

Most women will tell you that they know of a female friend or acquaintance or relative who has experienced the horrors of sexual assault or domestic violence or even trafficking. Through my work with shelters back home in Tennessee, I have learned that the volunteers, the counselors, the advocates, and the attorneys who support these victims are of the utmost importance. They are who the victims need to see the minute they walk through that door, into their arms, and hear them say: How can we help you? This is a safe place.

These are the people who come around them to empower them, and the one thing I hear over and over in the wake of one's attack is that these victims need that type of support. This is why, in addition to providing funding for both prevention and educational programs, this year's authorization will do some important things. It will increase funding for the court-appointed special advocates by \$3 million. It will provide over \$1 million per year for Federal victim counselors. It will also help to provide transitional housing to victims, which is something they will desperately need. They need to know they have a safe place.

These resources—and this is important—are going to go directly into the hands of those who are providing these services, and this will have a direct impact on the lives of these women when they need it the most.

Just for a moment, I would like to highlight a portion of the reauthorization on which I have spent a good deal of time working this year. It has to do with a particular violent sexual crime that is so grotesque that most Americans prefer not to even acknowledge it. They don't want to admit that this exists. Yet, for the victims of female genital mutilation, the pain and the humiliation are nearly unbearable.

You would think that Federal prosecutors would be able to make short work out of such heinous charges, but due to a loophole in Federal criminal law, scores of victims have watched their abusers walk free. The Federal Prohibition of Female Genital Mutilation Act of 2019, which is a separate bill that I sponsored earlier this year, is now a part of this year's reauthorization of the Violence Against Women Act. It will correct fatal constitutional flaws in the Federal statute that bans the practice of FGM. When this is done, under Federal law, prosecutions for mutilation and cutting will be able to continue.

I would be remiss if I did not say that in a perfect world, we would not have to worry about allocating resources for safe houses and for victim counseling. We should not have to do this, but this is not a perfect world. So, yes, indeed, we do have to step up and do this for the sake of the thousands of women who fall victim to sexual violence, trafficking, and sexual abuse each year.

I urge all of my colleagues on both sides of the aisle to come together and

work on this. Let's pass the 2019 Violence Against Women Act.

I yield the floor.

VOTE ON ZUCKERMAN NOMINATION

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the Zuckerman nomination?

Mr. ALEXANDER. 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER (Mr. COTTON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 65, nays 30, as follows:

[Rollcall Vote No. 362 Ex.]

YEAS—65

Alexander	Graham	Perdue
Barrasso	Grassley	Portman
Blackburn	Hassan	Risch
Blunt	Hawley	Roberts
Boozman	Hoeven	Romney
Braun	Hyde-Smith	Rosen
Burr	Inhofe	Rounds
Capito	Isakson	Rubio
Carper	Johnson	Sasse
Cassidy	Jones	Scott (FL)
Collins	Kennedy	Scott (SC)
Cooms	King	Shaheen
Cornyn	Lankford	Shelby
Cotton	Lee	Sinema
Cramer	Manchin	Sullivan
Crapo	McConnell	Thune
Cruz	McSally	Tillis
Daines	Menendez	Toomey
Enzi	Moran	Warner
Ernst	Murkowski	Wicker
Fischer	Murphy	Young
Gardner	Paul	

NAYS—30

Baldwin	Feinstein	Reed
Bennet	Gillibrand	Schatz
Blumenthal	Heinrich	Schumer
Brown	Hirono	Smith
Cantwell	Kaine	Stabenow
Cardin	Leahy	Tester
Casey	Markey	Udall
Cortez Masto	Merkley	Van Hollen
Duckworth	Murray	Whitehouse
Durbin	Peters	Wyden

NOT VOTING—5

Booker	Klobuchar	Warren
Harris	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The majority leader.

LEGISLATIVE SESSION

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

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session for the consideration of Calendar No. 503.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Dan R. Brouillette, of Texas, to be Secretary of Energy.

The PRESIDING OFFICER. The Senator from Hawaii.

BACKGROUND CHECKS

Ms. HIRONO. Mr. President, last week, my colleague Senator BLUMENTHAL stood on the floor of this Chamber to talk about the epidemic of gun violence in our country. Gun violence is an issue that hits close to home for my friend from Connecticut.

Seven years ago, his home State was the site of one of the most horrific acts of gun violence anyone can imagine. A young man armed with an assault rifle opened fire in Sandy Hook Elementary School, murdering 20 first graders and 6 adults.

While he spoke on the floor of this Senate, Senator BLUMENTHAL was handed a note informing him that, at that very moment, an active shooter was on the loose at another school—this one in Santa Clarita, CA. This marked the 243rd instance of gun violence at a school in this country since the massacre at Columbine High School in 1999. Sadly, today, school shootings have become almost routine and commonplace. It has gotten to the point that students are fearful but, sadly, not surprised when a shooting occurs at their school.

Following an attack last year at Santa Fe High School in Texas that killed eight students and two teachers, 17-year-old student Paige Curry was asked whether there was a part of her that couldn't believe this happened at her school. Her response was heart-breaking. She said:

There wasn't.

She said:

It's been happening everywhere. I've always felt it would eventually happen here too.

This is the country we now live in: a country where we have more guns than we have people; a country where a mass shooting—that is a shooting involving the death or injury of four or more victims—occurs, on average, more than once every day; a country where school shootings occur frequently enough that students feel it will eventually happen at their own school.

This is not the country any of us should want to live in. Yet the U.S. Senate—one of the few institutions

that can actually do something to help prevent gun violence—does nothing. Gun violence kills 100 people in our country every day—every day. That is 3,000 people a month and 36,000 people a year.

This is a crisis, but my colleagues on the other side of the aisle are not treating it like one. Perhaps looking at the numbers—100 people dying every day—is just way too abstract.

How would the majority leader react if the entire population of Sparta, KY—all 231 residents—disappeared in less than 3 days?

How would the chairman of the Senate Judiciary Committee react if all 128 residents of Livingston, SC, disappeared in a little over a day?

How would my colleagues from Texas react if Bartlett's 2,600 residents were killed in just under a month?

This is the scale of what is happening in our country every single day, week, and year. This is a crisis, and it is past time Senate Republicans start treating it like one.

Here is what we can do right now. We can join the House in passing H.R. 8, a bill that would close loopholes in the background check system. More than 90 percent of the American public supports this bill. Although it passed the House 266 days ago—almost a year ago—the majority leader refuses to even bring the bill to the Senate floor for a vote.

We can also pass S. 66, which would reinstitute the Federal assault weapons ban that expired in 2004. I have joined Senator FEINSTEIN and 34 of my colleagues in cosponsoring this commonsense measure, but the Republican majority refuses to hold a hearing or otherwise consider it.

We can finally pass an extreme risk protection order bill that would allow police or family members to petition a court to remove firearms from people who may be a danger to themselves or to others, and despite repeated promises after each mass shooting that we will get a vote, the vote never comes.

We all know none of these bills alone will end gun violence in our country, but they will help keep guns out of the hands of those who are a danger to themselves and others. They will make those guns that remain available for sale far less lethal. In other words, the bills will make us safer.

Republicans refuse to take any of these commonsense steps. Instead, they cower before the NRA, an organization that carries favor with gun manufacturers and gun rights extremists by opposing seemingly every piece of gun safety legislation that is introduced; this, in spite of the fact that a strong majority of the NRA's claimed 5 million members actually support stronger gun safety protections.

We all remember the aftermath of the Sandy Hook massacre, where it seemed for a brief moment Congress might pass a gun safety bill for the first time in a generation. Senators MANCHIN and TOOMEY introduced a

modest background check proposal that actually came to the Senate floor for a vote, but what happened? The NRA came out against the bill, and nearly every Republican Member of the Senate fell in line to defeat it.

The vote came in the aftermath of a shooting that took the lives of 20 innocent elementary school children, and my Republican colleagues chose to side with the NRA and its \$50-plus million in campaign donations.

Today those first graders who were killed would be in the eighth grade, and yet we still haven't passed a background check law. We have seen the NRA block commonsense gun safety bills time and again. Most recently, President Trump voiced support for strengthening background checks in the wake of mass shootings in El Paso, Dayton, and Gilroy. He tweeted that "Republicans and Democrats must come together and get strong background checks."

Days later, he spoke on the phone with the NRA executive vice president and CEO Wayne LaPierre and quickly changed his tune. Suddenly, our loophole-ridden background system became "very, very strong," to quote the President. He no longer saw a need for additional legislation.

The President of the United States is often called the most powerful man in the world. Yet, in the face of opposition from the NRA, Donald Trump proved himself anything but.

Like so many people across the country, I am angry and frustrated that Republicans in Congress seem to care more about satisfying the NRA than taking commonsense steps to keep our communities safe.

Every day that Republicans in Congress refuse to act costs lives. In the 6 days following the November 14 shooting in which two people were killed and three others wounded at Saugus High School, there have been at least four more mass shootings.

On November 16, five were killed and one wounded in a murder-suicide in Paradise Hills, CA. On November 17, four were killed and an additional six were wounded when gunmen opened fire at a backyard party at Fresno, CA. That same day, four were injured when a gunman fired shots into a home outside Cleveland, OH. On November 18, one was killed and four injured in a shooting in Newark, NJ.

These shootings happen quickly—16 seconds in the case of the Saugus High School shooting in Santa Clarita. This is hardly enough time to expect the proverbial "good guy with a gun" to protect innocent men, women, and children caught in the line of fire.

Failing to take decisive action to confront the crisis of gun violence in our country makes the Senate complicit in its continuation. Instead of making more excuses for the Senate's inaction, my colleagues on the other side of the aisle should stop hiding behind the NRA and join us in passing commonsense gun safety legislation that will save lives.

As our country endures mass shooting after mass shooting, I have to ask, at what point do we say, "Enough"? When will my Republican colleagues turn their backs on the NRA's leadership, listen to the 90 percent of the American people and the rank-and-file NRA members who join them, and pass gun safety laws? The cost of continued inaction is far too high.

I say to my colleagues on the other side of the aisle: Wake up. What is it going to take? What is it going to take?

I yield the floor.
The PRESIDING OFFICER. The Senator from Wyoming.

