

This is not some abstract hypothetical for Mr. Ho. He wrote a 2002 Office of Legal Counsel memo for John Yoo that was cited in the infamous Bybee torture memo. It is critical that the Senate get access to Mr. Ho's memo. The Bybee torture memo was a dark chapter in our Nation's history, and Mr. Ho's work was cited in it more than once. I cannot in good conscience vote for Mr. Ho's nomination without seeing what he wrote.

In 2014, when former OLC attorney David Barron was nominated by President Obama to the First Circuit, Chairman GRASSLEY insisted on seeing his OLC memos. Chairman GRASSLEY wrote of Mr. Barron: "The Senate simply cannot evaluate whether this nominee is fit for lifetime appointment to one of the nation's most important courts without complete access to his writings." The chairman's standard should apply to Mr. Ho's nomination as well.

I also have serious concerns with personal views that Mr. Ho has publicly expressed—in particular, his writings in opposition to campaign finance laws and the op-ed Mr. Ho wrote in praise of Jeff Mateer, who has described transgender children as part of "Satan's plan." I could not support Mr. Ho's nomination.

I also was compelled to oppose the nomination of Don Willett to the Fifth Circuit. Justice Willett provided us with one of the more troubling nomination hearings we have had in recent years. The key moment was when Senator FEINSTEIN asked him if he stood by beliefs he expressed in a 1998 memo. In this memo, Willett explained his opposition to the issuance of a gubernatorial proclamation declaring "Business Women's Week" in Texas.

Willett's memo said:

I resist the proclamation's talk of 'glass ceilings,' pay equity (an allegation that some studies debunk), the need to place kids in the care of rented strangers, sexual discrimination/harassment, and the need generally for better 'working conditions' for women (read: more government.) . . . I strongly resist anything that shows we believe the hype.

When Senator FEINSTEIN asked Justice Willett if he still held these beliefs, he was silent for 10 and a half painful seconds before he asked Senator FEINSTEIN to repeat the question. She did, and I repeated the question too; yet Justice Willett never gave the committee a straight answer. He should have, if he wanted to earn my vote.

Justice Willett is a prolific tweeter, and he has sent tweets that appear to mock same-sex marriage and transgender students. This raises questions about his judicial temperament. Justice Willett also has expressed troubling views about what he calls "judicial passivism." He said it is "corrosive" when judges "are not active in preserving the limits our Framers actually enshrined." Justice Willett seems to think that courts should be activist in limiting laws that he sees as

burdening economic freedoms, such as regulations that protect the health and safety of working people.

In short, Justice Willett has not convinced me that he is in the mainstream when it comes to temperament and judgment, and I could not support his nomination.

Before I was a Senator, I was a lawyer in downstate Illinois, and I looked up to Federal judges. I thought that, to get that job, you had to be a cut above. Otherwise, you wouldn't make it through the Senate's rigorous advice and consent process, but sadly, this Republican Senate is turning advice and consent into a rubberstamp assembly line when it comes to Trump nominees.

Republicans want to pack the courts with judges who will support President Trump's agenda, and so they are hurrying to confirm as many of his picks as possible, even if they are not qualified or if we don't have all the information we need to evaluate them or if the nominees won't give us straight answers at their hearings. Our Federal judiciary is being diminished as a result.

I wish my Republican colleagues would stand up for an independent judiciary and a meaningful advice and consent process. We should not be rushing to hand lifetime appointments to problematic nominees. Instead, we should take our due diligence and vetting obligations seriously and only put people on the bench whose qualifications, integrity, independence, and judgment are indisputable.

Because that was not the case with this week's nominees, I could not support them.

#### THE EL MOZOTE MASSACRE

Mr. LEAHY. Mr. President, those of us who remember the massacre at El Mozote, El Salvador, are reminded that last week was the 36th anniversary of that horrific tragedy.

For those who are not aware, on December 11, 1981, Salvadoran soldiers, including an elite battalion trained and equipped by the United States, systematically murdered more than 900 innocent men, women, and children. The Salvadoran military high command falsely denied the crimes had occurred, and their denials were echoed by the U.S. Embassy and the State Department. For more than 35 years, the perpetrators of the massacre avoided justice, due to the cover-up and an amnesty law passed in 1993, but in 2016, the Salvadoran Supreme Court overturned that law and the case was reopened. Let us hope that those who ordered, participated in, and covered up those crimes against humanity will finally receive the punishment they deserve.

On December 2, good friend Congressman JIM MCGOVERN traveled to El Salvador. More than any other Member of Congress, JIM has been a tireless advocate for human rights and justice in that country. After returning to Wash-

ington, on December 11, JIM spoke about the El Mozote massacre in the House of Representatives. I ask unanimous consent that his remarks be printed in the RECORD.

