

night, for months, I have heard my Republican colleagues argue that there is no need to pass legislation to protect Special Counsel Mueller and the Russian probe from President Trump because they have been assured by anonymous White House officials that it will not happen.

President Trump, in his own words on Monday night, made it plain as day that he may be considering firing the special counsel and/or the Deputy Attorney General, which would be equally egregious. The White House spokeswoman, from the podium, said President Trump believes he has the authority to fire the special counsel all by himself, and a report in the New York Times said President Trump considered firing Mueller as recently as December, in addition to a year ago in June.

Only an hour ago, the President tweeted that the “Fake & Corrupt Russia Investigation”—his words—was “headed up by all the Democrat loyalists, or people that worked for Obama.”

Mr. President, will you start telling the truth? Robert Mueller is a Republican. Deputy Attorney General Rosenstein is a Republican whom you appointed. Christopher Wray, the head of the FBI, is a Republican whom you appointed.

I don't know how long the President can believe people will swallow the bold mistruths he spews out day after day after day, but what he said—that the people the investigation was being headed up by are all Democratic loyalists or people who work for Obama—is patently false, and the President should retract it.

These kinds of remarks make it all too obvious that the President, who cares so little for truth, may be considering the firing of the special counsel or the Deputy Attorney General. So I would like to direct my remarks to my Republican colleagues. I say to my Republican colleagues, you can no longer rely on anonymous sources as a reason for delay or inaction on legislation to protect Mr. Mueller and avoid a constitutional crisis. The evidence is staring us all in the face. We cannot ignore the elephant in the room any longer because the consequences of the President taking action against Mueller or Rosenstein or issuing political pardons is just too dire. As Democrats have said, and as many Republicans have said, such action would precipitate a constitutional crisis in this country. The President doesn't seem to realize it, but I know my Republican colleagues do.

No person is above the law in this country—not even the President. He is not a King. He is the President. If the President were to interfere in any way with the chain of command in the Russia investigation or clean house at the Justice Department in order to install lackeys who will carry out his orders, we would be no better than a banana republic. The kinds of things we see happening in other parts of the globe would be happening here. In those

places, leaders use the levers of power to subvert or avoid accountability in all ways. President Trump seems to wish he could do just that.

I want to be crystal clear on this point. If the President were to take action against Deputy Attorney General Rosenstein, it would be every bit as grave of a mistake as removing Special Counsel Mueller. America, as we know it—as we love it—would diminish. I know Republicans and Democrats agree on that.

So why not take the bull by the horns? Why wouldn't we take immediate action to potentially prevent a constitutional crisis from coming to pass? Why don't we head it off at the pass and move bipartisan legislation that has been introduced this morning, through the Judiciary Committee—which I am told Senator GRASSLEY is seriously considering—on to the floor of the Senate, where I hope Leader MCCONNELL will place it. A bipartisan group this morning—Senators GRAHAM and TILLIS, BOOKER and COONS—have introduced legislation that would help protect the special counsel. Why not pass this legislation now and avoid a constitutional crisis? Why not avoid an injury to the body of this great country and then try to stitch it up? Why not avoid an injury instead of sustaining it and trying to stitch it up? That is what we should be doing.

Let's not wait until it is too late. Let's head the constitutional crisis off at the pass by passing the bipartisan legislation introduced by Senators GRAHAM, TILLIS, BOOKER, and COONS and take the threat of a crisis off the table right now.

So I urge Senator GRASSLEY to schedule a hearing and markup on this bill and to report it out of his committee. He must be sure not to water it down with amendments or accept changes that would render it useless. I urge Leader MCCONNELL to then take that bill and put it on the floor where we can debate and pass it. Surely, something this serious deserves the time and attention of U.S. Senators. I dare say, if bipartisan legislation like this came to the floor, it would pass by a large majority—Members of both parties—and the pressure on the House to do the same would be large.

The rule of law cannot be a partisan issue and should not be a partisan issue. We cannot let it become a partisan issue. The Congress must clearly, loudly, and with one voice pass legislation to ensure that any effort by the President to remove Special Counsel Mueller or Deputy Attorney General Rosenstein would be rendered unsuccessful.

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

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of John F. Ring, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2022.

The PRESIDING OFFICER. The Senator from Arkansas.

THE OLD GUARD

Mr. COTTON. Mr. President, last Friday marked the 70th anniversary of the 3rd Infantry Regiment's reactivation, and as one of its veterans, I didn't want to let the moment pass without notice.

The 3rd Infantry Regiment, more commonly known as the Old Guard, serves across the Potomac River at Arlington National Cemetery. Most here and most in the Gallery have probably visited the cemetery and seen Old Guard soldiers guarding the Tomb of the Unknowns or conducting funerals. Arkansans who visit me here in the Capitol consistently tell me that Arlington is a highlight of their trip. That is not surprising to me, because Old Guard soldiers set the standard for their dedication, their diligence, and their devotion. The 3rd Infantry is the Nation's oldest Active-Duty infantry unit, and yet the reverence we feel for them goes beyond their mere length of service and to what they represent: the dignity of freedom.

On April 6, 1948, the 3rd Infantry was reactivated on orders of the Secretary of the Army. The ceremony was held just a few steps from here, on the East Plaza of the Capitol. Then, the Old Guard immediately conducted another ceremony to present the Flag of Liberation to the President pro tempore of the Senate and the Speaker of the House. That flag had flown over this very Capitol on Pearl Harbor Day, December 7, 1941. Then, those forces raised that flag over Rome, Berlin, and Tokyo after we had defeated the Axis powers. Finally, the Old Guard led the large Army Day parade from the Capitol down Constitution Avenue, where

President Truman sat in the reviewing stand at the Ellipse.

That is not bad for their first day back with the regimental colors. It had been only 18 months since the regiment, serving with the 106th Division as an occupation force in Berlin, was caught up in the rushed demobilizations at the end of World War II. But the Army needed an official ceremonial unit in the Nation's Capital, as well as the contingency force as tension built up between the United States and the Soviet Union. So the Army called the 3rd Infantry back into service at Fort Myer, right next to Arlington, and restored "the history formerly belonging" to the legendary regiment. That was due, in no small part, to the regiment's reputation for professionalism, present from its very beginning.

The 3rd Infantry was stood up in 1784, when the Continental Congress created the "First American Regiment." The War for Independence had convinced Congress that, whatever its fear of standing armies, the country needed at least a small professional fighting force to defend it. So the 3rd Infantry started as the lone professional regiment in the early days of our Republic, when our common defense was organized mostly around State militias. To this day, its members continue to display that professionalism by holding themselves to the most exacting standards as the Army's highest profile unit and the official escort to the President.

But the 3rd Infantry's professionalism also had a serious purpose: to defend America. So faithfully has the regiment served the American people that its history and the Nation's history are thoroughly intertwined.

First, it served at posts along the frontier, where it protected American settlements against Indian attacks under the leadership of General "Mad" Anthony Wayne, and it fought the British Imperial Army to a standstill during the War of 1812. Today, members of the regiment wear a buff strap on their left shoulders to commemorate that 18th century heritage.

After the war, peacetime demobilization and reorganization gave the regiment its current name, the 3rd Infantry. Then, during the Mexican War, the 3rd Infantry distinguished itself with bravery, skill, and stamina at every major battle of the war, in places like Palo Alto, Monterrey, and Vera Cruz. Its famed bayonet charge at the Battle of Cerro Gordo is what persuaded the War Department in 1922 to authorize the 3rd Infantry to march with bayonets fixed to their rifles—a privilege still reserved solely to that regiment in the entire U.S. Army. It was because of the 3rd Infantry's valor that General Winfield Scott, the commanding general of the Vera Cruz campaign, granted it the honor of leading the victorious march into Mexico City, during which he turned to his staff as the 3rd Infantry passed in review, and said: "Gentlemen, take off your hats to the Old Guard of the Army." Ever since, the name has stuck.

