

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume executive session to consider the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of Rod J. Rosenstein, of Maryland, to be Deputy Attorney General.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:30 p.m. will be equally divided in the usual form.

The Democratic whip.

DAYS OF REMEMBRANCE CEREMONY

Mr. DURBIN. Mr. President, I will yield the floor if the Democratic leader arrives, but until his arrival, I would like to do two things—first, join in the comments made by the majority leader, Senator McCONNELL, relative to the Holocaust remembrance.

This is the day on which we gather in the Rotunda each year to remember the atrocities of World War II, which includes remembering the Holocaust victims, so many who were Jewish people as well as Polish people—the list goes on and on—as well as those who were gay and gypsies. This was an ethnic cleansing—the worst ever seen in the history of this world. We remember it on this day, as we should.

Mr. President, on a separate issue, before us now is the nomination of Rod Rosenstein to be the Deputy Attorney General of the United States.

The Deputy Attorney General oversees the day-to-day operations of the Department of Justice. In any circumstance, this is an important position that requires a nominee with experience, independence, management skills, and good judgment, which is especially true today.

Many of us questioned whether Attorney General Sessions was the right person to be the chief law enforcement officer of the United States of America at this moment in history. Unfortunately, many of the actions of the new Attorney General, since he was confirmed, have not erased these concerns. The Attorney General has already begun making dramatic changes at the Justice Department, including on critical issues like criminal justice, civil rights, immigration, and funding for crime prevention.

Just last week, Attorney General Sessions disparaged a Federal judge from Hawaii who issued an order blocking the Trump administration's Muslim travel ban.

Attorney General Sessions said: "I really am amazed that a judge sitting on an island in the Pacific can issue an order that stops the President of the United States from what appears to be clearly his statutory and constitutional power."

Senator MAZIE HIRONO, my colleague on the Senate Judiciary Committee and the junior Senator from Hawaii,

pointed out that Hawaii was granted statehood in 1959 and called the Attorney General's comments "insulting and prejudiced."

Also, last week, Attorney General Sessions called into question the status of the Deferred Action for Childhood Arrivals Program, also known as DACA. When asked about DACA, Attorney General Sessions said: "We can't promise people who are here unlawfully that they're not going to be deported."

That is exactly what DACA is. It is a commitment to young people who were brought to the United States as children and grew up in our country that they will be protected from deportation on a temporary renewable basis. Attorney General Sessions' statement is contrary to his own administration's policy as established by President Trump and Homeland Security Secretary John Kelly, who have primary responsibility for immigration enforcement.

The last confirmed nominee for Deputy Attorney General was Sally Yates, a veteran prosecutor and U.S. attorney from Georgia. Ms. Yates displayed sound judgment as Deputy Attorney General, and she was unafraid to speak truth to power.

Ms. Yates became the Acting Attorney General at the end of the Obama administration, and when President Trump signed his unconstitutional Muslim ban Executive order on January 27, Sally Yates told the White House she could not defend the order in court because she was not convinced it was lawful. Ms. Yates was then fired by President Trump for disagreeing with him. However, multiple Federal courts agreed with Ms. Yates' position and blocked this unconstitutional Executive order. Time and history have proven Ms. Yates correct.

We need a Deputy Attorney General like Sally Yates, who is highly competent and has the independence to say no to the President and to the Attorney General when necessary.

Rod Rosenstein has served as the U.S. Attorney for the District of Maryland since 2005 under both Democratic and Republican Presidents. I do not question his experience or his competence. As a member of the Senate Judiciary Committee, I looked closely at his nomination. I asked him many questions in the hearing. I sent some followup letters, and I appreciate that he has been forthcoming in his responses.

Mr. Rosenstein has pledged to be an independent voice and has committed that he will not recommend any changes in Justice Department policies until he evaluates them, discusses them with appropriate officials, and determines that changes are warranted.

I expect he will be confirmed. Upon confirmation, Mr. Rosenstein will immediately be tasked with responsibility over critically important issues over which he will need to display both

sound judgment and independence. Four come to mind.

First is the ongoing investigation into Russia's efforts to interfere with the 2016 Presidential election to help the Trump campaign. What Russia did in our election last year was a cyber act of war against our democracy. It is imperative that we get to the bottom of what happened and make sure it never happens again. I have called for an independent, bipartisan investigation into Russia's election interference. The Republican majority of the House and Senate have resisted this call.

