

## NAYS—46

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

## NOT VOTING—1

Hyde-Smith

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 bill 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 Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce.

Mitch McConnell, Johnny Isakson, Mike Rounds, Thom Tillis, Mike Crapo, Pat Roberts, John Hoeven, David Perdue, Tim Scott, John Cornyn, Roy Blunt, Cory Gardner, Tom Cotton, Jerry Moran, John Barrasso, Roger F. Wicker, John Boozman.

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

The question is, Is it the sense of the Senate that debate on the nomination of Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mrs. HYDE-SMITH).

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

The yeas and nays resulted—yeas 62, nays 37, as follows:

[Rollcall Vote No. 247 Ex.]

## YEAS—62

Alexander	Cruz	Hoeven
Barrasso	Daines	Inhofe
Blunt	Donnelly	Isakson
Boozman	Enzi	Johnson
Burr	Ernst	Jones
Capito	Fischer	Kennedy
Casey	Flake	King
Cassidy	Gardner	Kyl
Collins	Graham	Lankford
Corker	Grassley	Lee
Cornyn	Hatch	Manchin
Cotton	Heitkamp	McCaskill
Crapo	Heller	McConnell

Moran	Roberts	Sullivan
Murkowski	Rounds	Tester
Murphy	Rubio	Thune
Nelson	Sasse	Tillis
Paul	Schatz	Toomey
Perdue	Scott	Wicker
Portman	Shaheen	Young
Risch	Shelby	

## NAYS—37

Baldwin	Gillibrand	Reed
Bennet	Harris	Sanders
Blumenthal	Hassan	Schumer
Booker	Heinrich	Smith
Brown	Hirono	Stabenow
Cantwell	Kaine	Udall
Cardin	Klobuchar	Van Hollen
Carper	Leahy	Warner
Coons	Markey	Warren
Cortez Masto	Menendez	Whitehouse
Duckworth	Merkley	Wyden
Durbin	Murray	
Feinstein	Peters	

## NOT VOTING—1

Hyde-Smith

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 37.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce.

## RECESS

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

Thereupon, the Senate, at 1:15 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

## EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senate will come to order.

The PRESIDING OFFICER. The Senator from Iowa.

## TRIBUTE TO ORRIN HATCH

Mr. GRASSLEY. Mr. President, I am here to give thanks. Just a few days ago our country celebrated a national day of Thanksgiving. We celebrated food, fellowship, and freedom with family and friends. By any measure we are a people endowed with an abundance of blessings. As Americans, we have every reason to be grateful to share the prosperity of economic freedom, religious liberty, and self-government.

Today, I come to the floor to extend my gratitude for one of the most distinguished public servants ever to serve in the U.S. Senate. It is my distinct privilege to stand here today to pay tribute to my good friend and colleague from Utah, ORRIN HATCH.

He is a man widely known for his integrity, character, and temperament. He is devoted to his family, his constituents, and his country. With overwhelming support from the good people of Utah, he has served his State and all of America in the U.S. Senate for 42 years.

In those four decades of service, he has brought honor, humility, humor,

and heart to this institution of the U.S. Senate. He has honed his legislative experience on a broad range of public policies. In fact, none of his peers have led more laws to final passage than my friend Senator HATCH. He has built successful bipartisan coalitions to enact laws that make a difference in the lives of everyday Americans.

As former chairman of the Senate Judiciary Committee and currently the senior member there, he is a champion of religious liberty and the rule of law. He is an advocate for entrepreneurship and free enterprise, as well as a champion of intellectual property rights, which includes being the lead Senate sponsor of the Music Modernization Act. He is just old enough to know when laws aren't keeping up with technology. Thanks to his tenacity, the new law will help ensure songwriters, artists, and creators that they will be fairly compensated for their works.

Like so many Americans, Senator HATCH is a man of humble beginnings. He embraces the promise of prosperity and opportunity that makes America the beacon of the free world, and that brings me to the basis of my remarks today. From his decades of service and the chairmanship at the helm of the Senate Finance Committee, Senator HATCH has shouldered some pretty heavy lifting in the legislative trenches to advance free and fair trade laws to foster economic growth and opportunity.

As we all know, America is home to at least 320 million people. That is a fraction of the world's population, and yet America leads the world in economic output. Thanks to an amazing bounty of natural resources and an economic foundation that rewards ingenuity, productivity and creativity, our country, the United States, produces goods and services that consumers around the world want to buy.

Senator HATCH and I share a core philosophy: lowering taxes and trade barriers as a winning formula for prosperity. To paraphrase a philosophy that often is attributed to our 35th President, "a rising tide lifts all boats." Today, I want to give credit where credit is due. Thanks to Senator HATCH's unflinching leadership and unwavering commitment to advance the principles of free and fair trade, America's formula for prosperity and opportunity stands strong for generations to come.

It is virtually impossible to recall any trade policy in recent history that does not have the fingerprints of my esteemed friend Senator HATCH all over those documents. In fact, he led the renewal of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015. It paved the way for a robust, transparent review of trade negotiations.

Like Senator HATCH, I understand that America needs to speak with one voice on the world stage for effective, lasting trade agreements. We also agree on the constitutional authority

of the legislative branch to maintain oversight of these trade agreements. Consultation with Congress is a focal ingredient to ensure that America's workers, job creators, and consumers benefit from the global economy.

Senator HATCH also steered through bipartisan, bicameral trade legislation that updated our customs laws. It authorized the U.S. Customs and Border Protection to strengthen travel and trade enforcement at our borders. Passage of the Trade Facilitation and Trade Enforcement Act of 2015 holds our trading partners accountable. It preserves the twin pillars of America's most important economic assets: innovation and intellectual property. Putting in place effective tools to protect intellectual property and thwart counterfeit and illicit products from infiltrating the supply chain protects all of our consumers, all of our workers, and our job creators.

Senator HATCH understands that trade agreements can do more harm than good without proper enforcement. Unfair trade can lead to bad trade. That is bad for America. Tax and trade cheats undermine our economy. Senator HATCH has worked tirelessly throughout his years at the helm of the U.S. Senate Finance Committee to weed out wrongdoers and, at the same time, to sow the seeds of accountability and transparency in our international trade regime. Protecting U.S. patents, copyrights, and trademarks are essential to U.S. innovation, investment, and prosperity in the 21st century.

Senator HATCH has also worked to eliminate barriers to trade that helped developing nations create more open economies. His long-term commitment to renew the Generalized System of Preferences helped to lower input costs for U.S. job creators and manufacturers.

On Senator HATCH's watch, investment and opportunity have grown around the world. That rising tide includes the African Growth and Opportunity Act and other trade agreements that facilitate economic development and democracy in developing nations.

Expanding market access is good for America. As manufacturers and farmers in Iowa tell me time and again, that is the case. They want the opportunity to compete in every market for every sale. Americans want to do business on the world stage and compete on a level playing field. Thanks to Senator HATCH's leadership with the Trade Preferences Extension Act of 2015, we expanded market opportunities in developing countries. Once again, quoting President Kennedy, "a rising tide lifts all boats."

When things haven't gone according to plan, Senator HATCH has worked effectively to strengthen U.S. trade remedy laws, including updates such as electronic reporting requirements to hold bad actors to account and to protect the health and safety of consumers for imported goods and services.

Building on the passage of the American Manufacturing Competitiveness Act of 2016, Chairman HATCH also led the way to further reduce trade barriers, boost economic benefits, and foster competition for U.S. businesses, our services providers, and our manufacturers. The Miscellaneous Tariff Bill Act of 2017 untangles the burdensome redtape of interagency petitions and enforcement that can make or break a business due to unfair trade shenanigans. It strengthens transparency and fairness to help American manufacturers and their workers compete for business. In a nutshell, this law helps U.S. businesses simply to stay in business.

At the end of the day, all of what I said are things, among others, that fuel the U.S. economy—the opportunity to compete for every sale in every market.

Senator HATCH will leave behind a remarkable legacy and a very big gavel. From one public servant to another, Senator HATCH, I am grateful for your service. You have an impeccable record and a long list of achievements that lift the tide for generations to come. Thank you for all you have done for your State, for your country, and for this institution of the Senate.

To my dear friend, from the bottom of our hearts, Barbara, my wife, and I are grateful for your friendship and wish you well for the future.

I yield the floor.

The PRESIDING OFFICER. The President pro tempore, the Senator from Utah.

Mr. HATCH. Mr. President, I want to thank my dear colleague from Iowa. He is one of the greatest Senators I have served with. He is just a wonderful friend and a wonderful Senator. He has worked his tail off the whole time he has been here. I am grateful for his kind words. It means a great deal to me.

Mr. GRASSLEY. Thank you.

Mr. HATCH. Thank you so much.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I have the great pleasure today to talk about a friend. It is a bittersweet moment because that friend is choosing not to stay with us here in the Senate. He didn't run for reelection. He is going back home to Utah, but I want to take a minute to talk about his incredible accomplishments here as a public servant over a 42-year career—over 4 decades here in the Senate.

Some people come here because they want to be somebody. ORRIN HATCH came here because he wanted to do something for people, and boy, he has done that. Time after time, he has stepped up to serve the American people.

When Senator HATCH retires, the Senate will be losing not only our President pro tempore—that means that he is fourth in line to be President, and he is the President pro tempore here of the Senate, the most senior Member—but we are also going to

lose somebody who, over the years, has been a mentor for a lot of us because he is a person who is committed to legislating, to making a difference in the lives of the people of Utah and the people of our great country. He has been a Statesman. At a time of bare-knuckle politics, isn't it nice to have that model? That is ORRIN HATCH.

Back in 1976, a blue-collar kid from Pennsylvania, who had been a card-carrying union member, of which he is proud, and later went to law school and in Salt Lake City became a successful litigation attorney, decided to run for the Senate. He was running against a 3-term incumbent. Normally, that is not a recipe for success, but he had a rare and impressive victory for a first-time candidate, and he hasn't looked back since.

When he got elected, I think he probably was a little surprised, but he also realized that he owed something to the people of Utah. That was to put his nose to the grindstone and make a difference for them, and that is what he has done.

They say he has sponsored more bills that have become law than any other living Member of Congress. He might even have that record for any Member of Congress but, certainly, for those of us who are still around.

He is the former chairman of the Senate Health, Education, Labor, and Pensions Committee, also called the HELP Committee, and the former chairman of the Senate Judiciary Committee. Currently, he is the chairman of the all-powerful Senate Finance Committee. I say that somewhat jokingly, but, truly, that committee has jurisdiction over such a broad range of issues, all of which Senator HATCH has touched. I have gotten to work with him on a lot of those issues over the years, when I was on the Ways and Means Committee in the House and now on the Senate Finance Committee. We have worked together on tax reform, on anti-drug legislation, on pension legislation, on healthcare legislation, on intellectual property legislation, and on so much more.

I also had the honor of working very closely with him when I was U.S. Trade Representative because the Senate Finance Committee handles trade matters. He was always extremely involved and engaged in expanding the opportunities for U.S. workers and farmers to sell their products abroad. With a slew of achievements to highlight, it is his most recent accomplishment that I want to talk about very briefly, and that is the devotion he gave to tax reform.

Remember, it had been 31 years since we had had any significant tax reform in this body. Then, a couple of years ago, ORRIN HATCH said: Do you know what? We are going to do this. He set up a bunch of working groups, and they were bipartisan. I cochaired one of them with Senator SCHUMER, who is now the Democratic leader. He said: Let's go to work on this thing.

Frankly, a lot of people didn't give him much of a chance. Why? It had been tried previously in those 31 years, and it had been unsuccessful. Then, here we were in this partisan atmosphere. How could it possibly succeed?

He kept at it, and he shepherded through the process what, I think, is historic tax reform and what I know is helping the people I represent. It is helping small businesses, and it is helping American workers. It is helping to give people opportunities that they would not otherwise have had.

It had been 31 years. Think about that. Back then, Senator HATCH was a second-term Senator. Pete Rose still played for the Cincinnati Reds. Ronald Reagan was President of the United States.

After 31 years, it was probably a good idea to update the Tax Code, and he did that. It is pro-growth. It is resulting in more investment in people and equipment and jobs. As a result, I believe you see this expansion of our economy out there. I think it is the biggest single reason for it.

Wages are finally going up for the first time, really, in a decade and a half, and families have just a little more cash to spend for their Christmas shopping, for their retirements, for their healthcare, for their kids and grandkids. That is exactly what Senator HATCH intended when we crafted that new law, and that is a heck of a capstone for an amazing career.

I am also, though, very grateful for his work in other areas—in protecting religious freedom, in encouraging technological innovation, in focusing a lot on the tech community and how we can help here in Congress to either provide legislation that helps them to be successful, which has encouraged this economic growth we have seen in this country over the last several decades, or to get out of the way, when necessary, to ensure that technology can continue to be at the cutting edge here in the United States.

He has even helped songwriters. Now, some might think that is selfish of him because he is a songwriter himself, but he did it because he realized that songwriters deserved to get a responsible return and to be able to protect their intellectual property that they had embedded in their music and in their videos. So he has been a hero to the folks in the music industry as a result.

