The Senate's Tax Cuts and Jobs Act represents the consensus views of the Finance Committee members and it reflects the values shared by the House, the Senate, and the Trump administration, put forward in our unified framework earlier this year. Chairman HATCH has shown impressive leadership to craft this proposal, and I look forward to his continued guidance of the committee under regular order.

Today, members will have the opportunity to give opening statements and provide their insights on the proposal. During this process, the committee will consider amendments from both sides. As of this morning, more than 300 amendments have been filed by both Republican and Democrat members. Additionally, all Senators will have the chance to share their opinions here on the Senate floor. This is an open process.

It is time to reform our Tax Code and provide much needed relief to the hard-working men and women of this country. The Finance Committee's proposal would do just that.

In a related action this week, the Senate Energy and Natural Resources Committee, under the leadership of Chairman MURKOWSKI, will begin to mark up legislation supporting our Nation's energy security. Further developing Alaska's oil and gas potential in an environmentally responsible way is an important effort to help create new jobs, generate new wealth, and provide for our energy future and energy security.

These committee markups are positive steps toward growing our economy and helping the middle class.

NOMINATIONS

Mr. MCCONNELL. Madam President, the Senate will continue its progress in confirming the President's nominees. Last week we confirmed multiple nominees to a number of Federal agencies. Soon they will get on the job for our country.

This week we will start by considering two nominees for the Department of Transportation. Later today, the Senate will vote to confirm Derek Kan to serve as the Under Secretary of Transportation for Policy. Mr. Kan has experience in a wide range of transportation matters, from Amtrak to ride-sharing platforms. His career in both the private and public sectors will serve him well as he works to develop important policies related to our Nation's infrastructure. I will be supporting Mr. Kan's nomination, and I would urge all Senators to join me.

Next, we will consider the nomination of Steven Bradbury to be general counsel of the Department of Transportation. During Mr. Bradbury's service at the Justice Department in the Bush administration, he advised the executive branch on various legal and constitutional questions. I am grateful that he has chosen to serve our Nation once again.

Next up will be David Zatezalo to serve as the Assistant Secretary of Labor for Mine Safety and Health and, then, Joseph Otting to be the Comptroller of the Currency. Finally, we have two more talented and qualified nominees to serve as Federal district court judges, Donald Coggins and Dabney Friedrich.

Thoughtful consideration of President Trump's nominees is an important responsibility of the Senate, and we will continue to move swiftly so they can get to work for the American people. I look forward to considering each of them this week, and I would urge all of our colleagues to join me.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the Kan nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Derek Kan, of California, to be Under Secretary of Transportation for Policy.

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

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

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

PRESIDENT'S TRIP TO ASIA

Mr. SCHUMER. Madam President, I am going to spend the bulk of my time this afternoon focusing on the tax plan, but first I must address President Trump's trip to Asia.

Without exaggeration, the President's trip to Asia has been one of the most embarrassing foreign trips a President has taken in my memory. It shows when it comes to foreign policy, President Trump is not ready for prime time.

After a campaign in which he routinely criticized China—rightly, in my opinion—for rapacious trading practices that have stolen American jobs and depressed American wages, President Trump went to China and gave them a get-out-of-jail-free card. Instead of speaking sternly and truthfully to the Chinese leaders about the realities of our unbalanced and unfair trade system—where we play by the rules, and they do not; we lose jobs, they gain them—President Trump tried to appease the Chinese and their leader.

Instead of demanding concessions on trade, instead of demanding the same equal access to markets we provide Chinese firms, instead of addressing the sordid history of intellectual property theft and extortion, President Trump was eager to let China off the hook, saying it was ''not their fault'' but rather the failure of American Presidents. Imagine blaming America for the Chinese trade imbalance and letting China get off scot-free. Is that putting America first?

President Xi flattered President Trump, and he fell for it hook, line, and sinker. From each of his interactions with President Xi, President Trump has only gotten flattery, pomp, and circumstance but nothing for the American worker—nothing.

If he keeps this approach up with a growing economic power like China, President Trump will be the author of a new international reality: America second.

Concerning the situation on the Korean Peninsula, instead of working toward a new meaningful understanding of how to best deal with North Korea, President Trump traded petty barbs with the President of North Korea on Twitter. Close your eyes for a moment and imagine if this was the way Roosevelt behaved toward Stalin or Eisenhower toward Khrushchev or Kennedy toward Castro. This is below the dignity of the Office of President of the United States, and it erodes America's power in the world.

Worst of all, again, President Trump seemed to instinctively accept the word of President Putin against 17 U.S. intelligence agencies about whether Russia interfered in our election. We know that Russia interfered with our elections. Our entire intelligence community—17 agencies—has concluded it. Why does President Trump continue to give President Putin the benefit of the doubt while discrediting and demeaning American intelligence officers? It is shameful, unpatriotic—deeply unpatriotic—and he only halfheartedly walked back his comment after the fact. Every American should wonder why President Trump goes to such great lengths to avoid criticizing President Putin.

After 8 years of Republicans questioning President Obama's toughness with foreign leaders—an attack that I give no credence to by repeating—it seems that President Trump, not President Obama, is the one who is afraid to take on America's adversaries. He forgives China and cozies up to President Putin.