Instead, Republicans in Congress have referred this matter to the Intelligence Committees of both Houses, perhaps hoping it will fade away behind closed doors. I hope the Intelligence Committees will step up and conduct an investigation that is worthy of the importance of this issue, but when it comes to potential criminal acts involving Russia's election interference, the responsibility to investigate falls solely on the Justice Department.

Attorney General Sessions has had to recuse himself from the investigation because of his work for the Trump campaign and his failure to disclose his contacts with Russian officials last year. That means the Deputy Attorney General now has the responsibility over this investigation.

It will be incumbent on Mr. Rosenstein to ensure this investigation is conducted with independence, diligence, and integrity. I believe that appointing a special counsel is the best way to ensure this. I hope he will make that appointment. If Mr. Rosenstein does not appoint a special counsel, the spotlight will be on him personally to make sure the investigation is conducted properly, no matter where it leads. I hope he exercises good judgment. This investigation is too important to get wrong.

The second issue that will require independence and good judgment from the Deputy Attorney General is the Justice Department's threat to withhold Federal funding to prevent violence across America, including in the city of Chicago.

The Trump administration's message has been confusing, to say the least, when it comes to Federal efforts to prevent violence. On the one hand, President Trump, in the middle of the night, tweets "Chicago needs help," and "Send in the Feds," but then the administration threatens to cut off critical funding for violence prevention under programs like Byrne JAG unless cities agree to turn their local police departments into deportation forces.

It is pretty obvious that cutting off Federal violence prevention funding will hurt the cause of violence prevention. Do not take my word for it. Ask any law enforcement leader.

Listen to what the International Association of Chiefs of Police said: "Penalizing communities by withholding assistance funding to law enforcement

agencies and other critical programs is counterproductive to our shared mission of reducing violent crime and keeping communities safe.”

It is no secret that the Attorney General is fixated on immigration, but we need the Deputy Attorney General to ensure that this fixation does not undermine the important ways that the Justice Department and local law enforcement cooperate to reduce violent crime.

This administration cannot call itself a law-and-order administration and then do something like cut the funds for violence prevention when police chiefs across America say that is just wrong.

The third area of critical importance is criminal justice policy. Today, our Federal prisons are 30 percent over capacity, and runaway prison expenditures are undermining important public safety priorities like crime prevention, drug courts, and addiction treatment.

The largest increase in the Federal prison population has been nonviolent drug offenders who are then separated from their families for years on end as a result of inflexible mandatory minimum sentences. This has a destructive effect on communities and erodes faith in America in our criminal justice system.

Congress needs to pass legislation to reform our Federal drug sentencing laws, but the Justice Department's policies for nonviolent drug offenses also can help.

Under the Obama administration, the Smart on Crime Initiative directed Federal prosecutors to reserve stiff mandatory minimum sentences for individuals convicted of serious offenses. This initiative has been very effective in focusing the Department's limited resources on the worst offenders and ensuring that people convicted of low-level, nonviolent offenses are not subjected to these same mandatory minimum penalties.

Attorney General Sessions has signaled that he wants to eliminate the Smart on Crime Initiative, and certainly those of us who listened to his opposition to criminal sentencing reform are not surprised. But, as Deputy Attorney General, Mr. Rosenstein will chair the Task Force on Crime Reduction and Public Safety that has been established by the President. This gives him an important voice. I hope he will work to ensure that the Department's charging policy reserves stiff mandatory sentences for only serious violent offenders.

Mr. Rosenstein would also be responsible for determining the fate of the Justice Department's efforts to work constructively with State and local law enforcement to protect civil rights and improve community and police relations. In particular, Mr. Rosenstein should continue negotiations to pursue police reform in Chicago, backed up by an enforceable consent decree. The former U.S. attorney in Chicago, Zach

Fardon, felt strongly that a consent decree was needed to correct the systemic problems we face. Mr. Rosenstein has shown more openness to using consent decrees than Attorney General Sessions, who has an ideological personal hostility toward them. I hope Mr. Rosenstein will look carefully at this issue in Chicago and respect the judgment of Mr. Fardon and the career DOJ professionals who spent over a year investigating this matter.

Mr. Rosenstein also will be responsible for reining in the Attorney General's worst instincts on immigration. It is no surprise to any Member of this Chamber that when the issue of immigration came to the floor, the leading opponent on immigration reform was Senator Sessions of Alabama. I believe he offered 100 amendments to the immigration reform bill that passed the U.S. Senate. He has spoken out over and over again about his opposition to immigration reform.