By the way, he is not done. This week, next week, and the week after, Senator HATCH is and will be leading a bipartisan effort with Senator BROWN to save the multiemployer pension system. Folks, this is not a task that people take on because it is fun. It is difficult. It is difficult on substance, and it is difficult on politics. Who is back in the lead? ORRIN HATCH, as cochair of this select committee, which this Congress formed to finally come up with a way to keep these pensions from going under, to keep the government entity that ensures the pensions, which is called the Pension Benefit Guaranty

Corporation, or PBGC, from going under, and, ultimately, to ensure that our economy and thousands of businesses will not be impacted so negatively, because we are going to lose a lot of businesses, and we are going to lose the ability to provide people with their hard-earned retirement money unless we fix this system.

Once again, he is in the lead and is trying not to do something that is good for him or good for him politically but something that is good for our country that he knows has to be done. In my view, ORRIN HATCH epitomizes what it means to be a public servant and to be a servant leader because he does it through leadership. He doesn't have to give speeches on civility; he practices it.

Over the years, for me, he has been a model of a serious legislator—one focused on delivering results. Perhaps, most importantly, he is a gentleman. He is a gentleman who treats everybody with respect—everybody. Regardless of your political focus, regardless of who you are in this place or what your station in life is, ORRIN HATCH treats you with respect and dignity.

Despite all of these legislative accomplishments during his more than four decades in the Senate, what is he the most proud of? His family. I know that. I got to know his son early on when we worked together as lawyers in the first Bush White House. This was about 30 years ago. He and Elaine, his wife, have been together now for more than 60 years. They have 6 children, 23 grandchildren, and 24 great-grandchildren. Now, that 24 might have increased since I started talking—I don't know—but he has a lot of them.

Even as he retires as the President pro tempore of this body, I know he is going to stay busy with the Hatch Foundation, and, folks, he is going to stay busy with that growing family. Shepherding tax reform will be nothing compared to shepherding 47 grandchildren and great-grandchildren this holiday season.

ORRIN HATCH, we thank you for what you have done for your State and your country. I know I speak on behalf of this body as a whole when I say that the impact you have had during your time here in the Senate has been one that has made all of us better by being around you and has made this country better. I am grateful for having had the opportunity to work with you as a colleague, and I look forward to the pleasure of our continuing friendship. Enjoy your retirement, ORRIN. It is well-deserved. Godspeed.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I thank my dear colleague for his kind remarks. I didn't expect them. I didn't realize this was going on until a few minutes ago. So I am grateful to him. Thanks for that.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise this afternoon to say a few words about

a colleague, a friend, a mentor, and a man whom I admire very, very much and for whom I have so much respect, my colleague Senator HATCH.

In Pennsylvania, as in many States, along the sides of the roads in various towns, you often see these commemorating plaques of historically significant places. In Pennsylvania, there are these that are of beautiful cast aluminum. They are painted blue, and there is gold lettering. They tell you something unique about little boroughs, towns, villages, or sometimes sights in big cities all across the Commonwealth.

There is such a commemoration at the house at which Betsy Ross made the first American flag. There is a marker that signifies the spot at which President Lincoln gave the Gettysburg Address. There is the site of the first World Series in Pittsburgh, PA.

Now, I am not a member of the commission that makes the decision about these things, but if I were, I think you could make a great case for a current and unique Pennsylvania success story. Many of my colleagues already know that Chairman HATCH is actually a son of Pennsylvania. He began with very humble roots in the great city of Pittsburgh, PA, where he attended McGibney Elementary School and grew up in a hardscrabble neighborhood.

He developed an amazing tenacity, which we have all seen and come to know, that has stayed with him to this day. As a matter of fact, my understanding is that the tenacity started at an early age. I understand there was a season during which a young ORRIN HATCH, on the Baldwin High basketball team, managed to foul out 15 times in 1 season. A pretty tough and tenacious guy on the basketball court he was. Yet he was not just a good athlete.

The city of Pittsburgh helped to nurture in ORRIN HATCH his love for music. He was a regular attendee at, among other things, the Pittsburgh Symphony Orchestra at the old Syria Mosque in Oakland, which I like to think contributed a little bit to his lifelong love of music.

He was a hard-working guy from the beginning. In high school, ORRIN HATCH worked his summers as a wood lather, and he was a card-carrying member of the AFL-CIO. The modest income he earned from that job helped to put him through school.

Yet, if you had to pick one place to put the marker that would be calling attention to this wonderful son of Pennsylvania, it might actually be a chicken coop in the Pittsburgh area because, while he was struggling to make ends meet right after college, ORRIN HATCH renovated the chicken coop in his parents' backyard, and he turned it into a little two-room cottage. That is where he lived with his young family. That is where they scraped by while he was attending the University of Pittsburgh School of Law on a scholarship.

The future Chairman HATCH graduated from that law school. He practiced law in Pittsburgh for 7 years and

was recognized as a formidable attorney in Pittsburgh, in Western Pennsylvania, before leaving for Utah, where he would ultimately launch what then looked to be improbable but would turn into being this enormously successful career in government.

Of course, the challenge, if you were going to put one of these markers up is this: What would you say? There is just so much to say about Chairman HATCH. It is hard to encapsulate his success in this body, certainly on a marker or even in a speech, but let me try to touch on a few of the high points.

It is amazing how long he has been so accomplished in this great body. Before I had even graduated from college, Senator HATCH had already worked to successfully pass one of the initiatives for which he has become well-known.

In medicine, as the Presiding Officer knows, we have a term called orphan conditions. This really refers to very rare diseases, diseases that afflict fewer than 200,000 Americans. While they are narrow in the scope of any particular disease, cumulatively, they do affect quite a significant number of Americans. They are conditions like cystic fibrosis, multiple myeloma, and ALS. Because any one of these orphan conditions affects relatively few people, the economics of developing a treatment for one really didn't work. From 1973 to 1983, the FDA actually only approved 10 orphan therapies over 10 years for all of the hundreds and hundreds of orphan diseases that had afflicted millions of people cumulatively.

Senator HATCH recognized this problem. As chairman of the Committee on Labor and Human Resources, which was the predecessor to the HELP Committee, Senator HATCH worked across the Chambers and across the aisle with Representative Henry Waxman. In 1983, they passed the Orphan Drug Act, which increased the incentives for developing drugs for these rare but, really, problematic conditions.

Since that time, there have literally been hundreds and hundreds of orphan products that have been approved and have come on the market. While that law has been updated over the years to reflect the changing technology and changing dynamics in medicine, the fact is the Orphan Drug Act that Senator HATCH authored as a relatively new Senator has undoubtedly made a profound difference in saving lives and in improving the quality of life for millions of Americans who previously had little or no hope. It was a very, very big deal.

The very next year, Chairman HATCH achieved the passage of another really monumental law in the healthcare space. It is officially called the Drug Price Competition and Patent Term Restoration Act, but everybody around here simply refers to it as Hatch-Waxman. This is the legislation that really laid the foundation for the generic drug industry that we see today.

Really, when you think about it, this has been an astonishing—really, revo-

lutionary—innovation that has been enormously helpful for American consumers. If you go back to 1984, only about 19 percent of all of the drugs that were dispensed in America were generic, and over 80 percent were branded drugs. That is important because branded drugs are vastly more expensive than generic drugs. By 2017, largely as a result of the legislation that Senator HATCH authored, that dynamic had completely flipped. In fact, it had more than flipped. By 2017, branded drugs are less than 15 percent of all of the drugs dispensed, and generic drugs, the low-cost alternative, are over 85 percent of all the drugs dispensed in America. This one change alone results in saving American families billions of dollars a year on their healthcare costs.

The list of Senator HATCH's accomplishments is a very, very long one, and I couldn't go through all of it. I couldn't begin to. Again, just to touch on some of the other big ones, there is the creation of the Children's Health Insurance Program and the passage of the Dietary Supplement Health and Education Act. All of this happened before I got to the Senate, some many years ago.

Then, in 2010, I was elected to the Senate, and I had this wonderful privilege shortly thereafter of working on the Senate Finance Committee with Senator HATCH as our chairman and our leader. It was a privilege for me, for a lot of reasons, not the least of which is, I had a chance to see up close, in person, and firsthand his leadership style and how effective he is. He is a role model for anyone who wants to have a successful career as a U.S. Senator.

He was tremendously productive on his work to repeal Medicare's flawed sustainable growth rate, which, year after year, plagued healthcare. There seemed to be no solution, but Senator HATCH figured that out. He was principally responsible for crafting and passing the CHRONIC Care Act. Anybody in the Senate could learn a lot from his focus on oversight of our Nation's foster care system, as well as his role in shaping the Finance Committee's response to the prescription drug abuse and the opioid crisis. It is a very, very long list of really, really important reforms and innovations in healthcare, but it is not just healthcare.

What I think will probably be one of Senator HATCH's most lasting legacies is the leadership he provided to make it possible for all of us to pass the most comprehensive tax reform in over 30 years.

Our Tax Code was broken for a long time. Without Senator HATCH's leadership of the Finance Committee, it would still be broken today. Instead, he helped us to take an outdated, uncompetitive Tax Code and transform it into a competitive, progrowth Tax Code, bringing down our corporate rate to 21 percent, reversing the trend of compa-

nies moving headquarters abroad, reforming our international tax rules to encourage investment domestically, and allowing businesses to immediately write off capital investment. That already has and will continue to lead to a surge of investment, which enhances worker productivity, which is a necessary precondition for wage growth, which we are now seeing. These are the fruits of Senator HATCH's labors.

He insisted that we lower taxes at every income level so virtually all Americans save on their Federal tax bill, and the result has led to the strongest economy in over a decade and, by many measures, much longer than that.

Consumer confidence is at an 18-year high. For the first time that I know of in American history, we have more job openings in America than there are people looking for jobs. Unemployment benefit claims are hitting a 45-year low. In fact, unemployment is the lowest it has been since 1969. These are unbelievable numbers. African-American unemployment is at an alltime record low. Hispanic unemployment is at a record low. Youth unemployment is at a 50-year low. As a result of all of this demand for workers, average hourly earnings are rising at the highest year-over-year increase in a decade. That story is true and was made possible by Senator HATCH.

It was roughly 50 years ago when the Hatch family left Pennsylvania for Utah. That was our loss. It is a big gain for Utah. They gained a great man, a good man, and a future statesman. I will insist that the Commonwealth of Pennsylvania deserves to take a lot of pride in having contributed, at least in helping to shape this good, kind, decent, honorable, and extremely influential man and his life.

I want to give my personal thanks to Senator HATCH for his leadership and for the fact that he has been such a good and honorable man. He enhances the reputation of this body, and he has set a great example for all of us to follow.

I wish my friend and mentor a very long and happy retirement.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Utah.

MR. HATCH. Mr. President, I just can't express my gratitude for the kindness of my dear friend from Pennsylvania. This means so much to me. I didn't even realize it was going to happen. I hustled over here, and there it was.

I say to the Senator, I am grateful to you, and I am grateful for the kind remarks you have made. I couldn't have asked for more. It was so decent of you, as you always exhibit. You are a great Senator, and I really appreciate your support here today. Thank you so much.

THE PRESIDING OFFICER. The Senator from Louisiana.

MR. CASSIDY. Mr. President, I would like to thank the senior Senator from

Utah who is retiring at the end of this session of Congress.

Senator HATCH has faithfully served the public for 40 years in the U.S. Senate, constantly using the interface of public policy and the free market to find the best outcome for the American citizen.

If the responsibility of Congress is to pass legislation that improves the lives of Americans, Senator HATCH has met this responsibility. As two examples, when I was a doctor—before entering politics—treating patients, Senator HATCH helped me take better care of my patients. Let me give these examples: The Hatch-Waxman Act leveraged the free market to increase the availability of generic drugs, which means more affordable medicines. The second example I will give is the 1997 Balanced Budget Act, creating the Children's Health Insurance Program, also known as CHIP, which gave greater access to healthcare for Americans in need. That benefited me as a doctor taking care of my patients. As a Senator, it was an honor to work with him this past year to reauthorize the CHIP program and to continue efforts to make prescription drugs more affordable.

On a personal note, shortly after joining the Finance Committee, Chairman HATCH sent me a letter welcoming me to the committee and making his office available to help in any way his office could.

If there is a defining characteristic of Senator HATCH, it is that he listens. Whether it is to fellow Senators, the people of Utah, or the people of the United States, Senator HATCH listens and works to find a mutually beneficial outcome.

This happened when the Federal Government came after the Volks construction company in Prairieville, LA, for a record violation occurring well beyond the government's legal authority. The District of Columbia Circuit Court of Appeals stepped in and unanimously ruled to stop the government overreach, but the Obama administration issued a rule to permit the practice, despite the DC Circuit Court ruling. Knowing this was an important issue for companies in my State, as well as in the rest of the country, Chairman HATCH worked with me to lead legislation to permanently protect businesses from this kind of government abuse of power—again, using the free market or protecting the free market from government abuse.