HEALTHCARE

Mr. BARRASSO. Mr. President, I come to the floor today as the 2020 Democratic Presidential candidates prepare to debate this evening. We are sure to hear once again about their proposals for massive taxing and spending. At the top of the list is their \$34 trillion Medicare for All, which is really a one-size-fits-all healthcare scheme for the people of our country. Here is the key point. Democrats will dramatically raise taxes on all Americans. One candidate plans to increase taxes on working families by \$26 trillion over the next year—that is new taxes—new taxes—of \$26 trillion. This candidate also proposes an additional \$2 trillion on top of the \$26 trillion by hiring an army of IRS agents to crack down on hard-working Americans who this one candidate, as a Member of this body, says can actually pay more and are not paying their full share. So Americans will pay \$28 trillion more in taxes over a decade. Do not be deceived. These taxes will hit all Americans.

Democrats know they can't win this election on policy. Specifically, they are dangerous Democratic socialist policies that they are going to be promoting in the debate tonight. So what are they doing? Well, they are counting on their totally partisan impeachment process. We have been hearing all about it now for months—actually, for years.

Democrats have been obsessed with impeaching—impeaching—President Trump since day one, the day he was elected. Then fast forward to his inauguration in 2017. The campaign to impeach President Trump, starting from the day he was elected, really took force the day he was sworn into office.

Democrats want to overturn the last election, and they want to interfere with the upcoming election. Election day 2020 is now less than a year away. Still, Democrats' impeachment obsession continues to burn on.

This is an unfair, bitterly partisan process. I will tell you, the Americans I talk to at home in Wyoming see right through it. When I talk to my colleagues around the country, their constituents at home see right through it as well.

Recent polling shows that the public wants the voters—not House Democrats and not Speaker PELOSI—to make

their own call on election day. The Democrats, meanwhile, seem to prefer impeachment to doing the work of the American people—the work all of us were elected to do.

Republicans prefer to work on the issues we were elected to address: jobs, the economy, and our Nation's security. We are going to continue to work for the people who elected us.

APPROPRIATIONS

Mr. President, on another matter, I come to the floor as we approach another government funding deadline. The fact is, it is already past time to fund the government, especially our military.

Republicans have worked all year to complete the annual appropriations process and to get it done on time. Here is the problem: Republicans can't pass the annual funding bills alone. We need cooperation from the Democrats. We need the House Democrats' cooperation, and here in the Senate, we need to clear the 60-vote hurdle. So we need Senate Democrats to be involved in the process as well. But Democrats prefer impeachment grandstanding rather than governing. That is what we are facing here today.

We are nearly 2 months into fiscal year 2020, and we have yet to pass any of the 2020 funding bills. The government has been running under what is called a short-term continuing resolution. This current continuing resolution is set to expire Thursday—tomorrow. We will, undoubtedly, pass another stopgap continuing resolution this week, but these are only a temporary fix. They are needed to keep the government's lights on but at last year's funding levels. Meanwhile, there is no end in sight to Democrats' 3-year-long impeachment obsession. Their impeachment fever rages on.

They are so consumed by this bitterly partisan process that they cannot focus on the priorities of the American people. They are too consumed to fix our aging roads and bridges, too obsessed to pass "America First" trade deals, and too fixated to fund the government on time. Above all, people expect us to fully fund defense—the defense of our Nation. Yet the Democrats continue to stonewall.

Republicans are fighting to fully fund the military; Democrats are waging war on the Commander in Chief. Remember, both parties came to the table and completed a bipartisan budget deal this past summer. The deal meant that we could fund the government on time. The deal supported critical defense funding to keep our Nation safe, and it included a major pay raise for our troops.

So what happened? It is pretty clear. The Democrats went back on their word. And in so doing, they broke faith with the American people and broke faith with our troops—those in harm's way today.

Back at home in Wyoming, a deal is a deal. Your word means something. A handshake means something. You

never go back on your word, certainly not when you make promises to our men and women in uniform. Nevertheless, the Democrats have since poisoned the well with unreasonable partisan demands. They are tying our Americans' hands, repeatedly blocking key defense votes. Democrats filibuster and Democrats impeach while neglecting the troops.

U.S. forces, meanwhile, are facing heightened threats with last year's funding levels. The fact is, while necessary, these continuing resolutions take a real toll on our military. The current CR means a \$22 billion cut from this summer's bipartisan budget deal when it comes to our troops. It is harming military readiness and harming military training.

The CR has also delayed new weapons programs, and it has suspended existing weapons programs. These include hypersonic strike weapons, missile defense systems, and new fighters and ships.

Our adversaries—most notably Iran, China, and Russia—pose a grave, growing threat to our Nation. That hasn't stopped House and Senate Democrats from blocking both the Defense authorization and funding bills. Right now they are blocking both.

The National Defense Authorization Act, which is the authorizing bill, has passed and been signed every year since 1961. That is when John Kennedy was President of the United States—1961.

The NDAA has a long history of strong bipartisan support. Yet, right now, House Democrats are delaying final passage of our National Defense Authorization Act. Again, they are blocking the House's spending bill for our military, even though it gives our troops a well-earned pay raise.

Like the Presiding Officer, I frequently visit our troops overseas. I did so last month. We have a number of Wyoming National Guard members deployed around the world, and it is always an honor to spend time with them.

Most recently, I visited Wyoming troops deployed in the Middle East and in Kosovo. The Wyoming guard is about 400 members overseas. It is our State's largest deployment in a decade. As I noted at this year's American Legion Post 6 Veterans Day celebration in Cheyenne, WY, these troops will be away from home for Thanksgiving; they will be away from home for Christmas; and they will be away from home for New Year's as well.

Both my dad and my father-in-law served overseas. My dad fought in Europe in World War II in the pivotal Battle of the Bulge, the 75th anniversary of which is coming up next month. My father-in-law fought in both theaters during World War II and also served in the Korean war.

The U.S. Armed Forces are on the frontlines. They are defending our freedoms, and they are doing it every single day. They make this sacrifice 365 days a year, and they do it to protect

us, to protect our freedom, and to protect our Nation. U.S. servicemembers never quit. They don't complain, and we don't quit on them when they need us the most.

Our troops deserve our full support right now, and, clearly, that support must be bipartisan. Yet Democrats remain too obsessed to do the work of the Nation. People elected them to do a job, and those people are nowhere to be found.

Think about it. Democrats are fast-tracking impeachment and filibustering the defense funding bill. How can they do that in good conscience? Instead of funding certainty, we have an impeachment circus.

Republicans are committed to work on policy priorities for the people who elected us. It is time for Democrats to stop the stonewalling. Let's give our troops the state-of-the-art tools they need and the raise they deserve and have earned.

Democrats need to get their priorities in order. Defense should be top of the list. It is past time to keep our promises to the military. It is past time to give the troops a well-earned and well-deserved pay raise, and it is past time to fund the defense of our Nation and to fund our government.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

PENSIONS

Mr. GRASSLEY. Mr. President, the financial crisis facing the private sector multiemployer pension system calls for comprehensive reform and getting it done soon.

The crisis is severe and growing worse every day. Would you believe about 125 multiemployer plans are in so-called critical and declining financial status? These plans report that they will become insolvent over the next two decades. There will be a lot of people without a retirement plan if we don't act.

Several large plans, including the United Mine Workers Pension Fund and the large Central States Pension Fund, predict these plans will become insolvent in the next few years. That is not a very comfortable environment for those retirees.

This will leave more than 1.3 million participants without the pension benefits they have been promised and, of course, worked for probably throughout their whole lives.

In just my State of Iowa, the benefits of close to 10,000 participants of multiemployer plans are at risk if the system fails. Ten thousand Iowans being affected by what we do or don't do, obviously, gets my attention. That figure of 10,000 will represent over \$70 million in benefits paid out annually that these individuals rely on in retirement.

More broadly, another large group of multiemployer plans are in critical status. They report that no realistic combination of contribution increases or allowable benefit reductions—options available under the current law

to address their financial condition—will enable these plans to emerge from their current, poorly funded financial condition. So it is very important that Congress act to save these retirement plans. These plans cover millions more workers and retirees across the Nation, and those workers and retirees face significant benefit cuts under existing law.

We should also be concerned about the financial health of the Federal insurance system that backs up these retirement benefits. The Federal insurance system goes by the name of the Pension Benefit Guaranty Corporation. The PBGC's multiemployer pension program may itself become insolvent if only one or possibly two larger multiemployer plans fail.

One of these plans, the United Mine Workers, just lost its last large contributing employer to bankruptcy. Without reforms, the Federal guaranty system, the PBGC, reports it will be insolvent no later than 2026. When that happens, the PBGC will not be able to pay either current or future retirees more than a very small fraction of the benefits they have been promised.

Consequently, substantial reductions in retirement income are a very real possibility for the millions of workers and retirees who depend on benefits from these plans. We need to act very soon to protect the hard-earned pension benefits of the workers who participate in these plans.

As chairman of the Senate Finance Committee, I am on the floor today to join with Chairman ALEXANDER from the Health, Education, Labor, and Pensions Committee to release a responsible reform plan to address the immediate financial challenges of a number of plans in critical financial condition and also at the same time to secure the multiemployer pension system over the long term, not just a quick fix that is going to last a short period of time.

As we looked at options for reforming the current system, we relied on several important reform principles. I will go through these principles.

First, a reform plan should provide balanced assistance to the most poorly funded plans.

The second principle is that Federal assistance to the failing plans should rely on as little taxpayer dollars as possible.

The third principle is that reforms must promote long-term stability of the multiemployer pension system and the long-term solvency of the PBGC.

To help the sickest plans recover their financial footing, our proposal creates a special partition option for multiemployer plans.

I want everybody to know that this is not a new concept. In fact, quite simply, it expands on the PBGC's existing authority. It is based on banking industry reforms that Congress enacted after the Great Depression and at other times.

The partition option permits employers to maintain a financially healthy

multiemployer plan by carving out pension benefit liabilities owed to participants who have been "orphaned" by employers who have exited the plan without paying their full share of those liabilities. By removing these liabilities, we allow the original plan to continue to provide benefits in a self-sustaining manner by funding benefits with contributions from current participating employers. In effect, partitioning creates a healthy pension that continues to meet all of its obligations to retirees and a separate "sick pension" that requires attention and assistance from the PBGC.

For this partition program to operate effectively and address the plans that are in immediate danger, a limited amount of Federal taxpayer funds will be needed to support the PBGC. We expect the necessary Federal resources to comprise only a small—I should say very small—portion of the financial assistance provided to the faltering multiemployer plans, and it is our intent, as we should be fiscally responsible, to offset those costs.