The Attorney General has already directed Federal prosecutors across the country to make immigration cases a higher priority and look for opportunities to bring serious felony charges against those who cross the border without authorization. Federal prosecutors understand this is not the right approach. Listen to Paul Charlton, the U.S. attorney for Arizona under the Bush administration. According to him, this new directive will overburden the Federal courts already struggling to handle the volume of immigration cases. He said: “Prosecution and incarceration do not adequately address the real need, which is a reform of the immigration laws.”

Let me conclude. I see the Democratic leader on the floor.

There are a number of critical issues that will require sound judgment and leadership from the next Deputy Attorney General. I hope Mr. Rosenstein will approach these issues with the professionalism and integrity that have earned him bipartisan praise as U.S. Attorney in Maryland. I hope he will be willing to speak truth to power and to stand up to the President and the Attorney General if necessary.

I will support Mr. Rosenstein's nomination. I hope we can work together constructively on the important matters facing the Department of Justice.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, first let me thank my friend from Illinois for his always thoughtful and good words. I agree with his sentiments on Mr. Rosenstein, whom I will support as well.

GOVERNMENT SPENDING BILL

Mr. President, first I want to say that it is very good news that the President seems to be taking the wall off the table in the negotiations we are having on an appropriations bill this week. It would remove the prospect of

a needless fight over a poison pill proposal that Members of both parties don't support. On a bill as important as one to keep the government open, it is a dangerous prospect for the administration to push so hard for such a flawed, incomplete, and unthought-out proposal on a must-pass spending bill. It could tank what would have been productive, bipartisan, bicameral negotiations between the leaders in both Houses. If the threat of the wall is removed, as I hope is the case, our negotiations can continue and we can hopefully continue to resolve all of the outstanding issues by Friday.

Make no mistake about it, there are other important issues to resolve—no poison pill riders, above all, and the ratio of defense and nondefense spending in terms of increases above the baseline. On the nondefense side, miners are very important on our side, getting permanent healthcare for these miners who have struggled their whole lives; the issue of cost-sharing, where 6 million people could lose their healthcare because it would become unaffordable; and the issue of Puerto Rico, which is struggling so, are among those that we feel are important as well. There are other issues to resolve as well, but I am hopeful we can address them as the week moves forward. Poison pill riders are something that could really hurt the bill, and we don't want that to happen.

THE PRESIDENT'S FIRST ONE HUNDRED DAYS

Mr. President, on another matter, as we quickly approach the 100-day mark of the Trump Presidency, it is a good time to look back on what this administration has accomplished and has not accomplished. One thing is clear: This President has either broken or failed to fulfill many of the promises he made to working families during the campaign. This morning, I wish to focus on one area in particular—this President's promises to working people on jobs and the economy.

One of the President's key rationales as to why he would be an effective President was that he was a good businessman who could create jobs and get the economy moving much faster than anyone predicted. But on the major issues of jobs, including outsourcing, “Buy American,” trade—key economic issues that help job growth in America, that help working families—President Trump has made scant progress during his first 100 days and has broken several core campaign promises he made to kick-start the economy for working families.

On jobs, President Trump said he was going to be “the greatest job President that God ever created,” but have we seen one significant piece of legislation that would create jobs from this President? What about infrastructure, for instance? That is something that would create tons of good-paying jobs, and Candidate Trump talked about it a lot when he campaigned. He promised to fix America's crumbling infrastructure, pledging a \$1 trillion plan to do

it. But we haven't seen any details of any plan yet, and no comprehensive plan to rebuild our infrastructure has been introduced by any Republicans in Congress.

So we Democrats came out with our own \$1 trillion infrastructure plan, taking what the President said in his campaign. The bill would create 15 million good-paying jobs, going to the working families of America. We haven't seen any proposal or gotten any response to our proposal from the President. The only thing we have seen from President Trump on infrastructure is that he has proposed multibillion-dollar cuts to vital transportation programs in his 2018 budget, saying one thing in the campaign—infrastructure jobs—yet doing exactly the opposite—cutting infrastructure jobs—in his proposed budget for next year.

On outsourcing, Candidate Trump lamented the fact that so many companies were shipping U.S. jobs overseas, promising: "We're going to stop it day one. It's so easy to stop."

While President Obama used regulatory measures to stop inversions in their tracks—a company in New York, Pfizer, which I thought was so wrong to try and invert—President Trump has just signed an Executive order to review those rules and potentially undo them—the exact opposite of what he campaigned on. This is astounding. He said he was going to prevent jobs from going overseas. President Obama put in regulations that have virtually stopped inversions—companies moving their headquarters overseas for tax breaks. President Trump, directly in contradiction of what he talked about over and over and over again in his campaign, says: Now let's review those rules and possibly undo them. It is just hard to comprehend.