Another example I will give is during tax reform, when Senator HATCH listened to colleagues' concerns and ideas about how to improve the Tax Cuts and Jobs Act to give our companies the tools to succeed. The final product was better for it. He worked with me to strengthen and preserve the historic tax credit, which is instrumental in over 780 restoration projects in Louisiana. When you go to New Orleans and see all of these old buildings now shining once again in glory, they were probably helped by the historic tax

credit, leveraging \$2.5 billion in private investment, creating over 38,000 jobs in Louisiana alone. This is again marrying, if you will, the free market with public policy.

The last issue I will mention, of the many I could, is the following: Since first elected, Senator HATCH has worked to help Americans in their retirement years by increasing access to various types of retirement savings plans to ensure that the widest range of people save for their future. His legislation gave businesses, particularly smaller businesses, the tools needed to offer retirement plans to workers at the lowest possible cost, leveraging the interface of government policy with the market to improve the lives of many in their retirement.

In his tenure, he pushed for sound solutions to the pension issues facing State and local governments. Again, using the interface between government policy and the market to lower the cost of medications. To increase access to healthcare, he promoted the use of sound policy to allow the American economy to thrive. It is this work that those of us who remain in Congress must now pick up and continue.

Scripture says that "the greatest among you shall be your servant." We have been blessed to have had Senator HATCH's wisdom and leadership in the Senate. We have been blessed to have had his wisdom and leadership for our country, and we thank him for his great service to the people of Utah, to the people of Louisiana, and to all Americans.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I am grateful to my colleagues and especially my colleague from Louisiana for his kind remarks on the floor of the U.S. Senate. It means so much to me. I want him to know that.

I want the others to realize how much I appreciated their taking time to come to the floor and expressing their opinions about my service in the Senate.

This is a difficult thing for me because I love the Senate. I love both sides. I love my Democratic colleagues. It is no secret that I have worked with both of them to bring great legislation to the floor of the Senate and to pass it.

I have to say to the colleagues on my side, there isn't one of them I don't respect. Every one of them I have great fondness and affection for. I sure appreciate the Senator from Louisiana and the others who have spoken here today.

I am genuinely touched by the kind words and thoughts from my respected colleagues, Senators GRASSLEY, PORTMAN, TOOMEY, and of course CASIDY. I say to them, you are all dear friends, excellent Senators, and I am very grateful for your comments. More than that, I am deeply grateful for your friendship and the impact your

dedication and patriotism have had on me. Of course, that also holds true for all members of the Finance Committee with whom I have had the honor and privilege of serving.

Recently, in the Finance Committee, we passed comprehensive tax reform, a 10-year CHIP extension, saw a health insurance protection extension, a critical 5-year extension of the highway trust fund, and TPA, along with several other trade bills. I can say with great confidence that most of these accomplishments would not have borne fruit without help from each of the Senators and many of our friends on the committee.

Today marks one of the last times I will have the opportunity of standing before the Senate to speak on my work within the Finance Committee's vast jurisdiction and, of course, the fights and victories I have been a part of.

While we may not have been able to close on many of these achievements until recently, they have all been built on hard work that I, other members of the committee, and the wider Senate have engaged in over the past few decades.

For example, earlier this year, I was very happy to see a 10-year reauthorization of the Children's Health Insurance Program, or CHIP. Ten years, that is the longest CHIP extension in the history of the program, and I am grateful to my colleagues for it. It is a program that provides insurance to over 9 million children in distress a year.

Creating CHIP was a bipartisan model of success. Senator Ted Kennedy and I were only able to pass CHIP the first time because we both were willing to cross the aisle to see this program succeed. This bipartisan work ethic extended to many pieces of legislation I worked on while on the Finance Committee.

In 2015, we were able to renew Trade Promotion Authority, which is one of the most important tools Congress has that allows us to work hand in hand with the executive branch to advance our Nation's trade agenda. TPA helps to ensure our trade agreements are held to the highest standard.

Not every piece of legislation I am proud of has gone through without a fight, though. We can't forget last winter, when I was so proud to be a part of shaping the historic tax reform legislation that is boosting economic growth today, lowering unemployment today, and spurring job creation today. We worked hard in the Finance Committee to fix the broken Tax Code and, by all accounts, it appears we did a pretty good job.

This legislation was built on years and years of work in the Finance Committee, and I am very appreciative of my colleagues. I led the creation of working groups, released opinion papers and recommendations, and held 70 hearings on how to improve the Tax Code since I became the top Republican on the Finance Committee.

As part of tax reform, we were also able to repeal the individual mandate tax, which forced Americans to buy health insurance they did not want or could not afford.

These are just a few of the accomplishments I have been privileged enough to shepherd through during my service, and they are darn few compared to what we have been able to do. While I am proud of these accomplishments, there is always more to be done, which is why, in addition to thanking all my friends, colleagues and mentors throughout the years, I would like to share some parting words of advice that I have picked up through my work on the Finance Committee, and other committees, for those who will remain in this Chamber.

I see these next few years as critical to the future of our country, to the future of our ideals, and to the future of freedom not only here but throughout the world. As such, I have a few suggestions I would like to make to my colleagues.

First, be earnest, be honest, and guard at all times your integrity. If we cannot take the time to think deeply about an issue, to reason it out, and speak honestly among ourselves and our constituents, it will be impossible to enact lasting and meaningful change.

To quote my good friend Senator KENNEDY, "Integrity is the lifeblood of democracy. Deceit is a poison in its veins."

That means sometimes, often when it is least convenient, we must speak the hard truths. That process will often lead to discord, falling short, or struggling for years to fix vexing problems or disagreements. As Winston Churchill once famously said, "You have enemies? Good. That means you stood up for something, sometime in your life."

So have courage and act.

Second, if you don't care who gets the credit, you will be amazed at what you can achieve. In politics, that can be a hard sentiment to swallow, but focusing on taking the credit more often than not undermines outcomes. Most of the pieces of legislation I am most proud of had dozens of cosponsors, were widely seen as bipartisan, and have remained on the books largely because I did not get everything I wanted.

An article of my faith is, "If there is anything virtuous, lovely, or of good report or praiseworthy, we seek after these things."

That article speaks only to the results and not at all about taking the credit. The more I learned to focus on that principle, the better off I have been.

Finally, be grateful, be kind, and be quick to forgive. At the end of the day, my friends, we are all people, and people often disagree. Our differences may be as innumerable as our similarities, but if we start with the premise that every Member's intent is to improve our country and the life of its citizens, then our disagreements are logistical, not personal.

I have always truly believed that just about every Member of this body wants to do the right thing for the American people, but they sometimes want to go about it in different ways. What we must never do is question a fellow Senator's dedication to their country; we must never question their dedication to democracy; and we should never disparage them personally when each of us has given so much.

Our job in Congress is the difficult task of aggregating disparate preferences and molding them into laws to make people's lives better. That leads to what many describe as sausage making. The process generates heated debates and sometimes rancor. Yet I have no doubt about the convictions to do good on the part of all of my esteemed colleagues on the Finance Committee and in Congress in general. I have no doubt about how sincere and convicted my good colleagues really are. I have enjoyed everyone here.

I have to say that if you work hard and you study hard and you open your mind to the other person's ideas and ideals and you are willing to make some changes that accommodate others and you are willing to realize that you don't have all the answers, then you can have a great time here, you can be very successful and, in the end, be able to retire, as I am, feeling like I have done good work here.

I love my colleagues on both sides of the aisle. I respect my colleagues on both sides of the aisle. I love this country with every fiber of my being. I love the Constitution, which gives us freedoms that we all take so much for granted throughout this country. I am grateful for honest, decent people like all of the Senators whom I have served with in the U.S. Senate, both now and in the past. I am grateful for the Senate rules.

I am grateful a little, scrawny U.S. Senator from Utah could lead a fight against an outrageous labor bill that everybody knew was wrong and actually win it on the floor of the Senate because of just guts and the ability to stand here and take the abuse. Labor law reform dramatically changed this country, nearly ruined our country, without really helping the unions.

I was raised in the union movement. I actually held the union card I earned through apprenticeship, my journeyman's license. I am proud of that. I am proud of my union friends, but when you try to take unfair advantage, somebody has to stop it, and I am grateful I was given that assignment early on with this matter, with 62 Democrats and only 38 Republicans. I can still remember a number of Democratic Senators coming up to me and saying: Hey, kid—because I was still pretty young then—hey, kid, you have to win this. This is bad for the country.

And I asked them: Are you going to help me?

And more often than not they would say: Well, I can't help you, but I am with you.

There was a lot of pressure. There was a lot of effort made to try and stop men and women from doing what was right. If we had not won on labor law reform, we would have gone straight to socialism, and it would have been the end of this great country. We have come close a few other times as well.

This is, without question, the greatest country in the world. Without question, this is the greatest deliberative body in the world. Without question, I acknowledge my colleagues on both sides of the aisle as tremendous statesmen and women who really have been here for the right reasons. I am grateful I have had the opportunity of serving in this body, and I am grateful for the 42 years I have put in. I can't say I have enjoyed every one of those years, but looking back on it, I think I have to say that I have really enjoyed being here.

I love my colleagues on both sides of the aisle. I respect my colleagues on both sides of the aisle. I want this body to continue on and be successful for America, not only for America but for the rest of the world because this is where freedom really exists. This is where freedom can be maintained. This is where freedom can be felt in your guts. I felt it. I know a lot about freedom. I know a lot about the U.S. Senate. I know a lot about my colleagues and the good things about them. I am going to remember the good things; I am not going to remember things that used to irritate me or wrangle me. There weren't many of those compared to the good nature and quality of my colleagues on both sides of the aisle.

I am grateful for this body. I am going to miss it terribly. I think there comes a time when you really ought to hang it up, not because I can't do this work anymore—I sure can—but because I worked hard to get a worthy successor, and Mitt Romney is going to be that. He is an outstanding human being. He is an honest, decent, morally upright human being. I think he will work hard and be a great asset to the U.S. Senate. He will not have the seniority I have as the most senior Republican in the U.S. Senate, but he has a lot of things going for him, and I suspect he will make a great addition to the U.S. Senate. Knowing that he was willing to run, having chatted with him and talking to him about running, I feel really decent about wrapping it up and saying not goodbye, but I will be watching. I will be praying for you. I will be doing everything in my power to support both Houses of Congress in this, the greatest country in the world, with the greatest set of legal principles the world has ever known and I think with the greatest people we have ever known.

So with that, I express my gratitude to the U.S. Senate, to my colleagues on both sides of the aisle, both presently in the Senate and those who have gone on to other worlds. I personally express gratitude to everyone here because virtually everyone has shown me great favor and great kindness.

When I came here, I came here to fight Senator KENNEDY because I thought he was too liberal and that he was not a good Senator. I don't think he had passed really any legislation when I got here. I don't think he did until I became chairman of the committee, but he was a great legislator, and he did have an awful lot to say on his side. I think he would be the first, if he were alive today, to say we finally talked it out together, decided to work together, decided to accomplish things together, decided to stand together. When we were in battles, they were really hard-fought battles, but they were battles on principle, for the most part.

I have to say I am grateful for the experiences I have had in the Senate with virtually every Senator who has been in the Senate. In all of my years of being here, I have to say I have love for every one of the Senators who has served here. There are a couple I have less love for, but by and large I even have love for them.

These folks in this Senate are really good people. They care about the country. They care about trying to do what is right. They are willing to fight for their principles, and they can be worked with. I challenge my colleagues to work together with the best interests of this country. If you will, this country is going to go on and be a very, very happy, prosperous, and successful country.

I will end by saying I am so grateful for the privilege of being in this body for 42 years and knowing all of you, including our clerical workers, our stenographers, and, of course, the Parliamentarians, Secretaries, and all of the people affiliated with the U.S. Senate. No wonder it is the greatest deliberative body in the world.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### NOMINATION OF THOMAS FARR

Ms. KLOBUCHAR. Mr. President, I rise today on two matters. I wish to begin by expressing my opposition to the nomination of Thomas Farr to the Federal District Court for the Eastern District of North Carolina.

As a Senator from a State with a tradition of high voter turnout—in fact, in the last Presidential election, with the highest voter turnout in the country—in the election a few weeks ago, nearly 64 percent of Minnesota voters cast their ballot. This isn't just registered voters; it is eligible voters. We are talking about an issue that, in my State and in so many places around the country, is fundamental to our democracy—access to the polls. It is the central pillar of our democracy. If people

can't vote, they can't have a say and we don't have a real democracy. It is that simple. That is why I am here to voice my opposition to Thomas Farr—because of his long record of defending discriminatory voting laws and redistricting plans.

In North Carolina, Mr. Farr defended one of the most restrictive voting laws that we have seen, which, in addition to establishing a discriminatory voter ID requirement, eliminated same-day voter registration.

By the way, I have spent a lot of time on this and have a bill to institute this across the country. Same-day voter registration is really the key. When you look at the top 10 States for voter turnout—some are red, some are blue, some are purple—what do they have in common? They have same-day registration. It makes it easier for people to vote. As long as they can prove where they live—with a neighbor, with a gas bill, you name it—they are able to register that day. That is the key when you look at all the numbers.