We should also acknowledge the reality that action right now means lower taxpayer involvement than if we wait for the PBGC to become insolvent, which would lead to a far larger commitment of taxpayer funds in the not too distant future. Congress needs to be ahead of the real catastrophe we know is coming.

Over the long run, the reforms we are proposing will be sustained primarily by shared-sacrifice funding reforms and a new premium structure for all stakeholders of the multiemployer plans.

Because taxpayer dollars would be at risk if the sickest plans fail to move to fully funded status, the proposal also includes a number of plan-governance reforms to strengthen multiemployer plans, to protect the taxpayers' contributions to the overall reforms, and to shield taxpayers from future risks.

While partitioning addresses one element needed for reform, Senator ALEXANDER and I propose to go a step further to make significant changes to the management and operation of all multiemployer pension plans. This is something that should have been done years ago so that plan trustees would have had to act in a responsible way, and maybe we wouldn't be where we are today, but we want to make sure this doesn't happen in the future. If we go that way—and we must go that way—moving forward, the entire multiemployer pension system will be better funded and more transparent to participants, to sponsoring employers, and to government regulators.

Providing relief to critical and declining plans is contingent on making changes to the legal framework of the multiemployer pension system to ensure that all plans operate, as people would expect, in a financially sound way in the future.

To help finance the partition relief and to provide a stronger PBGC insurance guarantee to participants in the

system, our reform proposal creates a new premium structure. That structure includes raising the flat-rate premium to \$80 per participant in a multiemployer plan, putting the multiemployer program on par with a single-employer guarantee program. The new premium structure also broadens the base on which premiums are assessed to more equitably spread the cost of insuring benefits and to ensure PBGC solvency. The new structure applies a copayment to active workers and retirees. However, because of the broader contribution base, the copayments are significantly less than the amount of the typical benefit cuts retirees face under current law if their plan should fail. Older retirees and disabled participants will also be protected.

In addition, our reform package establishes a variable-rate premium. This variable-rate premium, which parallels the variable-rate premium that has long applied to single-employer plans, is tied to a plan's funding status to manage risks stemming from more poorly funded plans. This also creates an incentive for plans to improve their funding over time.

The new premium structure not only helps to secure the finances of the PBGC but also funds an increase in the guaranteed benefit level for the vast majority of participants in the system. Raising the guaranteed benefit will greatly reduce the risk to retirees of significant reductions in retirement income, which would otherwise occur if their multiemployer plan becomes insolvent.

While the changes to the premium structure will fundamentally strengthen the financial status of the multiemployer pension system and the PBGC, the reforms we are proposing make other important structural changes to the multiemployer system to help ensure that the entire system moves to a well-funded status over the long haul.

We achieve this goal by addressing key flaws in the current legal framework governing multiemployer plans. Current multiemployer plan rules do not serve the best interests of workers and retirees. You can tell that by the bad condition, financially, some of these plans are in today, threatening the retirement of our workers who have paid into them over a lifetime. These rules have not been sufficient to keep plans in good financial health, and they tend to underestimate liabilities and result in insufficient contributions to the plans.

To ensure that benefit promises offered in a multiemployer plan are ultimately met, our proposal strengthens the rules for measuring the value of promised pension benefits and the amount of employer contributions necessary to pay them when the worker retires. These changes will require plan trustees and actuaries to measure and project plan assets and liabilities in a more prudent and accurate way than has been required under present law.

These changes also are designed to help move plans toward full funding

and at the same time protect the interests of plan participants and the taxpayers who would otherwise be required to bail out these multiemployer plans.

Our reform proposal also improves the so-called zone rules. Plans will be required to look further into the future when estimating their financial status, and will have to institute a form of stress testing to check whether a plan can remain financially sustainable through potential economic and demographic stresses. Depending on its health, plans will have to bolster the steps they take when signs of financial hardship arise. That is a pretty commonsense approach.

We will also replace current withdrawal-liability rules with a simpler, more transparent, and consistent method for determining an employer's liability if it withdraws from a multiemployer pension plan.

We have to look to the future. In doing so, the proposal includes a new option for sponsors of multiemployer plans to establish a new hybrid pension plan that we are going to call a composite plan. We have heard a great deal of interest from smaller businesses and their workers about the benefits of a composite plan approach, including less costly operations and more certainty in the financing of these plans.

In closing, let me say that there are no perfect solutions to the multiemployer pension crisis. But it is very true that the longer we wait, the harder and more expensive this problem gets. But it is clear, our solution is far better than allowing the system to continue on its current path—to collapse—and far better than merely throwing Federal money into plans without changing how they operate. The problem is never going to be solved by waiting or by using taxpayers' money.

The House has essentially advanced a pure, no-strings-attached bailout plan that throws taxpayer money to the plans in the hope that they can somehow earn returns sufficient to keep them going. We rely a great deal on the Congressional Budget Office around here for estimates of the future, and the nonpartisan CBO has told us that the House's proposal will not generate sustainability of pension plans or the sustainability of the PBGC. So we had better not spend our time on something the Congressional Budget Office says just isn't going to bring a solution and definitely not a long-term solution to these issues.

In contrast, the proposal that Senator ALEXANDER and I are releasing today addresses the immediate needs of the few multiemployer plans facing immediate crisis in a manner that protects participant benefits and also ensures a sustainable multiemployer pension system for the long haul, and it does this all in a fiscally responsible way.

Our proposal is not a giveaway to corporations or to unions, and it is a

better deal for the taxpayers than a future that would be an even larger problem and PBGC funding needs that will almost surely be met with a taxpayer bailout.

All participants in the system would make a sacrifice. Let me make that clear. All participants in the system are going to sacrifice—employers, unions, workers, and retirees. I am sure each one of those groups isn't going to consider this fair and responsible, but with a problem like this, if everybody doesn't give a little bit, it is never going to be fair and responsible anyway. But with some shared pain will come significant shared gain that will be to the benefit of over 1.5 million participants in about 125 multiemployer plans that are in serious financial jeopardy.

Without changes to the current system, we can't say for sure that people are going to get the benefits that they sacrificed for over a lifetime of work. But our plan, we are confident, will benefit all multiemployer plans and their participants by providing a stronger system for the long haul and by promoting long-term solvency of the PBGC.

Senator ALEXANDER and I offer this proposal as a path forward for a multiemployer pension system that we all know is in crisis.

Now, as we turn to getting this job done, I look forward to working with my colleagues in the Senate and in the House of Representatives to advance this proposal. We all know that just because you lay something on the table, that it is not necessarily going to be passed that way. So maybe there is some compromise needed. But whether it is this proposal or a little bit of compromise, we have to get this piece of legislation to the President's desk before more pension holders face losses of the benefits they have earned and benefits that they were promised.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. BLACKBURN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—H.R. 2486

Mr. CARPER. Madam President, I rise this afternoon to talk about what some observers have called one of the best historically black colleges and universities in our country—Delaware State University in Dover, DE, home of the Hornets.

For a number of years, I was a naval flight officer in the Vietnam war and then came back to the United States and moved to Delaware and got an MBA at the University of Delaware. Right away after that, I went to work at what became the Delaware Economic Office. We were headquartered

at the campus of Delaware State College.

Delaware State College was an HBCU and was not a well-funded college, not one that was in the favor, frankly, of the Governor and legislature, for the most part, and was a bit of a stepchild.

I used to think: Boy, wouldn't it be great to be able to help transform Delaware State College into something historic, memorable, and outstanding.

Later on, I would be elected Governor—about 15 years later—and have the chance to work with the fellow who was the president of Delaware State University at the time and to transform, with the help of the Delaware General Assembly, Delaware State College into Delaware State University.

Today, of all the HBCUs in the country, I think its latest rating is No. 5, and I think there are 70 or 75 of them in all. They just reported that their enrollment for the coming year will reach 5,000 students, all in undergraduate, graduate, master's and Ph.D. programs, which is a record. We are proud of the Hornets and the great job they are doing educating people.

Last month, in one of my frequent visits to Delaware State, I took a campus tour unlike any other, from the cockpit of a brand-new Vulcanair V1.0 single-engine aircraft. We flew all over Kent County, north of Dover. We had a chance to do some approaches. It was a lot of fun, and it was basically a reminder that Delaware State provides undergraduate and graduate programs for all kinds of training and educational needs. One of the key ones right now and one of the most interesting, at least for a naval flight officer, is that Delaware State is the largest producer of pilots and aviation professionals of color in the country. I believe they have over 100 students and every one of them, when they graduate, has a job waiting for them. Some are pilots and others do a variety of work for aviation.

Today, we have about 157 million people who go to work in this country, and we have about 5 million jobs where nobody will show up. One of those areas where we need people is in the aviation world, and Delaware State is providing that. When the plane landed earlier this year at the airport just north of Dover, I held a roundtable with the Delaware State University executive vice president and provost, Dr. Tony Allen. We talked with administrators and students about a bipartisan bill called the FUTURE Act, which was discussed on the floor today and in previous days.

The FUTURE Act, as you will recall, was introduced by Senator JONES along with Senator SCOTT from South Carolina, and would provide a little over \$255 million annually to minority-serving institutions of higher education including about \$85 million to HBCUs for an additional 2 years through fiscal year 2021.

Almost \$900,000 of that money will go directly to Delaware State University.

You might ask: What would Delaware State do with that money? They use this Federal funding to help support STEM and teacher education programs at the undergraduate and graduate levels and to ensure that students at Delaware State have access to the best research tools. Specifically, this funding is used to help modernize classrooms at DSU, to improve math instruction, and to help recruit young men of color to teach in K-through-12 classrooms so that all students have mentors they can look up to.

According to the National Center for Education Statistics, only 2 percent of teachers in the American public school system are African-American men, but 20 percent or more of the students are African-American males.

Think about that. A lot of these African-American males, frankly, haven't had some of the best mentors and role models in their lives growing up, and we have so few teachers of color that are minority male. The FUTURE Act funding, I think, is a good step for Congress to take to bridge that gap. I think it is a good example of how the Federal Government supports this critical mission at Delaware State and at HBCUs across the country.

Back in early September, the House of Representatives did its job and voted to reauthorize this funding through the bipartisan FUTURE Act. Unfortunately, the Senate has not followed the lead of the House in this critical funding for HBCUs which lapsed on September 30.

