in to her far-left Members' demands for an impeachment inquiry, she and other prominent House Democrats have insisted over and over and over that impeachment will not stop them from making real progress on legislation.

They say their 3-year-old impeachment parade doesn't have to block traf-

fic and bring other important priorities to a standstill. That is what they have been saying, but actions speak louder than words. We have yet to see any actual indication that House Democrats intend to make good on that commitment.

For months, we have heard the Speaker claim that she would like to get to yes on the USMCA. We have heard that her caucus is "making progress," but nearly a year after this landmark agreement with Mexico and Canada was announced, the most significant update to the North American trade policy in a generation is still waiting for the House to take action. Billions of new dollars in economic growth and 176,000 new American jobs are still waiting on House Democrats.

And that is not all. So far, even something as completely basic as funding our Armed Forces—funding our men and women in uniform—has met the same fate. Democrats have elected to stall it and block it in order to pick fights with the White House. Notwithstanding our bipartisan, bicameral agreement to wrap up the appropriations process in good faith, Senate Democrats voted a few weeks ago to block funding for the Department of Defense. No critical resources for U.S. servicemembers, no predictable planning process for our commanders, no pay raise for our all-volunteer Armed Forces—none of that was allowed to travel through the Senate because our Democratic colleagues just don't care for the occupant of the White House.

Ironically, many of these same colleagues of ours have spent recent days making loud pronouncements on U.S. foreign policy. By the sound of their comments, it almost sounds as if they are coming around to Republicans' long-held views on the necessity of American leadership all around the world. But, once again, actions speak louder, and thus far our Democratic colleagues have not even been willing to get past partisanship for the sake of job No. 1—funding our military.

So this week we will offer our Democratic colleagues a clear test. Are all the declarations that they are willing to work on important legislation just empty talk or will Senate Democrats finally do their part to move the appropriations process forward?

Soon we will vote on advancing a package of domestic funding legislation. As I said last week, I am grateful to Chairman SHELBY and Senator LEAHY for their continued conversations and hopeful they can produce a substitute amendment that will fund a number of urgent domestic priorities. Then, once we complete that work, we will vote to move forward the funding for our national defense—two big votes, two big votes, two big opportunities for our Democratic friends to show the country whether their party's impeachment obsession leaves them any room at all for the pressing business of the American people.

MEASURE PLACED ON THE CALENDAR—S. 2644

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

The PRESIDING OFFICER. The leader is correct.

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

The legislative clerk read as follows:

A bill (S. 2644) to impose sanctions with respect to Turkey, and for other purposes.

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

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

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF THE REPUBLIC OF NORTH MACEDONIA

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

The legislative clerk read as follows:

Calendar No. 5, Treaty document No. 116-1, Protocol to the North Atlantic Treaty of 1949 on the Accession of the Republic of North Macedonia.

Pending:

McConnell amendment No. 946, to change the enactment date.

McConnell amendment No. 947 (to amendment No. 946), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Connecticut.

HEALTHCARE

Mr. MURPHY. Mr. President, I want to tell you a quick story about a woman from Atlanta. Her name is Dawn Jones. Dawn bought what is commonly referred to in the insurance industry as a short-term health insurance plan. She brought it from the Golden Rule Insurance Company,