What did Mr. Farr do? He actually defended one of the most restrictive voting laws, eliminating same-day voter registration. He reduced early voting and did away with voter registration for 16- and 17-year-olds. How did he do it? He did it by defending those laws.

When the law was challenged in court, the Fourth Circuit Court of Appeals found that it was enacted with the intent to discriminate against minority voters. In its ruling, the court said that the law targeted minority voters. This is a quote from the circuit court, which is actually one of the more conservative circuits. They said that they did it with “almost surgical precision.”

Mr. Farr also defended North Carolina's redistricting plan against claims that it used race as the predominant consideration in drawing two congressional districts. A district court found that the plan constituted an unconstitutional racial gerrymander. The case went all the way to the Supreme Court, which agreed with the district court's decision.

So you don't have just one incident of someone maybe getting on a legal brief or writing something or doing a law review article or writing a paper in college or in high school. This is a long, consistent, systematic record of defending discriminatory voting schemes. And I say “schemes” because that is what they are. They are done with the intention to discriminate against people of color.

We should be making it easier to vote in our elections, not harder. That is why I am introducing legislation to automatically register eligible voters when they turn 18. That would be so easy. We wouldn't have to have all these fights all the time. We have modern-day technology that lets my hometown company of Target find a pair of shoes with a SKU number in Hawaii. There is no reason we can't go through

the records and make sure we simply register people who are legal to vote when they turn 18.

It is not just Mr. Farr's work in the courts that is concerning; I am also troubled by his involvement in a political campaign that was accused of engaging in tactics to discourage, once again, African Americans from voting. The Department of Justice's Civil Rights Division filed a complaint alleging that the campaign Mr. Farr worked on sent tens of thousands of postcards to heavily African-American districts intended to intimidate voters. According to a former Department of Justice official who investigated the campaign's alleged voter-intimidation tactics, Mr. Farr's answers to the Judiciary Committee denying his involvement were “contrary to the facts.”

Finally, I would like to remind my colleagues about the history of this vacancy. The Eastern District of North Carolina is 27 percent African American; yet the district has never had an African-American Federal judge. Before Mr. Farr was nominated, two other nominees were submitted to the Senate during the previous administration. Both of those nominees were African-American women. Neither of those nominees received a vote.

Our courts must be dedicated to upholding the law, including safeguarding citizens' constitutional rights to vote. The future of our democracy depends on it.

I am opposing this nomination.

#### DEATH OF JAMAL KHASHOGGI

Mr. President, I now turn to another topic. I rise today to call for a forceful response to the murder of Jamal Khashoggi and to hold the Saudi Government accountable at the highest levels. Our country is stronger and safer when our core democratic values—values of freedom of the press and the protection of human rights—are at the heart of our foreign policy.

It has been almost 2 months since Jamal Khashoggi's heinous murder. He was a resident of the United States and a respected journalist with the Washington Post. People across our country have been rightfully appalled by his death. All he was doing was going inside the consulate in Turkey to try to get his marriage papers so that he could get married to his fiancée. That was what was happening, but it turns out he was actually lured there—lured to his death.

We were then treated to an incredible coverup by the Saudi Government, with shifting explanations, inadequate cooperation with investigations, and use of authoritarian tactics to silence critics. News reports have made it clear that the CIA believes with high confidence that the attack was called for at the highest level of the Saudi Government.

I look forward to hearing from Secretaries Pompeo and Mattis regarding how the administration plans to respond when we have the briefing that

has been scheduled for tomorrow. Unfortunately, the President has repeatedly dismissed his own intelligence community's assessment of these deeply troubling events. Of course, this is not the first time we have heard this. We heard this with Russia, when every single one of his intelligence heads clearly said that there had been interference in the last elections and that the Russians were emboldened to do it again. But the President again backed away from that, did not embrace that assessment, and then made policy decisions and statements when he was with Vladimir Putin that undermined that intelligence community. This appears to be what we are seeing again.

The President's response stands in stark contrast to the founding principles of our democracy. If the President refuses to defend the values of this country, then this Congress must.

First, we must hold anyone who ordered and participated—including the Crown Prince—in Mr. Khashoggi's death responsible. To do that, the administration must conduct a full, transparent, and credible investigation.

Second, while the sanctions that the administration has imposed on 17 Saudi officials are an important first step, more must be done. I support Senators CORKER and MENENDEZ in calling on the President to report to Congress on whether the Crown Prince is responsible for this murder. That is what they are supposed to do under the Global Magnitsky Act. If, as reports suggest that the CIA has assessed, the Crown Prince was involved, the sanctions must apply to him too. No one is above the law.

Third, I support suspending nuclear energy talks with Saudi Arabia. It has recently been revealed that the administration has been in extensive talks with Saudi Arabia about nuclear energy. I appreciate that five of my Republican colleagues have come out in favor of suspending these talks, and, of course, that is the right thing to do.

Fourth, I will work with a bipartisan group of my colleagues to limit the sale of weapons to the Saudi military. This is our leverage. This is our leverage to ensure that this investigation is completed; to ensure that these sanctions are implemented and followed; to ensure that this never happens again; and also to send a message to the rest of the world—all of the authoritarian regimes who are watching what happens here—that you don't do this to journalists for American newspapers, that you don't do this to American residents who are simply going back to get their marriage completed.

I previously voted against arms sales to Saudi Arabia, and I will continue to oppose the sale of certain weapons—particularly offensive weapons—to the Kingdom.

The Saudi Armed Forces are so reliant on U.S. military equipment that this argument that they are going to immediately shift to Russia and Chi-

nese suppliers—that would be extremely difficult. So we should exert the leverage that we have now.

There is no question that the United States and Saudi Arabia have common interests in the region and that for many, many years, Saudi Arabia has been our partner. But partnership doesn't require sacrificing our values in exchange for promises of arms sales, oil, or other financial gain. We must be able to cooperate with our partners in the region, while at the same time making clear that we will not overlook human rights abuses or the suppression of peaceful dissent.

The recent actions of the Crown Prince, who many hoped would be a forward-looking reformer, have raised serious questions about our relationship with our partner Saudi Arabia. From expelling the Canadian Ambassador because of a tweet, to the suppression and murder of political dissidents, to what happened with Mr. Khashoggi, to ruthlessly pursuing a war that has resulted in countless civilian casualties in Yemen—the brazen actions of the Saudi leadership must be confronted head-on.

The ongoing war in Yemen has created one of the world's worst humanitarian catastrophes that will impact the safety, security, and stability of the country for decades to come. All you have to do is look at the photos of those little children starving to know that this is wrong.

While I support the administration's recent decision to suspend U.S. aerial refueling for the Saudi coalition, I am concerned that the administration lacks a comprehensive strategy for ending the conflict, including effectively countering Iranian influence. I believe it is very important, by the way, that we put this suspension into law.

I supported a resolution that would have ended U.S. support for the Saudi-led coalition military action in Yemen. I supported that when we voted on it last time and voted for the McCain National Defense Authorization Act, which included a provision that prevented the U.S. military from supporting the Saudi-led coalition's operations unless Saudi Arabia takes steps to alleviate the humanitarian crisis and end the war in Yemen.

I also support the comprehensive, bipartisan legislation introduced by my colleagues to ensure effective oversight of the U.S. policy on Yemen and demand meaningful accountability for the murder of Mr. Khashoggi. Provisions of this legislation, including the suspension of weapons sales to Saudi Arabia, imposition of mandatory sanctions on people involved in the death of Mr. Khashoggi, and a prohibition on U.S. refueling of the Saudi coalition aircraft engaged in the civil war, are very important.

Our response to this murder and the Saudi regime's ruthless suppression of dissent will serve as a lesson to other nations that would do the same.

I have really appreciated the Presiding Officer, Senator FLAKE, standing up for the freedom of the press. Mr. Khashoggi was a journalist. He was simply doing his job. He was doing it with grace. He did it all over the world. And he loved his home country, and look what happened to him.

We must demonstrate that it is unacceptable to suppress, to imprison, and to violently target peaceful opponents of any regime or reporters and that the United States will always defend human rights and hold anyone guilty of violating those rights accountable. Strong, bipartisan congressional leadership will help us demonstrate our resolve. I urge my colleagues to join me in supporting our colleagues' resolution that will come before the Senate, I hope, later this week.

I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Arizona.

INF AND NEW START TREATIES

Mr. KYL. Mr. President, today, along with several other colleagues from the Senate, I wrote to the President on the subject of the possible extension of the New Strategic Arms Reduction Treaty, or New START.

Several people have been encouraging the President to begin studying whether we should extend New START, which expires in 2021. That is a couple years from now, but obviously, if one is going to consider renewing something of this import, it is good to be thinking about it early. In this regard, we offered to the President suggestions of things that he should take into consideration in determining whether to extend New START with Russia and whether to begin negotiations with the Russians. We suggested three things that he should consider in deciding whether to proceed with these discussions. I am going to discuss one of them in great detail, but the first two are also important because they represented factors that were considered by the Senate at the time that it ratified the first START agreement.

The Senate declared in the New START resolution of ratification that "the United States is committed to proceeding with a robust stockpile stewardship program and to maintaining and modernizing the nuclear weapons production capabilities and capacities that will ensure the safety, reliability, and performance of the United States' nuclear arsenal at the New START treaty levels." That was our commitment. That is what we said in the resolution of ratification, and President Obama had written a letter to the Senate confirming that it was his intention, as long as he was President, to follow this program of work.

Regrettably, what we posited as an underpinning requirement for participation in New START has not been maintained as the years have gone by. The infrastructure and weapons capabilities that were pledged at the time that the Senate gave its consent to the treaty have been significantly delayed

or reduced in scope, and the result of this is a risk that the symmetry that potentially existed between Russia and the United States as a result of the New START treaty will be changed and that the United States will be disadvantaged with the continuation of the New START limits.

Another consideration that we brought to the President's attention was also referred to in the resolution of ratification of the New START treaty—and this was in 2012, by the way—we said that the President should “pursue an agreement with the Russian Federation that would address the disparity between the tactical nuclear weapon stockpiles of the Russian Federation and of the United States in a verifiable manner.” We did that because even at the time that New START was ratified, the Russians had a 10-to-1 advantage in tactical nuclear weapons over the United States, and the New START treaty didn't do anything about that. It dealt only with strategic weapons.

We raised the issue with the Russians. We tried to negotiate it as part of the New START treaty, but Russia was not interested. We went ahead anyway, but what we said was that we really ought to try to address this asymmetry between what the Russians have and what we have in terms of tactical nuclear weapons.

By the way, that hasn't been done, either, so we thought it was important for the President to bear that in mind as he considered what to do about talking to the Russians about extending the New START treaty.

The reason it is important is that the Russians, with this enormous advantage in tactical nuclear weapons, have actually changed their doctrine of war to potentially use those weapons—to use nuclear weapons in a military conflict with the United States or our NATO allies. They believe that this might be beneficial to them under what has been called a doctrine of “escalate to de-escalate.”

What that means is, they start some kind of a conflict with little green men or other kinds of hybrid warfare where they can blame it on somebody else. Maybe there are some cyber attacks that are simultaneous and confuse the issue. In the context of all of this confusion, it is very difficult to put the blame anywhere, but the Russians are finally identified, and an actual military conflict breaks out.

Well, in order to dissuade NATO or the United States from stopping the Russian aggression, if that is what is going on here, the Russian doctrine says: We reserve the right here to use tactical nuclear weapons on the battlefield there, which would enable us to win the battle, obviously, and send a signal to the United States that “You had better just let us be. Stop there.” Maybe they will say: We don't intend to go any further, and so don't escalate this conflict because you can already see that we are willing to use nuclear

weapons, and if you escalate it, you can expect Russia to use nuclear weapons.

Obviously, we don't want to use nuclear weapons in a conflict. The reason we possess the nuclear weapons is to try to defer conflict. But our weapons are very large, devastating weapons that were built to be delivered on long-range missiles or bombers to the Russian—or then the Soviet heartland that could do great destruction to Soviet cities and military installations. They weren't designed to offset tactical attacks by another adversary, like Russia. So we don't have the kinds of tactical weapons that Russia has. As a result, we believe that, on this escalation ladder that could occur in a conflict, we are at a disadvantage, which is why we suggest to the President that in order to be sure that Russia doesn't ever miscalculate and determine that it is worth the risk to Russia to actually conduct an attack, including using nuclear weapons—we need to be sure that they don't miscalculate here, and the President should take into account this disparity in nuclear weapon capability between Russia and the United States today in determining whether to extend the New START treaty.

It may be that in renegotiating this, we need to take all of this into account. These are changed circumstances in doctrine since 2012; they are not changed circumstances in terms of the asymmetry of weapon possession.

There is a third thing that has changed—although in one respect it hasn't changed—that we also asked the President to consider, and that is the fact that a treaty is obviously only as good as the willingness of the parties to abide by it. In the case of the New START treaty, we would expect the Russians to abide by that, as we would expect them to abide by any other treaty. Well, it turns out that at the time that the New START treaty was ratified by the U.S. Senate, the Russians had been in gross violation of another treaty—the INF Treaty—and the government didn't make that clear until after the New START treaty was adopted.

The Intermediate-Range Nuclear Forces Treaty is a treaty of several decades long now that prohibits either Russia or the United States from developing or deploying a missile that has a range between 500 and 5,500 kilometers. This is a treaty that only binds Russia and the United States. It doesn't bind China, for example, which does possess these weapons. So both Russia and the United States would be at a disadvantage in a conflict with China, for example.

We were simply asking that the President consider whether Russia abides by the treaties that it signs, and in that regard, whether it has violated the INF Treaty. Well, it is a question that has already been answered. The U.S. Government has already confirmed—and others have as well—that

Russia has been in violation of the INF Treaty at least since the year 2008.

The onsite inspections regime of the INF Treaty terminated in 2001. It hasn't been particularly easy to verify, but the State Department's 2014 annual compliance report found that Russia was in violation of the INF Treaty. This is the first time we actually made our knowledge of this public.

In April of 2016, the U.S. Government, again, in more detail, revealed Russia's violation of the treaty, and it did so very explicitly, pointing to the particular type of weapon the Russians had been developing—a ground-launched cruise missile. In November of that year, the United States convened a meeting of the Special Verification Commission of the INF Treaty, and through this and other engagements with the Russian Federation, we provided detailed information to Russia about the nature of the violations of which we were aware. This is important because the modus operandi of the old Soviet Union was to say: We are not in violation of the treaty. If we are, prove it to us. Then the United States would have to come forward with information we had gathered through intelligence sources that would demonstrate how we found out they were in violation, thus compromising our so-called sources and methods. We thought this violation was important enough to do that, and therefore we informed the Russians through the Commission of what we understood about their program, including information pertaining to the missile, the launcher, Russia's own internal designation for the mobile launcher chassis, and the names of the companies involved in developing and producing both the missile and the launcher. We gave information on the test history of the ground-launched cruise missile program—the GLCM—that we were aware of, including the coordinates of the test and Russia's attempts to obfuscate the nature of the program. We provided all of this information.

We also provided knowledge about the range—between 500 and 1,500—and the fact that violating the treaty with this missile was actually distinct from two other missiles that Russia had developed. I will not give you the descriptions of them, but we have them, and we made all of that public.

We even gave, in a subsequent report, the 2018 annual compliance report, the specific designator for this missile, the 9M729.

We continued to raise these issues throughout 2017, 2018, and in fact it wasn't just the United States. In December of 2017, the North Atlantic Council urged Russia to address the serious concerns raised by its missile system “in a substantial and transparent way, and actively engage in a technical dialogue with the United States.”

Just a couple of weeks ago, on November 12, NATO Secretary General Stoltenberg stated in a speech that

“the deployment of new Russian missiles is putting this historic treaty in jeopardy.”

He was talking about the New START treaty. He completed his thought by saying: “Russia now acknowledges the existence of a new missile system.”

If Russia cannot be trusted to comply with treaties and if we have this long history of violation of the INF Treaty and now the President is being asked to consider reupping the New START treaty, we urge him to consider this in the context of Russia’s current violations. Clearly, at a minimum, this would call for additional verification and enforcement with respect to the New START treaty.

It seems to me it calls for more than that because Russia has clearly believed it is in its country’s best interests to blatantly violate the INF Treaty and take whatever the consequences are rather than abide by the treaty. If it believes that with respect to the development of a new cruise missile, it could very easily conclude the same with respect to violations of the New START treaty irrespective of any sanctions or other punishment the United States would mete out.

There is very little one can do to a country that chooses to unilaterally violate a treaty. You can point it out, you can say they shouldn’t do it, and you can pull out of the treaty itself, but that doesn’t fix the problem; namely, their violation in the first place.

We have actually acted on some things with regard to the INF violation. In December of 2017, the United States imposed economic sanctions on the two Russian companies that were involved in the design of this prohibited missile. We also began examining the range of military options for the United States, both that were INF Treaty-compliant and also what would happen were we to leave the INF. By the way, the President has unofficially said that in view of the Russian violation, the United States will leave the INF Treaty. He hasn’t made that public announcement formally yet, but it is clear this is what he intends to do. Under the circumstances, one can hardly blame him when the Russians have gone ahead to develop a missile that threatens both Europe and U.S. interests, and we need to react to that in various ways.

One of the things we have done is for Congress to authorize the administration to study what we ought to do in response, both in terms of potential active defenses and potential offensive capabilities to match what the Russians have done. In the 2018 National Defense Authorization Act, we authorized \$58 million to develop active defenses to counter ground-launched missiles of the prohibited range and counterforce and countervailing capabilities to prevent attacks from these missiles and also to establish a program of record to develop an intermediate range, conventional, road-mo-

bile, ground-launched cruise missile of our own. There are additional potential military response options that obviously come to mind, but the point is, there are two countries to an agreement, and when one country deems it important enough to violate the agreement, even to suffer whatever consequences may exist, then the President ought to take this into consideration in deciding to extend yet another nuclear weapons treaty; in this case, the New START treaty.

There are some other things I think the United States would want to consider doing that it can only do if it leaves the INF Treaty, and that is why I think the President is wise to, in effect, give the Russians notice that this is what we intend to do. Russia can still try to come back into compliance, I suppose, by destroying not only the weapon itself, the cruise missiles it has already deployed, and destroying the launchers on which these missiles would be launched because they too would be in violation of the INF Treaty. They have time to do this.

By announcing in advance his intentions, the President has also given us an opportunity to think about our future. It doesn’t do any good for defense planners to think about potential weapons or defenses that the United States could develop if there is never a prospect, in the case of the offensive weapon, of ever actually building it or deploying it. That is a career-ender to be sure. The INF Treaty would currently prohibit that. So nobody is going to spend any time planning activities for the United States that would themselves be a violation. By letting Russia know we are now willing to consider doing that, Vladimir Putin should understand that the President is serious about potentially withdrawing from the treaty. Hopefully, that would give him time to think about the consequences and decide to come into compliance, but it may not.

If it doesn’t, and he remains out of compliance, then not only could the United States potentially develop weapons of our own to counter the Russian violation, but we could also begin thinking about what this means in terms of other treaties we have with Russia, changes that we would want to make in order to ensure that these treaties are worth complying with.

The New START treaty only applies to the United States and Russia. What it says is, we will both maintain an existing level of nuclear weapons—a little over 15,000 each. The United States had to bring our stockpile down to meet that level. Russia did not. So the practical effect of the New START treaty, at the time, was for the United States to reduce its nuclear weaponry and Russia basically to do nothing.

What Russia has done in the meantime, however, is to continue to work on the modernization of its strategic missile and nuclear weapons programs. It has developed new missiles. It has tested. It has developed new doctrine,

as I said, in the potential use of nuclear weapons, and it has a capability for nuclear warhead production that the United States does not have.

It is not known today, but we don’t have a nuclear weapon warhead production capability. We couldn’t do it. We could build one in a lab or two over time. Russia has a production line, and it is constantly replacing the warheads it has with new warheads and developing new missiles, as I said. Now, I think all of that is relevant to the consideration of whether we should stay in the New START treaty. If we think Russia will comply with the terms, maybe we would conclude again that it is wise to stay in that treaty. This is a little hard to conclude, however, if Russia remains in violation of the INF Treaty.

For all these reasons, we thought it important to recite a little bit of the history of the New START treaty and to quote from the resolution of ratification so the President could see what the Senate’s intention was when that treaty was ratified at the end of 2012 and to think about what those factors mean in today’s world if the President has an intention to think about potentially extending the terms of the New START treaty.

Again, it doesn’t happen until 2021. It is smart to start thinking about it now, but in thinking about it, instead of just blindly considering that it is a wonderful thing and we need to move forward with it without expressing an opinion against extending it, the signers of this letter wanted the President to appreciate some of the background and to understand what we thought the intentions were and what we hoped would occur after the New START treaty was adopted and ratified and how we thought it would improve the relationship between Russia and the United States at the time. If anything, conditions have gotten worse, not better. As a result, these are factors the President should take into consideration when determining whether to consider extending the New START treaty.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF THOMAS FARR

Ms. WARREN. Mr. President, for decades powerful interests have been working to take over our courts and tilt the scales of justice in favor of billionaires and giant corporations. President Trump has been all in, nominating extreme and partisan judges to the Federal judiciary at lightning speed.

Trump’s judges can easily fill a “Who’s Who” of radical, rightwing, pro-corporate lawyers, but today I

want to focus on the nomination of one of the worst of the worst: Thomas Farr, Trump's nominee to serve on the Federal District Court for the Eastern District of North Carolina.

Thomas Farr has made his name as the go-to lawyer for the rich and powerful. When the rental car company Avis and its franchisee were sued for discriminating against African-American customers, Farr defended the franchisee. When Pfizer was sued for sex discrimination and creating a hostile work environment, Farr was there once again representing the company.

Today, just a few weeks after millions of Americans went to the polls to exercise the basic right at the core of our democracy, I want to focus on one of the most pressing reasons my colleagues should vote against the Farr nomination. His nomination will only deepen a plague of voter suppression aimed at stripping Americans—particularly people of color and marginalized groups—from exercising their lawful right to vote.

Voter suppression is front and center on Farr's resume, including his work for Jesse Helms, the former U.S. Senator and shameless bigot. Farr worked as Helms' campaign lawyer while Helms led some of the most blatantly racist political campaigns in modern history. For example, to decrease Black turnout, Helms' Senate campaign mailed postcards to 125,000 voters in predominantly Black precincts, falsely claiming they could be found ineligible to vote based on specific criteria involving their location and length of residence and warning that they could face criminal penalties if they voted.

That is just the beginning. In recent years, Farr represented the North Carolina Legislature in a case challenging a discriminatory voting bill that, according to one Federal appeals court, targeted African Americans with "almost surgical precision." The legislature conducted research into voting practices that helped increase turnout among African-American voters and then wrote a bill that essentially eliminated each of those practices. Farr was there to defend the legislature when faith groups, civil rights groups, and the Obama administration's Justice Department challenged the discriminatory law. The law was ultimately found unconstitutional by the Federal appeals court and was not reinstated by the Supreme Court. Later, when North Carolina redrew its district lines in ways that discriminated against African Americans, Farr was there once again to defend the legislature.

Thomas Farr's nomination is particularly troubling given the blizzard of efforts in recent years aimed at stopping Americans from casting their votes. State after State has passed restrictive voter ID laws, purged voting rolls, limited opportunities to register, and erected other barriers to the democratic process.

We saw voter suppression rear its head during this year's midterm elec-

tions, perhaps most vividly in the State of Georgia. Democratic gubernatorial candidate Stacey Abrams ran a grassroots campaign that sought to lift up Georgians from all backgrounds and to lead a record turnout vote among African Americans, LGBTQ individuals, and young people, but her opponent, Georgia's Secretary of State Brian Kemp, not only refused to recuse himself from overseeing the same election that he happened to be running in, but he openly used the power of his office to suppress voters, especially in communities of color.

In North Dakota, the Republican-controlled legislature passed a voter ID law that required prospective voters to present an ID with an address, but not just any ID with an address, one that contained a residential street address. Now, this law disproportionately disadvantaged voters in Native American communities, which sometimes use post office addresses or other kinds of residential addresses, rather than residential street addresses.

What we saw in Georgia and North Dakota was egregious, but it was by no means new. According to the Brennan Center for Justice, since 2010, 24 States, most of which are under Republican control, have implemented measures to make it harder for American citizens to vote.

The Republican Party and President Trump are leading this effort with a bull's-eye on Americans who may not be inclined to vote for them. After the 2016 election, Trump falsely claimed that millions of people voted illegally, and months after taking office, he established a sham voter fraud commission. Trump's Justice Department has been in lockstep, reversing its position in a case challenging Texas' discriminatory voter ID laws, requesting that States turn over voter roll information in an apparent move to purge voter rolls, and filing a brief in an Ohio case arguing that it should be easier for States to purge voters from voter rolls.

Republicans know that every time they try to lock voters out of the Democratic process, they are going to get challenged in court, but they have a plan for that. They have been working at breakneck speed to stack Federal courts with a cadre of conservative Federal judges whose records show that they have no intention of protecting democracy. Why? Because the fight for our democracy is a fight over who government works for. Does it work for the rich and powerful or does it work for all of us?

Putting Thomas Farr on the bench is a way for politicians to wall off access to the democratic process so they can keep on working for billionaires and giant corporations. The Eastern District of North Carolina, the district in which Farr has been nominated to serve, is 27 percent African American. Yet the Federal court has not had an African-American judge—not one, not ever.

President Obama attempted to change that by nominating two impres-

sive African-American women to serve as judges in that district, individuals dedicated to ensuring that every American had an equal opportunity to democracy, but Republican Senators refused to allow their nominations to move forward. Now Republicans want to hand that seat to a man who has made it his job to make it harder for North Carolinians to exercise the right to vote.

The literacy tests, poll taxes, and grandfather clauses of the Jim Crow era may be of a bygone era, but today, Americans—and particularly Americans of color—face new, steep barriers to the ballot box. Farr has made it his job to ensure that those barriers remain in place.

If we truly believe that our court should defend equal justice under law, then every Member of this Chamber must vote no on Thomas Farr.

#### SANDERS-LEE-MURPHY RESOLUTION

Mr. President, I rise today in support of the Sanders-Lee-Murphy resolution to stop the U.S. military's involvement in the Saudi Arabia-led bombing campaign in Yemen. I am a cosponsor of the resolution, and I thank the Senators for their strong leadership on this important issue.

The resolution would direct President Trump to stop our involvement in Saudi-led military operations in Yemen unless Congress provides specific authorization. It would allow our counterterrorism operations against al-Qaida and its affiliates to continue, but it would ensure that the United States is not giving the Saudis a blank check.

For over 3 years, Saudi-led coalition warplanes—refueled and armed with missiles by the United States—have been bombing Yemeni territory to counter Iranian-backed militias. Thousands of Yemeni civilians have been killed as a direct result of this dangerous proxy war between Saudi Arabia and Iran, but when I asked the general who leads our forces in the Middle East about it earlier this year at an Armed Services hearing, he said we weren't even keeping track of where those U.S.-armed and U.S.-refueled planes were going, and he couldn't tell me what they hit when they got there.

I am glad the Trump administration has finally come to its senses and halted its refueling support to the Saudi-led coalition, but this is too little, too late. It is too late to save as many as 85,000 Yemeni boys and girls under the age of 5 who have already starved to death, and it is too little to save the countless children and families who are currently starving as famine spreads throughout Yemen.

Instead of taking decisive action to address this humanitarian crisis, the United States continues to sell weapons and provide other support to the Saudi-led coalition. The administration continues to cover for Saudi actions, the most recent in a rambling, incoherent, shameful statement from the President himself.

I know that Iran's actions in Yemen are destabilizing. Iran is making the conflict worse, and that is unacceptable. But let's be clear. Saudi Arabia is the one receiving American weapons and support. The ugly truth is that the United States is complicit in the deaths and devastation in Yemen, and we need to hold our partners and our allies accountable. We need to end U.S. support for this war, and we need to end it now.

Remember who we are dealing with here. The CIA has reportedly confirmed the clear involvement of senior Saudi officials—up to and including Crown Prince Muhammad bin Salman—in the horrifying brutal murder of Saudi journalist and U.S. resident Jamal Khashoggi last month. That tells us everything we need to know about this so-called ally.

It is long overdue for Congress to take real action to help put a stop to the humanitarian crisis in Yemen. I will vote against any additional arms sales to the Saudis while the war in Yemen continues.

I will stand with my colleagues in both parties as they press for accountability in Jamal Khashoggi's death.

I will vote for the Sanders-Lee-Murphy resolution today, and I urge my colleagues to do the same.

The Yemeni people are suffering, but we can do something about it. It is time for Congress to grow a backbone and act.

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

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

#### REMEMBERING JIM HANSEN

Mr. LEE. Mr. President, earlier this month, Utah lost one of our very finest—former Congressman Jim Hansen, a great leader, an amazing husband and father, and a fantastic, loyal friend.

It is my privilege to honor his life today. Jim's first and most important rule for getting involved in politics was "get involved because you have a cause, and not simply because you want a job." In fact, his own motivation to first run for local office was with the objective of improving the local water system in his small town of Farmington, UT, where the water supply was sometimes dirty and sometimes even nonexistent.

Though he had lived in Farmington, UT, for only a few years at the time, he was elected to the Farmington City Council in 1961, and he oversaw the installation of a new utility system—no small feat for that small town. That water system allowed the community to grow and to flourish, just as it continues to do to this very day. Thus began Jim Hansen's 42 years in public service.

After serving on the city council in Farmington for 12 years, Jim was elected to the Utah House of Representatives in 1973. He worked hard and eventually rose to the position of speaker of the house during his final term. It was then that Jim launched his congressional bid for Utah's 1st Congressional District, defeating five-term incumbent Gunn McKay in 1980. He got right to work in representing the citizens of Utah—this time at the Federal level. Among his proudest accomplishments were serving on the Base Realignment and Closure Commission and on the House's Natural Resources Committee. Jim took great pride in helping save Hill Air Force Base, in Northern Utah, from closure. Whenever he would hear a jet roaring overhead at a decibel level loud enough to break the windows, he would tell his children, predictably: That is just the sound of freedom. You are lucky to hear and live under that sound every day.

A great lover of the outdoors, so too was he proud of saving the environment from environmentalists, as he would say. Jim often sparred with environmentalists about wilderness issues and championed multiple-use policies for public lands, although he was also a sponsor of the 1984 Utah Wilderness Act, which designated wilderness in U.S. forest areas.

Ever a staunch Republican and always a man of humor, Jim Hansen delighted in reciting his own version of Proverbs 22:6. He would say: "Train up a child in the way he should go, and when he is old, he will vote Republican." Yet Jim was always known for being able to work across the aisle and was well respected by his Democratic colleagues. He served as the chairman of the House Ethics Committee during a partisan crisis among House Members over the investigation into former Speaker Newt Gingrich. Both parties, at the time, trusted him to handle any investigations fairly and impartially.

For 22 years, he tirelessly served the First District of Utah in the U.S. House of Representatives, becoming Utah's longest serving Congressman. After he announced his retirement in 2002—still at the top of his game—he said in an interview that he wanted to leave behind a legacy of hard work. Indeed, Jim Hansen did.

Not only was Jim hard-working, but he was also immensely generous. He did not keep his success for himself but for years offered mentorship to anyone who sought to navigate the political waters.

I myself was lucky enough to call Jim a mentor and a friend. When I first considered running for the Senate in 2010, he met with me at length and gave me a whole lot of very helpful advice and encouragement. Even though I was a newcomer with very little chance of success, he couldn't have been more generous with his time, with his wisdom, or with his words of support. When I announced my candidacy, he

stood by me and offered his full endorsement. So many others were also blessed by Jim's friendship and his loyalty.

A lesser known story that illustrates the quality of Jim's character involves his longtime friend Norm Bangerter, with whom he served in the State legislature. In 1978, both men had their sights set on the house speaker's post. They didn't want to run against each other, so they made a deal that Norm would step aside so long as Jim agreed to step aside in the future if they were ever interested in running for the same position again.

Jim hoped to become Governor of Utah. In the 1980s, after Jim had been serving in the House of Representatives for a few years, there was an opening for a Republican to take back the governorship, and everyone expected Jim to make a play for it, except that Norm wanted to run. So what did Jim do? Well, he stepped aside and allowed his friend to run for and to eventually win that position—a position that Norm Bangerter then held for 8 years. That was the caliber of Jim Hansen's character. He was a man of humility and integrity, who honored his word and always put others before himself.

I would be remiss if I didn't also mention Jim's piety in the truest, purest sense of that word. In addition to having a deep loyalty to his country and to his State, he had a deep loyalty to his family and his church. Jim married Ann Burgoyne in 1958, which he considered wisely to be the smartest choice he ever made. Their family grew to include 5 children and eventually 14 grandchildren and 1 great-grandchild.

Grandpa Jim was the center of their family, and his love for them animated so much of his life. His grandchildren fondly remember his jokes, stories, and genuine, unmistakable zest for life. His granddaughter Anna recounted that on Jim's 80th birthday, when he insisted on going water-skiing, he had waded into the lake while wearing his slacks and socks, with his grandchildren sloshing behind him, to fish out the ChapStick tubes and Tic Tac packs that were floating out of his pockets. That, of course, was Jim Hansen—full of life and spirit until the very end.

Before his involvement in politics and after he served in the Navy during the Korean war, Jim went on a mission for the Church of Jesus Christ of Latter-day Saints for 2 years. He also served as the bishop of the Farmington 2nd Ward and as the president of the Davis Stake. One of his jobs as bishop was to supervise the Farmington South Stake Center, which is where loved ones and dignitaries gathered to honor his life just this past week.

It is only fitting that we pay tribute to this honorable man, who so faithfully and nobly served God, family, and country throughout his entire life. Jim Hansen will be sorely missed by his family, friends, Utahns, and all those whose lives were touched and changed for the better by him. I have no doubt

that his legacy will live on for many years to come.

WAR POWERS RESOLUTION TO END UNAUTHORIZED U.S. MILITARY INVOLVEMENT IN YEMEN

Mr. President, the U.S. Constitution makes unmistakably clear the fact that in order to declare war, one must go through Congress. There are good reasons for this requirement. Whenever we go to war, we are making the greatest of moral decisions—decisions that will imperil the lives of those involved in that war, including and especially the brave young men and women who represent us in uniform and who fight to protect our freedom. The costs of war—and I speak not only of the economic costs but especially of the deep human costs associated with war—are such that these decisions should never be made lightly. It is for this reason that the Founding Fathers wisely put this power into the hands of those occupying the branch of government most accountable to the people at the most regular intervals.

You cannot declare war without going through Congress. Sadly, over time, some of this power has been neglected—neglected by the very Congress to which the power properly constitutionally belongs. Under the Constitution to which every Member of this body has sworn an oath to uphold, to protect, and defend, it is wrong to go into war without Congress's directing it, ordering it, declaring it. Yet, sadly, tragically, unconstitutionally, I believe, the United States has been involved as a co-belligerent in a civil war half a world away in Yemen, involved in connection with a Kingdom of Saudi Arabia-led coalition against the Houthi rebels.

What, one might ask, is the interest of the United States in this war? What is it about this particular civil war in Yemen that is important to keep the American people safe? That is a question that has never been fully answered. In fact, it is a question that has never been answered by the only branch of government that is capable constitutionally of making that assessment, of answering that question. We have never answered it.

It is not just a mere formality that we go through when we require Congress to declare war. It is about the debate that that starts, the conversation that occurs among the American people, the accountability that each Member of the Senate and each Member of the House of Representatives has to his or her constituents. It is about the fact that we have to be able and willing to look the American people in the eye—even our own constituents, our own friends and neighbors, even and especially those who are the parents and loved ones of the men and women who will be at the battlefield and will be asked, potentially, to pay the ultimate price for defending freedom. We have to be willing to do that. Yet we haven't because, for the last 4 years, we have been fighting someone else's war without a declaration of war by Congress,

without an authorization for the use of military force by Congress.

What, then, is the remedy? There are a number of things that we could do and that we should do. Among them are the procedures outlined by and provided in the War Powers Act. The War Powers Act gives us the ability to halt our military involvement where Congress deems it inappropriate.

A few months ago, Senator SANDERS and I ran a resolution to do precisely that—availing ourselves of the benefits of the War Powers Act. Sadly, that measure was narrowly defeated; it was tabled; it was halted from moving forward. It has been filed again. We are going to have an opportunity again very soon, perhaps as early as tomorrow, to vote on that yet again.

In the meantime, what has changed? We have continued to fight this war still in an unconstitutional posture, still without the American people having been adequately consulted, still without the American people's elected Senators and Representatives having made a decision to go to war, still without the opportunity for us to look in the eye our neighbors, our constituents, and the parents and family members and loved ones of our brave men and women in uniform who are asked to fight these battles and to tell them why it is that we are asking for this potential sacrifice of American blood and treasure. We have not done those things.

Since that time, we have seen some very unsettling realities unfold within the Kingdom of Saudi Arabia, with credible intelligence regarding the Crown Prince's involvement in and ordering of the death of Mr. Khashoggi. We now have not only the eyes of the American people on Saudi Arabia—more importantly, we have the eyes of people all around the world on the United States of America. It is not just about the death of Mr. Khashoggi, but Mr. Khashoggi's death and the way it came about and the way it is alleged and supposed to have been ordered by the Crown Prince of Saudi Arabia says something about us if we proceed undeterred in our fighting of an unconstitutional war on behalf of the Kingdom of Saudi Arabia. It is not just what the American people think about Saudi Arabia or about us in Washington; it is also about what the rest of the world will think about the United States of America if we turn a blind eye to this and if we continue to fight an undeclared, unauthorized, unconstitutional war that has no apparent connection to the safety of the American people, to the security of the American homeland.

This is why I respectfully—and with all of the urgency I am capable of communicating—implore my colleagues to support this resolution, to support the resolution to get us out of fighting Saudi Arabia's war in Yemen. It is not our war, not our security, not on our watch.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF THOMAS FARR

Mr. BROWN. Mr. President, we have just been through a long election season, with a lot of close races. In States all over the country, voters had to contend with relentless attacks on their voting rights. We saw it in Ohio, where voters were purged from the rolls. We saw it in my mother's home State of Georgia, where more than 50,000 voter registrations were held up. Seventy percent of those were from Black voters. We know exactly who these laws are aimed at. It is people of color, and it is despicable. It is outrageous.

Rather than working to fix this problem, making it easier for voters to exercise their fundamental right, this administration and Republican leaders in this body and in State legislatures around the country want to put a man on the Federal bench who has supported unapologetic racists and defended voter suppression laws.

This body has done nothing to try to stop voter suppression. Controlled by Republicans, State legislatures around the country, in legislature after legislature, have, in fact, emboldened people who want to suppress voting rights.