Before I yield to Senator COONS, I just wanted to say that my recollection is—and I might have this wrong, but I am looking for my staff, who would be sitting right here in front of me telling me if I had the right numbers—that 2 percent of teachers who are in public schools in America and I think in Delaware are men of color. They are African American. Almost 20 percent, maybe 25 percent, of the students in the public school system are people of color and about half of those are male. We need to do a better job.

As Governor, I started a mentoring program. We recruited, when I was Governor, 10,000 mentors—a lot of them to work with children of color. A lot of them have grown up in homes where they didn't have a positive male role model in their life. That is why the mentoring program is so important. That is why we especially need minority male teachers who are African American. That is not all we need, but it is a big part of what we need. Over half of the minority male teachers that we have in Delaware in our schools were educated at Delaware State University—over half—and we need more of them.

Senator COONS has joined me on the floor. I am enormously proud of Delaware State University and the leadership they have today and in the past, and proud to have been an honorary Hornet, and proud to yield to my colleague, Senator COONS, who has been

right there fighting for Delaware State University.

I yield the floor.

Mr. COONS. Madam President, I would like to thank my colleague from our home State of Delaware. I come to the floor to join a number of my colleagues who are speaking on a pressing issue, the critical lapse in funding for hundreds of colleges and universities across our Nation.

On September 30, \$255 million in annual Federal funding for historically black colleges and universities and minority-serving institutions expired.

Since this fund was first created, it has supported 400 HBCUs and MSIs, historically Black colleges and universities and minority-serving institutions, across our country, including 97 HBCUs last year. This lapse has created real uncertainty and harm to these organizations and these universities, their students, their employees, and the public.

I just wanted to join my colleagues in highlighting the importance of this funding. I want to speak specifically to the HBCU of which Delaware is so proud—Delaware State University.

Delaware State is an engine for educational equity and access, for innovation and for leadership in our State, our region, and our Nation.

Delaware State University is one of the country's top public HBCUs. Its graduates go on to successful careers in all sorts of industries. Graduates from Delaware State have become some of our State's best nurses, teachers, business leaders, social workers, and Senate staff.

DSU's research programs are important drivers for innovation in a State with a proud history of invention and innovation. It is home to the Delaware Center for Neuroscience Research, a partnership of institutions across our State working to advance our understanding of how our brains form thoughts and memories and feelings, and how they change over time as we age.

It is also home to OSCAR, the Optical Science Center for Applied Research, where research that is in part federally funded is helping to speed early detection of disease, supporting our soldiers in better deterring and detecting threats, and equipping NASA missions, including the Mars Rover, with improved sensors.

To put it simply, we are very proud of Delaware State, and there is a lot of which to be proud. DSU grads are so impressive that I have asked several of them to join my staff here in Washington. Their commitment to equity and excellence is why we can't allow HBCUs around the country, such as Delaware State, to lose out on vitally needed Federal funding.

Last year, this program provided nearly \$1 million—\$887,000—to Delaware State, which is about 20 percent of their title III funding. These funds have a direct impact on students and funds critical science, math, and educator preparation programs.

There is no good reason for the Senate to ignore our HBCUs and MSIs and deny them the funding they deserve. In September, the House passed a bipartisan, budget-neutral, 2-year extension of this critical funding, which is known as the FUTURE Act. While I share Senator ALEXANDER's commitment to permanently extending this funding, we must not ask institutions to put their budgeting and planning on hold while we here in the Senate negotiate over many other pressing issues in higher education.

I urge my colleagues to pass the FUTURE Act immediately, and with that, I would like to make a motion.

Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 212, H.R. 2486. I ask unanimous consent that the Murray amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Madam President, reserving the right to object—and I will object—I am disappointed that my colleagues are offering such a short-term, piecemeal approach toward resolving the problems of our historically Black colleges and minority-serving institutions, when I have repeatedly offered a much better idea, and they have blocked it. I will offer it again in just a moment. I know the Senator from North Carolina is here to speak on the same subject.

Compared to what I have offered, they are offering a short-term, 2-year, budget gimmick-supported idea that will have a difficult time passing the Senate. What I have offered and they have blocked is permanent funding of historically Black colleges and minority-serving institutions—permanent funding—at the level of \$255 million a year, properly funded. That is No. 1. There is assurance from the U.S. Department of Education that every single historically Black institution—there are 97 of them—have enough funding to go until next October. Even the Senate ought to be able to do its job in that period of time.

At the same time, I have offered the Alexander-Jones bill offered by the distinguished Senator from Alabama, which would simplify the Federal aid application form called the FAFSA for 8 million minority students, among 20 million families in this country.

Why would anybody want to take a short-term, piecemeal approach that is based on a budget gimmick that couldn't pass the Senate compared with permanent funding for historically Black colleges and a bipartisan proposal to change the hated, dreaded FAFSA by reducing the number of questions you have to answer from 108 questions to between 18 and 30? This

document is the single biggest impediment to minority students going to college in America today, and the Democrats are blocking the passage of a bipartisan bill.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Carolina.

Mr. BURR. Madam President, I want to thank the chairman of the committee for objecting. I want to tell my colleagues on the other side of the aisle that I appreciate their being here giving the passionate speeches they have because they made the case for Senator ALEXANDER's bipartisan bill.

You see, incorporated in this legislation is an initiative by Senator JONES and Senator BALDWIN. Anybody who makes this out to be a partisan piece of legislation is just flat wrong. I have more historical Black colleges in North Carolina than any State can claim. When those chancellors and presidents have been presented with the question: Do you want 2 years or permanent, they all said permanent. They didn't know there was a permanent option.

I say this to my three colleagues because none of them are on the committee: There is a permanent option for funding historically Black colleges. It is in the chairman's bill. We have been told that the FUTURE Act needs to be passed. The FUTURE Act is 2 years long. There is not much of a future there. We ought to match its title with the chairman's bill because this really does address the future.

The No. 1 concern of historically Black institutions is predictability of funding. The chairman's bill is permanent. We are not going to come in here in 2 years and seek another reauthorization, but the benefit is that we are passing good legislation.

Let me point out to my colleagues that it is important to read legislation. The FUTURE Act is funded by whacking the funding for the State guaranty agencies. By taking away the account maintenance fees that these State-based organizations receive to administer loans, we are robbing Peter to pay Paul. These same students who are probably going to go to historically Black universities are also seeking State-based loans to do it, and we are providing the institutions 2 years of predictability on one side, and we are taking away the fees that are needed to administer the loans to allow them to be able to afford it. This is when it is important to look at the details.

The way the FUTURE Act is funded, it actually hurts all institutions in North Carolina. Just today, I heard from the North Carolina State Education Assistance Authority about how important this funding is for their daily functions in administering student loans. So I believe there is a better way to extend HBC funding but also not to hurt students.

At the end of the day, our focus—the human face we see is the student who benefits from the educational oppor-

tunity they have been given. I would tell you that the FUTURE Act flunks on all counts. It is not permanent. It takes away from some because of how it is funded. We have an opportunity with Chairman ALEXANDER's bill, the Student Aid Improvement Act, which would extend this title III funding permanently, but it would also include other bipartisan support changes in higher education, like expanding Pell grants. Every Member of the Senate has sat on this floor and said we have to do something on Pell grants. Here is your opportunity.

It doesn't fit in the timeframe of passing a bill that passed the House that provides 2 years of funding, but we have a bipartisan piece of legislation. It simplifies the financial student financial aid process. You saw the chairman hold up the form. There is nobody who can defend the continuation of that form. It should be one page. The chairman of the Education Committee has tried for now 5 years to transition that to one page. You might look at us and say: Well, we can do this very quickly, but we need time to talk about this. We have taken 5 years to do this, and the people on the committee know this.

This is the sixth time you have come to the floor and asked unanimous consent to do the exact same thing: Pass this; don't look at anything else.

No, that is wrong, but it is not wrong because we are in the majority. It is wrong because it is not serving the students for whom we are supposed to be here setting policy. It simplifies aid award letters to students. It is actually easy to tell them they got their student aid. It is cumbersome. If you are on the committee, you understand the agony they go through. We are wiping all of that away.

I believe Chairman ALEXANDER has a better path. I also would like to remind my colleagues that while this funding should be extended, there has been no lapse. Let me state that again. It should be extended, and there has been no lapse.

Madam President, I ask unanimous consent to have a letter I received from Secretary DeVos, stating that the title III funding in question is available through September 2021, be printed in the RECORD.

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

THE SECRETARY OF EDUCATION,
Washington, DC, October 9, 2019.

DEAR [REDACTED] I write to clarify the status of grants under Title III, Part F of the Higher Education Act of 1965, in light of the enactment of the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Pub. L. No. 116-59), signed on September 27, 2019.

Initially, I want to note that the new law has no effect on funds that we recently awarded in the Title III, Part F programs. Funds obligated in fiscal year (FY) 2019 have already been made available to grantees under all Part F programs in the Department of Education's (Department) G5 System for the project period beginning on Octo-

ber 1, 2019, and ending on September 30, 2020. Those funds will remain available to grantees for allowable uses during this period. In addition, in the Part F programs that award grants competitively, the Department has carried over FY 2019 funds into FY 2020 to support noncompeting continuation awards and supplements for project periods from October 1, 2020, through September 30, 2021.

The Department's ability to make additional formula grants in FY 2020 under Part F for Historically Black Colleges and Universities (HBCUs) and Tribally Controlled Colleges and Universities, and to conduct new competitions for FY 2021, depends on the availability of congressionally appropriated funds. However, this will have no bearing on the grant funds that have already been made available to grantees for the next 12 months.

This Administration is committed to each and every HBCU and other minority-serving institutions and the important work they do in educating historically underrepresented student populations. If you have any questions about these programs, please reach out to your program officer in the Department's Office of Postsecondary Education.

Sincerely,

BETSY DEVOS.

Mr. BURR. On that basis alone, there is not the sense of urgency that some have come to the floor six times and suggested. I don't disagree with any of my colleagues that this is something we need to do now, but a 2-year temporary bill that doesn't accomplish any of the other reforms when we have had 5 years of bipartisan work—why would we not take this option? Why would we not sit down and find a way for Chairman ALEXANDER's bill—which has many Democratic initiatives in it—to pass and provide historically Black colleges and universities with permanent funding, provide students with a one-page form to fill out for student aid, provide an expedited way for the notification when their loans have been approved? We are there, but for some reason, some want us to do a 2-year temporary fix. It is wrong. I thank the chairman for objecting.