President Trump said his policy would be "Buy American and Hire American," and he has had a bunch of little rallies where he talks about this, but he has refused to insist that pipelines and water infrastructure be made with American steel.

If he were serious about stopping outsourcing, he would demand that Senate Republicans put Senator BALDWIN's bill requiring infrastructure to be made with American steel on the Senate floor. If we increase water and sewer as one of our biggest infrastructure proposals, American steel would get a huge boost, if companies had to buy American steel. Senator BALDWIN has a bill that does it. President Trump has not gotten any action. He ought to tell Leader MCCONNELL, tell Speaker RYAN he is for that bill, and they should bring it to the floor, and, with a lot of Democratic votes—probably every one, just about—we can pass it.

On trade, which is another crucial issue for the American worker—maybe the issue that President Trump garnered the most support for from working families—well, he has made some big promises, but he has either broken them or failed to deliver in his first 100

days. He pledged to hold China accountable for its rapacious trade practices, which have robbed America of millions of jobs and cost trillions of dollars of wealth. He said China was "world champion" of currency manipulation and pledged to name it a currency manipulator on day one. President Trump has done neither of those things. He has broken his promise to name them a currency manipulator, and he has backed off on his promise to get tough with trade on China in general.

This is an issue I am passionate about. I didn't agree with President Trump on a whole lot of issues, but when he talked about China during the campaign, I said: I am closer to President Trump on how we treat China than I was with President Obama or President Bush, and I thought it would be one of the areas where we could make real progress. Instead, we have seen a U-turn—China, not a currency manipulator, when he said over and over again they were, and they are manipulating their currency.

I know all the free-trade pundits get up and say: Yes, but now they are not reducing the value of their currency; they are doing the opposite of what they did when they made it easier for them to export. But they are still manipulating it. It still doesn't flow. As sure as we are sitting here, if China's advantage is to once again devalue the currency so they can have more exports and unfair advantages over American workers, they will do it in a minute.

Furthermore, had he called China a currency manipulator, it would have sent a shot across China's bow. For years, frankly, under Democratic and Republican administrations, China has gotten away with economic murder. They steal our intellectual property. They don't let good American companies into China. They buy American companies to get their technology and then produce it in China and try to export it here. They have over the years manipulated the currency to their advantage, among many other things. They are hurting us. Probably nothing has done more to hurt American jobs than China's rapacious trade policies. And President Trump is nowhere to be found. In fact, he is doing the opposite of what he promised on trade.

Instead of sticking up for hard-working, middle-class Americans by trying to create jobs and get tough on both trade and outsourcing, President Trump has spent the last few months looking out for powerful corporations and the special interests he repeatedly campaigned against, breaking promise after promise to working families. It is a shame he has taken this route.

On issues like infrastructure, outsourcing, and trade, we Democrats agree with many of the things Candidate Trump was saying, but he is nowhere to be found to work with on these issues. President Trump could have chosen to spend his first 100 days

working with us Democrats on these issues, finding compromises and consensus to fulfill his promises to working America. Instead, he spent the first 100 days governing from the very hard right, refusing to seek Democratic input on any major legislation. That is not how you get things done here, and that is why the President has so little to show for his first 100 days.

We Democrats are prepared to work with him to give the middle class and those struggling to get there a much needed boost, but the President and Republicans in Congress need to start reaching out and meeting us halfway.

As I have told the President many times, if he governs from the middle, if he is willing to work with both parties to get things done, we might be able to compromise on some of the important economic issues where we have had these values for a long time—the ones I just mentioned. If the President, Republicans, and Congress continue their "my way or the highway approach," the next 100 days will be just like the first—a lot of broken and unfulfilled promises and very few accomplishments from this new administration.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

ANTIQUITIES ACT

Ms. CANTWELL. Mr. President, President Trump is expected to issue an Executive order directing the Department of the Interior to review all of the national monuments issued over the past 20 years, to see whether those monuments should be reduced in size or repealed. It is clear to me that many of us know the value of our public lands. But I am questioning whether our President understands that trying to illegally roll back those national monuments—some of the most treasured lands in our country—is something we should not do.

This shortsighted move is a pretext to attacking the designation of the Bears Ears National Monument in Utah, which is sacred to the five tribes that form the Bears Ears Inter-Tribal Coalition, and is a breathtaking site for all Americans who come to experience what is the unbelievable, unique beauty of the West.