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

[Five-Minute Special Order, Monday,  
December 11, 2017]

36TH ANNIVERSARY OF THE EL MOZOTE  
MASSACRE

(By James P. McGovern (MA))

Mr. Speaker, thirty-six years ago, nearly one thousand men, women and children were murdered by Salvadoran soldiers in El Mozote, El Salvador. It's considered one of the worst massacres in modern Latin American history.

On December 2nd, I traveled to El Mozote with a delegation led by the Washington Office on Latin America. Four hours after leaving San Salvador, we arrived at El Mozote in the northern region of Morazán, near the border of Honduras.

Three decades ago, El Mozote included about 20 houses on open ground around a square. Facing the square was a church and, behind it, a small building known as "the convent," used by the priest to change into his vestments when celebrating Mass. Nearby was a small school house.

Our delegation sat in the town square with survivors and victims of the massacre. We listened to their stories, shared prayers for their loss and suffering, toured the grounds where this atrocity took place, and visited memorials the community built to commemorate and preserve this tragic history. We also heard from lawyers with Cristosal, a U.S.-based NGO providing legal aid to the association of victims and survivors.

On December 10, 1981, the Salvadoran army brigade based in San Miguel and the Atlacatl Battalion, an elite infantry unit based in San Salvador, arrived in El Mozote. Over the next two days, these troops methodically and viciously murdered the town's residents and those of nearby villages.

On the morning of December 11th, troops assembled the people in the town square. They separated the men from the women and children and locked them in separate groups in the church, the convent, and various houses. According to eye-witness accounts, they then interrogated, tortured, and executed the men at several different sites.

Around noon, they began taking the women and girls in groups, separating them from their children and machine-gunning them after raping them. Many families were ordered to remain in their homes while soldiers set fire to the houses.

Over 140 of the children, some mere infants, were jammed into "the convent" next to the church. There, soldiers blocked the doors, aimed guns through the windows, and fired into the mass of children, murdering them all in cold blood. They then threw an incendiary bomb into the building, collapsing the roof and adobe walls.

I walked with members of the community to the site where the children were murdered. A garden cultivated in their memory blooms on the site where they perished. A mural on the side of the church facing the garden depicts tiny angels ascending to heaven.

Beneath the mural are plaques with the names and ages of the children killed so brutally. They range from zero to sixteen years. Walking on such hallowed ground, I was deeply moved and outraged by the atrocity that took place there.

In October 1990, the Salvadoran courts opened an investigation into the El Mozote

case, and in January 1992, the civil war ended with peace accords signed between the Salvadoran government and FMLN guerrillas. In November 1992, the U.N. Truth Commission on El Salvador supervised exhumations of El Mozote remains by Argentine forensics experts, confirming that the stories told by survivors were indeed true. Then, everything was cut short when the Salvadoran congress passed a sweeping amnesty law in 1993.

However, last year, in July 2016, the Salvadoran Supreme Court overturned the amnesty law as unconstitutional. And in October 2016, a judge reopened the El Mozote case and began taking testimony, which continues today.

There are many reasons why we in Congress should be engaged in the search for justice in the El Mozote case.

First, in the post-war period, the U.S. has supported a strong and independent judiciary in El Salvador, capable of prosecuting corruption and human rights abuses. El Mozote is viewed as an exemplar case on whether this is possible to achieve.

Second, in the 1980s, the United States armed, trained and equipped the Salvadoran armed forces, in particular, the Army. At El Mozote, U.S. guns and bullets were used to massacre infants, children, women and men.

Third, the U.S. established and trained the Atlacatl Battalion. Ostensibly an elite rapid reaction counter-insurgency force, it was a major actor in the mass murder at El Mozote; nine years later, the unit also murdered six Jesuit priests and two women at the University of Central America in San Salvador.

Finally, at the time of the massacre, the Salvadoran High Command denied that it had happened. The U.S. embassy and State Department echoed those denials and denigrated the Washington Post and New York Times reporters who traveled to El Mozote and published detailed stories about the massacre.

Mr. Speaker, the U.S. should support the Salvadoran judge presiding over the El Mozote case and the Attorney General's Office, including releasing all information in our military and intelligence files relevant to that period of the civil war. It would be a significant contribution to ending the culture of impunity in El Salvador.

#### REMEMBERING EDWIN M. LEE

Ms. HARRIS. Mr. President, I ask unanimous consent to enter into a colloquy with my colleague, the senior Senator from California.

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

Ms. HARRIS. Mr. President, Californians and San Franciscans have lost a tireless champion for diversity, equity, and inclusion. Mayor Edwin M. Lee was the son of Chinese immigrants and the city's first Asian-American mayor. Mayor Lee grew up in public housing and moved from Seattle to the Bay Area to attend law school at UC Berkeley in the mid-1970s. As a former civil rights attorney, Mayor Lee began his career in public service fighting for fair housing and went on to serve in five different city departments under four mayors before becoming mayor himself. As mayor of one of America's largest cities, Mayor Lee worked hard to transform San Francisco into a hub for innovation and technology while still upholding the city's longstanding values of equity and justice.