I yield the floor.

Mr. ALEXANDER. Madam President, I see the Senator from Ohio. I intend to offer my alternative to which, I gather, someone plans to object. I will go ahead and do that unless he wants to speak at this point.

Mr. BROWN. Go ahead, Senator ALEXANDER.

UNANIMOUS CONSENT REQUEST—S. 2557

Mr. ALEXANDER. What I will do is make my offer quickly, and then I will make my speech following the objection.

Let me summarize, to begin with, that what has just happened is I have objected to a short-term, piecemeal extension of funding for historically Black colleges and minority-serving institutions because it is a bill that, I think, will have great difficulty passing the Senate because of the way it is not properly funded. What I am about to offer, and which I will speak on after the objection is made, is permanent funding for historically Black colleges at the level of \$255 million a year—permanent funding—as opposed to short-term, piecemeal funding as part of a

package of higher education legislation that has been prepared and cosponsored by 29 Senators—more Democrats than Republicans—with the principal other provision being reducing the questions in the FAFSA, the Federal aid application form, from 108 to between 18 and 30. This is a bill introduced by the Senator from Alabama, Mr. JONES, and I, which our Senate committee has been working on for 5 years. It is the single most important impediment to keeping minority students from going to college in our State—and I think most States, according to our former Governor—and it would help 8 million minority students who fill out this complicated form every year.

I will speak more to that in just a minute, but that is what I am about to ask my friends on the other side to permit me to pass.

Madam President, as in legislative session, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 2557—the bill I just described, the permanent funding of historically Black colleges and the simplification of the FAFSA and other measures—and the Senate proceed to its immediate consideration. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Ohio.

Mr. BROWN. Madam President, I reserve the right to object.

I and my colleagues here—Senator CARPER, Senator COONS, and prominent Democrats in the education debate—have deep concerns about Senator ALEXANDER's proposed micropackage. To be sure, it is a micropackage of higher education bills. It is not a complete reauthorization.

Our caucus has been clear about what a comprehensive bill should look like. It addresses access, affordability, accountability, and campus safety. This Alexander proposal falls well short.

The Senator from Tennessee says this package is bipartisan. That is sort of true but not entirely. He has made a number of changes to the underlying bipartisan bills that do not have the support of lead Democrats on this and, in some cases, the lead Republicans of the original bills. For example, this package includes a limited repeal of the ban on Pell grants for incarcerated adults instead of the full repeal of the ban included in the bipartisan bill. Our bill adds to Pell grants.

His version of the short-term Pell Grant Program makes significant changes to the bipartisan JOBS Act of 2019, a bill of which I am an original cosponsor. The JOBS Act excludes for-profit colleges from eligibility for the program. We know the Trump administration is all about for-profit institutions, with the Secretary of Education leading the charge. This version allows

for-profit colleges—the sorts of schools we know mislead and scam students in too many cases—to sneak their way into eligibility.

One of the things I admire about the chairman of the HELP Committee—and have admired since I met him 20-some years ago—was his work not just as Secretary of Education but his work as president of the University of Tennessee. He knows what for-profit colleges do for and to far too many students. His legislation removes a number of the protections meant to ensure programs eligible for this funding are actually high-quality ones that educate students. These are just a couple of the ways this micropackage is different from the original bipartisan bills. We know the micropackage cannot pass the House. Chairman SCOTT and Speaker PELOSI have been clear that they want comprehensive reform. A comprehensive HEA reauthorization can pass. That is not what this is.

I hope we can come to a bipartisan agreement, but as we work together, we can't hold hostage historically Black colleges and universities. Most of them are in the South. Most of them are in the States of my colleagues who are from the South. Most of them are in Republican States with Republican Senators. As mentioned by Senator CARPER and Senator COONS, of Delaware, my State, which is similar to Delaware, has historically Black colleges. In Ohio, Wilberforce and Central State are prominent institutions that matter so much to our State. For the nearly 2 years now since the Trump administration has been in office, these schools have been in fiscal limbo.

I know Senator ALEXANDER cares about these schools, but there is no evidence that the President of the United States does. They need their funding extended now. The mandatory funding, which is vital to these schools, ran out on September 30 because the Senate refused to act and because the President didn't seem to care. The House did its job in passing the FUTURE Act. Now HBCUs are facing impossible decisions in the face of dwindling funding. The Senate needs to immediately take up and vote on the bill the House already passed to provide full, mandatory funding for MSIs and HBCUs.

We all agree—Senator BURR, Senator ALEXANDER, the two Senators from Delaware, and Senator CARDIN, who has just joined us—that HBCUs have fostered generations of Black leaders. They are a critical part of our Nation's higher ed system. These schools have rich legacies and proven track records of educating students of color and other underrepresented students.

Wilberforce was founded in 1856 in Wilberforce, OH, as the Nation's first private institution of higher ed for Black students. Central State, which is in the same town across the road in Wilberforce, has a rich legacy of educating students as an 1890 land grant institution. We have helped it this year

through the Committee on Agriculture, Nutrition, and Forestry. It is further tasked with strengthening research, extension, and teaching in food and ag science.

We know that without our HBCUs, millions of Black students would have been denied the opportunity to pursue higher ed. HBCUs account for approximately a quarter of all of Black students who earn bachelor's degrees and nearly a third of all of the African-American students who earn STEM bachelor's degrees. Our country owes an enormous debt to these schools that we don't seem to be paying back. That is why it is unconscionable that the Senate has abandoned these schools and these students.

I have heard from schools about how their budgets have been thrown into chaos. They tell me that academia is about planning, and many of them already operate close to the margins. HBCUs have already received letters from the Department of Education telling them that they are not getting future funding and that they can't use any Federal funding for long-term projects. It could mean program cuts and layoffs. It means no long-term construction projects. It means not hiring permanent faculty and not purchasing major equipment. Imagine operating a school like that.

It is shameful that in 2019 we still ignore schools that serve students of color by treating this as anything other than a must-pass bill. I know that very few African Americans voted for President Trump, and I know he seems to care for only those people who voted for him. Yet this is an obligation. Senator ALEXANDER wants to fulfill it, but he is operating in a strait-jacket with this President.

It is so important that we do this. The FUTURE Act is budget neutral, and it is fully paid for. We use the same offset the administration has used. It is a bipartisan pay-for, not a gimmick.

I should add that less than 2 years ago, this Senate and President Trump had no problem passing a \$1 trillion tax cut for corporations and the wealthy that wasn't paid for. We have seen that under Republican leadership in the White House. We have seen what has happened to our budget debt, and we know corporations have had huge tax cuts. We know 70 percent of the tax cuts went to the wealthiest 1 percent. Yet this body can't take care of historically Black colleges. They hold schools that serve students of color to a different standard.

I am hopeful that Senator ALEXANDER, whom I trust, and Senator MURRAY, whom I trust, will continue to negotiate a truly bipartisan and truly comprehensive higher ed reauthorization that supports HBCUs. I support those efforts. That is the way forward for the priorities that Senator ALEXANDER has outlined in his micropackage and for the updates and reauthorizations all of our students and families need. HBCUs and MSIs can't wait

until that process is over. They need action now. They have all had to overcome enough hurdles every day in order to educate their students. The U.S. Senate should not be one of those hurdles. We need to pass the FUTURE Act now.

Accordingly, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. ALEXANDER. Madam President, I see the Senator from Maryland, but I would like to take a few minutes to describe the proposal to which Senator BROWN just objected.

I appreciate the Senator from Ohio in his saying that he hopes that Senator MURRAY and I can do what we usually do, which is to take issues within our Education Committee and work them out and present them to the Senate as a whole, but that is not the way this came up. This came up suddenly, and no one talked to me about it. Here we are when, for 5 years, we have been in the midst of reauthorizing higher education. Permanently funding historically Black colleges has always been an important part of that discussion when suddenly here comes this bill as if there were an emergency.

What I heard my friend from Ohio say is that he objects to my proposal as a microproposal, as a small proposal, but he is suggesting an even smaller proposal. He is suggesting a 2-year fix that, in my opinion, can't pass the Senate because of the way it is funded.

Plus, why would you want a 2-year fix when you have the chairman of the Education Committee working for the permanent funding of historically Black colleges and minority-serving institutions? This is what I have offered on the floor, and that is what has just now been objected to by the Democrats.

At the same time, he mentioned a number of bills that he thought needed some changes. The request I made that was objected to also included simplifying FAFSA, which is the Federal aid application form that 20 million students fill out every year. Let's put a human face on that.

The President of Southwest Tennessee Community College in Memphis, which is a largely minority institution in terms of its students—I see my colleague from Tennessee is presiding today, and she knows this institution well—told me they lose 1,500 students every semester because of the complexity of this form. There are 108 questions. A bipartisan working group, including Senator BENNET, of Colorado, a Democrat; Senator JONES, of Alabama, a Democrat; Senator KING, of Maine, an Independent; and many others on our side, we have reduced these 108 questions to between 18 and 30. It has the support of the student aid administrators from across the country. It has the support of college presidents who see their students turned away because their parents and their grandparents see this as too complex.

Former Governor of Tennessee Bill Haslam led our legislature to create 2 free years of college tuition in Tennessee, but first you have to fill this out. Governor Haslam has told me the single biggest impediment to low-income Tennesseans getting those 2 years of free education is the complexity of that form.

Why would the Senator object to doing it when we have been working on it for 5 years and have a bipartisan bill to get it done? Why don't we pass it? Why don't we make it the law? What do we say to those 1,500 students who don't get to go to college because of this?

At the same time, at the other end of our State, the president of East Tennessee State University tells me that 70 percent of his student body is subjected to verification. The way this system works is you have to give some information to the IRS and some information to the Department of Education, and if you make one little mistake, they jerk your Pell grant while they figure out what the problem is. Seventy percent of the students were subjected to that verification, and some of them lost their scholarships while that happened. That is totally unnecessary.

People in Tennessee ask me: If that is true, why don't you pass it?

That is the question I am asking my friends because I just asked the Senate to pass it, and the Senator objected. Why don't we pass it? Why don't we make it the law? It is not as if I just showed up one day with this. We have been all the way through our process of hearings. It has been through working groups of Democratic and Republican Senators. It ought to be done.