Whether they are there hiking or climbing or vacationing, it is a special place. But President Trump's Executive order is expected to go even further than just Bears Ears, reviewing any designation in the last 20 years, threatening the question of the San Juan Islands or Hanford Reach National Monuments and the creation of other sites around the United States and threatening our economy.

Time and again, the Trump administration is pushing for policies that are harmful to our recreation economy and a disaster for our pristine places, and it sets a terrible precedent for future conservation efforts.

The Antiquities Act is one of our Nation's most successful conservation laws. It was signed into law in 1906 by President Theodore Roosevelt to designate Devils Tower in Wyoming as our Nation's first national monument.

In the 110 years since its enactment, the Antiquities Act has been a very useful tool by 16 different Presidents—eight Republicans, eight Democrats—to designate more than 140 national monuments, including, as I mentioned, the San Juan Islands and Hanford Reach in the State of Washington.

Nearly half of all of our national parks, including national icons such as the Grand Canyon or Olympic National Park, were first designated as national monuments under the Antiquities Act. So it is a very helpful tool to making sure we preserve those special places. I will note, too, that only 4 percent of all land in the United States is set aside this way, designated as part of the national park system or as a national monument.

So, of all the lands in the United States, we are asking to protect 4 percent of the lands, that are these unique special places, to be persevered for the American public and not turned over to special interests for oil and gas mining.

I also think it is important to note that the Antiquities Act gives the President the authority to make sure that these monuments are designated because from time to time there are those who do not believe in these special places.

I note that when the Grand Canyon was being considered, an editorial in that time period editorialized: "The idea of protecting the Grand Canyon represents a fiendish and diabolical scheme." Now, I don't think that is what Americans think today about the Grand Canyon, nor do they think that it is something that hasn't enriched the lives of millions of Americans over the years or added to our economy and tourism. So I find it ironic that the same people think that the designation of Bears Ears is somehow a "fiendish and diabolical scheme."

Well, what I know is that the President is wrong to think he can use the Antiquities Act in reverse. In 1938, an Attorney General's opinion was issued stating that the President did not have the authority to use it in reverse.

So I think any attempt by the Trump administration to modify or revoke earlier national monument proposals is without the legal authority to do so. But I also want to make sure that we are talking about how important and how special Bears Ears is. It is a monument of true significance. It encompasses 1.3 million acres of beautiful desert hills, mesas, and sandstone canyons in southeastern Utah and is home to some of the most spiritually signifi-

cant lands of the local Tribes and some of the best rock climbing in the world.

Bears Ears encompasses Native American archaeological sites dating back at least 13,000 years. The area is covered in rock art, petroglyphs and pictographs, cliff dwellings, and artifacts. So if nothing else, those special places should be preserved.

It is also special to many of the early inhabitants of that area: the Ute Tribe, the Navajo Tribe, the Uintah Ouray Tribe, the Hopi Tribe, and the Zuni Tribe. Bears Ears is important to these Tribal members for sacred ceremonies, and hunting, and fishing.

Bears Ears also continues to be one of the richest paleontological resources in our Nation, with fossil records dating back millions of years. So it is easy to see why it is so important that this special place was designated.

In addition to its historical and cultural significance, Bears Ears is also a world-class recreation resource visited by rock climbers from all over the world. It is also visited by hunters, hikers, canyoneers, white water rafters, mountain bikers, and the entire conservation community. That is why the Outdoor Retailer show, which had previously located its biannual event in Utah, decided after two decades that they were pulling out. That is right. They are pulling out their \$40 million contribution to the Utah economy because they are against the efforts by many in Utah to oppose the Bears Ears monument and try to get the President to reverse the Antiquities Act and then use that Federal land for oil and gas exploration. I was so proud to see the outdoor industry take such a bold step. Companies like REI, Patagonia, Black Diamond, and Outdoor Research really made a big and bold statement. They decided that if a State was going to attack the very economy that was so important to their jobs in recreation, they were going to do something about it.

I agree with the Salt Lake Tribune editorial on the Outdoor Retailer's decision, which said that the debate over public lands is about "who we are and where we are headed. To get there, we need leaders with a better appreciation of the magnificent gifts God has given everyone, not just Utahans."

So what is ironic and, frankly, a bit sad is that at the same time the Trump administration is waging war on our public lands and fighting imaginary ones, like the War on Coal, we have new data on just what an economic engine the recreation industry has become. Just today, the Outdoor Industry Association released a new report on the economic contributions of the recreation economy. Today, the recreation industry generates \$887 billion in consumer spending every year. That is up more than \$200 billion—from \$646 billion—since the last time the study was done a few years ago. What does this tell us? Not only do more Americans enjoy recreation on our public lands, but an economy has been built

around it, and it continues to grow and thrive, with new products, new services, and more comfortable and innovative ways to enjoy the outdoors. The outdoor recreation economy is responsible for 7.6 million jobs in this country. That is a growth of 1.5 million jobs since the last time the report was done.

Meanwhile, the Trump administration seems perfectly content to do the bidding of these natural resources industries instead of focusing on these jobs and these recreational opportunities that are booming. In fact, the clean energy economy is now supporting more jobs than fossil fuels in 26 States and the District of Columbia. So it is an economy that exists in many parts of our country.

On top of this effort to try and weaken these national monument designations and use the Antiquities Act in reverse, the President is also expected to gut some of our key investments in science and innovation that are also helping us grow in new ways.

I will tell you that pollution is not an economic strategy. We cannot turn the economy of the past into hope for the future. What we need to do is make sure we are paying attention to the unique resources that these special places represent and the great heritage of both Democratic and Republican administrations, which have done great work by protecting places like the Grand Canyon and Bears Ears.

I hope all of my colleagues will realize that this is a futile effort and that these special places do not belong only to us. They do not belong to the people who are here on the Senate floor. They belong to generations and generations of Americans.

To those great Presidents—Republican and Democratic—who made those decisions and created those special places for all of us, thank you. I hope that some future generation will be standing here thanking us for protecting Bears Ears and all of the national monument designations that have taken place over the last two decades.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FARM SERVICE AGENCY

Mr. PETERS. Mr. President, I rise today to acknowledge and honor Michigan farmers. Agriculture is a vital part of Michigan's economy. In fact, Michigan is home to more than 51,000 farms that contribute over \$100 billion to our Nation's economy. Michigan is also the second most diverse agricultural producer in the Nation, growing more than 300 commodities, including a significant portion of our Nation's milk, corn, cherries, cucumbers, and much more.

Last week I had the pleasure of visiting the Iciek Dairy Farm in Gladwin, MI. It was incredible to see firsthand how this family-run dairy has grown from a small farm of a few dozen cows to a large, modern dairy operation with 700 cows and seven full-time employees.

Today, the Iciek Dairy works with the Michigan State University Extension program to help mentor new businesses and farmers who are just starting off with their own small dairy operation. Michigan's farmers and farmers all across our country feed our country and people around the globe, and we must do what we can to support them. Our agricultural businesses rely on the ability to access the resources they need to keep growing, creating jobs, and contributing to our economy.

Access to these resources can be especially challenging for new small farm operations that are just getting started, including those small farms that make up 82 percent of Michigan's agricultural producers. Small farms that are just starting up or are facing tough economic conditions sometimes struggle to find and secure affordable credit. That is why I am working across the aisle with Senator TILLIS to urge congressional appropriators to fully fund the Farm Service Agency loan programs as Congress considers government funding bills for 2018.

The Farm Service Agency works with lenders to guarantee and deliver small dollar loans to the small farms that need them the most. When a farm has no other options, Farm Service Agency loans and guarantees can help farmers cover urgent operating costs for feed, seed, and fertilizer to get them through the season. Without these loans, farmers could lose their ability to purchase equipment and other necessities for the planting season and could be forced to curtail their operations.

Currently, more than 2,300 farms in Michigan have Farm Service Agency loans totaling over \$630 million. Across the country last year, the Farm Service Agency made and guaranteed a total of 39,650 loans totaling \$6.3 billion. It is critical that Farm Service Agency funding reflect expected demand for loans so that small farms can continue to have this crucial lifeline.

This program is in such high demand that just last year the Farm Service Agency ran out of money to finance its operating loans, including more than 1,000 loans that had already been approved for small farmers. This led to a backlog of loans, and farmers were forced to wait for months until Congress passed emergency funding to get the loans they needed for their day-to-day operations.

Access to capital is critical across a range of businesses, but it is incredibly important to our farmers. They can lose out on an entire growing season if they cannot buy the equipment and the supplies they need while they wait for Congress to fund the Farm Service Agency.

Today, ensuring that the Farm Service Agency has sufficient funding is even more critical, especially following President Trump's proposed \$4.7 billion cut to the U.S. Department of Agriculture.

Like our small businesses, students, and families, America's farmers deserve to have affordable loan options, and they deserve our attention and our support. I urge my colleagues to join me in asking for robust Farm Service Agency funding so we can continue to support our farming communities as they support and sustain us each and every day.

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.

FOREIGN POLICY

Mr. CORNYN. Mr. President, as we come back into session after a 2-week State work period, I think we need to take stock of what we have been able to accomplish in working together during the last few months.

Through the efforts of the administration and in working with Congress, we have been able to greatly lessen the regulatory burden on many American job creators, which is something sorely needed while our economy has been bumping along at, roughly, 2 percent growth of our gross domestic product since the Great Recession of 2008. We have confirmed a ninth Supreme Court Justice, and we have seen strong, credible action taken against people like the terrible Assad regime in Syria.

It is important to remember, as folks continue to judge the current administration and its foreign policy in particular, how we got here and what this White House inherited after 8 years of the Obama administration.

As President Obama left office, he left in his wake fires burning around the world. There is no better example than the Middle East. President Obama celebrated the Arab Spring as a testament to the power of a democratic voice, but he did little to help our partners across the Middle East and North Africa find stability and prosperity. Along the way, he made the world a lot more dangerous for all of us by his inaction or, in some cases, by his actions. Libya is one of the most tragic examples.

Without his coming to Congress but instead going to the United Nations for a resolution, under President Obama's watch, the country fractured after he helped to launch a poorly conceived military campaign that helped depose Muammar Qadhafi, with no plan at all as to what to do afterward to stabilize the country. Apparently, despite all of President Obama's criticisms of President Bush's 2003 invasion of Iraq, he learned very little from it, and terror-

ists, including ISIS, jumped at the opportunity to fill the vacuum in Libya.

Later, the American Consulate in Benghazi would be attacked, resulting in the deaths of four Americans, including that of Ambassador Christopher Stevens. That was the result of President Obama's failed strategy in Libya.

To the east, as 2016 came to a close, Syria was embroiled in even more disarray, more bloodshed, and more violence than when the civil war initially broke out. President Obama promised the world—now infamously—that should the Syrian Government use chemical weapons that at that point a red line would have been crossed. We know how that turned out and so do the citizens of Syria and so do, importantly, other thugs, autocrats, and dictators around the world—red lines crossed but not enforced.

President Obama's threats went unanswered. Russia became bolder in its support of Assad as it became clearer that the United States would not intervene. Now, in light of years of inaction by the previous administration, we have a refugee crisis in the Middle East and throughout Europe. Millions of people have been displaced both internally and externally across Europe. We have a war criminal leading the Syrian Government who has repeatedly used chemical weapons and indiscriminately killed civilians, including children, in a region even further from any measure of stability than when President Obama took office.

Yet, instead of developing a strategy, instead of listening to his own military and national security leadership, President Obama and his team perversely opted to strengthen our adversary Iran. The ill-conceived JCPOA deal cemented the status of this state sponsor of terrorism as a future nuclear power as it released billions of dollars in sanctions relief to the regime and empowered our enemy to engage in even more terrorist activities abroad and around the world. After 8 years of the Obama administration, the bottom line is, our foremost enemy in the Middle East became stronger, not weaker.

On top of all of that, President Obama pushed aside our strongest ally in the region—Israel—time and time again to appease nations that were working against us. That is simply not how the United States should operate in its leadership role around the world.

I could go on and on about the foreign policy failures of the last administrations with respect to the Middle East, but it is not the only region in worse shape. Under President Obama's watch, Russia invaded Crimea and eastern Ukraine. It repeatedly threatened NATO member states and ramped up its cyber espionage to influence and undermine public confidence in free and fair elections both in the United States and in Europe. Along the way, our allies in Europe were cast aside rather than assured of our support—all with Russia's mounting aggression close by.

In the Pacific, China continued to advance its regional dominance by making claims to islands disputed by our allies, going so far as to convert sand bars and reefs into island military bases—some with 10,000-foot military-capable runways right there in the South China Sea.

Finally, North Korea continues to develop and test its nuclear and ballistic missile capabilities with the threat of soon being able to use both to reach the continental United States. North Korea carried out four nuclear tests during the Obama administration. That is simply unacceptable.

The truth is, after two terms of inaction, no coherent strategy, and leading from behind, our allies and partners around the world questioned the commitment and power of the United States and our ability to defend our national interests around the globe.

I, personally, am thankful for what we have seen President Trump accomplish so far, even in a short period of time. His tough but honest discussions about America's role in the world are appreciated not only by those of us here at home but by our allies and friends around the world who have been hungry for American leadership.