Andrew Gillum and Stacey Abrams are two candidates each who would probably be Governor-elect right now if every voters' voices had been heard. Listen to what they had to say about Thomas Farr, the nominee for the Eastern District of North Carolina: "When it comes to the trifecta of voter disenfranchisement—voter suppression, racial gerrymandering, and restriction of voting rights—Thomas Farr is, sadly, one of the most experienced election lawyers in the country."

When it comes to the trifecta of voter disenfranchisement, he wins the award. He defended North Carolina's voter suppression laws—among the worst in the country. The Fourth Circuit Court said that the law targeted Black voters "with almost surgical precision."

He defended Jesse Helms in a lawsuit where Jesse Helms campaigned and sent 125,000 postcards to African-American communities, telling them that they would be arrested for voter fraud at their polling places. Considering the history of voter suppression in that State, imagine the terror, in many cases, in the eyes of those African-American voters who saw those postcards telling them that they could be arrested for voter fraud at their polling places. Of course many of them were not going to vote then, which is exactly what Jesse Helms and Thomas Farr wanted to happen. Thomas Farr defended Jesse Helms in court. To put

this man on the Federal bench is a national disgrace.

The cherry on top of this nomination is the fact that Barack Obama nominated two African-American women to serve on this court. Under the leadership of the gentleman down the hall, the Republican leader, MITCH MCCONNELL, this body didn't even give them a hearing. Instead of the choice of two African-American women who led over a decade, they want to put a man on the bench who defended segregationists and voter suppression. They want to put that kind of judge in that seat. It is a throwback to the worst moments of our history. This body shouldn't stand for it.

#### GM LORDSTOWN CLOSURE

Mr. President, around the time of the auto rescue almost a decade ago, I was watching the first Chevy Cruze come off the line in Lordstown, OH, at a plant that had been there in Youngstown, OH, for almost a decade. Two years ago, I was at the GM Lordstown plant for its 50th anniversary. I saw the pride the community takes in that plant. GM itself estimated 10,000 people turned out to watch the parade. The line to tour the plant stretched down the street and around the block. It is what this plant and this auto industry mean to the communities they serve.

When the news broke late Sunday night or early Monday morning that General Motors is closing this plant and laying off up to 15,000 workers in Ohio and around the country, one reporter for the Youngstown Vindicator tweeted that it was an "all hands on deck day, with just about everyone in the newsroom dropping everything to cover the GM Lordstown story."

Those reporters are not enemies of the people. In fact, these reporters are people who care about their communities, who don't make a lot of money, and who are willing to afflict the comfortable and comfort the afflicted. They are not enemies of the people. These reporters understood what these job losses will mean, not just to those workers but to this community in Mahoning Valley of about a half a million people.

While people's lives were being upended in Mahoning Valley and around country and while parents were having painful conversations around kitchen tables, local businesses were nervously looking at their balance sheets, do you know what happened? Wall Street traders were celebrating. As the announcement to lay off workers happened, the stock price went up. Look at what happened to their stock price after their announcement.

Wall Street and its cronies in Washington simply don't value workers, and they don't understand the dignity of work. They don't look at workers as vital to a company's success. Indeed, they view the American worker as nothing more than a cost to be minimized, and Wall Street rewards companies when they lay off workers. They reward companies when the workers'

pay is cut or their benefits are scaled back. Wall Street rewards companies when their workers get hurt.

Of course, we expect companies to always try to maximize profits, but we weren't elected in this body to serve corporations. We were elected to stand up for the Americans we serve and to stand up for the small business owners. This broken business model is exactly why we need a trade and tax policy that actually invests in American workers. Instead, this crowd in Washington is only making it worse.

Earlier this summer, on the very same day that GM Lordstown laid off the second shift in Mahoning Valley, we got word that GM plans to build its new Chevy Blazer in Mexico, bypassing American workers and sending more jobs to Mexico. There are 1,500 workers who lost their jobs on the same day General Motors announced they were building a plant in Mexico. How stupid do we have to be to think there is not a connection there? That decision was no coincidence.

The tax bill this Congress passed and this President signed, which almost every single Republican voted for and every single Democrat voted against, provides a 50-percent-off coupon off of the taxes for every company that moves overseas.

For instance, the Chevy Cruze is made in Youngstown, OH. General Motors pays a 21-percent corporate tax rate. Another kind of Chevy Cruze made by General Motors in Mexico pays a 10.5-percent tax rate. So if you work in the United States, you pay 21 percent in taxes. If you go overseas, you get a 50-percent coupon off on your taxes. Do you know why? Because this Congress and President Trump signed a bill that will do nothing but outsource jobs. It didn't have to be that way.

The Patriot Corporation Act, which I handed to the President in the President's Cabinet Room a year and a half ago, would have simply said this: If you pay your workers well, if you provide healthcare and retirement for your workers, and if you make your product in the United States of America, you get a lower tax rate. I handed a copy of that bill to the President. He said he liked it. Do you know what happened then? Instead, that bill—which could have been the Patriot Corporation Act, which could have been the taxpayers' bill of rights, which could have been the corporate freeloader fee, where, when companies abuse their workers, they pay a fee—made its way down to the majority leader's office. And do you know what happened? The special interests went to work.

Do you know what happened then, when the special interests went to work? They created this 50-percent-off coupon for their taxes so those companies that moved to Mexico or moved to France or moved to Bangladesh or anywhere else get a 50-percent tax cut. Who suffers the consequences? It is the American workers.

We need to stand up for the people whom we serve, and we need to fix this.

After GM ended the second shift at Lordstown, I met with GM's CEO, Mary Barra, and demanded answers. She said that retrofitting the plant to go from the Cruze to the SUV Chevy Blazer would simply cost too much. It was too expensive. So we came up with a plan. First of all, they had just taken their huge tax cut, which they could have invested in workers, but instead they invested in corporate buybacks, executive buybacks, so that executives make 300 times what the average well-paid worker at GM makes.

I came up with a plan to fix this. If they are not going to reinvest that money, we could level the playing field. We call it the American Cars, American Jobs Act.

There are two simple parts. First, customers who buy cars that are made in the United States get \$3,500 off at the dealership—real dollars, real money at the dealership. Under our definition of "Made in America," the discount would apply to nearly 100 cars, trucks, and SUVs, including all passenger vehicles, including the Jeep Cherokee, which is made in Toledo, and all passenger vehicles assembled in Ohio.

Second, the companies that cut the number of American jobs they had on the day the GOP tax bill passed and added those jobs overseas lose their tax break. We take away that 50 percent off coupon on their taxes. If you choose to send jobs overseas, you lose that coupon. If you keep jobs in the United States, you keep your discounted rate.

Remember back in July, I believe, of 2017? Donald Trump, the President of the United States, was in Youngstown. He said to the people of Youngstown: "We never again will sacrifice Ohio jobs and those in other states to enrich other countries." He then said: Don't sell your homes. We are going to bring all of these jobs back into these old plants, or we are going to knock down these old plants and build new plants. We are going to bring back all of these jobs.

But when he said that we will never again sacrifice all of these jobs—that is what his tax bill did. His tax bill provided that 50-percent-off coupon.

People trusted him in Mahoning Valley. He won areas that Democrats used to win. They put their faith in him. What did Trump do? He gave these corporations a huge tax break that will cause more jobs to go overseas.

It is all part of this President's phony populism. He pits one group against another to distract from the fact that this White House looks like a retreat for Wall Street executives, except for the days it looks like a retreat for pharmaceutical executives, except for the days it looks like a retreat for gun lobby executives. He campaigns across States like Ohio, saying he is for working people, and then he passes tax cuts for companies that are sending their jobs overseas.

While campaigning in Ohio in 2016, he said:

If I am elected, you won't lose one plant, you'll have plants coming into this country. . . . I promise you that.

If the President of the United States meant what he said—if he said you are not going to lose plants, if he said the companies that have moved overseas are going to come back to Lordstown, come back to Mansfield, come back to Toledo, and come back to Dayton, then, Mr. President, what you need to do is support the American Cars, American Jobs Act. Let's end this tax break, this incentive for companies to shut down production in Xenia, OH, and move overseas. Let's end this tax cut for corporations that shut down these American plants and move American jobs overseas. If you love this country, you fight for the people to make it work. Mr. President, let's do that and pass the American Cars, American Jobs Act.

The PRESIDING OFFICER. The Senator from Connecticut.

YEMEN

Mr. BLUMENTHAL. Mr. President, I want to express my strong support for the bipartisan resolution—54—that is before us today. The strong, bipartisan support we are seeing on the floor—most recently from my colleague Senator LEE of Utah—shows how necessary and important this resolution is to end the complicity of the United States in the murderous war waged by Saudi Arabia in Yemen.

The United States is complicit because we are providing fuel, intelligence, and other support that is only increasing the barbaric power of the Saudis in that civil war—murderous activities that are taking a toll on civilians. The blood will be on our hands if we continue to support the Saudis in this brutal effort.

The resolution before us is carefully crafted to preserve our national security and our national interests while at the same time removing our involvement from the Saudi war crimes. There seems to be no other word for what we are seeing the Saudis do. The arguments made by the administration for our support and participation carry no weight. We should never compromise our national value for the sake of arms sales. In fact, the arms contracts are a pittance or a fraction of what the administration claims. So I am proud to support this measure. It will do too little and too late what should have been done long ago: Renounce our moral and legal responsibility, as well as our practical involvement for the murderous and brutal Saudi attacks on civilians and others in Yemen.

NOMINATION OF THOMAS FARR

Mr. President, I rise today to speak out on a less bipartisan issue against the concerted campaign by the administration and its allies to dramatically reshape our judiciary—to fill the courts with partisans and ideologues.

President Trump has made no secret of his frustration at judges nominated by both Republicans and Democrats who choose to uphold the rule of law

and, as Chief Justice Roberts has said, “do equal right to those appearing before them.” He is wrong to talk about Obama judges or Bush judges. In fact, the Chief Justice is absolutely right that when a person puts on the robe, they are no longer a judge nominated by any President; they are a judge doing the right thing, hopefully, from the bench in a completely bipartisan, nonpartisan way.

Yet this administration has repeatedly put forward extreme nominees who will seek to undo decades of critically important progress in recognizing and protecting reproductive rights, LGBTQ rights, voting rights, workers' rights, environmental protections, and more.

In fact, we are scheduled to vote on a nominee for the Eastern District of North Carolina, Thomas Farr, who exemplifies this administration's efforts to remake the judiciary. He has been nominated for a judgeship that has been open for years. In fact, it is the longest open judicial vacancy in the country.

In 2013, President Obama nominated Assistant U.S. Attorney Jennifer May-Parker to fill the seat. Senator Hagan returned a blue slip, but Senator BURR—despite formally recommending May-Parker to the White House for the position—declined to return his blue slip. At that time, the Senate still adhered to its longstanding practice of respecting blue slips and referring to home State Senators, so the nomination was never considered. To accommodate Senator BURR's obstruction, Senator Obama nominated North Carolina Supreme Court Justice Patricia Timmons-Goodson to fill the vacancy on the district court in 2016. Neither Senators Burr nor Tillis returned blue slips on her nomination.

Senator BURR had the right—and I may have misspoken when I referred to obstruction—when he declined to return that blue slip. Would that that right were still observed in this body. He had that right. He exercised it. But now President Trump has nominated Thomas Farr, an attorney whose career is defined by efforts to dilute African-American votes and suppress them through redistricting and to make it more difficult for African Americans to vote in the first place.

Mr. Farr has worked to suppress minority votes since at least the early 1990s. The Department of Justice under George H.W. Bush alleged that Farr engaged in acts of voter intimidation during the 1990 election. In fact, during that election, Farr served as legal counsel to Senator Jesse Helms. The Department of Justice alleged that Senator Helms' campaign sent out to Black communities tens of thousands of postcards that falsely told voters they could be found ineligible to vote based on various conditions. President Bush's Justice Department described this mail campaign as “intended to intimidate thousands of African-American residents and discourage them from voting in a 1990 Senate election.”

Since then, Farr has become an attorney of choice for North Carolina's Republican politicians when they have sought to gerrymander and suppress voter efforts. Notably and most recently, he successfully represented the North Carolina legislature in Cooper v. Harris. That case involved two districts that were redrawn after the 2010 census as majority Black districts by removing African-American voters from other predominantly White districts. The redrawn districts effectively diluted the voting power of African Americans by concentrating the Black population in a smaller number of districts that already elected candidates who received strong support from African-American voters.

The Supreme Court rejected Farr's defense of the redrawn districts and found that the legislature had engaged in unconstitutional racial gerrymandering. That ruling was remarkable—absolutely exceptional—in Supreme Court jurisdiction—indicating the blatant and flagrant disregard for constitutional law in that gerrymandering.

Farr also defended the North Carolina legislature in a challenge to its restrictive voter ID law. The day after the Supreme Court decision in Shelby County v. Holder struck down the preclearance requirements of section 5 in the Voting Rights Act, the Republicans in the North Carolina legislature requested data regarding the racial breakdown of the usage of various voting access tools.