There is no need for us to come to the floor and say we need to pass a short-term, 2-year fix for historically Black colleges when, at the same time, you could have permanent funding for historically Black colleges and could fix the Federal aid application form that 8 million minority students fill out every year—8 million students. What are the Senators going to say to them about why they are not going to make it easier for them to go to college when we are here, arguing about a short-term, piecemeal fix for historically Black colleges?

In a way, I am glad we are having this discussion because I have been trying to bring this to the attention of my colleagues and if you go home and talk to the families, they will tell you that 20 million fill this out every year. In Tennessee, it is 400,000. And college aid administrators will tell you that.

I will give another example. I was in West Tennessee a couple of weeks ago at an event that was sponsored by the Ayers family. For 20 years, they have given money to help rural kids succeed in college. What the Ayers have discovered is that instead of spending their money on scholarships, they are spend-

ing it on counselors because counselors help students more than the money does. They have found there are lots of scholarships, but it is the counselors who make the difference. Yet what do the counselors spend their time doing? They help students answer these unnecessary questions.

So we are blocking and impeding the very students the Senator is claiming he wants to help when he objects to this bill I offered today.

I want to make it clear that I will come to the floor every day, if I need to, and offer legislation for the permanent funding of historically Black colleges and minority-serving institutions, which will be fully paid for, and a bipartisan proposal to simplify the FAFSA from 108 questions to 18 to 30 questions, which is estimated by the Congressional Budget Office to allow for 250,000 new American students to receive Pell grants as a result of the simplicity of what we have done.

I am disappointed that we haven't come to a bipartisan result on that. My friends who are here today know very well that this is the way I like to work. I believe it is hard to get to the U.S. Senate, that it is hard to stay here, and that while you are here, you might as well try to accomplish something. That is what I want to do. I hope we can do it on higher education.

When we accomplish it, I hope we can say we have agreed on the permanent funding for historically Black colleges and that we have elevated the importance of this complicated FAFSA to the attention of Senators on both sides of the aisle so that we say: Let's get this done. I don't want to go home any longer and have people ask me: Why don't you pass that? Why do I have to give the same information to two different parts of the Federal Government? Why are you discouraging the very low-income students who ought to be going to college?

I am disappointed in this result today, and I intend to continue to work for the permanent funding of historically Black colleges.

My last sentence will be this: I want all of the presidents of the 97 institutions to know that the U.S. Department of Education has said there is full Federal funding for historically Black colleges and minority-serving institutions for another year. Another year ought to be plenty of time for us to reject this short-term fix and to adopt a permanent solution as well as to simplify the FAFSA, have short-term Pell grants, and take up a variety of other proposals that ought to be a part of the Higher Education Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

REMEMBERING SERGEI MAGNITSKY

Mr. CARDIN. Madam President, November 16 was the 10th anniversary of the tragic death of Sergei Magnitsky.

Sergei Magnitsky was a Moscow-based lawyer who represented an investment company, known as Hermitage Capital, whose American-born founder was Bill Browder. In the course of Mr. Magnitsky's representation of his client, he discovered a major tax fraud issue—\$230 million of taxpayer moneys being funneled through shell companies with business ties to President Putin. Mr. Magnitsky did what any good lawyer would do in discovering corruption and reported it to the local authorities. As a result, he was arrested and tortured. Ultimately, he died in prison. He was in prison for nearly a year without having a trial.

Unfortunately, this is not a unique circumstance in Russia, but we in the global community decided that we could not let this injustice go without taking action. Those responsible needed to be held accountable. Yet, in Russia, those responsible for this tragedy were promoted and received awards.

So there needs to be accountability for those who violate basic human rights and their government will not take action.

I first learned of the Magnitsky tragedy in my role as a member of the Helsinki Commission. I was the chair and ranking Democrat on the Helsinki Commission. The Helsinki Commission is the way we enforced the Helsinki Final Act that was passed in 1975, and it adheres to basic principles of human rights. It gives every member-signatory of the Helsinki Final Accords the right to challenge what is happening in other states. Russia is a signatory to the Helsinki Final Act. The United States is a signatory, and we raised the Magnitsky issue.

Then, working with the late Senator John McCain, I authored legislation known as the Sergei Magnitsky Rule of Law Accountability Act. It was enacted into law in 2012, and what it does is it says that those who were participating in gross human rights violations in Russia—related to what happened to Sergei Magnitsky—that those who were responsible would not be allowed to visit the United States by being granted visas or to use our banking system. Why was that so important? Because these corrupt officials like to have their assets in dollars, not rubles, and they like to visit the United States, and they like their families to visit the United States.

What is unique about the Magnitsky Rule of Law Accountability Act is that Congress can initiate the executive branch taking up particular names.

It is interesting—I have heard from many Russians who fully support what we are doing. We are giving them an opportunity for their voices to be heard.

Mr. Putin lobbied against its passage, but it passed Congress by an overwhelming vote. To date, 54 individuals have been sanctioned under the Sergei Magnitsky Rule of Law Accountability Act of 2012, and it has been very effective. We have been told through press

accounts that in the summit meeting between Mr. Putin and President Trump, it was one of the first subjects that Mr. Putin raised in regard to the Magnitsky sanctions. And I must tell you, it provided U.S. leadership a way to stand up and hold human rights abusers and corrupt individuals accountable for their crimes. As a result of our action, other countries acted—Canada acted; European countries acted—and we were able to get much more effective use of this sanction against human rights violators.

The Magnitsky legacy is not limited to Russia. Unfortunately, there are powerful, corrupt, and dangerous human rights violators globally, where countries do not hold these violators accountable for their actions. So once again partnering with the late Senator John McCain, I authored the Global Magnitsky Human Rights Accountability Act, which was enacted in 2016, and we have used that act. We used it in Saudi Arabia to deal with the tragic death of Jamal Khashoggi. Over 100 individuals have been sanctioned under Global Magnitsky, including those in the DRC, Nicaragua, and Burma as result a result of the Rohingya tragedies. Once again, U.S. leadership was there. As a result of our action, we saw action in Canada, and we saw action in the European Union.

As we commemorate the 10th anniversary of Sergei Magnitsky's tragic death, let us recognize that Sergei's life and legacy have led to two of the most significant human rights accountability laws that exist today. Because of Sergei Magnitsky, the United States and many of our allies now have the tools available to hold human rights abusers accountable and to deter would-be perpetrators from committing such crimes in the first place.

I urge my colleagues to continue to honor Sergei Magnitsky through our actions. Let us stand by our values and continue to ensure the protection and defense of human rights around the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

GOVERNMENT FUNDING

Mr. LEAHY. Madam President, I know people are waiting to see what might happen around here. We will have before us a continuing resolution to fully fund the Federal Government through December 20. I wish this was not necessary, and that we would have just passed all of our appropriations bills. But while I wish the step was not necessary, I would urge all Members to vote aye.

I wish we were further along in our work, but it is not for lack of trying. It is no secret what is holding up negotiations—the President's demand for \$8.6 billion more for his vanity wall along the southern border. This is a wall the President gave his word to the American people that Mexico would pay for it, and now he is telling the American people: No, I want the American taxpayers to pay for it.

I should point out that he already has \$10 billion on hand. He could not possibly build that much of his wall, anyway, over the next fiscal year with the eminent domain that would have to be done in Texas and elsewhere. And, of course, the wall they have built, at a cost of millions of taxpayer dollars a mile, can be defeated by a \$100 saw at the local hardware store. The President was talking about how they will make it so high that it will be hard to get over it, but you can just kneel down and cut a hole to go through it. But he has \$10 billion on hand for his wall. It could not be spent in the next year no matter how much the government is overcharged for the wall.

He stole \$6.3 billion of that from our troops and their families, and despite the fact that the vast majority of that money has yet to be spent, he wants more.

If we hadn't had this issue, we would have had our work done by now. To quote one of the most famous baseball players, "It's *deja vu* all over again." The President is once again putting his own personal interests ahead of the interests of our country.

I would like to remind the Chamber what is at stake in the annual appropriations bills. These are the things that are being held up because the President wants us to forget his promise that Mexico would pay for this wall.

What is being held up? Well, education for our children. Cutting-edge medical research. Anybody who has a family member with cancer or diabetes or any other disease wants their tax dollars being spent on medical research. Support for our Nation's farmers, medical care for our veterans, addressing the opioid crisis, environmental programs to keep our air safe to breathe and our water safe to drink—all of these things are being held up, all are being put on autopilot because the President cares about his wall—his symbolic wall—far more than he does about medical research or medical care for our veterans.

So we find ourselves at a critical juncture. We could pass another continuing resolution to allow us to continue to negotiate in good faith, which I am committed to do, or shut down the government. Well, that is really not a choice.

The continuing resolution before us is a good bill that will allow us to continue our bipartisan, bicameral negotiating on the fiscal year 2020 appropriations process. I hope all Senators will support it.

I would note for Senators how the Republican chairman of the Appropriations Committee, Senator SHELBY, and I, as vice chairman, have kept the process in a bipartisan fashion. Almost all of our appropriations bills have come out of committee unanimously or virtually unanimously. They have come to the floor, and then they have gotten an overwhelming vote. Let's rely on those Senators in both parties who are willing to set aside political posturing and who are willing to set aside symbolism and instead have substance.

In addition to continuing to fund our government for 4 more weeks, our bill tackles some issues that have to be addressed right away. It provides the Commerce Department with the necessary funds to carry out the decennial census, which is required by our Constitution. It provides funds for mobile centers to ensure that the census reaches those in the hardest to reach areas. It fulfills our constitutional obligation to make sure every American is counted.

The bill includes a provision that would block a looming \$7.6 billion rescission of highway funding set to hit the States July 1—the States of virtually everybody in this Chamber, Republican and Democratic alike. Without this provision, each of our States would see significant cuts to its highway funding. That is the last thing we need given the dire state of infrastructure in America today.

The bill includes a pay raise for the military, which is set to go into effect in January. It also includes legislation to ensure that victims of state-sponsored terrorism get the compensation they are entitled to. More importantly, it ensures that the government remains funded and open while we continue to work on full-year appropriations bills.

Now, even if we passed this bill today or tomorrow, we have only 4 short weeks to complete our work. It can be done. I am committed to staying here, as we have in the past. We all worked nights, weekends, and I must say the tremendous Appropriations Committee staff worked even more hours.

But it cannot be a one-sided negotiation. And we cannot be expected to divert billions more in taxpayer dollars to fulfill President Trump's cynical campaign promise as part of the final deal. It does not have the support in this Chamber or among the American people to carry the day.