When Assad crossed a line the entire international community deemed abhorrent, President Trump, unlike President Obama, took action. Unfortunately, President Trump has inherited foreign policy predicaments that were created by both the action and inaction of his predecessor around the world. My hope is, President Trump will continue to work with the great team he has assembled to make sure U.S. interests are put first and that America continues to exert its leadership role around the world.

The truth is, a strong America and an America that leads is a stabilizing and peacekeeping influence around the world. Just the opposite is also true. As America retreats, there is no other country that can fill that leadership vacuum. It is inherently destabilizing, and it is an invitation for bad actors around the world to take advantage of that power vacuum.

I look forward to working with the administration, as well as all of our colleagues in the Congress, to help keep Americans safe by making clear that we will back up and support our allies and partners abroad and send a powerful message to those who threaten our interests.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Mr. President, I support Mr. Rosenstein's nomination

to be Deputy Attorney General. Not only is he a very experienced and accomplished attorney, he has served in the Justice Department for almost three decades under five Presidents, but he served as the U.S. Attorney for the District of Maryland under both President Bush and President Obama—a very rare record of service. During his nominations hearing to be Deputy Attorney General, Mr. Rosenstein promised us that he would “work to defend the integrity and independence of our justice department, to protect public safety, to preserve civil rights, to pursue justice, to advance the rule of law and to promote public confidence.”

However, many Members have mentioned they are concerned about the FBI Director's announcement of an investigation of Russia. And during his nominations hearing, Mr. Rosenstein was repeatedly asked if he would commit to appointing a special counsel to handle any investigation in this matter. I was impressed with his unflinching commitment to independence when he answered these questions.

Rather than prejudice investigations before he knows the facts, he unwaveringly promised to make decisions only after thoroughly reviewing all the relevant information in a particular case. He committed to not prejudice the situation before he knew the facts. And he committed to conducting every investigation with independence.

I personally believe Mr. Rosenstein possesses the necessary independence to conduct any investigation of this type. He told us he had never met with Russian officials nor has he spoken to the President or Attorney General about this matter. And he spoke in great length about his career-long commitment to independence and to conduct his work free from political concerns.

In fact, we already know that he has a well-known reputation for independence. In 2012, Attorney General Holder specifically asked Mr. Rosenstein to handle a special investigation into leaks of classified information because of his reputation for independence and impartiality.

When Republicans suggested a special prosecutor might be appropriate, members of the Judiciary Committee assured us that none was necessary precisely because Mr. Rosenstein was at the helm of the investigation. One member of the Committee described him as a “scrupulous man” and “independent.” There was “no reason to believe why [he] cannot work with the FBI and assemble a very strong prosecution team where warranted.”

Mr. Rosenstein is still scrupulous and independent. If Mr. Rosenstein could conduct an investigation with independence under Holder then, he can certainly do it now. Furthermore, Mr. Rosenstein comes with high recommendations from a bipartisan list of former Attorneys General and Deputy Attorneys General. And he comes with high recommendations from his home state Senators, current and former.

Former Senator Mikulski wrote the committee and told us that he will be a “strong, experienced leader at the Department of Justice who is fair and committed to the equal application of our laws” and “In these polarized times, now, more than ever we need a strong, experienced leader at the Department of Justice who is fair and committed to the equal application of our laws. I hope the Senate will confirm Rod Rosenstein for this important position.”

After Senator CARDIN described all Mr. Rosenstein's professional accomplishments when he was introducing him at the hearing, he said, “What impresses me the most, he has done this in a totally non-partisan manner.” And concluded by saying, “I think Mr. Rosenstein is the right person at the right time for Deputy Attorney General.”

Finally, James Cole, President Obama's Deputy Attorney General, wrote to inform the committee that Mr. Rosenstein will respect the need for the Department “to not only enforce the laws, but to also maintain a level of independence that enables it to have credibility in the eyes of our citizens.”

From all I see and know about him, I believe Mr. Rosenstein will keep his promise for integrity and independence. He promised us if he is confirmed as Deputy Attorney General, “all investigations under my supervision [will] be initiated and conducted in a fair, professional, and impartial manner, without regard to political considerations.” We can't ask for anything more. I urge all my colleagues to join me in voting to confirm Mr. Rosenstein to be Deputy Attorney General.

I yield the floor.

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. GRASSLEY. 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 PROCEDURE

Mr. GRASSLEY. Mr. President, I ask unanimous consent that all time postcloture on the Rosenstein nomination expire at 5 p.m. today and that, if confirmed, the President be immediately notified of the Senate's action and the Senate resume consideration of the Acosta nomination.

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

Mr. GRASSLEY. I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).