For the steelworker in Ohio or in Upstate New York whose job is on the line

because China is dumping cheap steel and aluminum into our markets, that is not good enough. For every American concerned about the sanctity of our elections, that is not good enough. When it comes to standing up for the needs of the American worker, for American firms, and for American consumers, when it comes to standing up for American democracy, this President needs to wake up and toughen up.

REPUBLICAN TAX PLAN

Madam President, now on taxes. Today the Finance Committee will begin to mark up the Senate Republican tax plan. The bill put forward by the chairman will not contain the ideas of a single Democrat in the Senate. It is the result of not a single negotiation between our two parties. It has been discussed in exactly zero hearings, its merits weighed by exactly zero expert witnesses.

Rather, the tax bill is one party's backroom deliberations, and though it will affect nearly every person and industry in the country, it is being rushed through committee and may come to the floor of the Senate in a matter of weeks.

The Republican leadership is making a mockery of the legislative process, a mockery of regular order, and the reason for such reckless haste is all too obvious. The product is a wretched one.

If Republicans had crafted a popular bill that could get bipartisan support, they would have announced it with great fanfare and fanned out all over the country to champion it. Instead, it is being rushed through with hardly any consideration because my Republican friends know from their experience with healthcare that the longer an unpopular idea is left out in the open, the more it would fester in the public's mind.

That is what will happen with this tax bill because of one simple reason: It is focused on the wealthy to the exclusion of the middle class. While big corporations and wealthy individuals get lower rates and new permanent loopholes, the middle class gets benefits that expire. Corporations will be able to continue to deduct their State and local taxes while individual taxpayers will not. Wealthy estates worth over $5 million are ensured a massive tax break while millions of middle-class families lose their popular deductions like the personal exemption.

That is why, according to an analysis by the New York Times, under the House Republican bill, nearly one-third of all middle-class taxpayers will see a tax hike next year. Let me repeat that. Under the House Republican bill, nearly one-third of all middle-class taxpayers will see a tax hike next year, and almost half of middle-class taxpayers will see a hike in 10 years.

According to a JCT analysis of the Senate Republican bill, of all the taxpayers making less than $200,000 a year, 13 million will see a tax hike next year in 2019, and nearly 20 million Americans will see a tax hike by 2027. Another 64 million Americans making under $200,000 a year will see no change in their taxes. Meanwhile, everyone at the very top, the top 1 percent, will see tax cuts of tens of thousands of dollars. One hundred times more money would go to a family earning $1 million a year as a family making between $40,000 and $50,000.

Now, let me ask you, who needs the tax break more, the family making $50,000 or the family making $1 million? God bless the wealthy. So many of them worked hard to achieve great wealth. Good, but they don't need a tax break; middle-class people do.

Now President Trump is suggesting Republicans tip the scales even more in favor of the rich by repealing the individual mandate to pay for more tax cuts for the rich.

Here is what he tweeted. I find this hard to believe. How out of touch can the President be with the American people?

> How about ending the unfair and highly unpopular Indiv[idual] Mandate . . . & reducing taxes even further? Cut top rate to 35% w/all of the rest going to middle [class] income cuts.

What does the proposal do? It sends premiums, healthcare premiums, for millions of middle-class Americans skyrocketing, all so that the wealthy—the top bracket—can get even bigger tax breaks than they get under the original Republican plan. The middle class only gets the leftovers, if there are any at all.

Sooner or later, even President Trump's core supporters will realize that he is selling them out. That is why most polls show that less than one-third of Americans support the Republican tax plan, and a majority actually oppose it. That is an astounding fact.

Tax cuts are historically popular. Somehow Republicans have managed to make a tax cut bill politically unpopular, again, for a straightforward reason. On balance, the tax cut is for big corporations and a tiny group of wealthy Americans while millions in the middle class pay more to help finance it. To make tax cuts unpopular is quite a feat. I would urge my Republican colleagues not to fall for the bait.

There is broad agreement on the goals of tax reform between our two parties. We all want to lower middle-class taxes. We all want to reduce the burden on small businesses and encourage companies to locate jobs here in the United States instead of shipping them overseas. We could put a tax bill together that does those things. This bill doesn't.

I know many of my Republican colleagues are concerned about the deficit. They are worried about the one-party legislative ramrodding that is eroding the grand traditions of this body, and they are afraid of passing a tax bill that raises taxes on millions of working Americans in their States.

So I say to my Republican friends: Hit the brakes on this bill. Come back to the table. We can work on a real bipartisan tax reform bill that delivers middle-class tax relief but only—only—if you defeat this bill first.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Madam President, what is the parliamentary situation?

The ACTING PRESIDENT pro tempore. The Senate is considering the Kan nomination.

Mr. LEAHY. I thank the distinguished Acting President pro tempore.

RUSSIA INVESTIGATION

Madam President, over the past 10 months, the Attorney General has testified before the Senate on three occasions about his knowledge of and contacts with Russian operatives. He also answered written questions and provided additional supplemental testimony, but he still has not gotten his story straight. On numerous occasions, new disclosures of his communications involving Russia have raised serious doubts about his testimony, and not one of these disclosures has come from the Attorney General; all have come from the press or unsealed court records. That is a problem.