Mrs. FEINSTEIN. Throughout his career, Mayor Lee broke down barriers while approaching public service with tremendous skill, efficiency, and purpose. On behalf of the city of San Francisco, Mayor Lee led the fight to protect our immigrant communities, build and rehabilitate affordable housing, and expand investment in public transportation and critical infrastructure projects, among countless other fights on behalf of his city.

Ms. HARRIS. For 65 remarkable years, Mayor Lee demonstrated to all those he worked with, knew, and came to serve that through humble and steadfast leadership each one of us can create a more inclusive and just community for future generations.

Mrs. FEINSTEIN. He was our friend, and we will miss his wise counsel and fearless leadership. The thoughts of San Franciscans and Californians are with Mayor Lee's wife, Anita, his daughters, Brianna and Tania, his family, city leaders, and the people of San Francisco at this difficult time.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO THE ALSTON FAMILY

• Mr. BOOZMAN. Mr. President, today I wish to recognize and congratulate Luke and Deedee Alston of Polk County. The Alstons were recently named the 2017 Arkansas Farm Family of the Year.

The owners of Holly Springs Homestead—a cattle, poultry and agritourism farm near Mena, AR—Luke and Deedee, along with their sons Ryan and Drey, are fifth-generation farmers who are working the land as their parents and grandparents did before them. Holly Springs Homestead is an Arkansas Century Farm that was established in 1897 and has been in operation for 120 years.

The Alstons took a leap of faith a few years ago, leaving corporate jobs to return to the family farm full-time. Luke proudly says that he was born to farm, and it is a lifelong dream to look over the hood of a tractor every day. Through hard work and determination, the Alstons are enjoying tremendous success not only commercially but also in their efforts to educate visitors to the homestead about agriculture and the many reasons it is so important to our State's past and future.

As 2017 Arkansas Farm Family of the Year, Luke and Deedee will represent Arkansas well and use this award as a platform to promote farming and agriculture and foster respect for all the farmers, ranchers, and producers who contribute so much to our economy and food supply. They will also compete for the honor of being named the 2018 Swisher Sweets/Sunbelt Expo Southeastern Farmer of the Year in Moultrie, GA.

I wish the Alstons good luck in that competition and once again congratulate them on all their hard work that

has culminated in this well-deserved honor.●

##### TRIBUTE TO BOB BURNISON

• Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Bob Burnison of Richland County for many years of volunteer service and leadership in his local community. Bob has a long history of supporting charitable activities in north-eastern Montana. His efforts have inspired others to volunteer their time and strengthened the spirit of giving. When folks like Bob come together to help others, it brightens the holiday season for everyone.

This Christmas is the 39th year that Bob has been involved with collecting donations for the Salvation Army. Over the years, Bob has organized scores of volunteers to help make each giving season a success. This commitment to helping others is commendable considering Bob's professional obligations as the undersheriff of Richland County. He has given over four decades of service in law enforcement. The vast majority of the donations Bob has helped generate have remained in the local community to help offset essential living costs for those in need. Neighbors helping neighbors is a cornerstone for sustaining healthy communities, and local leaders like Bob are often a catalyst for this type of activity.

With nearly four decades of volunteer service and over four decades of public service, Bob has done a good job leading by example. Organizations across Richland County have pitched in to make sure the spirit of giving remains strong, and the next generation of volunteers are finding the joy that comes with helping others. Merry Christmas, Bob, and thank you for preserving the charitable traditions in your community.●

##### “MEMOIRS OF A STATE INTERN”

• Mr. ISAKSON. Mr. President, today I submit for the RECORD a poem written by one of my Georgia interns, Mr. Dalton Kane of Suwanee, GA, a student at the University of Georgia.

“Memoirs of a Senate Intern” by Dalton Kane, a.k.a. “Dolvin”:

The sound of footsteps echoes throughout the halls of the Russell Building as senators hurry to and fro before a salient vote. Chiefs of staff fervently address the concerns of elite constituents while legislative staff assistants frantically seek out last-minute details of the bill. Meanwhile, back home in the district, case workers tirelessly assist constituents with their government agency-based woes and field reps travel all across the state to ensure every voice is heard. Behind the scenes, an IT guy (who's probably a die-hard liberal) labors ceaselessly to make it all happen. This is democracy in action—the realization of a three-hundred-year-old experiment that connects the government to its people. Yet, there is one important link to this Constitutional dream that has been forgotten. That link is the Senate intern.