The Fourth Circuit Court of Appeals found that the law discriminated against African-American voters “with almost surgical precision.”

The court said: “This sequence of events—the General Assembly's eagerness to, at the historic moment of Shelby County's issuance, rush through the legislative process the most restrictive voting law North Carolina has seen since the era of Jim Crow—speaks a certain purpose.”

Thomas Farr argued in favor of those legislative districts that restricted representation of African-American voters in their State and Federal Government.

President Trump has chosen this man to serve as a judge. I cannot vote for him. I hope my colleagues will join me in rejecting this nominee. His nomination alone speaks volumes about the intentions and predilections of this administration. This nominee is not suited to the vital task that judges—particularly Federal district court judges—are empowered to carry out.

This nominee is not fit for this job. I will vote no. I urge my colleagues to do the same.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise to strongly oppose the nomination of Thomas Farr to the Federal bench, and I urge my colleagues to join me in voting against him.

The right to vote is sacred and a precious human right, but it has been under attack, and that is unconscionable and wrong.

This nominee represents yet another threat to the basic premise of one person, one vote because, throughout his career, he has worked to make it harder for Black Americans to vote. That is not who we are as a country, and this nominee does not deserve the privilege of a lifetime appointment on the Federal bench.

Over and over again, on the most serious and consequential questions related to our sacred right to vote, Mr. Farr has been on the wrong side of the issue.

Listen to his record: Mr. Farr defended in court a gerrymandered congressional map that was so blatantly racist that our Federal Court of Appeals judge ordered it to be redrawn. Mr. Farr defended in court State laws that were so obviously designed to suppress the Black vote that a Federal Court of Appeals ordered them to be struck down. He wasn't just a cheerleader for these discriminatory laws; he was the actual architect. He was their defender in court. He did everything he could to keep them in place.

That is why millions of Americans all over the country, including so many men and women of color, the NAACP, and the Congressional Black Caucus, are so outraged by this nomination. They are right to be so because this nomination is an insult.

This seat is the longest judicial vacancy in the country, but it did not have to be that way. Just a few years ago, a highly qualified nominee was picked to fill the seat, but she didn't even have a hearing, let alone a vote. So then another highly qualified nominee was picked to fill the seat, and she didn't receive a hearing either—or a basic vote. Now we have another nominee for the same exact seat, but this time my colleagues are practically tripping over themselves to rush him through the Senate at full speed, to push him across the finish line before the end of the year, and to hand him a lifetime appointment to the Court.

I urge my colleagues to reject this bad choice. Let's find someone better, who isn't so obviously biased on questions related to race. If his record of discrimination and bias alone isn't enough to convince you, then think about this: We cannot ignore the fact that this nomination is coming at a moment when so many Black Americans are still experiencing blatant and racist disenfranchisement every time they try to exercise their constitutional right to vote. Just look at the voter suppression that happened in Florida and in Georgia this month in their elections for Governor.

We have already seen terrible decisions from the Federal bench that have rolled back voting rights, such as when the Supreme Court gutted the Voting Rights Act. This body has done nothing to address this egregious decision, and

we should not be complicit in further eroding this precious right.

Now we want to confirm another man to the Federal judiciary who has spent his entire legal career fighting to make it harder for Black Americans to vote. What kind of awful message are we sending to our country?

We must reject this nominee. We must stand up to discrimination and racism in all its forms, not reinforce them, not encourage them.

I urge my colleagues to do the right thing and vote no.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

#### UKRAINE

Mr. MENENDEZ. Mr. President, I rise today, as I have many times before, to stand up for a free and independent Ukraine.

I come to the floor to unambiguously call out and condemn the Russian Government's escalation of aggression and the increasingly dangerous situation in Ukraine.

Over the weekend, Russian forces sharply escalated their campaign in Ukraine by attacking and seizing 3 Ukrainian vessels with 23 crew members and temporarily shutting down commercial shipping through the Kerch Strait. Ukrainian sailors were injured and required medical attention.

This was an outrageous violation of Ukraine's sovereignty, so I want to say this clearly and unequivocally: The Kremlin must immediately return the vessels and sailors to Ukraine. The Kremlin must not obstruct the free passage of shipping through the Kerch Strait moving forward.

We here in the United States must take the Kremlin's actions seriously in word and in deed, for the Russian Government's actions on Sunday marked a sharp escalation in Putin's ongoing assault on the international rules-based order, this time on the freedom of navigation in the high seas. Indeed, this was an act of war, and Sunday's attack comes in the context of ongoing Russian aggression in eastern Ukraine for the past 4 years.

For the past 4 years, Ukrainian forces have endured an unrelenting assault, rendering the Donbas economically shattered and ungovernable.

For the past 4 years, 1.5 million displaced people have lived lives of uncertainty, not sure when and if they will ever be able to return home.

For the past 4 years, Ukraine has struggled to rebuild its economy and reform its institutions while fighting a hot war and suffering regular casualties.

For the past 4 years, Ukraine has been on the frontlines of a struggle against the Kremlin's vision of a world that is not guided by Democratic values, not buttressed by fundamental freedoms, not governed by a rules-based international order but, instead, ruled by Mr. Putin and a corrupt cabal of oligarch insiders.

Despite years of aggression, Putin's latest escalation marks an even more

insidious turn. Apparently, the Kremlin no longer seeks to hide behind lies of little green men or Russian-backed separatists. The Russian Government, with no pretense or obfuscation, fully admitted to directly firing on Ukrainian forces and seizing their ships.

Beyond the military component, this attack tells us that Putin is ramping up an economic war on Ukraine. Since the spring, Russian vessels have blocked Ukrainian commercial ships from sailing through the Kerch Strait, costing Ukraine millions in lost revenue from exports and blocking imports critical to the Ukrainian economy. This weekend, Moscow opened up a new front in the war, one that could ultimately do the most damage to Ukraine's viability as a state.

Russia's actions show that its leaders are emboldened, unchastened, and on the march. Clearly our response to Russian efforts to undermine our security, our fundamental democratic values, our institutions, and the rules-based international order has thus far been inadequate.

Certainly the State and Defense Departments have taken some steps to counter Russian aggression. Ambassador Kurt Volker, who has led efforts to fully implement the Minsk agreements, has shown clear-eyed leadership in calling out the Kremlin and holding Putin to account. Our Assistant Secretary of State for Europe, Wess Mitchell, has done much of the same. Secretary Jim Mattis has consistently supported a strong military presence in Europe to counter Russian aggression. Nikki Haley, our U.S. Ambassador, issued the first statement from the administration following Sunday's attack and was appropriately firm. Come to think of it, I can't think of any player within the Trump administration who is soft on Russia—except one, of course: the President himself.

Just yesterday, when asked by reporters about Russia's escalation in Ukraine, President Trump said: "We don't like what is happening either way." In other words, he once again fell back on the same old both sides excuse he keeps in his back pocket whenever asked about Russia's bad behavior. This is not the kind of clear and unequivocal denouncement the people of Ukraine or the world needs to hear from an American President at a moment in which the international democratic order is under attack, but unfortunately it is what we have come to expect from President Trump, who repeatedly subverts his own administration's positions and efforts on Russia.

The work of Mattis, Volker, Mitchell, Haley, and countless others has been repeatedly undermined by a President who has abandoned America's interests and betrayed our core principles time and time again, from the fiasco in Helsinki to an exchange in Paris just weeks ago where he greeted Putin with a giant smile on his face.

The President has had many opportunities to restore confidence to the

American people and reclaim America's global leadership on Russia policy. While he has repeatedly failed to do so, yet another opportunity lies before him this week at the G20 summit in Buenos Aires, where he is scheduled to meet with Putin. If ever there were a time for this President to defend our country, our principles, and those of our allies, this would be it. If ever there were an opportunity for American leadership, this would be it. If there were ever a time for President Trump to find his spine on Russia, this would be it.

In the meantime, President Trump must use this week's opportunity in Buenos Aires to send a clear message to Putin that we will not tolerate its increasingly aggressive behavior in Ukraine. Here is what I believe the President must do:

First, the United States needs to increase assistance to our friends in Ukraine in the face of continued aggression in Donbass and now in the Kerch Strait. The Trump administration must immediately increase security assistance to Ukraine, including the provision of lethal maritime equipment and weapons. In addition, we must bolster intelligence-sharing with Kiev and assist Ukraine's efforts to improve its maritime domain awareness.

Second, NATO has a critical role and should consider increasing exercises and its presence in the Black Sea. The United States has maintained an active presence in the South China Sea to protect shipping lanes. NATO should move quickly to establish such a presence in the Black Sea.

Third, the United States should increase sanctions pressure on Russia immediately. This is long overdue. The President is required to impose sanctions on Russia under the CAATSA law. Several mandatory provisions of the law remain ignored. I would offer that now would be a good time to follow the law. But imposing sanctions alone does not constitute a real strategy.

Fourth, Sunday's events present an important opportunity for American engagement with like-minded allies across Europe. Now is the time for serious diplomacy and coalition-building in the face of this threat. Our European friends spoke out in full opposition to Russia's attack on Sunday. Now let's see if we can work together to turn words into action and deter such Kremlin attacks in the future.

Finally, as the situation in Ukraine grows more perilous, we in the Senate must also live up to our national security responsibilities. Following the President's failures in Helsinki, Senator GRAHAM and I, along with others, introduced the Defending American Security from Kremlin Aggression Act, known as DASKAA. This legislation is more than another sanctions bill; it charts a comprehensive way forward for how the United States can better defend its interests and those of our close allies against Putin's unrelenting

assault on our values, security, economic interests, and the rules-based international order.

After months of Senate hearings on the legislation, we have nothing to show for it, as both the Senate Foreign Relations and Banking Committees have refused to mark up new legislation to respond to the Kremlin threat. What are we waiting for? What are we waiting for? The alarm bells are ringing. Yet the Senate Republican leadership is sound asleep. They are asleep as Trump concedes more ground to the Kremlin in Ukraine and cyber space; asleep while Russian ships ram Ukrainian vessels in international waters and injure brave Ukrainian sailors; asleep while Vladimir Putin pounds away at our points of vulnerability.

The American people deserve a vote on DASKAA before we leave for the holidays. Anything less would be a mark of shameful abdication of our responsibility to protect and defend our national interests.

I hope this Chamber will wake up to this growing threat. Perhaps Sunday's attack will be a ringing alarm clock that compels this body and the international community to act.

Finally, the American people cannot afford a weak performance by President Trump at the G20 summit, like we saw in Helsinki—cannot afford such a performance.

President Trump, this is your opportunity to finally show American leadership in defense of our principles and our close allies across Europe.

The time is now. It is critical. We are waiting to see that in fact the President can rise to the moment.

#### RUSSIA INVESTIGATION

Finally, on another matter, I want to address breaking news of the day on a related matter. Yesterday, we learned from an exclusive report in the Guardian that former Trump campaign chairman Paul Manafort repeatedly held secret talks with WikiLeaks founder Julian Assange within the Ecuadorian Embassy in London. These revelations reported publicly in the Guardian, if true, raise serious, new questions about the Trump campaign's possible relationship with WikiLeaks, including the timed release of hacked emails orchestrated to inflict maximum damage on Hillary Clinton's 2016 Presidential campaign.

According to the published report, Manafort visited in 2015 and then again in the spring of 2016—just in time for Trump to name him the RNC convention manager. Sources in Ecuador say Manafort's meetings with Assange may have been purposefully kept off the Embassy's official visitor log. It is essential that Ecuador's current government publicly and swiftly confirm whether former Ecuadorian President Rafael Correa and his administration allowed these meetings to take place.

Given that Secretary Pompeo met with Ecuadorian Foreign Minister Valencia yesterday morning—the day before this report came out—the State

Department and the intelligence community must immediately brief the Senate Foreign Relations Committee on Mr. Manafort's interaction with Mr. Assange, as well as the Ecuadorian Government's role in any meetings. This is critical for us to know, and I hope it won't take other actions to get clarity.

I am already concerned that tomorrow we are having an all-Members briefing on what happened with Saudi Arabia and the murder of Mr. Khashoggi, and there won't be anybody from the intelligence community there. Where is Gina Haspel, the head of the CIA? She went and listened to the tapes. Her Agency is reported to have come up with conclusions that said, yes, the Crown Prince knew and was involved, yet we are going to have a briefing without anybody from the intelligence community. It is an affront to the Senate, which has responsibilities—oversight and otherwise—to understand what is the appropriate action of this body as it relates to U.S. foreign policy and this particular ally. But we are not going to have anybody from the intelligence community. To me, that is the ultimate coverup.

So I want to know what happened and whether this Guardian report is true. I want to know from the intelligence community what their determination is. I don't want to hear it characterized by someone else; I want to hear it directly from them. Only then can we actually act in a way that is both concerted and with the knowledge necessary to make informed decisions on critical U.S. foreign policy.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

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

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

#### WITHDRAWAL OF NOMINATION HOLDS

Mr. HATCH. Mr. President, the Finance Committee has worked with the Treasury Department to ensure proper responsiveness to committee inquiries. We are continuing to review these matters to determine what further oversight is required.