This started in January. At his nomination hearing, both Senator FRANKEN and I asked him about contacts with Russian officials. I asked him in writing whether he had been in contact with anyone connected to the Russian Government about the 2016 election. It was not a tricky or surprising question. Other Trump officials' undisclosed contacts with Russians, like those of Michael Flynn or Jared Kushner, were major headlines at the time. Under oath, then-Senator Sessions answered with a single word, ''no.'' We soon learned that the answer was ''yes''—just the opposite.

In March, the Washington Post reported that Sessions met with Russian Ambassador Kislyak on two occasions during the height of the 2016 campaign. Days later, the Attorney General was forced to recuse himself from the Russia investigation. In June, the press reported on a third undisclosed contact. In July, despite the Attorney General's previous assertions that he never discussed the campaign with Russian officials, U.S. intelligence intercepts reportedly revealed that he had done just that—discussing the campaign and its positions on Russia-related issues with the Russian Ambassador. When I asked the Attorney General about this report in the Judiciary Committee last month, his testimony shifted yet again; he acknowledged that it was ''possible'' he had those conversations. That flatly contradicts his testimony to me in January.

The disclosures show no sign of stopping. Two weeks ago, unsealed court records revealed additional Russian connections that were discussed during a Trump campaign meeting in March 2016. Then-Senator Sessions reportedly admonished those in attendance to not discuss the issue again out of fear it

would leak to the press. Just last week, another foreign policy campaign aide testified that he informed Sessions of his planned trip to Russia in July 2016. Once again, the descriptions of these communications are impossible to reconcile with the Attorney General's testimony, in which he claimed under oath that he was not aware of any contact between the Trump campaign and Russian officials.

The notion that the Attorney General is just forgetful is simply not believable. Potential Russian involvement in our elections was a major story at the time. In July 2016, then-candidate Trump encouraged Russia to commit espionage against his political opponent, Hillary Clinton, by stealing her emails. That same week then-Senator Sessions told CNN that ''people come up to [him] all the time'' to talk about Russia hacking Hillary Clinton's emails. Exactly who were all these people talking to him about Russia hacking Hillary Clinton's emails? And should he have disclosed any of these conversations to the Judiciary Committee? We do not yet know. Senator DURBIN recently asked him this in a written question, and we look forward to his response.

I want another point to be clear: I have never accused the Attorney General of colluding with Russia, and I am not doing so now. But it is clear that the Kremlin tested the waters with then-Senator Sessions, as it did with so many other Trump campaign officials. It is equally clear that the Attorney General concealed his own contacts with Russian officials, and he has failed to correct the record even when given multiple opportunities to do so. I agree with Senators GRAHAM, FRANKEN, and others that he needs to come back once again to testify before the Senate Judiciary Committee. It is time we hear the whole story.

An important part of that story is what the Attorney General did on May 9, the day President Trump fired FBI Director James Comey. To justify the dismissal, the President cited a Justice Department memorandum signed off by Attorney General Sessions. The memo attempted to justify firing Director Comey because he treated Hillary Clinton unfairly during the email investigation. We later learned there was an earlier, unsent letter that pointed to President Trump's true motivation for firing Director Comey: the Russia investigation. The day before the dismissal, the Attorney General and Deputy Attorney General were reportedly called into the White House to discuss the earlier letter. The next day, May 9, they delivered their own hastily drafted memo that provided the alternative justification for firing Director Comey.

Here is the problem: The May 9 memo was a facade. It was a pretext. The White House needed to point to anything other than Russia to justify dismissing Director Comey, and the Attorney General obliged, but the President could not keep the secret. The very next morning, he boasted to Russian officials visiting the Oval Office that firing Director Comey took great pressure off of him from the Russia investigation. Two days later, on national television, the President made clear what we all knew: He fired the lead Russia investigator due to concerns over how he was handling the Russia investigation.

Here is another problem: Firing an investigator in order to stymie a legitimate investigation is a crime—it is called obstruction of justice. Whether there is sufficient evidence to merit a charge of obstruction against the President will likely be revealed by Special Counsel Mueller. If so, the Attorney General may have to admit the May 9 memo that he approved was nothing but a smokescreen—an attempt to mask an uncomfortable truth and excuse the inexcusable. Prosecutors do not look kindly upon those who aid others in covering up crimes.

For many years, I sat with Senator Sessions on the Judiciary Committee. We disagreed on many policy issues, but I never questioned his commitment to the rule of law. I do question this President's commitment to the rule of law. This month alone, President Trump repeatedly directed the Justice Department to target his political opponents and chase his conspiracy theories. This is a President who needs to be told ''no.'' May 9 was one of those moments. I am greatly disappointed that Attorney General Sessions was not up to the task. This is a solemn obligation that goes to the heart of what it means to be Attorney General: ensuring that no person, not even a President, is above the law. He is not a ''Secretary of Justice,'' serving the President blindly and covering his flaws. He is the Attorney General of the United States, serving the American people. I fear Attorney General Sessions has lost sight of this distinction.

We are in the midst of perhaps the most serious national security investigation of our time. A foreign adversary attacked our democracy and our elections. We know that Russia will be back. If we are serious about preventing the next attack, we must know what happened during the last. The American people deserve answers—no more obfuscation, no more falsehoods. This starts with the Attorney General returning to the Senate Judiciary Committee to explain, in person, under oath, why he has not provided truthful, complete answers to some of the most pressing questions facing our Nation today.