If we had an up-or-down vote in this body—will you take this money away from housing for our troops, for medical research, and all these other things, to pay for an ineffective wall so the President will not be embarrassed by not keeping his word that Mexico was going to pay for it? Of course, that would fail. Of course, that would fail. Nobody wants to go back home and say they did that.

We have billions of dollars in here to keep our borders secure. We want to keep our borders secure. Everybody

wants to, Republican and Democrats alike, but let's not waste the money on symbolism, especially if it means we do not do our medical research or take care of housing for our troops among all the other things I have listed. Do not do a bill with the hopes of, someday, Mexico will pay us back, just because the President promised they would. We all know they are not going to.

So, with that being said, we have made some progress. I do not go and call press conferences like some of my colleague do each moment along the way, but I have been working closely with a bipartisan group. We all look forward to continue to work with Chairman SHELBY and Chairwoman LOWEY and with Ranking Member GRANGER to get these bills across the finish line.

We owe it to the American people, and we have demonstrated—I think Senator SHELBY as chair, myself as vice chair, we have demonstrated that we can get the bills through with an overwhelming bipartisan vote. Just let us do it. Let's go forward and pass them. Let's do substance over symbolism.

With that, Mr. President, I see my distinguished colleague on the floor, so I will yield the floor.

The PRESIDING OFFICER (Mr. CRAMER). The Senator from Tennessee.

INTERNET EXCHANGE ACT

Mrs. BLACKBURN. Mr. President, it is so interesting to be here on the floor and to hear such a variety of ideas and to know that, across the country, people are logging on and they are tuning in and they are watching how we go about our business. And one of the things that is so interesting as we pull the Internet and online activity into our lives and stay connected, we sometimes enjoy the idea of just “unplugging” for a weekend, going to somewhere in the country that holds a really special appeal. Certainly at this time of year, people will talk about going away for Thanksgiving, or maybe they went away during the fall to look at pretty leaves.

They see it as an escape and maybe even an opportunity to get just a little bit of smugness in their tone when they talk about how they have chosen a destination that has politely informed them to not expect WiFi and not to expect that Internet connection.

But here is a question for you: How many would make that trip, but still knowing there is not that connection, they take the smartphone, the iPad, or the laptop anyway? Of course, we know we all do that.

After all, we have been trained to respond to the buzzing, beeping, and the ringing of our device, and so eventually, what happens is we give up and we start wandering around, searching for a signal, and then declaring to all of the very unimpressed locals: Well, I don't see how y'all do it without being able to have access to high-speed Internet. How can you survive without broadband?

Well, to my colleagues, let me say this: They do it because they do not have a choice. You know, these days, encountering so much as a spotty cell signal causes concern for those of us who are accustomed to high-speed Internet and broadband connectivity, but I will tell you there are millions of Americans out there for whom a broadband connection or even the pop and hiss of a dialup connection is completely out of reach.

In a world where even simple online interactions require lightning fast connections, economies in rural America are falling behind. We read every day about entire industries setting up shop in budding metropolises like Nashville, TN, but to many, corporate America's glowing new hubs sound like remote outposts compared to the familiar crush that is here on the eastern seaboard.

Our perspective is skewed. Even so, businesses move inward because they see potential for growth with minimal risk, but there is only so far that they can push it. Rural communities do not have much to offer in terms of operational support or a reliable customer base, and most of them lack a crucial resource: the funding and infrastructure to back reliable broadband services.

It is true, “the cloud” needs a physical connection to Planet Earth, and broadband networks rely on physical “Internet Exchange” points. Without these hubs, subscribers of different Internet providers cannot communicate with one another.

While many businesses are certainly capable of fronting the costs associated with building the actual exchange points and running connections to other hubs, there is no incentive for them to gamble on a stagnant economy, so they go elsewhere, and local businesses go nowhere, unable to expand into the global online marketplace.

And just to think, a decade ago, we wasted an opportunity to bridge the digital divide, to even close the digital divide. Back in 2009, during the stimulus days, President Obama signed an economic recovery package that included 7.2 billion, \$7.2 billion to expand broadband services in underserved areas.

Well, predictably, those dollars began to flow into urban and suburban areas, leaving rural communities stranded on the far side of a gulf that Washington had ended up widening. Mistakes were made, but it would be an even bigger mistake to make rural residents suffer through it.

This year, I introduced the bipartisan Internet Exchange Act in an effort to get the Senate talking about broadband accessibility. When passed, the bill will offset the start-up cost of establishing broadband connections via a series of grants reserved exclusively for unserved rural areas. That is unserved rural areas, those that have been left out, those that did not benefit

from the \$7.2 billion that President Obama put in the stimulus for broadband expansion.

They did not get any of that money. They got left further behind and pushed further out of the economic mainstream for the 21st century. As with any program, infrastructure alone is no guarantee of success, but the presence of new and expanded Internet exchange facilities will create a stronger and more competitive web. More hubs will enable faster data transmissions, allowing local businesses to expand and, in rural communities, e-commerce to flourish.

Farmers, manufacturers, miners, will gain access to state-of-the-art technologies that support safer and more productive operations. Medical practitioners will be able to care for neglected populations via telemedicine. Schools and libraries will have advanced tools at their fingertips and open the world to their students. The local law enforcement will add an important tool in their “public safety toolbox.” Businesses looking to lay down roots will notice that rural communities are investing in themselves and, hopefully, make the decision to bring jobs and business opportunities to local workers and to rural America.

But perhaps, most importantly, rural residents and their guests will be able to decide for themselves whether they want to connect or unplug, and they will be able to do it on their own terms.

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.

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

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

UNANIMOUS CONSENT REQUEST—S. 455

Mrs. SHAHEEN. Mr. President, I come to the floor today to raise awareness about the open enrollment period for health insurance marketplace coverage.

Between now and December 15, Granite Staters and Americans across the country can enroll in healthcare plans for 2020 through the Affordable Care Act’s health insurance marketplaces. Tens of thousands of Granite Staters and millions of Americans will be eligible for Federal premium tax credits to help pay the cost of monthly premiums as well as financial assistance to reduce the cost of annual deductibles. I am sad to say the Trump administration refuses to be a reliable partner in helping to spread the word about open enrollment.

For the third year in a row, we have an administration that has focused on sabotaging the Affordable Care Act instead of raising awareness for open enrollment. This administration is even focusing resources on promoting enrollment and junk health plans that

don’t provide coverage for preexisting conditions and that don’t meet the Affordable Care Act’s comprehensive coverage requirements.

After failing to repeal the Affordable Care Act in the Senate, the Trump administration is making an end-run around Congress, trying to dismantle the ACA through regulations, administrative actions, and lawsuits in the Federal court.

As we can see in this chart, 2 years ago, the administration cut funding for advertising and outreach efforts to promote open enrollment by 90 percent. The administration went from \$100 million—we can see on that bar—down to \$10 million in 2017 and \$10 million in 2018 and \$10 million in 2019.

These advertising cuts are pennywise and pound foolish. They are part of the administration’s concerted attempt to keep Americans in the dark about what their insurance options are.

Federal advertising on television and through digital platforms and other media is critical to drawing a healthy and balanced mix of consumers into the marketplace. In fact, research shows that California’s State-level investments in marketing and advertising for open enrollment generated a 3-to-1 return on investment through lower premiums from a more balanced risk pool.

By refusing to adequately promote open enrollment, the administration is forcing our insurance markets to miss out on an opportunity to improve the markets, to lower premiums for consumers, and to ensure a healthy health insurance market—no pun intended—throughout this country.

That is why I introduced the MORE Health Education Act—to restore those health insurance marketplace advertising dollars and to increase outreach funding back to the \$100 million a year. My bill would also prohibit the administration from using any of these funds to promote short-term plans or junk plans—plans that don’t comply with the Affordable Care Act’s requirements for preexisting condition protections among many other provisions that provide real insurance coverage for people who need it.

The Congressional Budget Office projects that approximately 500,000 more people would enroll in the health insurance marketplace or Medicaid coverage each year as a result of my legislation. That is half a million people who would be insured and be able to better take care of themselves and their families, and they would have access to primary care, to preventive services, and to a wide variety of other services they need and that they would be afforded under the essential health benefits of the Affordable Care Act.

My bill would also result in a reduction in marketplace premiums thanks to the increased enrollment from a more balanced risk pool. It would be a win-win all around.

Mr. President, at this time, as in legislative session, I ask unanimous con-

sent that the HELP Committee be discharged from further consideration of S. 455 and the Senate proceed to its immediate consideration. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Indiana.

UNANIMOUS CONSENT REQUEST—S. 913

Mr. BRAUN. Mr. President, reserving the right to object, ObamaCare has failed because it is the classic example of Big Government getting in cahoots with a healthcare industry that is broken. It was doomed to fail because when has Big Government and Big Business ever resulted in something that is going to cost less and be more effective?

Under ObamaCare, decisions are made by the healthcare industry executives and the Federal Government bureaucrats—not patients, not consumers. This program is authorizing millions of dollars we don’t have to prop up a system that is not working. If ObamaCare was working, it would sell itself, but it doesn’t work. Costs continue to rise, and Americans continue to be stuck with the bill.

I believe there are things that ObamaCare does that we should keep. I actually incorporated it into my own business’s plan back before the law required you to do it. I covered preexisting conditions and no cap on coverage. The pillars of ObamaCare—we should all accept that.

When they added keeping kids on there until they are 26, that is fine too. Those ships have sailed. But the Affordable Care Act is not remotely affordable, and it is only going to get worse.

I applaud the Trump administration for doing their due diligence on how healthcare policy changes are going to affect average Americans. They are taking the approach to not go deeper in the hole with something like ObamaCare but to reform the industry by making it competitive, transparent, eliminate the barriers to entry and, yes, encourage the healthcare consumer to get involved in his or her own well-being.

I do believe President Trump is right. The Republicans can be the party of healthcare without involving more government, but we need to do that by putting more power back into the hands of the American people, not ceding total power to government bureaucrats and big healthcare executives.

I have a better idea. The truth in pricing act—my bill I am countering with—encapsulates some of the ideas behind the proposed and final rules announced by the White House last week, which I fully support. The complex, opaque nature of healthcare pricing makes it difficult for consumers to anticipate, measure, and compare healthcare costs and coverage options.