After the Mexican War came the Civil War, which divided not only our Nation but also our Army. Ulysses S. Grant and Robert E. Lee, who both fought alongside the Old Guard in Mexico, now faced off against each other. The 3rd Infantry fought every major battle in the war's first 2 years: First Bull Run, Second Bull Run, the Seven Days Battles, Antietam, Fredericksburg, Chancellorsville, and, finally, Gettysburg. Suffering casualties that exceeded its original strength, the Old Guard ended the war at the Union's mobile headquarters, standing alongside General Grant at the Appomattox courthouse as he accepted General Lee's surrender.

In the days that followed, the vast majority of State volunteers returned home to their families—not the Old Guard. The "regulars," as they were known back then, went straight back to the front, again protecting settlers from Indian raids across the western frontier. They defeated Spanish forces in Cuba during the Spanish-American War. They fought rebel insurgents in the Philippines and then returned to fight Muslim insurgents there, too, in some of the same places where the Islamic State is present today.

They guarded our border with Mexico during World War I. They helped to get the lend-lease program going in the early days of World War II, before deploying to Europe itself. But it was after the Old Guard's reactivation that it assumed the duties for which it is rightly famous today: performing ceremonies and military honor funerals.

For its first 162 years, the Old Guard defended America's frontiers and fought its wars, both at home and abroad. Now these new responsibilities have defined the Old Guard's mission for the last 70 years. The size and structure of the regiment has evolved, just as Arlington National Cemetery itself has grown. The Old Guard's prominence has increased, as it has participated in major internationally televised events, such as the ceremony to inter the unknown soldiers from World War II and the Korean war in 1958 and the state funeral for President Kennedy in 1963. But the essence of the mission has not changed since 1948.

It is this history, this reliability, this steady, sober leadership that the Old Guard has become known for. Their skill and proficiency, their care and attention to detail, their faithfulness and discipline—all of them—set the highest of standards of military conduct and character. Our fellow Americans see all that whenever they visit Arlington. They can imagine it on the battlefield. Then, they have little wonder why our soldiers accomplish such amazing feats of valor. That is why the Old Guard is held in such reverence, and that is why it is fitting to mark this important anniversary.

The Old Guard represents the best of our country, but also the best in ourselves. Freedom isn't free. It requires self-sacrifice and self-discipline. That

is what makes it a noble and, therefore, a fulfilling way of life. For reminding us of that dignity—the dignity that comes with being a free people—the men and women of the Old Guard deserve our deepest thanks.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

VENEZUELA

Mr. DURBIN. Mr. President, last week, I spent 4 days in Venezuela. I had never been there before. I was given an opportunity to get a visa to go to the country, and I jumped at the opportunity. Venezuela, of course, on the north end of the South American continent, is a constant source of concern in the United States and the region, and I wanted to see for myself what was happening. No doubt, many are aware that Venezuela has been suffering devastating economic and democratic backsliding, but what I found was a country that is on the edge of collapse, facing overlapping economic, humanitarian, and political crises.

On the economic side, Venezuela has so many positive things. It is rich in natural beauty, oil, minerals, and human talent, but it has seen its economy run into the ground by mindless price controls, multiple exchange rates, and gross mismanagement. Inflation is rampant and expected to reach 13,000 percent this year, leading to what some call "a race for survival."

Imagine walking down the main street of Caracas and seeing long lines at every ATM. Why are they there? Because each day, the residents of Venezuela must go to the ATM machine with their credit card or debit card and take out the maximum withdrawal allowed. It is hundreds of thousands of Bolivars, which sound like more money than you could possibly need, but it translates into 20 cents—waiting an hour at an ATM machine for 20 cents' worth of currency so that you can ride the bus back and forth to work. That is what life is like in the capital of Venezuela.

They have universally discredited and arbitrary price controls that are eerily reminiscent of the failed policies in Cuba and the Soviet Union. They have decimated local production and left basic goods unavailable or unaffordable.

I went down the main street in Caracas and saw many shops but no customers. Basic goods were available—shampoo or diapers, for example—but they cost the equivalent of 2 or 3 months of salary. We stopped and did a translation at one store that isn't under price controls, and we found that a pound of hamburger costs \$4, which doesn't sound bad, except that that is the minimum monthly wage in Venezuela—for a pound of hamburger. People waited in long lines.

Rampant inflation—hyperinflation, really—has made actual cash scarce, and near worthless when it can actually be found. I have never visited a country where I never touched their currency. They warned me against it. They said: If you buy things here, as a tourist, you are going to pay 20 times what local people pay. They have exchange rates that are bizarre and change by the minute. These people live with this every single day.

The government of Maduro stages raids into formal grocery stores to impose arbitrary price controls, leaving the owners unable to stock their shelves or run a functioning business. If there is a rumor that there are eggs for sale somewhere in Caracas, there is a rush to that location, and people wait for hours in the hopes that they can buy eggs.

As a result, informal markets are springing up trying to meet the people's demands. Yet even while I walked through these markets, I saw long lines. From the second floor in the back, in the dark, there was a long line waiting. I went to the front to see what they were waiting for. They wanted to buy toilet paper.

Business leaders told me that they are being vilified by the government, forced to sell products below cost and out of markets so the government can be the exclusive seller of imported goods.

Listen to this. They also shared stories of workers fainting on the job from hunger. Of particular concern, one of the largest employers in Venezuela said they decided they had to start bringing fruit to the workplace in the morning so their workers could get something to eat. When they fainted, it was not only dangerous to them but to people around them, and they wanted to keep their workers awake. Only one out of three people in Venezuela eats three meals a day. There are children fainting at school.

The government has run the state oil industry into collapse, treating it as its cash cow and as a way to line their pockets. Currently, there is little or no investment in the oil industry, the national oil industry of Venezuela. There is little or no maintenance, and there is a mass exodus of skilled personnel and engineers. What would an engineer working for a Venezuelan national oil company earn in the course of a year? Dramatically more than most Venezuelans—\$1,700 a year in annual income. What do they earn in other countries in Latin America with the same skills? They would earn an average income of \$85,000 a year. Is it any surprise they are leaving?

It is also no surprise that the country is suffering a heartbreaking humanitarian crisis, one that is notable for malnutrition and a breakdown of basic public health. Brave and dedicated healthcare workers—and I have met some; NGO leaders told me of a shortage of vaccines with outbreaks of measles and diphtheria that haven't been

seen for decades. Malaria is at record levels.

When the public health officials gave me a briefing on the public health crisis of Venezuela, they said that the maternal mortality rate—the death of mothers—is at the level it was 50 years ago, the early 1960s. The same thing is true for infant mortality—that high a level. You have to go to South Sudan, Yemen, or Syria to find comparable public health crises, and those three countries are all at war. Venezuela is at war with itself. In fact, one expert said that the outbreak of measles, diphtheria, and malaria was the worst he had seen, certainly the worst in all of South America.

With Venezuelans flooding into neighboring countries, many of them are spreading diseases that have been cured in so many countries around the world. Basic diabetes, asthma, and HIV treatments are simply not available. For 4 months now, HIV patients have not been given medication.

A staggering number of hospitals cannot perform basic services. Many do not have any capacity to perform a blood test. There are no x ray machines available on a 24/7 basis. Many of them don't have electricity. Some do not even have clean water.

Venezuelans are suffering malnutrition, and it is particularly acute for children, who suffer for a lifetime due to stunted brain development. One expert said that the rates of malnutrition have affected more than 8 percent of the population. In some areas, the percentage of people suffering from malnutrition is as high as 15 percent. You can see it on the streets of Caracas. When you look at the public parks, you see these children—thin limbs, spindly legs and arms, and you think to yourself: These kids are not getting enough to eat.

It is hard to know precisely about all of these statistics because the government has officially stopped collecting and releasing information. They leave it up to private organizations.

What I found particularly cruel is the government's supposed effort to help with hunger. A provision of a monthly food basket was linked to having the right political identification card. Sadly, these food boxes are imported. Someone is making a lot of money in that process, with corrupt middlemen taking a cut at multiple steps along the way, all to provide a politically manipulated lifeline that meets only 7 of the 12 basic food needs.

The regime has also linked these food rations to polling stations during elections, which brings me to the third overlapping crisis, a democratic crisis. Let me acknowledge that Hugo Chavez did, in fact, win his initial terms in democratic elections. He tapped into public disenchantment with the failure of traditional governing parties to address the deep chasms of poverty in Venezuela. He even said "I am not the cause, I am the consequence," referring to his rise to power. But his election,

like that of so many other autocrats at heart, also brought the steady dismantling of the country's democracy, a path followed by the current President.

You see, in Venezuela, political parties that look threatening are arbitrarily banned. Political opponents who appear to be popular are jailed or exiled or just plain disqualified from running for office. Government institutions, like the Venezuelan election commission, are simply political tools of the regime. The rule of law has collapsed.

In 2015, the opposition won a sweeping victory in legislative elections. What happened next? The President of Venezuela, Maduro, installed an illegitimate rubberstamp constituent assembly to usurp the legitimately elected National Assembly. It was his way of stopping his opponents. The supreme court and national election council are stacked with partisan cronies who do whatever the regime asks, regardless of the law.

Now, with the country on the edge of economic collapse, the President has called for a snap election on May 20—more than 6 months before it traditionally would be held. He wants to move quickly, for fear that he might lose. Maduro doesn't want to risk losing even under a rigged system, so he is rushing forward with this election that doesn't even come close to meeting established international standards.

What I found, and bears repeating, is that the critics of the Venezuelan Government regime and their actions are not confined to the United States or Canada. They include Central American countries like Panama and South American countries, which have expressed their displeasure with Maduro's actions, as well as the European Union's displeasure. The parties and candidates still remain arbitrarily banned. There is zero trust in discredited election commissions, and registration and voting processes have been dramatically manipulated.

I met with some of the opposition leaders, and they told me what happens when people try to vote. They have to go through an elaborate process with a machine to register to vote. It is controlled. It takes too much time. It limits the opposition from registering their voters. There is little time for a legitimate campaign, especially with government control of the media. Reputable, long-term election monitors are nowhere to be seen, and none seem to be planned for the actual election, either.

Under these conditions, how can any such election be credible? If President Maduro proceeds with this May 20 election under these circumstances, he is going to find Venezuela further isolated.

Amid these deeply troubling and ominous conditions, I nonetheless met many brave and dedicated Venezuelans who are trying to endure and reverse this horrible situation. Doctors, nurses, civic leaders, business people,

politicians, and so many others are sharing food and medicine, running for office and facing the threat of arrest or exile, documenting human rights abuses in the shrinking media state, trying to run businesses in a broken economy. It is an incredible act of courage each day.

I also met with former political prisoners, political opposition members, and their families who are under constant threat or already under some kind of arrest. I would name them here, but to do so would put them in danger in Venezuela. I was moved by their dedication and humanity.

I am haunted by the comments of one group of young idealists. Over dinner Friday night in Caracas, they talked about the future. They said: If we called the same group of five opposition leaders together a year from now, we would be lucky if three showed up. Two of us will be exiled or jailed between now and then. That is what they face by being political opponents of the current regime. I fear how many of Venezuela's most talented will be sacrificed under these conditions.

The regime is also tragically holding a U.S. citizen, Josh Holt of Utah, on criminal charges. The charges are nonsense. I visited with Josh Holt in his prison. The prison is known locally as hell on earth. Josh and his Venezuelan wife have served 21 months, with no end in sight, and they still haven't gone through the criminal process. He is suffering, and he should be. It is understandable. He is clearly being held as a political hostage. I appealed to the President and every member of the government to release this young man and his Venezuelan wife and her daughter so that they could come back to the United States. Keeping Josh Holt as a political hostage will just isolate the Maduro regime even more. I am one of a bipartisan group of Members in Congress who will continue to push for his immediate release.

Lastly, I want to note that every time I go on one of these trips overseas, including to some of the most far-flung corners of the globe, I am always moved by the group of talented Americans working for us and representing us; those are the men and women in our Embassies, without exception. Under the Charge d'Affaires, Todd Robinson, our Embassy team in Caracas is a point of great pride and outstanding public service. The conditions under which they are forced to operate are extraordinarily stressful.

There was some small hope that negotiations led by the Vatican and regional leaders or most recently hosted in the Dominican Republic could lead to some kind of path forward between the Venezuelan Government and the opposition before it is too late, but all of these have failed. Some hoped years ago that a group known as the Boston Group—American and Venezuelan elected officials—might be the beginning of a dialogue and might be continued to this day, but it is increasingly

difficult to see that possibility. I met some of the Venezuelan Boston Group members. Several of them are deeply committed to this administration currently in power. Many of them talk about changes that need to be made in Venezuela. I haven't given up hope completely that there may be some voices that can move this country back to a civilized status.

Let me be clear in my concluding message to the Venezuelan Government, specifically, a message that they should proceed with an election that meets the following basic standards: All political prisoners must be released, and all candidates and parties must be allowed to compete. There must be at least 6 months for a legitimate campaign. The national election council should be restructured and led by a credible group of professionals on an evenly divided partisan basis so that it isn't loaded for one party or another. There must be no linking of food with voting or political party affiliation. The National Assembly must have its powers restored. Credible international and local election monitors must be allowed to observe preelection and actual election processes, with full accreditation and access. Going forward otherwise will only bring more suffering to the people of Venezuela and more isolation to their nation.

Republicans and Democrats don't agree on much these days, certainly not here in Washington on Capitol Hill, but we do agree that Venezuela and the consequences of President Maduro's regime continue to lead that nation down a negative path, a path of suffering.

I yield the floor.

CHINA AND TRADE

Mr. CORNYN. Mr. President, I preface my remarks today about China with a recent article from *The Economist*, dated March 1, 2018, which, I think, does a very good job of crystalizing what the hopes and aspirations that we in the West had for China and what the reality has turned out to be.

It points out that in March 2000, Bill Clinton divided the American opinion on China into two camps. The first, he said, was of the optimists, and the second was of the hawks and the pessimists. The optimists, as it describes it, have an eye on the future and can see China becoming the next great capitalist tiger with the biggest market in the world. That was the optimistic view. *The Economist* writes that the hawks and pessimists, who were stuck in the past, saw China as stubbornly remaining as the world's last, great Communist dragon and a threat to stability in Asia.

As this article points out, it was not an either/or. It called it a both/and. It concludes that the China of Xi Jinping is a great mercantilist dragon that is under strict Communist Party control and that it is using the power of its vast markets to cow and co-opt capitalist rivals to bend and break the rules-based order and to push America to the periphery of the Asia-Pacific re-

gion. It calls this one of the starkest reversals in modern geopolitics.

Indeed, the administration's national security strategy that President Trump rolled out just a couple of months ago states that China challenges American power, influence, and interests. It points out again that the hopes and aspirations of the optimists appear to have been dashed. Instead, we have one of the starkest reversals in modern geopolitics. This leads me to the subject I want to at least start talking about because it does relate to China.

Today, in the Subcommittee on International Trade, within the Senate Finance Committee, which I happen to chair, we are convening a hearing on trade issues and China. The core issue my colleagues and I will examine involves challenges to U.S. businesses, manufacturers, and service providers who are trying to get access to the Chinese market—a market that represents the second largest economy in the world. China, of course, has almost unfettered access to the United States. There are important protections in place, like the Committee on Foreign Investment in the United States, which does look at some of those investments to make sure our national security interests are not compromised.

By and large, China has open access to the United States and the U.S. market. China is the United States' largest merchandise trading partner and the third largest export market for U.S. goods abroad. Although the legitimate flow of goods and services between the United States and China has increased over the years and is, in many respects, a positive thing, statistics alone do not capture the whole story, hence the preface that I gave about *The Economist's* view of what has changed in China.

Unfortunately, while Chinese companies largely enjoy open access to U.S. markets and an economy that is receptive to foreign investment, U.S. companies are not afforded reciprocity in this regard. In his State of the Union Message, the President made that point, which is that in our trading relationships, we expect reciprocity—in other words, to treat our trading partners the same way they treat us—hopefully, to everybody's advantage.

U.S. companies that seek to do business in China often encounter—I would say always encounter—a protectionist system, one that employs predatory tactics and promotes domestic industries over foreign competitors, many of which receive State subsidies. In many cases, China has used trade as a weapon and coerced U.S. companies to enter into joint ventures or other business arrangements that require a company to hand over its key technology and know-how—the so-called secret sauce of its business—in order to gain market access.

This practice has already begun to erode America's technological advantage and undermine our defense industrial base, which is something that

should concern all of us and is the subject of a revision of the Committee on Foreign Investment of the United States, CFIUS, statute that is going to be coming out of the Senate Banking Committee and the House Financial Services Committee. It will be an updating of the CFIUS process to meet the challenges of today.

Of course, under section 301 of the Trade Act of 1974, the Trump administration is currently considering potential investment restrictions to address the harm that has resulted from China's effort to acquire sensitive technologies through investments. I look forward to working with the President and others to ensure that the proper steps are taken, but the real issues are clear, and we will be considering them in more detail at the hearing this afternoon on China's restrictive market.

Even though multiple administrations have attempted to engage Chinese leaders on their trade practices, the high-level diplomatic talks have generally yielded little progress and have often resulted in commitments with zero follow-up action. Discussions may continue in the future, but China's market access reforms are still too slow, and real barriers exist. Reciprocal treatment for U.S. companies should not be too much to ask. Indeed, it is the minimum we should insist upon. It is my hope that today's hearing will paint a clear picture of the problems that persist with access to Chinese markets and that significant reforms will follow.

JUDGES

Mr. President, on a second brief matter, I will mention that yesterday was the 1-year anniversary of Neil Gorsuch joining the U.S. Supreme Court.

Former Attorney General Ed Meese called Justice Gorsuch someone in the mold of the late Justice Antonin Scalia—an impartial judge who applies laws as they are written and who shows an abiding respect for the rights that are guaranteed by the Constitution.

As I have numerous times in the past, I commend President Trump on his outstanding selection, and I congratulate Justice Gorsuch on his first year of serving on our Nation's highest Court.

Let's not forget that Justice Gorsuch is not the only good news when it comes to the Federal judiciary. He is only one part of a much larger and, often, untold story. As of earlier this month, 30 article III Federal life tenure judges have been confirmed under President Trump's tenure—30. That is due, in large part, to the commitment of the Senate, under our majority leader's leadership, to making sure that this was a priority—to confirm judges who have been passed out of the Judiciary Committee here on the floor of the Senate and to maximize our floor time in order to get that priority accomplished.

My home State has filled two appellate vacancies, as well as two district

vacancies so far. Additionally, five accomplished lawyers are waiting for hearings for Texas district vacancies, and two more are waiting to be confirmed for those vacancies. So is Andy Oldham, who is an accomplished lawyer who has been nominated to fill the third seat on the Fifth Circuit since President Trump has become President. I hope we will continue to move all of these judicial nominees and many more across the country very soon.

I know there is a lot of focus on the executive branch and the legislative branch, but I believe the judiciary is the bedrock of our government as it ensures that equal justice is available to all, no matter what one's station in life. It is the rule of law that enables all of our other freedoms to be possible. It enables our economy to flourish, and it creates opportunities for our people so that they can pursue their dreams. That is how important I believe the judiciary is, and we should never forget it.

Yesterday, President Trump took another important step in this area when he announced he would be nominating David Morales to fill one of the vacancies I just mentioned, this one in Corpus Christi, TX, in the U.S. Southern District. David has extensive experience in working for the Texas attorney general and the Governor, as well as in the University of Texas system. He was recommended by Senator CRUZ and my Federal Judicial Evaluation Committee—a bipartisan group of the best and brightest lawyers the State of Texas has to offer. David was recommended to us by what we call the FJEC. It performs a great service not only to Senator CRUZ and me but to the public, generally, in its vetting of these potential nominees for judicial service and its recommending them to us. David Morales will bring more than 23 years of complex litigation and agency dispute resolution to bear.

I hope our colleagues will join me in making sure his nomination is swiftly considered and that he is confirmed.

I think David and the other Texans whom President Trump has nominated will make excellent additions to our courts. They are the kinds of people we should want in our courts—those who will impartially ensure that justice is done and the law, as written, is followed no matter who the litigant is or the type of controversy at issue.

FIGHT ONLINE SEX TRAFFICKING ACT

Finally, Mr. President, for the skeptics who like to say that nothing good ever gets done here in Washington, I will mention one other item and the real positive consequences of a bill we just passed and that is being signed into law by the President today—the Fight Online Sex Trafficking Act, FOSTA.

The effort to pass it was led by our colleague, the junior Senator from Ohio, Mr. PORTMAN. I and others were honored to serve as original cosponsors of this legislation in the Senate. We

have been working on this issue since at least 2012, when I introduced a resolution, along with a bipartisan group of my colleagues, that called for backpage.com to cease its facilitation of human trafficking, including of children, and prostitution by eliminating the adult section of the website. We had to pass this law because, when it would go to court, under the Communications Decency Act, it was able to claim that Congress had not carved out a provision for trafficking, just merely for child pornography. Thus, it had escaped our attempts to bring it to justice in the past.

This important legislation goes along with a bill we passed in 2015, called the Justice for Victims of Trafficking Act, which refocused our efforts on fighting the sex trade here in the United States by targeting those who purchased human trafficking victims, providing services to the survivors of this crime, and giving law enforcement new tools to target the organized networks that are responsible for commercial sexual exploitation. That was just a few years ago. Yet, just this last month, as I said, we changed section 230 of the Communications Decency Act to allow State attorneys general and victims to seek justice against websites that knowingly assist or facilitate commercial sexual exploitation and child sex trafficking.

The good news is that since that time, a grand jury in Arizona has indicted 7 people, who are affiliated with backpage, on 93 counts of money laundering, facilitating prostitution, and other crimes. The indictment alleged that the website essentially operated as a highly lucrative online brothel.

After we passed FOSTA, the Fight Online Sex Trafficking Act, some websites announced major policy changes and shut down sections that may have helped to enslave and entrap young women. So it has not just been the indictment and, hopefully, the conviction of people who facilitated backpage over the years, but it has also had a deterrent effect on other websites that have done similar things and has encouraged them, in their own self-interests, to shut down those sections that have helped to facilitate human trafficking.

Backpage has now been seized by Federal law enforcement. It can no longer serve as an open forum for the exploitation of children and the purchase of human beings for sexual slavery. These are all positive signs that the law we have enacted is making a real difference, ensuring that this malignant conduct does not go unpunished. The prosecution and dismantling of backpage has sent a clear message to the pimps and the buyers responsible for sexual slavery, resulting in the shutdown of many other sites involved in the commercial sex trade. This includes message boards where individuals post accounts of the sexual assaults of women and children as if they were reviewing a restaurant menu or product.

As I said yesterday, with reference to Facebook, the internet can be a very good thing, but we can't be naive in ignoring the dangers it represents when put to a perverse use to women, children, and others. What we did with FOSTA, or the Fight Online Sex Trafficking Act, is an unqualified good thing. It is something that Republicans and Democrats worked on together with the President to pass and to sign into law. It is a good thing that we changed the provisions that inadvertently shielded the facilitators of sex trafficking online. It is one way we can make the internet a safer place for everyone.

I applaud the bipartisan efforts of the Members here in both Chambers of Congress, as well as the President for his support. For those who think nothing good ever comes out of Washington these days and that Democrats and Republicans can't get along to pursue the public interest, this is exhibit No. 1, which I would offer, of the most recent efforts we have made to shut down this modern day human slavery.

I yield the floor.

Mr. ALEXANDER. Mr. President, today the Senate will vote on the confirmation of John Ring to be a member of the National Labor Relations Board, NLRB. I am glad that we are voting on this nomination because, once Mr. Ring is confirmed, we will once again have a full five-member National Labor Relations Board.

Created in 1935, the NLRB administers the National Labor Relations Act, which seeks to mitigate and eliminate labor-related impediments to the free flow of commerce. The 5 board members have 5-year, staggered terms, and the general counsel has a 4-year term.

The NLRB should be a neutral umpire in labor disputes. While Board partisanship did not start under President Obama, it became worse under him. An overly partisan Board creates instability in our Nation's workplaces and does not serve the intent of the law, which is to create stable labor relations and the free flow of commerce.

The NLRB under President Obama took two particularly harmful actions that are still in place today. First, the joint employer decision threatens the American dream for owners of the Nation's 780,000 franchise locations. Under that decision, companies could find it much more practical to own all their stores and restaurants and daycare centers themselves, rather than encourage more franchisee-owned small businesses.

Second is the ambush election rule, which can force a union election before employers and employees have a chance to figure out what is going on. The rule also forces employers to provide union organizers with a list of employees' work locations, shifts, job classifications, personal email addresses, and home and cellular telephone numbers. This information is highly personal, and employees may not want

it shared, but workers do not have a choice. I am pleased the Board is accepting comments on whether this rule should be revised.

A fully staffed board is vital to both employees and employers, and I am not the only one who thinks that is important. At a Senate Committee on Health, Education, Labor and Pensions, HELP, hearing in September 2014, then-Chairman Harkin said, "Keeping the NLRB fully staffed and able to do its work will send a strong message to the American people that yes, Washington can work, and our government can function."

While attending the Catholic University Columbus School of Law in the evening, Mr. Ring worked for the International Brotherhood of Teamsters. After law school, he joined the law firm Morgan, Lewis & Bockius, where he has worked since 1988. Mr. Ring flourished at the firm, where he worked his way up from summer associate to coleader of the firm's labor and management relations practice.

Mr. Ring was nominated to be a member of the NLRB on January 18, 2018. The HELP Committee held Mr. Ring's hearing on March 1, 2018, and he completed all paperwork in accordance with the committee's rules, practices, and procedures. We received Mr. Ring's HELP Committee paperwork and his Office of Government Ethics paperwork on January 24, 2018, 36 days before his hearing. Mr. Ring offered to meet with all HELP Committee members and met with five of them, including two Democrats. Following his hearing, Mr. Ring responded to 97 questions for the record, or 158, if you include subquestions. These responses were provided to Senators prior to the markup, and the HELP Committee favorably reported Mr. Ring's nomination on March 14, 2018.

I look forward to voting for John Ring, and I trust that he will serve with distinction.

Mr. CARDIN. Mr. President, this week the Senate is considering two important labor-related nominations: the nominations of John Ring to serve as a Member of the National Labor Relations Board, NLRB, and Patrick Pizzella to serve as Deputy Secretary of Labor, DOL. Unfortunately, given the nominees' well-documented hostility to the collective bargaining rights of working men and women, I will not vote to confirm either of them.

If Mr. Ring is confirmed, he will restore the Board to the 3-2 anti-labor majority, with no assurances that President Trump will fill the Democratic seat of former chairman Mark Gaston Pearce expiring this summer. It is important to note here that nominations to the NLRB have traditionally been confirmed in bipartisan pairs.

Mr. Ring authored blog posts calling the NLRB an "activist" organization during the Obama administration. In other blog posts, he characterized the NLRB's union election procedures as "some of the biggest assaults on em-

ployer rights in recent history." In fact, the election rule simply modernized union election procedures and has actually resulted in slightly fewer union elections.

During the brief 3-2 Republican majority late last year before then-Board Chairman Phillip Miscimarra completed his term on December 16, 2017, the NLRB rushed to overturn landmark decisions, weakening workers' rights under the National Labor Relations Act, NLRA, and undermining the statute's core purpose of promoting collective bargaining, including the Browning-Ferris Industries joint employer standard decision. The Board's inspector general has faulted those efforts, and the Board has been forced to vacate the joint employer decision. A new Republican majority may reorganize the NLRB in ways that are unfavorable to workers and their collective bargaining rights.

Mr. Pizzella is a vocal advocate of so-called right-to-work laws. They really ought to be called right-to-be-exploited laws. As Ross Eisenbray of the Economic Policy Institute reported last year, "Wages are 3.1 percent lower in so-called 'right to work' (RTW) states, for union and nonunion workers alike—after correctly accounting for differences in cost of living, demographics, and labor market characteristics. The negative impact of RTW laws translates to \$1,558 less a year in earnings for a typical full-time worker."

There is a clear correlation between the decline in union membership and stagnant wages. If the Senate confirms Mr. Pizzella and Mr. Ring, the Republican assault on unions and collective bargaining rights enshrined in the National Labor Relations Act, NLRA, will gain momentum, and working people and their families will suffer as a result.

Mr. Pizzella previously served at the Department of Labor, as Assistant Secretary of Labor for Administration and Management under President George W. Bush. During Mr. Pizzella's previous tenure at DOL, the Government Accountability Office, GAO, determined that the Department left workers vulnerable to unscrupulous employers while investigating complaints of minimum wage, overtime, and child labor violations. GAO found that the Wage and Hour Division's complaint intake, complaint resolution, and investigation processes were ineffective and discouraged workers from lodging wage-theft complaints.

Mr. Pizzella also has expressed his antipathy to Federal workers and their unions. I am proud to represent many of these public servants. The Federal workforce is one of our Nation's finest assets, and public sector unions make it more productive.

It is ironic that the Senate is considering two nominees this week who are

openly hostile to the collective bargaining rights of working people. Yesterday was Equal Pay Day, which symbolizes the number of extra days a typical woman who works full-time, year-round must work into 2018 to be paid what a typical man was paid in 2017. Women are still only paid 80 cents for every dollar paid to a man, a yearly pay difference of \$10,086, and the disparity is even worse for many women of color.

Based on an analysis of Census Bureau data, the National Partnership for Women and Families is releasing a study which concludes that, in sum, women employed full time in the U.S. will lose nearly \$900 billion to the wage gap this year. If the wage gap were closed, on average, a working woman in this country would be able to afford more than 1 additional year of tuition and fees for a 4-year public university, 74 more weeks of food for her family, nearly 7 more months of mortgage and utility payments, or 14 more months of childcare.

If Mr. Ring and Mr. Pizzella and President Trump are unwilling to protect female workers and try to close that pay gap, which seems likely, then let us let us arm women with the most powerful tool in our legal system: the U.S. Constitution. Let us finally pass the Equal Rights Amendment, ERA.

The ERA is barely longer than a tweet, but it would finally give women full and equal protection under the Constitution. Section 1 of the ERA states, quite simply, that "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."

When Congress proposed the ERA in 1972, it provided that the measure had to be ratified by three-fourths of the States—38 States—within 7 years. This deadline was later extended to 10 years by a joint resolution, but ultimately only 35 out of 38 States had ratified the ERA when the deadline expired in 1982. Note that the deadline wasn't contained in the amendment itself; the deadline was in the text of the joint resolution.

Article V of the Constitution contains no time limits for the ratification of amendments, so the ERA deadline is arbitrary. To put the matter in context, the 27th Amendment to the Constitution, which prohibits congressional pay raises without an intervening election, was ratified in 1992, 203 years after it was first proposed.

The Senate should vote on a Senate Joint Resolution I have introduced—S.J. Res. 5—to remove the ERA deadline, and every State in our Union that has not yet taken up its consideration should do so without any further delay.

Nevada became the 36th State to ratify the amendment last March, leaving the ERA just two States short of the required three-fourths of the States threshold under the Constitution if the deadline were to be abolished.

The ERA would incorporate a ban on gender-based discrimination, explicitly

written or otherwise, into the Constitution. It could change outcomes in discrimination cases by requiring the Supreme Court to use the higher standard of "strict scrutiny" when assessing those cases, the same standard used in racial and religious discrimination cases.

I think many—perhaps most—Americans would be shocked to learn that our Constitution has no provision expressly prohibiting gender discrimination.

In a 2011 interview, the late Justice Antonin Scalia summed up the need for an Equal Rights Amendment best. He said, "Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn't."

So I ask my Senate colleagues this question most sincerely: Are we willing to do what must be done to prohibit gender discrimination in the Constitution? The people being affected by systemic gender inequality are our constituents. They are our mothers, sisters, wives, daughters, and our granddaughters. They are American citizens who deserve basic respect and equality.

It is time to end the assault on working families in this country. Let's end discrimination by making it possible to ratify the ERA. Let's close the pay gap. Let's stop denigrating Federal workers. Let's support, not attack, the collective bargaining rights that are the cornerstone of a strong middle class. I regret that the Senate is poised to confirm two individuals who are unlikely to assist these efforts. We can and must do better.

The PRESIDING OFFICER. The Senator from Oklahoma.

FAIR TRADE

Mr. LANKFORD. Mr. President, let me do a quick history lesson with this body. In 1773, the Colonies we were getting more and more frustrated with King George. There were a lot of issues we raised with him—a lot of taxes, a lot of changes, things that were happening in the judiciary, things that were arbitrary that were coming down. Then it boiled to a head.

In December of 1773, a group of American colonists went out to Boston infuriated with the tariff policy over tea. The British East India Company had special access that no one else had. They had no taxes and everyone else had a tax—a tariff. It pushed out all of the other companies except for the British East India Company. A group of American colonists went out to one of the ships, grabbed all the tea in the harbor, and threw it overboard, creating the legendary Boston Tea Party.

That was an argument about tariffs. It was an argument about international trade. It was an argument about American companies and fair trade, and we still talk about it today.

It is interesting to note that in our letter that Thomas Jefferson wrote in 1776, which we now call the Declaration of Independence, in the long list of grievances that we wrote out to King

George, we included this line: We are cutting off our trade with all parts of the world as one of our big grievances. That grievance fell between the grievance of the British Government allowing British soldiers to murder inhabitants in America and our taxes without consent. In between those was cutting off our international trade. We have been free traders as a nation since even before we were a nation, and we have been passionate about keeping it fair but keeping it free and keeping it open.

Free trade is a big issue for us, and for some reason it has become this big national conversation again. Should we have free and fair trade? Should we continue to engage? What does it mean to have a deficit in our trade? Does it have to be equal with every country, that they buy from us as much as we buy from them? Suddenly, this has become a brand-new dialogue again.

I wish to bring a couple of real world moments to this, beginning with the history lesson, by stating that trade—and international trade, specifically—was important to us even before we were a country. We were gathering supplies from all over the world to be able to do our basic production. We are still doing that today.

For some reason I run into people that think this international supply chain is something new in this generation. I tell them that they should look at our history and see that the United States has always had an international supply chain.

We are also 25 percent of the world's economy. There is no nation in the world that can afford to buy as much from us as we buy from them. We are the largest economy in the world, by far. We are going to buy more from other countries.

The issue is, How does this work in our economy and how do we make sure we protect American manufacturing and the American consumer at the same time? Let me walk through what this looks like.

Charlie and Mary Swanson are Oklahomans and third-generation farmers and ranchers who live in Roosevelt, OK, with a whopping population of 241. The agricultural products they produce help feed the world. They raise wheat, cotton, cattle, and milo.

Every year their crops are harvested using John Deere equipment. We look at the John Deere tractor and its beautiful green and we think: That is a great American company, except that parts of the equipment also come in its original form from Mexico. Parts come from India, and parts from Germany. Most of the parts come from the United States. They employ 60,000 people in the United States.

It is a great American company—John Deere—but their cabs are made in Germany. Their hydraulic cylinders are made in Mexico. The castings from the foundry are from Iowa, but the guidance products are from California. Some of the transmission and electronic parts come from India, and

other parts are from Missouri. We see that as a great American tractor.

The crews that harvest some of the Swanson's crops are folks that come in—legally, by the way—from New Zealand, Ireland, or South Africa. The wheat they produce goes to export markets all over the world. Some of it goes to Egypt, some to India, Japan, and South Korea.

Their cotton is used all over the United States, but it is also shipped to China, as well, to produce fabrics. Some of the fabrics end up being made into garments that are shipped from Vietnam. Some of them end up right back here in the United States again, having started from the cotton from Roosevelt, OK.

The milo they raise goes to feed. Most of that feed goes to Texas. If you are from Oklahoma, you may consider that international trade, but it is still domestic trade. A lot of the feed goes to China.

They raise cattle, our great American beef. We eat as much beef as we can possibly eat in Oklahoma, and the rest of it we ship all over the world. Their beef is used in Oklahoma and all across the United States, but it is also sent to Japan, Korea, and Mexico.

Understand this, just as an aside: In 2017, U.S. beef producers exported 1.2 million metric tons of beef worth \$2 billion. That is just American beef going around the world. Two leading partners in that are Canada and Mexico—\$980 million in exports. It is a big part of what they do.

Charlie Swanson drives a Ford F-150 pickup. It is a great American product; isn't it? It is a great Ford truck. That F-150, by the way, is a fantastic vehicle. It is completely assembled in the United States, but the aluminum in that great American truck comes from Canada. About 15 percent of the components in that great American truck come from Mexico. Some parts even come from China. That F-150 is not only used extensively in the United States, but it is also shipped around the world. There are a lot of F-150 trucks on the roads in Mexico, Canada, and, yes, even in China.

That F-150 rides on four good, solid American-made tires, but the steel cord in those good American tires comes from all over the world. The steel in most of our tires is not made in the United States. A lot of the chemicals that go into the production of those tires are from Europe, Asia, and Latin America. They are good American tires. A lot of them are made in Oklahoma in the Goodyear facility—a phenomenal facility—or the Michelin plant in Ardmore. They make great American tires for a lot of vehicles all across the United States, but they have parts and pieces from around the world in those American-made tires, and they are shipping them out as well. So just speaking about Charlie and what is happening in Roosevelt, OK, population 241, the products they produce are going all over the world. The products

they use, such as the John Deere tractor and the Ford F-150 with the Goodyear or Michelin tires are American-made, but are dependent on trade from all around the world.

I could talk about Dr. Brent Hancock, born and raised in Kiowa County, OK. He left Kiowa County and went to the big city of Stillwater to attend Oklahoma State University, where he received his doctor of veterinary medicine degree. He returned back to Kiowa County and opened a veterinary clinic in Hobart in 1995. For over 20 years, Dr. Hancock has been taking care of vaccinations for sheep, cattle, pigs, goats, cats, and dogs. It is also rumored that Dr. Hancock can operate on your rabbit, but that is a whole different story.

He vaccinates these animals with vaccines to provide some of the safest agricultural products in the world. Some of those vaccines come from companies like Bayer, which is an international company based in Germany. He also uses products from Merck. They have offices in 50 countries, and they produce and ship their products to 140 countries around the world.

Again, we look at him and say that he is a good American veterinarian. He must be all American, but he actually depends on products from all over the world to provide basic things.

I cannot talk about Oklahoma without talking about oil and gas. Most of the pipe that goes down the hole in most of our wells is produced from steel that is not made in America. That particular type of steel that is down holding those wells is produced around the world but not here. We are dependent upon oil and gas that goes in the F-150 pickup and the John Deere tractor, and a part of it relies on steel from around the world.

I can take you to Tulsa, OK—slightly larger than Kiowa County, I would say—to a manufacturing plant called SWEP. They employ 100 people and produce components for refrigerators and air conditioners. They import products from Europe, and they combine them with products that they are making in the United States and assemble them. That final product is sold all over the country and is also sold to Canada and Mexico—all from one company in Tulsa, OK.

Drive up the road from Tulsa to Bartlesville to a manufacturing plant operated by ABB. They create a lot of products that are in wells, pipelines, and refineries all across America. That company imports products from suppliers from Canada and Mexico, and they create a final product that is sold all over the United States, and they sell it right back to Canada and Mexico as well.

This shouldn't be shocking to anyone. This is the same structure that we have had since the 1700s as Colonies. We produce some of our products and ship them out. We buy some to be able to use in manufacturing. This is a nation that is very interconnected to the

world, and it is exceptionally important that our trade agreements get resolved as fast as possible.

I want fair trade. We had unfair trade in 1773 that we protested in the Boston Harbor. We still want fair trade agreements right now, but those trade agreements need to be resolved as fast as possible. Farmers and ranchers in Oklahoma cannot wait a year to find out what is going to happen in our trade policy. Some of them are on the edge of the knife right now of bankruptcy. They can't get anything on the futures market to try to figure out what is happening in the now to be able to make the basic investments they need to make for this year's crops.

Predictability helps us, just like fair and free trade does. So while I understand full well that the administration is engaging in trade negotiations around the world, I encourage them to move from talking about these trade agreements to settling them—getting them resolved with Mexico and Canada and getting the best deal that we can have, resetting this agreement with NAFTA for another generation to prepare us for the future. Let's get that resolved. Those are our two largest trading partners. Resolve our trade agreement with Korea, locking that one in and finishing out all the area around Asia as well. Twelve of those nations have already resolved the trade agreements they are into, putting us behind. Those nations are forming contracts now. We need to engage as soon as we possibly can.

There are big issues with China and trade. They have not been fair in all their trade agreements. We need to resolve our issues with China, and I am pleased that this administration is leaning in to resolve a long-term issue with China trade. It is about time someone does it, but we also need to get it resolved. We don't need retaliatory tariffs moving across every industry in our Nation destabilizing what we are doing in the economy. Let's get these issues resolved.

Quite frankly, many of the trade issues that we have with the rest of the world aren't their tariffs, but they are our regulations. When our regulations and American redtape from our own government slow down our own economy, let's deal with our own house to make sure what we produce is competitive around the world, but in the meantime, let's move our trade conversations to trade agreements so we can continue to move on toward doing the same thing we have done since the 1700s as Americans; that is, trading with the entire world and leading the world with it.

With that, I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Alaska.

CHINA

Mr. SULLIVAN. Madam President, as we all know, our country is facing a lot of challenges, particularly overseas, and a lot of them are in the news—Iran, Syria, North Korea. When you

look out across the landscape of what the big, long-term, geostrategic challenges are that face our Nation, in my view, there is no doubt that the No. 1 challenge economically and from a national security standpoint is the rise of China as a great power. We need to be thinking about that a lot more because that is going to be the issue our country faces, not just this year or next year but for decades.

I come from the great State of Alaska. We are an Asia-Pacific State. We are always looking to that region—as a matter of fact, we are in that region. My hometown of Anchorage is closer to Tokyo than it is to Washington, DC. What I see as a positive on this issue—having been someone in this body for a little over 3 years, I have come down to the floor and talked a lot about this challenge, the rise of China. It is a little concerning that a couple of years ago nobody was talking about it. Very few people were talking about it, but that is changing, and I think that is positive.

It is changing. This administration is focusing, and it is changing with my colleagues—Democrats and Republicans. Certainly, this is an area where, I think, there is a lot of agreement. I was just presiding for the last hour. The majority whip and the Senator from Oklahoma both were talking about issues dealing with China and trade and strategy, and that is positive.

The administration is talking about it. If you look at the national security strategy of the Trump administration, they are starting to focus on this issue. Front and center is the return of great power rivalries, with China as the leading, pacing threat and challenge, but it is also an opportunity for this great Nation of ours.

When you look at the history of our country, particularly post-World War II, the United States set up the international system—the international trading system and security system. We have been leading them, and so many countries—hundreds of millions of people in the world—benefited from that. The irony, of course, is that the one country that benefited probably more than almost anyone is China.

The rise of China was not only helped, but it was spurred by the American international trading system, the sealanes of commerce that we have kept open for decades. So there was a moment in the last couple of decades where we reached out very much—there was a great speech by our former Deputy Secretary of State in the Bush administration, a gentleman by the name of Bob Zoellick, who went on to become head of the World Bank. He asked in a speech to the Chinese: You need to now become a responsible stakeholder in this system that we created because you have benefited so dramatically. You are big, you are powerful, and now help become a stakeholder in the international order that we set up. Here is the offer to you.

Well, unfortunately, whether it is a Democrat or Republican, in the national security and foreign policy realm, most people are sensing that China has rejected that notion. No, we are not going to be a responsible stakeholder in your system. We are going to set up our own system. As a matter of fact, we might even try to undermine your system—the global system set up by the United States of America by Democrats and Republicans over decades.

You see it everywhere, whether it is decades-long theft of intellectual property, whether it is high tariffs, whether it is any American company coming into China and being forced to transfer their technology. No other countries do this to China, but they are doing it to our companies and have been doing that for decades.

So there is a rethinking right now. Clearly, the Trump administration is thinking about what the new strategy should be. The national security strategy of this administration, which I commend people to read—it is quite a good document, written by the outgoing National Security Advisor, H.R. McMaster—focuses a lot on this issue of reciprocity and great power rivalry again.

So as we are thinking about it, I would like to briefly touch on three principles I think will be key as we debate this. As we help formulate this—hopefully, in a bipartisan manner—this issue is going to be with us for decades. There are three key principles.

The first key principle is reciprocity—true reciprocity. The majority whip was just talking about this. The national security strategy of the Trump administration talks a lot about it. The President talks a lot about this. This is just a fairness issue. As I mentioned, there is IPR theft; high tariffs; the forced tech transfer from American companies to China; giant, subsidized, state-owned enterprises and state-backed investment funds buying up companies all over the world. No other country does that to China.

So when you look at the issue of reciprocity, I would like to break it down into a positive and negative. You have negative reciprocity. If we can't do that in your country, you shouldn't be able to do it in our country. It is pretty simple, pretty fair, and everybody understands that.

Then there is positive reciprocity. One thing I have been encouraging the Chinese to do for many years—and I have been over there a lot and spent a lot of time with senior leaders in that country. The United States has been going over and investing in China for decades. Factories have been rebuilt from the ground up and we have employed tens of thousands of Chinese with American capital. Well, you know what, China is getting big enough. They can do that in America. The Japanese did that in the 1980s. We had major trade disputes with them. What

did they do? They started coming to our country and investing in our States with their capital, greenfield investments—auto factories, for example—and employing tens of thousands, if not hundreds of thousands, of Americans. We would welcome that. As a matter of fact, in Alaska, the Chinese are talking about helping us develop a large-scale Alaska natural gas project. Greenfield investment, employing Alaskans would be positive if that is going to happen. So that is the way we need to think about reciprocity.

The second key principle is allies— allies, allies, allies. The United States is an ally-rich nation. Our adversaries and potential adversaries—think about whom that might be: Russia, North Korea, Iran, potentially China. They are ally-poor. No one wants to join the North Korea team or the Iran team—well, maybe Syria—but the United States for decades has had allies because they trust us. We are not a perfect nation, but they trust us. Look all over the world.

So what we need to do with regard to our strategy on China is make sure we remember not only our allies and deepen current relationships with Japan, with Korea, with Australia, but expand them—Vietnam. The Presiding Officer and I went to Vietnam with the chairman of the Armed Services Committee, a war hero who spent time in prison in Vietnam, Senator MCCAIN. The Vietnamese are very interested in doing more with us. India, there are incredible opportunities to have a deeper alliance between the oldest democracy in the world, us, and the biggest democracy in the world, them. So allies have to be a key part of our strategy as we look at how we deal with the rise of China for the next two or three or four or five decades because all of these countries—all of our allies—are having the same challenges.

Finally, the third principle we cannot lose sight of—and for too long this body lost sight of it—is robust American economic growth. Since the founding of our Nation, we have been growing at about 3 or 4 percent GDP growth. I have a chart, and I talk about it all the time down here. Yet, over the last decade, because of policies we inflicted on the American people, we were barely growing at 1-percent GDP growth. What does that mean? Everybody talks about numbers, wonky. That is a proxy for the American dream, and we were not growing. We weren't growing. In Asia, the coin of the realm of power more than anything—more than military power—is the power of your economy, and we have not had that. We have not shown up, and that matters.

What we are trying to do in this body now—tax reform, regulatory reform, unleashing American energy—is we are going to start growing this economy again, and that is going to help the American people, that is going to reignite the American dream, but that is going to be key with any policy we deal with China.

So as we are thinking through this challenge—and I am going to talk about this a lot, and I know all my colleagues are interested in this. I know my colleague from Michigan is interested in it—we need to continue to focus on these core principles—reciprocity, our allies, and robust economic growth as we all struggle with and put together a long-term strategy to deal with the rise of China, the challenges and the opportunities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Madam President, our Nation's middle class was built by the hard work of American workers. At a time when our country has become increasingly polarized, we should all be able to agree that everybody should have a fair chance to succeed if they are willing to work hard and play by the rules.

These truly American values have inspired generations of workers who stand together and collectively bargain for basic workplace protections such as fair wages, safe workplaces, and reasonable hours. These protections allow American workers and their families to be productive members of the economy and achieve their version of the American dream, but the American dream only exists if hard work is rewarded with the opportunity to earn a good living, provide for your loved ones, and, when it is all said and done, be able to retire with dignity.

This is deeply personal to me. As a nurse's aide, my mother found opportunity and led the effort to organize her workplace. She went on to serve as an SEIU union steward.

Unfortunately, in the years since I grew up in Rochester Hills, it feels as though the American dream has moved out of the reach for too many American families. Joining or staying in the middle class can be a daily struggle.

We must fight every day to support and build the middle class, not chip away at fundamental worker rights. The laws, regulations, and administrative decisions that come out of Washington have a direct impact on American workers, unions, and the middle class.

The National Labor Relations Board plays a central role in protecting the rights of American workers. The NLRB was created to safeguard their ability to unionize and engage in collective bargaining for fair workplace conditions.

To work as intended, the NLRB must be made up of members deeply committed to representing the interests of American workers. Unfortunately, the nominee we will be considering shortly, Mr. John Ring, does not share this commitment. In fact, he is the third labor attorney President Trump has nominated to the committee with zero—let me say that again—zero track record of representing workers. He has only represented clients on the corporate and management side of labor issues.

During Mr. Ring's tenure at one of the country's largest firms, he advised corporations on how to undermine worker protections. He also posted blogs opposing commonsense reforms to modernize union election procedures, classifying the NLRB actions as "some of the biggest assaults on employer rights in recent history."

Mr. Ring would join recently confirmed Board member William Emanuel, who quickly ran into ethics trouble based on his history of representing corporations. Just 5 months after Mr. Emanuel's appointment, the NLRB was forced to vacate a major decision related to employer liability due to his conflicts of interest. Yet the administration continues full steam ahead with new nominees with extensive corporate ties and conflicts of interest.

This administration is also breaking precedent and all conception of fairness by refusing to nominate new NLRB members in bipartisan pairs. Despite a pending Democratic vacancy on the panel, the President and Senate majority leader have instead chosen a partisan approach—doubling down on the one-sided nature of a supposedly independent Federal agency. This is simply an unacceptable development, and it is an ongoing effort to silence our Nation's workers. Protecting American workers, the American middle class, and the American dream should not be a partisan issue.

I am deeply concerned with Mr. Ring's appointment to the NLRB. If confirmed to the five-member Board, the voting majority of an agency charged with protecting workers' voices will be stacked with members who are focused on undermining fundamental worker rights. I think employers should be treated fairly but not at the expense of our Nation's workers and the American middle class. We need a balanced and fair NLRB, and we need NLRB members who will stick up for American workers and the middle class. Mr. Ring will not be that kind of NLRB member. The administration and the majority are actively preventing seating someone who will stand up for workers.

I will be voting against Mr. Ring's confirmation, and I urge my colleagues to do the same.

Thank you.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, all time is expired.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

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

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 67 Ex.]

YEAS—50

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

NAYS—48

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

NOT VOTING—2

Duckworth McCain

The nomination was confirmed.

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

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 Patrick Pizzella, of Virginia, to be Deputy Secretary of Labor.

Mitch McConnell, Richard Burr, Mike Crapo, John Thune, Pat Roberts, David Perdue, Michael B. Enzi, Lamar Alexander, John Boozman, Thom Tillis, Tim Scott, James M. Inhofe, John Hoeven, Mike Rounds, John Cornyn, John Barrasso, Jerry Moran.

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 Patrick Pizzella, of Virginia, to be Deputy Secretary of Labor, shall be brought to a close?