Madam President, I yield to the Senator from Minnesota, a Senator who has been relentless in asking these questions. I ask unanimous consent that he be given such time as he needs.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Minnesota.

Mr. FRANKEN. Madam President, I thank Senator LEAHY, my good friend.

New developments in the ongoing investigation into Russian interference in the election have, once again, raised concerns about the accuracy of statements made by Attorney General Jeff Sessions during his appearance before the Senate. In light of the Attorney General's failure to tell the truth about not just his own interactions with Russian operatives, but also the extent to which he knew about Russian contacts by other members of the Trump campaign team, I call upon Attorney General Sessions to return to the Senate Judiciary Committee and provide us with a complete and accurate accounting of the facts.

There is no question that Russia—a hostile foreign power—meddled in our election. Russia carried out this attack in order to undermine confidence in American democracy, to damage Hillary Clinton's campaign for President, and to help Donald Trump. Our intelligence agencies have confirmed this to be true. But in order to keep our country safe and prevent an attack like this from happening again, the American people need to understand what happened, including whether members of the Trump campaign either participated in the Russian operation or turned a blind eye to it. We need to get to the bottom of this, and to do that, we need to know the truth.

Regrettably, Attorney General Sessions, our Nation's chief law enforcement officer, seems to have a real problem telling the truth about both his own interactions with Russians and those of the larger Trump campaign team. At his confirmation hearing in January, when I referenced a breaking report from CNN that there had been a ''continuing exchange of information during the campaign between Trump's surrogates and intermediaries for the Russian government,'' I asked him, ''If there is any evidence that anyone affiliated with the Trump campaign communicated with the Russian government in the course of this campaign, what will you do?'' This was a simple, straightforward question: ''What will you do?'' The implication was, would you recuse yourself? But rather than answer that question, then-Senator Sessions said: ''I didn't have—did not have communications with the Russians.'' That, of course, was not true. It was later revealed that Attorney General Sessions had met with the Russian Ambassador at least three times during the campaign. Only after two of those meetings were uncovered and disclosed—7 weeks later—did Attorney General Sessions announce his recusal from the Russia investigation.

After he was confronted with the truth, the Attorney General began to subtly change his story. His first answer, under oath before the Judiciary Committee in January, was that he ''did not have communications with the Russians.'' But after his meetings with the Russian Ambassador were exposed, Attorney General Sessions began to qualify his explanations. In a

statement issued on March 2, the day after his Russian contacts were revealed, he said: ''I never met with any Russian officials to discuss issues of the campaign.'' But in July, the Washington Post published a report suggesting that the Attorney General did discuss campaign issues with the Russian Ambassador. According to the report, American intelligence agencies intercepted communications between the Russian Ambassador and the Kremlin in which the Ambassador described his conversations with then-Senator Sessions. The two men reportedly talked about substantive policy matters, including campaign-related issues.

In response to this report, the Justice Department issued a statement stating that Attorney General Sessions stood by his testimony and again claimed that the Attorney General did not discuss ''interference with any campaign or election.''

Each and every time new information comes to light about the Attorney General's contacts with the Russians, he has responded not by coming clean and admitting that his initial testimony was inaccurate but by shifting his story and moving the goalposts. The truth has a nasty habit of catching up with Attorney General Sessions.

Recently, unsealed court documents revealed that in early October, former Trump campaign foreign policy adviser George Papadopoulos pled guilty to lying to the FBI about his communications with Russian operatives during the campaign. The unsealed documents also revealed that Mr. Papadopoulos didn't just meet with Russian operatives during the campaign, he did so with the express goal of facilitating meetings between the Russian Government and other Trump campaign officials, including the candidate himself, Donald Trump. According to the court documents, Mr. Papadopoulos made no secret of his Russian contacts. He described his Russian meetings in emails to senior campaign officials, and according to Mr. Papadopoulos, he discussed his Russian contacts with then-Senator Sessions directly.

On March 31, 2016, Mr. Papadopoulos attended a meeting of the Trump campaign's National Security Advisory Committee—a group led by Attorney General Sessions, who chaired the committee and advised the candidate on foreign policy and national security matters. The court documents revealed that after Mr. Papadopoulos introduced himself to the group, he ''stated, in sum and substance, that he had connections that could help arrange a meeting between then-candidate Trump and President Putin.'' Mr. Papadopoulos made that pitch while seated two seats to the left of Attorney General Sessions. We know that for a fact because then-Candidate Trump posted a photo of the meeting on Instagram. There is then-Senator Sessions, there is George Papadopoulos, and there is then-Candidate Donald Trump.

After the court documents were unsealed, reports about what happened at the March 31 meeting began to emerge. Reportedly, Mr. Papadopoulos spoke about facilitating a meeting between the candidate and the Russian President for a few minutes. Then-Candidate Trump reportedly ''listened with interest and asked questions of Mr. Papadopoulos.'' But according to an adviser present at the meeting, then-Senator Sessions reacted negatively to Mr. Papadopoulos's idea and reportedly ''shut [Papadopoulos] down.'' Attorney General Sessions is reported to have said: ''We're not going to do it'' and ''I'd prefer that nobody speak about this again.'' If those reports are accurate, they would signal that then-Senator Sessions reacted quite strongly to the suggestion that then-Candidate Trump should meet with President Putin. Such a strong reaction suggests that Attorney General Sessions would have remembered a conversation like that.