Hospitals have a chargemaster that nobody can understand, which actually inflates retail prices billable to a patient or an insurance provider, but insurers usually negotiate steep discounts to these inflated prices that consumers and the employers who pay all the bills never see. It is done behind closed doors.

More pricing transparency would address this market failure. Increased competition gives more decision making to the people who are supposed to use it.

This is why I introduced the truth in pricing act, which requires health insurers to disclose negotiated rates, including any cost-sharing obligations for consumers for healthcare services covered under their health plans. It is difficult for insured consumers to shop for healthcare services in our current, opaque, and broken market within which ObamaCare works, especially if they don't know actual prices. Insurers have the unique ability to provide this information to consumers.

Why subsidize insurance companies to pay for navigators and insurance agents when we can instead make the market work better and be more consumer-driven and transparent? This is the way we break the stranglehold that government in big healthcare has on healthcare delivery.

I ask unanimous consent that the Senator modify her request and instead, as in legislative session, the Committee on HELP be discharged from further consideration of S. 913, the True Price Act, and the Senate proceed to its immediate consideration. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Does the Senator so modify her request?

Mrs. SHAHEEN. Reserving the right to object, let me say that I agree with my colleague that we need more transparency in healthcare pricing. I would argue that one of the places we most need that transparency is when it comes to the price of prescription drugs.

As I am sure my colleague knows, the cost of prescription drugs is probably the biggest cost driver right now in increases in healthcare. Yet we in Congress and the Centers for Medicare and Medicaid are stymied because they can't negotiate with the big drug companies to lower the prices of prescription drugs and to make that more transparent to consumers.

The Veterans' Administration can negotiate for the cost of prescription drugs. If you talk to any veteran about the cost of their prescription drugs and compare them to what people are paying in the marketplace, there is a huge difference because they have that ability to negotiate.

I am sure that at some point we could probably find some agreement on transparency that would make sense. I

think what my colleague is proposing is not something that has had a chance to go through the HELP Committee and, therefore, would need a further look. I would want to know what hospitals in New Hampshire, the doctors, consumers, and the insurance department in my State would have to say about that. Until I find that out, I would have to object to what my colleague is proposing, but I hope we could work together to address the challenges that my constituents—and I am sure his constituents—are facing because of the cost of healthcare.

He talked about the failure of the Affordable Care Act. Actually, in New Hampshire, we have over 90,000 people who have now gotten coverage for health insurance because of the Affordable Care Act. Through the expansion of Medicaid, we have reduced the number of uninsured in New Hampshire to half the number we had before we passed the Affordable Care Act.

What my legislation would do is help people understand what the filing period is and how to sign up for the Affordable Care Act and health insurance.

In fact, under the Affordable Care Act as it exists now, according to estimates from the administration, approximately 54 percent of Granite Staters who are shopping for coverage on healthcare.gov are eligible for a plan with net monthly premiums of less than \$75, after accounting for tax credits, and nearly 40 percent of Granite Staters shopping on healthcare.gov can find a plan with net monthly premiums under \$10.

Now, the cautionary note is that when constituents of mine or in Indiana or anywhere else in the country are shopping for plans, they need to watch out for those short-term, limited-duration insurance plans—what are commonly called junk plans—because they are not required to cover preexisting conditions. I was pleased to hear my colleague from Indiana say that for existing conditions, coverage is important.

Those junk plans are not required to provide coverage for essential health benefits, like maternity care, prescription drugs, and mental health services. If you don't pay very careful attention when you go on the healthcare.gov website, you can be redirected to third-party insurance broker sites that sell both junk plans and ACA-compliant marketplace plans. That creates further confusion for customers. What we heard is that those insurance brokers are able to charge multiple times the price for those plans for their fee than they are for plans under the Affordable Care Act.

The administration has been allowing these links to redirect consumers to sites that sell junk plans, even though the ACA expressly prohibits any health insurance exchange from making available any plans that are not qualified health plans under the Affordable Care Act.

A number of my colleagues and I have been pressing the administration to conduct better oversight of brokers to ensure that healthcare.gov customers are not being sold junk plans.

I urge consumers, when they go on the website, to make sure they stay on the healthcare.gov website or their State's official health insurance exchange website when they are shopping for coverage. Be careful when you click on links that provide assistance from third-party insurance brokers.

I encourage Granite Staters and people across this country who need health insurance coverage to take a look at their options between now and December 15, during this year's open enrollment period. There is still time to enroll. It is important to tell your friends and neighbors and your family members who may not know about open enrollment because the amount of money available for outreach has been reduced so dramatically.

When the administration was trying to repeal the Affordable Care Act and this Senate voted, Americans across the country made their voices heard. Now we need that same level of engagement to raise awareness of this year's open enrollment and overcome this administration's sabotage of the ACA.

Thank you. And if it was not clear earlier, I object.

The PRESIDING OFFICER. The objection is heard to the modification.

Is there objection to the original request?

The Senator from Indiana.

Mr. BRAUN. Mr. President, reserving the right to object, we have made progress here this evening in the sense that my colleague has brought up another topic—transparency for prescriptions.

Across the board, when it comes to hospitals and exposing their charge practices, drug companies becoming transparent and competing, health insurance companies getting rid of the secret agreements behind the scenes, and even practitioners, publish your prices in print or on the web so we as employers and consumers of healthcare can try to make the right decisions and bring costs down.

I do object to the original request.

The PRESIDING OFFICER. The objection is heard.

The majority leader.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk on the nomination.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Dan R. Brouillette, of Texas, to be Secretary of Energy.

Mitch McConnell, John Boozman, Richard Burr, Shelley Moore Capito, John

Cornyn, Mike Crapo, John Barrasso, Roy Blunt, John Thune, Steve Daines, Thom Tillis, Kevin Cramer, Chuck Grassley, Tom Cotton, Rick Scott, Roger F. Wicker, Cindy Hyde-Smith.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

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

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

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

ORDER OF BUSINESS

Mr. PERDUE. Mr. President, I ask unanimous consent that at 11:30 a.m. tomorrow, the Chair lay before the Senate the House message to accompany H.R. 3055. I further ask unanimous consent that Senator PAUL or his designee be recognized to offer a motion to concur with further amendment, the text of which is at the desk, and following 2 minutes of debate equally divided, Senator SHELBY or his designee be recognized to make a motion to table the Paul motion. Further, I ask that following disposition of the Paul motion, the majority leader or his designee be recognized to make a motion to concur in the House amendment to the Senate amendment; finally, that notwithstanding rule XXII, if cloture is filed on the motion to concur in the House amendment to the Senate amendment that the vote on the cloture motion occur immediately and that if cloture is invoked, the postcloture time be yielded back and the Senate vote on the motion to concur with no intervening action or debate.

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

ORDER FOR ADJOURNMENT

Mr. PERDUE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, November 21; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and that the Senate proceed to executive session and resume consideration of the Brouillette nomination.

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

Mr. PERDUE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

CUBA

Mr. LEAHY. Mr. President, since the onset of the Trump Presidency, the White House has issued a steady stream of executive orders to reverse the policy of engagement with Cuba begun by President Obama. Those decisions have largely curtailed travel by law-abiding Americans to Cuba who seek to participate in people-to-people exchanges, patronize Cuban private businesses, and otherwise experience Cuban culture.

Cuba is the only country in the world to which Americans cannot travel freely, other than North Korea, because President Trump apparently believes it is his sole prerogative to tell Americans where they can travel and spend their own money.

I have spoken about the need for engagement with Cuba many times. It is in our national interest because our past policy of unilateral sanctions and isolation—enforced for more than half a century—failed to achieve any of its objectives and because engagement with the people of other countries is the way we promote our values and protect our interests.

This is especially true when the foreign government is one with which we have profound disagreements, like Russia, China, Egypt, Turkey; it is a long list. But no one is proposing that we prevent Americans from traveling to those countries, and if they did, it would be strongly opposed by Republicans and Democrats alike.

Today, our Embassy in Havana is operating on a shoestring. Whereas there used to be more than 50 direct hire staff, today there are fewer than 18. The Cuban Embassy in Washington has also been reduced to a shell of what it used to be. As a result, the ability of both governments to process visas and conduct diplomacy is at a virtual standstill.

Cubans who seek visas to travel to the U.S. today to participate in educational programs, cultural, entrepreneurial, or scientific exchanges have to travel to Trinidad, Mexico, or some other country to apply at our embassies there. The cost to do so far exceeds what the vast majority of Cubans can

afford, so travel by Cubans to the U.S. has been reduced to a trickle compared to what it was before.

The White House has curtailed most air and sea travel to Cuba, so travel by Americans has also plummeted. This has wreaked havoc on fledgling Cuban private businesses, which depend on American customers. The administration seems utterly unconcerned, focused instead on punishing the Cuban Government for its support of Nicolas Maduro in Venezuela. This is nothing new to the Cuban authorities, and it empowers hardliners in the Cuban Government who opposed engagement with the United States in the first place and who are more comfortable building alliances with counterparts in Russia, China, and North Korea with whom they share a common ideology and disdain for the United States.

I recognize that the Trump administration has no reluctance to hold Cuba to a standard that it does not hold for other authoritarian regimes. In fact, if President Trump were consistent he would be praising his Cuban counterpart as a friend or great leader, the way he praises Kim Jung Un, Xi Jinping, Abdel Fattah al Sisi, Rodrigo Duterte, Vladimir Putin, Recep Tayyip Erdogan, and other autocrats.

But despite this hypocrisy, why don't we at least increase the number of consular officers at our embassies so Americans and Cubans can visit each other's countries? I understand that we have yet to determine the cause of illnesses suffered by U.S. Embassy personnel in Cuba, for which there is no evidence implicating the Cuban Government, despite kneejerk claims by some to the contrary. But the last such incident was more than a year ago, and there are certainly U.S. Foreign Service Officers who would welcome the opportunity to serve in Havana. Both governments should be working to create favorable conditions for restaffing each other's consular services so they can better serve the people of our two countries.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

● Ms. HARRIS. Mr. President, I was absent, but had I been present, I would have voted no on rollcall vote No. 358, the confirmation of Executive Calendar No. 487, Robert J. Luck, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Mr. President, I was absent, but had I been present I would have voted no on rollcall vote No. 359, the motion to invoke cloture on Executive Calendar No. 488, Barbara Lagoa, of Florida, to be United States Circuit Judge for the Eleventh Circuit.●

ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon