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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, December 3, 2019, at 2 p.m.

Senate

MONDAY, DECEMBER 2, 2019

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God who transforms common days into transfiguring and redemptive moments, continue to guide our lawmakers with Your might.

Lord, make our Senators brave enough for these momentous times as they seek to live worthy of Your great Name. May they not trust in their wisdom or power but rely on You to keep them secure. Guide them around life's pitfalls. Bring them through the darkness to a haven.

Lord, cleanse the fountains of their hearts from that which defiles so that they may be fit vessels to be used for Your glory. Let Your peace be within them as Your Spirit inspires them to glorify Your Holy Name.

Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. HAWLEY). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to address the Senate for 1 minute as in morning business.

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

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. GRASSLEY. I have come to the floor many times to speak with my colleagues about the U.S.-Mexico-Canada trade agreement. I recently spoke with my colleagues in the House of Representatives and also officials within the administration about the same subject. By all accounts, the deal is close on the United States-Mexico-Canada trade agreement.

I urge House Democrats to act quickly and be reasonable so we can finally deliver certainty on this issue to the American people. It has now been more than a year since the leaders of Canada, Mexico, and the United States signed the agreement, so Americans have waited a year for what can happen now. This modernized trade agreement will create hundreds of thousands of new jobs and help Americans grow wages for our workers.

The end of this year's legislative session is rapidly approaching, as we all know. If a deal cannot be reached by the end of this week, I do not see how the USMCA can be ratified in the year we are in. As it is, the window of opportunity for 2019 is extremely tight. Now is the time for the Democratic-controlled House of Representatives to finally act so we can act in the Senate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

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

SENATE LEGISLATIVE AGENDA

Mr. CORNYN. Mr. President, I had a wonderful Thanksgiving break, and I trust the Presiding Officer did, too. I hope all enjoyed time with their families and friends last week.

It was my pleasure to be back home in Texas and spend time with some incredible people who and some organizations that are doing a lot of good in their communities.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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For example, I volunteered at the Central Texas Food Bank, which has a service area that is twice the size of Massachusetts. It has been fighting hunger for nearly four decades. I joined those there to help distribute to low-income families some of the food they had collected as they prepared for Thanksgiving, and I had the chance to speak with dozens of constituents there in the Austin area.

Then I got in my car and went south about 70 miles to San Antonio, which is my hometown, where I volunteered with the preparations for the 40th annual Raul Jimenez Thanksgiving Dinner. As I said, this dinner has been going on for 40 years, and it serves 25,000 people each year in the San Antonio area who might otherwise go hungry. The numbers are immense. I spent a little bit of time as a volunteer with a number of folks and picked the turkeys apart and broke them up into small, bite-sized pieces. They told me that they served 9,400 pounds of turkey during this 40th anniversary dinner. It is really one of my favorite events each year, and it was made even more special since they dedicated this year's dinner to Mary, Raul's wife, who, sadly, passed away earlier this year.

Then I traveled up to Wichita Falls, where I was able to spend a little bit of time at Sheppard Air Force Base with the families of deployed airmen. I think it is very important that we remember, particularly during the holidays, that having a loved one in the military service who is deployed and separated from the rest of the family involves a lot of sacrifice, not only on the part of the servicemember but on the ones who are left behind, as that hole in your heart feels a little bit bigger during the holidays.

My dad served 31 years in the U.S. Air Force. Fortunately, by the time I came along, his long-term deployments had long been over. Still, every time I meet a young family whose loved one is deployed overseas while the family waits behind, it tugs at my heartstrings. So we thank not only those who wear the uniform of the U.S. military but those family members as well, who, I believe, also serve.

We have an all-volunteer military. No one makes you join the military anymore in America. We should thank all of them for their service in different ways.

It was encouraging to me to meet with these patriots and thank them for their sacrifices and help to distribute a little bit of Thanksgiving love and food ahead of the holiday.

I came back here to Washington refreshed, having spent that time with constituents and family and friends, and I am eager to get back to work.

We know that the countdown to Christmas is on, and we have a long to-do list before we are through. One of our top priorities, strange as it may sound, is to actually pass appropriations bills to fund the government for the remainder of the fiscal year. I be-

lieve that the single most important function of the Federal Government—something that none of us can do individually nor the States collectively—is to provide for the common defense. The way we do that is by funding our military and making sure that they have the training, the leadership, and the materials they need in order to fight and win our Nation's wars or, ideally, to not have to fight our Nation's wars because nobody will dare mess with the U.S. military.

That is why it is particularly sad to see that we find ourselves balled up in this appropriations process this late in the year. Over the summer we came to a bipartisan, bicameral agreement to guide the appropriations process and, hopefully, to eliminate this uncertainty going into the Christmas season. Last August we had an agreement that provided a roadmap for negotiations this fall, and we all promised to work together in good faith and to stay away from poison pill policy riders and other things that might derail this appropriations process.

Well, obviously things did not work the way we had planned. Unfortunately, our Democratic colleagues went back on their promise because of a disagreement over 0.3 percent of the federal budget. You heard that correctly—0.3 percent. A disagreement over domestic spending involving 0.3 percent of the Federal budget derailed all of the appropriations process and leaves us in our current state of dysfunction.

So rather than passing appropriations bills on time, as we were on track to do, we passed two short-term funding bills, and we are working day and night to avoid needing another one when the current continuing resolution expires on December 20. I know Chairman SHELBY and our colleagues and the staff on the appropriations committees have been trying to build consensus on these funding bills, and I can only hope and pray that we can reach an agreement soon.

There are a lot of other things that we can and should be doing. We started this year off with a government shutdown, and we can't afford to make that an annual affair, but this roller coaster ride involving short-term spending bills puts us in a bad position, particularly for our military and other areas of government that need certainty and need to be able to make plans.

As our troops are serving around the globe to keep us safe, as well as our friends and allies abroad, we need to do everything in our power here at home to give them the stability they need to succeed. Our commanders and military leaders have repeatedly told us how difficult it is to plan for the future without a predictable budget, and the constantly evolving threat landscape only underscores that need. We need to get that done.

In addition to funding the military, we need to finish up the National Defense Authorization Act and get it to

the President's desk. Every year since 1961, Congress has passed the National Defense Authorization Act without delay, and now is not the time to get bogged down in partisan fights in Congress and fail to do what we have done each year since 1961.

Unfortunately, our Democratic colleagues in the House are trying to use this must-pass piece of legislation to leverage some of their liberal wish list. The version of this legislation passed by the House earlier this year is so partisan that it didn't get a single Republican vote—not one. Putting our national security on the line in order to pander to radical factions in the opposing party is absolutely shameful. There are some things that should rise above politics, rise above partisanship, and providing for our military is first on that list.

I appreciate our colleagues on the Armed Services Committee, led by Chairman INHOFE, who have been fighting to get these poison pills out of this legislation so we can pass the National Defense Authorization Act without any additional delay. It is critical that we get these bills moving before everyone heads home for the holidays.

There is one other piece of legislation I hope we can deliver before we leave. Over the last few weeks, I have been hearing rumors—which I hope are true—that a deal on the USMCA is very close. The USMCA, of course, is the U.S.-Mexico-Canada Trade Agreement, which is the successor to NAFTA, the North American Free Trade Agreement.

NAFTA is reported to support, according to the U.S. Chamber of Commerce, about 13 million jobs in America—8 million with our binational trade with Canada and 5 million with Mexico. This comes after nearly a year of negotiations between the administration and Speaker PELOSI and her House colleagues to resolve some differences, and I am cautiously optimistic that we may yet see an agreement soon. We have been anxious to get the final agreement so the House can begin processing it and then send it over here so we can begin reviewing it in the Senate Finance Committee.

The experts have told us that this agreement would lead to increased wealth for the United States and more than 176,000 new jobs. So it is time to get it ratified, but with the House continuing its single-minded obsession to impeach the President, I hope this trade agreement doesn't fall victim to impeachment mania.

Whether I am meeting with farmers, ranchers, manufacturers, small businesses or just average Texans, one of the top questions I get at home is this: When is the USMCA going to pass?

I heard last week that it is one of the top Federal priorities for the Central Texas Food Bank. I would like to be able to head home for Christmas in a few weeks with some great news for my constituents back home.

With impeachment using up most of the oxygen in Washington, I am afraid

our ability to get bipartisan work done is getting smaller and smaller. If the impeachment circus makes its way to this side of the Capitol, that ability may completely go away. If we stick to the timeline of the Clinton impeachment, that would mean the articles of impeachment would be voted on in late December, and then, literally, for the first 5 or 6 weeks of 2020, the Senate would be required to sit as the jury in impeachment proceedings, during which time nothing else can be done.

We need to check these critical items off of Congress's to-do list over the next few weeks—the things that we can and should get done before the Christmas holidays, and I am eager to get to work and to do my part.

Our hope is that our friends on the other side of the aisle will join us in the same commitment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

CYBER SECURITY

Mr. SCHUMER. Mr. President, allow me to begin on a topic that doesn't currently concern legislation or nominees on the floor but one that does concern our national security and the privacy of the American people.

Over the summer, I requested a review of the potential risks posed by FaceApp, a widely used Russian-based mobile application that requires the full and irrevocable access of its users' photos and data. Very recently, the FBI responded to my request in writing, warning that the FBI "considers any mobile application or similar product developed in Russia, such as FaceApp, to be a potential counterintelligence threat, based on the data the product collects, its privacy and terms-of-use policies, and the legal mechanisms available to the Government of Russia that permit access to data within Russia's borders."

Let me repeat this. These are the FBI's words in a letter sent to me just in the last few hours; that the FBI "considers," their words, "any mobile application or similar product developed in Russia, such as FaceApp, to be a potential counterintelligence threat."

The letter went on to say that the FBI is prepared to address foreign influence operations involving FaceApp against elected officials, candidates, political campaigns, and political parties.

In light of the FBI's warning, I strongly urge all Americans to consider deleting apps like FaceApp immediately and proceed with extreme cau-

tion when downloading apps from foreign countries that are known adversaries. The personal data that FaceApp collects from a user's device could end up in the hands of Russian intelligence services. It is simply not worth the risk.

Americans should be aware of the risks posed by certain mobile apps, particularly those developed in foreign countries that are known adversaries, before they download them. The FBI didn't name other countries, but I would certainly name not only Russia but China, Iran, and there are others.

Please, Americans, be careful, and let us let all of our intelligence agencies pursue this potential danger to America and ensure that it doesn't endanger our national security.

DEFENSE APPROPRIATIONS

Mr. President, on to the NDAA. The issue of FaceApp is a microcosm of a larger problem about cyber security and our foreign adversaries. There is no doubt that Russia and Vladimir Putin continue to meddle in our democracy and interfere in our elections. We should be doing everything in our power to stop it and prevent that from happening, from hardening our election infrastructure to ensuring that our military has the cyber authority needed to respond to attacks, to passing tough new sanctions to deter any foreign power from interfering in our elections.

So it is incomprehensible to me that at the moment, Leader McConnell and Senate Republicans are opposing the election security measures we wish to include in the annual Defense bill. It is amazing. There is bipartisan support for these, but Leader McConnell is once again saying that we are not going to do all we can to prevent Russia from interfering in our elections. That is right—the annual Defense bill, which passed the Senate months ago, remains in conference, in part, because Leader McConnell and Senate Republicans refuse to include important election security legislation. There is bipartisan legislation on this issue—the DETER Act and DASKA—that would trigger sanctions on any government that tried to interfere with American elections.

I don't care what your party is—Democratic, Republican, or any other, no good American wants Russia or any foreign power to be able to interfere in our elections. It is one of the things the Founding Fathers were most worried about. How can our Republican leaders sit blithely by, as the danger is real and as a bipartisan group is trying to prevent Russia from interfering and doing what we can to stop it. He is holding up the NDAA bill, in part, because of this provision.

Why the Republican leader and the Republican committee chairs are blocking this legislation is beyond me. Some have said the Trump administration is ready to act without these sanctions, even though it has failed to implement the sanctions targeted at Rus-

sia's Putin that are already on the books. Some have expressed concern about the sanctions on our allies and their partners while they know these issues can be addressed. When those arguments flail, they hide behind process complaints. No objection they have holds any water.

The NDAA, the Defense authorization act, might be one of the last chances to enact election security legislation before the upcoming Presidential election next year, including Senator VAN HOLLEN's proposal and other targeted sanctions offered by Senator MENENDEZ—both of which enjoy bipartisan support—is paramount. Inexplicably, Leader McConnell has yet again refused to allow these kinds of measures to go forward, refused to allow nearly any election security legislation from being considered in the Senate at all, and has repeatedly downplayed the threat of foreign interference in our elections.

Our country's top national security officials have warned repeatedly that our adversaries—North Korea, Iran, China, and, of course, Russia—are considering or working on new ways to meddle in our elections and that we have not done enough to prepare ourselves. We need now—not later, now—to take commonsense steps to protect the vital wellspring of our democracy: free and fair elections unimpeded by outside interference.

I urge Leader McConnell, I urge Senate Republicans to stand down and work with Democrats to secure our democracy. If there are Republican Senators who agree with us and don't want to say anything publicly, please go over to Leader McConnell privately and urge him to stand down.

IMPEACHMENT INQUIRY

Mr. President, on Wednesday, the House Judiciary Committee will hold its first hearing as a part of the impeachment inquiry, during which the constitutional history of impeachment will be examined and discussed with legal scholars. It is another example of how the House impeachment inquiry is proceeding in a deliberate, studious, and sober-minded manner, and it stands in stark contrast to some of the recent statements by Republicans on this side of the Capitol.

While the House investigation continues in search of the facts, certain Senate Republicans have made increasingly outlandish claims, including the assertion that Ukraine might have been involved in interfering with the 2016 election.

Let me be clear. The charge that Ukraine had something to do with election meddling in 2016 is a lie spread by Vladimir Putin to get things off his back. Putin and Russian intelligence services invented that lie to muddy the waters and distract from the fact that Russia, not Ukraine, interfered in our elections.

Now, disgracefully, we have sitting U.S. Senators helping spread that Russian propaganda in an effort to defend

the President. Republicans must stop claiming that Ukraine had anything to do with election interference in 2016. Repeating these claims, even speculating about them, is doing Putin's job for him. I urge my Republican colleagues—they know who they are—to stop spreading these lies which hurts our democracy.

APPROPRIATIONS

Mr. President, finally on appropriations, while the Senate was away for the Thanksgiving holiday, there was an important bit of progress in the appropriations process. House and Senate appropriators have agreed to the allocations to the various committees—known as 302(b)s—and are now working to finalize the 12 appropriations bills.

I applaud the appropriators on both sides of the aisle and on both sides of the Capitol for clearing this major hurdle and potentially paving the way to finish appropriations by the end of this year, 2019.

Now that we have an agreement on allocations in place, Senate Democrats want to ensure that the final appropriations bills include several of our policies and priorities. These are what we Senate Democrats want to make sure are in these bills: significant resources to combat the opioid and gun violence epidemics; significant investment in infrastructure; significant investment in childcare; funding for the Violence Against Women Act needs to be maintained or, ideally, increased, which is a Democratic priority; and there must be—must be—funding to secure our elections in advance of next year's Presidential election.

Of course, there is still the impediment of President Trump's insistence on funding an expensive and ineffective border wall. Senate Democrats strongly oppose the President's stealing money from our military families to pay for this border wall. We have fought for provisions to stop this theft, and we will continue to do so. I hope my Republican colleagues muster the courage to stand with the military families in their States whose funds have been robbed to build this vanity project of President Trump.

Again, I am very pleased we have an agreement on 302(b)s. We must now build on that momentum to make sure the final appropriations bills help the American people as much as possible.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. ERNST). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NOMINATION OF DAN R. BROUILLETTE

Mr. WYDEN. Madam President, here is what the Senate and the American people need to know before the next vote coming up on the nominee to be the Secretary of Energy.

First, Mr. Rick Perry—who until yesterday was the Energy Secretary—has refused to comply with the subpoena to testify about his involvement in the Trump-Ukraine scheme.

Second, Acting Secretary Dan Brouillette—nominated to replace Mr. Perry—has failed to provide substantive answers to key questions about Mr. Perry's dealings with the Ukrainian state-owned energy company Naftogaz.

Third, since I have been raising questions on this matter, Naftogaz executives have reportedly been coming forward to cooperate in a Federal investigation into the Ukraine scheme.

Mr. Perry has virtually skipped town, leaving his job after insisting for months that he was determined to stay while the Ukraine scheme is front and center in the House impeachment inquiry.

Now, with the vote on Mr. Perry's replacement just minutes away, the Senate is truly in the dark, lacking answers to important questions. Those questions include issues pertaining to Mr. Perry's role in a campaign to change the leadership of Naftogaz; questions about what Mr. Perry, his donors, and certain crooked associates of Rudy Giuliani's stood to gain from those changes; questions about Mr. Perry's role in the Ukraine scheme, which Trump administration officials have admitted was about withholding critical military aid in a face-to-face meeting until the Ukrainian President agreed to do for Donald Trump what he described as a political favor.

These are serious issues closely tied to ongoing investigations. This goes way, way beyond the well-documented waste we often see in the Trump Cabinet—private jets, soundproof booths, \$30,000 desks; this is about the administration using its full might to push a foreign leader into helping Donald Trump's reelection campaign. The Senate ought to know about Rick Perry's involvement, especially since he was described by Mr. Holmes and others as one of the “three amigos” who were right in the center of all this.

What exactly is the rush on confirming his replacement? This isn't the first week of a new administration. Nothing is going to happen to the powerplants or nuclear facilities if the Senate takes the time to get answers to these central questions. Dan Brouillette is already the Acting Secretary. No American interest suffers if the Senate insists on getting answers that go right to the heart of the Senate's oversight responsibilities.

I briefly want to recall what this is all about.

The “three amigos” basically seized control of our country's ties with Ukraine under the direction of the President and his personal lawyer, Rudy Giuliani. Secretary Perry led the American delegation that attended President Zelensky's inauguration in May after the Vice President was told to stay home. The Vice President and

President Zelensky held private meetings.

It has been reported that Perry pushed President Zelensky to fire members of the board of Naftogaz and replace them with Mr. Perry's own political donors. At a subsequent meeting with the Ukraine Government and energy sector officials, Perry reportedly said that the entire board ought to be replaced.

The Associated Press reported that at that meeting—and I am going to quote here—the Associated Press said that one of those people who attended that meeting where Perry was in attendance “said he was floored by the American requests because the person had always viewed the U.S. government ‘as having a higher ethical standard.’”

The changes Mr. Perry was seeking lined up with changes sought by a pair of now-indicted men, Lev Parnas and Igor Fruman, who were apparently friends of Mr. Giuliani's. They, too, wanted different leadership at Naftogaz. Here is what the Associated Press had to say about that:

As Rudy Giuliani was pushing Ukraine officials last spring to investigate Donald Trump's main political rivals, a group of individuals with ties to the president and his personal lawyer were also active in the former Soviet republic. Their aims were profit, not politics. This circle of businessmen and Republican donors touted connections to Mr. Giuliani and Trump while trying to install new management at the top of Ukraine's massive state-owned gas company. Their plan was to then steer lucrative contracts to companies controlled by Trump allies, according to two people with knowledge of their plans.

Federal prosecutors are investigating the role of Mr. Giuliani. At least one Naftogaz official is reportedly cooperating in the investigation.

Some of Mr. Perry's political donors did score a lucrative energy deal in Ukraine after Perry got involved there. Perry admits he was in contact with Giuliani about Ukraine.

It was also revealed in impeachment testimony that Perry was seemingly made aware in July of the Trump scheme and Ukraine.

Unlike Fiona Hill, unlike David Holmes, unlike Lieutenant Colonel Vindman, Rick Perry has refused to testify and share what he knows with the public.

For nearly 3 weeks, I have been trying to get answers. At Mr. Brouillette's nomination hearing on November 14, I asked him really basic questions. I had plenty of time—to a great extent, courtesy of my good friend the ranking minority member, who is always fair. I had plenty of time. I asked basic questions. It came down to this:

Who did Secretary Perry meet with regarding Ukraine and Naftogaz? He was the head of a powerful department. He was one of the self-styled “three amigos.” Who else was in the loop? What did they talk about?

Acting Secretary Brouillette only acknowledged—he wasn't willing to say

anything. This was a full court stone-wall. He wasn't willing to say anything other than that there were meetings—no other information and nothing substantive on the questions I asked. So I just kept asking him.

Who took part in the meetings with Secretary Perry on Naftogaz? When and where did they take place? What materials were produced? I don't think Secretary Perry just went to those meetings all by his lonesome with maybe a bag lunch or something like that. My guess is that he had staff from the Department of Energy with materials produced by the Department of Energy.

Who outside of the Department did Secretary Perry speak with regarding changes in Naftogaz, and what was the substance of those communications? It is not like Secretary Perry would have paid his own way and freelanced a "three amigos"—Ukraine policy in secret. This is the head of the Energy Department. It looks like he was right in the center of the Trump corruption scheme in Ukraine.

I am just going to close in this way. I don't understand the rush. Mr. Brouillette is at the Department of Energy now. He is the acting chief. Western civilization is not going to end if the Senate insists on getting some answers to the questions that I have presented this afternoon. We are still going to have our powerplants and nuclear facilities running, and all of the national security activities that go on at the Department of Energy will still go forward if the Senate takes the time to require that there be substantive answers to the questions that I have asked of this nominee.

I believe it is malpractice for the U.S. Senate to rush this debate before getting answers from this administration, Mr. Brouillette, Secretary Perry, and those who, I believe, could answer these questions if they didn't want to, in effect, say to the U.S. Senate: We are just going to pass here. You might want to hold us accountable, but we have a chance to just skip out, and we are going to take it.

This is not the way the Senate is supposed to work. That is why I cannot support moving forward with this nominee, and I will be voting no this afternoon.

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

The PRESIDING OFFICER. (Mr. BOOZMAN). Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, within a few minutes, we will be voting on the President's nomination for the new U.S. Secretary of Energy, Dan Brouillette. I am here to offer my support for Mr. Brouillette, and I hope my colleagues will vote for him. I am con-

fident that, with his leadership, we will continue to build on the progress we have made under Secretary Rick Perry.

Secretary Perry has been a very effective Secretary of Energy during his time here. He has used his executive and political skills, which are considerable in his having been the Governor of Texas longer than anybody and in his having been involved in politics for a while, to take charge of this very important Department and lead it in a very strong way.

For example, one of the best kept secrets in Washington, DC, is that over the last 5 years, we have had a record level of funding for supercomputing, which has allowed the United States to be the first in the world in competition with China and Japan and other countries. We have had significant increases in funding for National Laboratories—a 42-percent increase over 5 years. That is record funding. Secretary Perry has also helped to save taxpayers' dollars by having made sure the huge construction projects we have in some of the Department of Energy's facilities have been brought under control. So Mr. Brouillette, should he be confirmed by the Senate tonight, will be following a very distinguished Secretary in Rick Perry.

I look forward to working with Mr. Brouillette. I and Senator FEINSTEIN, of California, are the chairman and ranking member of the Subcommittee on Energy and Water Development. We have worked very well together over the last, nearly, 10 years in supporting the Department both under the Obama administration and under the Trump administration. We have worked in a bipartisan way and have had strong support from our colleagues, which has been made possible by excellent Secretaries of Energy. I believe Mr. Brouillette will be yet another one of them.

He knows the Department well, as he has been the Deputy Secretary since 2017. In my conversations with laboratory directors and others across the country, they feel like he knows them well. I know that this is true in Tennessee. For example, at the Oak Ridge National Laboratory, which is our largest science and energy laboratory, Mr. Brouillette has been crucial in the building of the world's fastest supercomputer, Frontier, which is housed in Oak Ridge. As Senator FEINSTEIN and I have insisted, he has also been crucial in making sure that we stay on time and on budget in the building of a huge uranium processing facility at Oak Ridge, which has been the largest Federal construction project in our State since World War II, when the Manhattan Project was created there.

Mr. Brouillette has visited the Oak Ridge National Laboratory. He understands the important work being done there, both at the laboratory and at the Y-12 uranium facility. He understands the importance of the environmental cleanup being done there and at Hanford in Washington State and other places.

In short, I think we are very fortunate to have someone of his caliber and his experience nominated to head one of our most important Departments—the Department of Energy.

I look forward as chairman of his appropriations subcommittee, should he be confirmed, to working with him during this appropriations process, which we hope is about complete, and during the next one, which will be coming up soon.

I am here simply to say that I support Mr. Brouillette. I am glad the President nominated him. I hope he gets a big vote in a few minutes. I look forward to working with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise today to speak about our nominee and the vote for Secretary of Energy.

Mr. Brouillette came before the Senate Energy and Natural Resources Committee 2 weeks ago. I found him to be up to this enormous task. He is a good man, and he has the credentials. He came out of our committee 16 to 4, and that is pretty impressive in today's toxic world that we live in, sorry to say.

He has a long history with energy issues and with the Department of Energy, so he is no stranger to this agency or to the workings of this agency. He has served as the staff director of the House Energy and Commerce Committee, so he understands the proceedings of this body and of the House. At the Department of Energy, he served as an Assistant Secretary of Energy during the Bush administration and, of course, as the Deputy Secretary for the past 2 years under Secretary Perry. He knows the Department; he knows Congress; and he knows the energy issues facing our Nation.

He has also demonstrated his managerial skills. He has been vice president of Ford Motor Company, and he has been a senior vice president of USAA, which I think we all know is the large insurance and financial services giant that serves the members of our military and their families.

This Senate has confirmed him twice before, and we have gone indepth in looking into him, and he has been forthcoming. He has not held anything back. I asked him every question I possibly could. I know some of my dear colleagues on my side of the aisle have some concerns on some questions they want answered. I did get into those with him. He assured me that his answers were accurate and correct, and I found them to be very substantial.

I basically come before you to say that we have a gentleman who I think is well qualified. He is ready for the job; he is up to the job; and he understands the job. That is what we should be looking at.

So if we could put politics aside—truly put politics aside—and look at the qualifications of a person who is willing to serve and his family, who is

behind him 100 percent, wanting him to give that service—he and his wife are both former military people.

I found him to be quite charming, quite delightful to work with and talk to but, more than that, most professional in his approach and how he has handled himself and in the way we have worked with him in our committee. Being the ranking member on the Energy and Natural Resources Committee, I have worked with him, and we have worked with him throughout the last 2 years. He has been very forthcoming and good to work with.

I urge all of my colleagues on both sides of the aisle to please consider voting for this gentleman because I think he is really the right person at the right time for this job.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to start the vote at this time.

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

Under the previous order, all postcloture time is expired.

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

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Ohio (Mr. PORTMAN), the Senator from South Dakota (Mr. ROUNDS), the Senator from South Carolina (Mr. SCOTT), and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from Alabama (Mr. JONES), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The result was announced—yeas 70, nays 15, as follows:

[Rollcall Vote No. 367 Ex.]

YEAS—70

Alexander	Casey	Duckworth
Barrasso	Cassidy	Durbin
Blackburn	Collins	Enzi
Boozman	Coons	Ernst
Braun	Cornyn	Feinstein
Burr	Cotton	Fischer
Cantwell	Cramer	Gardner
Capito	Crapo	Grassley
Cardin	Cruz	Hassan
Carper	Daines	Hawley

Heinrich	Moran	Shelby
Hoeven	Murkowski	Sinema
Hyde-Smith	Murphy	Smith
Inhofe	Murray	Stabenow
Isakson	Paul	Sullivan
Johnson	Perdue	Tester
Kaine	Peters	Thune
Kennedy	Risch	Tillis
King	Roberts	Udall
Lankford	Romney	Warner
Lee	Rubio	Wicker
Manchin	Sasse	Young
McConnell	Scott (FL)	
McSally	Shaheen	

NAYS—15

Baldwin	Leahy	Rosen
Blumenthal	Markey	Schatz
Brown	Menendez	Schumer
Cortez Masto	Merkley	Van Hollen
Hirono	Reed	Wyden

NOT VOTING—15

Bennet	Harris	Sanders
Blunt	Jones	Scott (SC)
Booker	Klobuchar	Toomey
Gillibrand	Portman	Warren
Graham	Rounds	Whitehouse

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 notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 Eric Ross Komitee, of New York, to be United States District Judge for the Eastern District of New York.

Mitch McConnell, John Boozman, John Cornyn, Mike Crapo, Pat Roberts, Mike Rounds, Thom Tillis, Roger F. Wicker, Cindy Hyde-Smith, Kevin Cramer, John Hoeven, Rob Portman, Dan Sullivan, Chuck Grassley, Richard Burr, John Thune, Roy Blunt.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Eric Ross Komitee, of New York, to be United States District Judge for the Eastern District of New York, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Ohio (Mr. PORTMAN), the Senator from South Dakota (Mr. ROUNDS), the Senator from South Carolina (Mr. SCOTT), and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator

from Alabama (Mr. JONES), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), the Senator from Rhode Island (Mr. WHITEHOUSE), are necessarily absent.

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

The yeas and nays resulted—yeas 81, nays 5, as follows:

[Rollcall Vote No. 368 Ex.]

YEAS—81

Alexander	Feinstein	Perdue
Baldwin	Fischer	Peters
Barrasso	Gardner	Reed
Blackburn	Graham	Risch
Blumenthal	Grassley	Roberts
Boozman	Hassan	Romney
Braun	Hawley	Rosen
Brown	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Scott (FL)
Casey	Kaine	Shaheen
Cassidy	Kennedy	Shelby
Collins	King	Sinema
Coons	Lankford	Smith
Cornyn	Leahy	Stabenow
Cortez Masto	Lee	Sullivan
Cotton	Manchin	Tester
Cramer	McConnell	Thune
Crapo	McSally	Tillis
Cruz	Menendez	Udall
Daines	Merkley	Van Hollen
Duckworth	Moran	Warner
Durbin	Murkowski	Wicker
Enzi	Murphy	Wyden
Ernst	Paul	Young

NAYS—5

Cantwell	Hirono	Murray
Heinrich	Markey	

NOT VOTING—14

Bennet	Jones	Scott (SC)
Blunt	Klobuchar	Toomey
Booker	Portman	Warren
Gillibrand	Rounds	Whitehouse
Harris	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 81, the nays are 5.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Eric Ross Komitee, of New York, to be United States District Judge for the Eastern District of New York.

The PRESIDING OFFICER. The Senator from Arkansas.

ORDER OF BUSINESS

Mr. BOOZMAN. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the time postcloture on Executive Calendar No. 347 expire at 11:45 a.m. on Tuesday, December 3; further, that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.