Mr. Papadopoulos wasn't the only member of the campaign to tell Attorney General Sessions about his Russian contacts. Earlier this month, Carter Page—yet another former Trump campaign foreign policy adviser who is under scrutiny for his Russian contacts—testified to the House Intelligence Committee that he told then-Senator Sessions about a trip to Russia that Page was going to take in July 2016, where he met with Russian officials and state-owned businesses.

Nonetheless, time and time again, Attorney General Sessions has claimed under oath that he was unaware of any communications between Russians and members of the Trump campaign.

During his confirmation hearing in January, when I mentioned reports that there was a ''continuing exchange of information during the campaign between Trump's surrogates and intermediaries of the Russian government,'' the Attorney General said that he was ''not aware of any of those activities.''

My good friend Senator PAT LEAHY asked him in writing whether he had ''been in contact with anyone connected to any part of the Russian government about the 2016 election.'' The Attorney General answered, simply, ''No.''

In June, Attorney General Sessions appeared before the Senate Intelligence Committee. In his opening statement, he said: ''I have never met with or had any conversations with any Russians or any foreign officials concerning any type of interference with any campaign or election in the United States. Further, I have no knowledge of any such conversations by anyone connected to the Trump campaign.''

Senator RISCH asked him: ''Did you hear even a whisper, or a suggestion, or anyone making reference within that campaign that somehow the Russians were involved in that campaign?'' Attorney General Sessions replied: ''I did not.''

Senator JOE MANCHIN asked him: ''Are there any other meetings between Russian government officials and any other Trump campaign associates that have not been previously disclosed that you know of?'' Attorney General Sessions said that he did not recall any such meetings.

Senator KAMALA HARRIS asked him: ''Are you aware of any communications with other Trump campaign officials and associates that they had with Russian officials or any Russian nationals?'' Attorney General Sessions replied: ''I don't recall that.''

Just last month, during the Attorney General's most recent appearance before the Judiciary Committee, Senator LINDSEY GRAHAM asked him: ''Did anybody in the campaign—did you ever overhear a conversation between you and anybody on the campaign who talked about meeting with the Russians?'' This time, Attorney General Sessions replied quite carefully. He said: ''I have not seen anything that would indicate collusion with Russians to impact the campaign.''

But when I asked him to clarify his shifting explanations for his own interactions with the Russian Ambassador, Attorney General Sessions said that when he first heard about reports of a ''continuing exchange of information'' between Russians and the Trump campaign, that he was ''taken aback by this dramatic statement that I'd never heard before and knew nothing about.'' He said that ''a continuing exchange of information between Trump's surrogates and intermediaries for the Russian government . . . did not happen, at least not to my knowledge, and not with me.''

Describing his January testimony, he said:

> [A]nd I said, I'm not aware of those activities. And I wasn't, and am not. I don't believe they occurred.

Setting aside the convenient amnesia that Attorney General Sessions seems to experience when asked about his own interactions with Russians or those he witnessed, I find it disturbing that he went so far as to claim, as recently as October of this year, that he didn't believe that any meetings between Trump associates and Russians ever occurred.

Just think about the Trump campaign members we know to have met with Russians from publicly available information: Carter Page, former campaign adviser; Paul Manafort, former campaign manager and chief strategist; Michael Flynn, the disgraced former National Security Advisor, who in 2015 spoke at a party honoring Russia's state-owned television network, where he sat next to Vladimir Putin; Jared Kushner, White House senior adviser and son-in-law; and Donald Trump, Jr., the President's son. Each and every one of these former members of the Trump campaign have had unusual contacts with the Russians.

Nonetheless, just last month the Attorney General said:

> I'm not aware of those activities. And I wasn't, and am not. I don't believe they occurred.

I wanted to say to Attorney General Sessions: Listen, I understand that you are recused from the Russia investigation, but do you think that means you are not allowed to watch the news or read a newspaper? My God, what is going on here?

It is clear that Attorney General Sessions has an ongoing difficulty remembering his own interactions with Russians and the extent to which he knew about Russian contacts with other members of the Trump campaign. As the record demonstrates, Attorney General Sessions has misrepresented the truth about those contacts to Members of this body time and time again. The interference by a hostile power in our Nation's elections represents an attack on democracy itself, and the inability of our Nation's top law enforcement official to speak with a clear and consistent voice about what he knows of the Russian operation is disturbing.

Tomorrow morning, the Attorney General will appear before the House Judiciary Committee, where I am confident he will once again face questions about this issue. It is my hope that this time Attorney General Sessions will answer those questions honestly, but in light of his misrepresentations to Members of this body, Attorney General Sessions has an obligation to return to the Senate and explain himself.

Getting to the bottom of Russia's interference in the 2016 election is a matter of national security, and Attorney General Sessions owes the American people an explanation about what he knows. He needs to return to the Senate Judiciary Committee to set the record straight.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

BLUE-SLIP COURTESY

Mr. GRASSLEY. Madam President, in the last several weeks, there has been a lot of discussion regarding the blue-slip courtesy that applies to judicial nominations. I want to take a moment to clarify a few things. My position hasn't changed. Like I said in November of last year, I intend to honor the blue-slip courtesy, but there have always been exceptions.

First, the blue slip has always been a Senatorial courtesy. It is premised on the idea that home State Senators are in a very good position to provide insights into a nominee from their State for the Federal judiciary. It is meant to encourage consultation between the White House and home State Senators about judicial nominations. That is why I value the blue-slip tradition and ask for the views of Senators on all nominees to courts from their respective States.

Throughout its history, the many chairmen of the Senate Judiciary Committee have applied this blue-slip courtesy differently. That is a chairman's prerogative. The chairman has the authority to decide how to apply the courtesy. Over the past 100 years, there have been 18 chairmen of the Senate Judiciary Committee who recognized the value of the blue-slip courtesy, but only 2 out of these 18 chairmen required both Senators to return positive blue slips before scheduling a hearing.

The practice of sending out blue slips to home State Senators started 100 years ago, in 1917. Chairman Charles Culberson started the blue-slip practice to solicit the opinions of home State Senators, but he did not require the return of two positive blue slips before the committee would proceed on a nominee. In fact, in the blue slip's very first year, Chairman Culberson held a hearing and a vote for a nominee who received a negative blue slip. His successors over the next nearly 40 years had the same policy. It was not until 1956 that the blue-slip policy changed under Chairman James Eastland, a Democrat from the State of Mississippi. Chairman Eastland began to require both home State Senators to return positive blue slips before holding a hearing and a vote.

Chairman Eastland, as history tells us, was well known for his segregationist views. Unfortunately, it is likely that he adopted a strict blue-slip policy to veto judicial nominees who favored school desegregation. This is what Villanova Law School Professor Tuan Samahon explained: ''When segregationist 'Dixiecrat' Senator John Eastland chaired the Judiciary Committee, he endowed the blue slip with veto power to, among other things, keep Mississippi's federal judicial branch free of sympathizers with Brown v. Board of Education.''

After Chairman Eastland retired in 1979, Senator Kennedy became chairman. He got rid of Senator Eastland's policy. He didn't want a single Senator to be able to unilaterally veto a judicial nominee. Senator Kennedy's policy was that an unreturned or negative blue slip wouldn't prevent the committee from conducting a hearing on a nominee. Then along comes Senator Strom Thurmond, continuing this policy when he became chairman. So did Senator Joe Biden. So did Senator ORRIN HATCH. Each of those chairmen allowed hearings for nominees who had negative or unreturned blue slips.

In 1989, Chairman Biden sent a letter to the White House articulating his blue-slip policy. This is what Chairman Biden wrote: ''The return of a negative blue slip will be a significant factor to be weighed by the committee in its evaluation of a judicial nominee, but it will not preclude consideration of that nominee unless the Administration has not consulted with both home State Senators prior to submitting the nomination to the Senate.''

Obviously, chairmen from both parties saw the danger of allowing one or two Senators to veto a nominee for political or ideological reasons. My predecessor, Chairman LEAHY, reinstated Chairman Eastland's strict blue-slip policy. Some believe he did so in order to exert firmer control over the new Bush administration nominees, but even he said he wouldn't stand for Senators abusing the blue slip to delay or block nominees. Chairman LEAHY said the blue-slip courtesy was ''meant to ensure that the home state Senators who know the needs of the courts in their state best are consulted and have the opportunity to make sure that the nominees are qualified'' and should not be ''abused simply to delay [the Committee's] ability to make progress filling vacancies.''

Chairman LEAHY also said:

> I assume no one will abuse the blue-slip process like some have abused the use of the filibuster to block judicial nominees on the floor of the Senate. As long as the blue-slip process is not being abused by home-state Senators, then I will see no reason to change that tradition.

As I have said all along, I will not allow the blue slip to be abused. I will not allow Senators to block nominees for political or ideological reasons. This position is consistent with the historical role of the blue-slip courtesy. It also matches my personal experience with the blue slip.

I am going to tell you about a personal experience I had when I first came to the U.S. Senate. In my first year in the Senate, a vacancy arose on the Eighth Circuit. At the time, I served with a Republican, my senior Senator from Iowa, Roger Jepsen, and we had a Republican President, Ronald Reagan. Senator Jepsen and I thought the nominee should be a State judge from Des Moines so we recommended his name to the White House—not like we do now in Iowa, submit two or three names, four names sometimes, for the President to pick from. In 1981, the White House decided they would like to consider another name for the vacancy. The other individual, Judge Fagg, was a State court judge in Iowa. The White House interviewed the judge who was supported by both Senator GRASSLEY and Senator Jepsen along with having interviewed this other nominee.

President Reagan, ultimately, nominated the other nominee for the vacancy. He was not the person Senator Jepsen and I recommended, but the White House thought that he was better suited to the circuit court, and that ended up being the correct decision. Judge Fagg served with great distinction for more than two decades. Even though he was not our pick, Senator Jepsen and I returned our blue slips on the nominee. That was not unusual as more deference has always been given to the White House, particularly for circuit court nominees, which is different from district court nominees.

When Judge Fagg was nominated to the Eighth Circuit, both Senators from Iowa were Republicans, and the blue slip practice did not change when Senator Harkin, a Democrat, was elected to the Senate, succeeding Senator Jepsen.

Senator Harkin and I served together for 30 years, and we did not have any problems with judicial nominees. Generally, when there was a Republican

President, I sent a list of names to the President, and when there was a Democratic President, Senator Harkin sent a list of names to the White House. We served together for those 30 years and never had any problems with blue slips, not once.

During the Clinton administration, a vacancy arose on the Eighth Circuit. The White House nominated Bonnie Campbell for the court. Ms. Campbell was originally from New York and had previously worked for two Democratic Senators. For 6 years, she served as chairwoman of the Iowa Democratic Party. Ms. Campbell was elected as Iowa's attorney general after having defeated the Republican candidate. She also ran for Governor against Gov. Terry Branstad. After she lost that election, she was appointed by President Clinton to a position within the Department of Justice.

It happens that I liked Ms. Campbell very much. She was not the type of nominee I would have picked for the court, but that did not stop me from returning my blue slip.

Ms. Campbell was a controversial nominee. During the campaign for Governor, she was quoted discussing Christian conservatives. She said: ''I hate to call them Christian because I am Christian, and I hate to call them religious, because they're not, so I'll call them the radical right.''

Ms. Campbell had a very liberal record and had spent most of her career as a politician, and a lot of people did not want me to return her blue slip. So why did I return her blue slip? In the process, I was criticized extensively by the conservative base of my State of Iowa.

I did that because the blue slip is not supposed to allow the unilateral veto of a nominee. A Senator cannot use a blue slip to block a nominee simply because he or she does not like the nominee's politics or ideology. A Senator cannot use a blue slip to block a nominee because it is not the person the Senator would have picked.

The President gets to nominate judges. The White House should consult home State Senators, and it is important that they do so in a meaningful way. The White House may disagree with Senators and may determine that a different individual is more suited to serve on the circuit court, but so long as there is consultation, the President generally gets to make that call. So I will not let Senators abuse the blue slip to block qualified nominees for political or ideological reasons.

I yield the floor.

Mr. SCHUMER. Madam President, I rise today to highlight the importance of the Gateway Project and express my continued frustration with the administration's approach to infrastructure and this critical project. The current Hudson River tunnels were built in 1908 and are rapidly deteriorating, a problem that was made far worse by Hurricane Sandy. Time is running out, and we must quickly build new tunnels under the Hudson River before the current tunnels have to be closed for repairs.

The closing of either tunnel without a new tunnel in place would be devastating because it would essentially shut down the Northeast Corridor, the transit route from Boston to Washington that produces over $3 trillion in economic output, a full 20 percent of the national gross domestic product. The importance of this project cannot be overstated.

Unfortunately, despite repeated campaign promises to focus on infrastructure investment, President Trump has proposed severe cuts to infrastructure programs, including the Capital Investment Grant Program. That cut is significant because it was the likely source of funding for the Gateway project. In addition to proposing to cut the funding needed for the Gateway Project, the Department of Transportation has been unresponsive to a number of important interim actions that are necessary to advance this critical project.

Given the lack of focus on infrastructure investment by the current administration and the continued roadblocks the administration has erected in front of the Gateway Project, I must oppose the nomination of Mr. Derek Kan to be Under Secretary of Transportation.

Mr. GRASSLEY. I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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

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

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Dakota (Mr. HOEVEN).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

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

The result was announced—yeas 90, nays 7, as follows:

[Rollcall Vote No. 270 Ex.]

YEAS—90

Alexander	Barrasso	Blumenthal
Baldwin	Bennet	Blunt
Boozman	Gardner	Murray
Brown	Graham	Nelson
Burr	Grassley	Paul
Cantwell	Harris	Perdue
Capito	Hassan	Peters
Cardin	Hatch	Portman
Carper	Heinrich	Reed
Casey	Heitkamp	Risch
Cassidy	Heller	Roberts
Cochran	Hirono	Rounds
Collins	Inhofe	Rubio
Coons	Isakson	Sasse
Corker	Johnson	Schatz
Cornyn	Kaine	Scott
Cortez Masto	Kennedy	Shaheen
Cotton	King	Shelby
Crapo	Klobuchar	Stabenow
Cruz	Lankford	Strange
Daines	Leahy	Sullivan
Donnelly	Lee	Tester
Duckworth	Manchin	Thune
Durbin	Markey	Tillis
Enzi	McCain	Toomey
Ernst	McCaskill	Van Hollen
Feinstein	McConnell	Warner
Fischer	Moran	Whitehouse
Flake	Murkowski	Wicker
Franken	Murphy	Young

NAYS—7

Gillibrand	Schumer	Wyden
Merkley	Udall	
Sanders	Warren	

NOT VOTING—3

Booker	Hoeven	Menendez

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent that with respect to the Kan nomination, 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.

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 senior assistant 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 Steven Gill Bradbury, of Virginia, to be General Counsel for the Department of Transportation.

Mitch McConnell, John Hoeven, Thom Tillis, Tom Cotton, Cory Gardner, Jerry Moran, John Barrasso, Luther Strange, Mike Crapo, John Cornyn, Richard Burr, Mike Rounds, Orrin G. Hatch, David Perdue, Marco Rubio, John Thune, John Boozman.

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 Steven Gill Bradbury, of Virginia, to be General Counsel of the Department of Transportation, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Dakota (Mr. HOEVEN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 47, as follows:

[Rollcall Vote No. 271 Ex.]

YEAS—50

Alexander	Fischer	Perdue
Barrasso	Flake	Portman
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Rubio
Cassidy	Heller	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	

NAYS—47

Baldwin	Harris	Paul
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Markey	Udall
Donnelly	McCain	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Merkley	Warren
Feinstein	Murphy	Whitehouse
Franken	Murray	Wyden
Gillibrand	Nelson	

NOT VOTING—3

Booker	Hoeven	Menendez

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 47.

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 Steven Gill Bradbury, of Virginia, to be General Counsel of the Department of Transportation.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

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

VOTE EXPLANATION

● Mr. MENENDEZ. Mr. President, I was unavailable for rollcall vote No. 270, on the nomination of Derek Kan, of California, to be Under Secretary of Transportation for Policy. Had I been present, I would have voted nay.

Mr. President, I was unavailable for rollcall vote No. 271, on the motion to invoke cloture on Steven Gill Bradbury, of Virginia, to be general counsel of the Department of Transportation. Had I been present, I would have voted nay.●

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

VOTE EXPLANATION

● Mr. BOOKER. Mr. President, I was necessarily absent for the votes on confirmation of Executive Calendar No. 159 and the motion to invoke cloture on Executive Calendar No. 254.

On vote No. 270, had I been present, I would have voted nay on the confirmation of Executive Calendar No. 159.

On vote No. 271, had I been present, I would have voted nay on the motion to invoke cloture on Executive Calendar No. 254.●

TRIBUTE TO LIEUTENANT COLONEL MICHAEL MANNING

Mr. WHITEHOUSE. Mr. President, today I pay tribute to a great Rhode Islander, LTC Michael Manning of the Rhode Island National Guard. My office, along with the rest of the Rhode Island congressional delegation, has worked closely with Lieutenant Colonel Manning for several years in his capacity as the Rhode Island National Guard legislative liaison. Throughout this time, he has been of great assistance to my office and has served in this position with great honor, dedication, and effectiveness.

This Saturday, November 18, the Rhode Island National Guard Recruiting and Retention Battalion change of command ceremony will take place at Camp Fogarty in East Greenwich, RI. The incoming commander will be Lieutenant Colonel Manning. This ceremony represents the formal transfer of authority and responsibility of the Recruiting and Retention Battalion. The event will include a passing of the unit colors from one officer to another, symbolizing continued leadership, trust, and allegiance to the soldiers in the unit.

Lieutenant Colonel Manning is a distinguished military graduate of Providence College's ROTC class of 1997. His first assignment was with 1st Battalion, 26th Infantry Regiment, 1st Infantry Division, forward deployed to the Republic of Germany. In June 1999, he deployed to Kosovo in support of Operation Joint Guardian II. While in Kosovo, Lieutenant Colonel Manning was reassigned to E Troop, 4th U.S. Cavalry as a brigade reconnaissance troop leader for Task Force Falcon.

In February 2002, after joining the Rhode Island Army National Guard, he was appointed commander of the 173rd Infantry Detachment Long Range Surveillance. The 173rd LRS was mobilized in support of Operation Iraqi Freedom III from July 2004 through November 2005. Lieutenant Colonel Manning deployed with Special Operations Detachment Global in support of Operation Enduring Freedom Caribbean and Central America in 2008 through 2009, assigned to Special Operations Command South. While there, he served as the deputy chief for the Regional Engagement Branch, responsible for the Caribbean and Central America.

In 2010, he graduated with distinction from the College of Naval Command and Staff at the U.S. Naval War College in Newport, RI, with a master of arts in national security and strategic studies. In 2013, Lieutenant Colonel Manning mobilized and deployed once again with the Special Operations Detachment Global, where he served in the capacity of senior special operations to the Afghan Ministry of Defense.

Lieutenant Colonel Manning has also served as an assistant professor of military science at Providence College, State Partnership Program coordinator, legislative liaison, operations officer for Special Operations Detachment Global, and is currently the secretary of the general staff. He is a special operations support qualified officer, senior instructor of design at the Joint Special Operations University, and recipient of numerous awards and decorations, including the Bronze Star with oakleaf cluster, Combat Infantryman's Badge, and the coveted Ranger Tab.

I thank and congratulate Lieutenant Colonel Manning for his many sacrifices and achievements. In addition, I thank and congratulate his wife, Meg, his sons Michael and Jack, and his daughter Shannon for their many sacrifices and their support of the colonel. Rhode Island is fortunate to have such a committed, energetic, and selfless citizen and family. Godspeed, my friends.

MESSAGE FROM THE HOUSE

At 4:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2201. An act to amend the Securities Act of 1933 to exempt certain micro-offerings from the registration requirements of such Act, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2201. An act to amend the Securities Act of 1933 to exempt certain micro-offerings from the registration requirements of such Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.