

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

The result was announced—yeas 62, nays 38, as follows:

[Rollcall Vote No. 248 Ex.]

YEAS—62

Alexander	Graham	Nelson
Barrasso	Grassley	Paul
Blunt	Hatch	Perdue
Boozman	Heitkamp	Portman
Burr	Heller	Risch
Capito	Hoeven	Roberts
Casey	Hyde-Smith	Rounds
Cassidy	Inhofe	Rubio
Collins	Isakson	Sasse
Corker	Johnson	Schatz
Cornyn	Jones	Scott
Cotton	Kennedy	Shaheen
Crapo	King	Shelby
Cruz	Kyl	Sullivan
Daines	Lankford	Tester
Donnelly	Lee	Thune
Enzi	Manchin	Tillis
Ernst	McCaskill	Toomey
Fischer	McConnell	Wicker
Flake	Moran	Young
Gardner	Murkowski	

NAYS—38

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

The nomination was confirmed.

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

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Thomas Alvin Farr, of North Carolina, to be United States District Judge for the Eastern District of North Carolina.

Mitch McConnell, Chuck Grassley, Lamar Alexander, John Cornyn, James M. Inhofe, John Kennedy, Mike Crapo, Roger F. Wicker, Mike Rounds, Michael B. Enzi, David Perdue, John Boozman, Tim Scott, Lindsey Graham, James E. Risch, Steve Daines, Thom Tillis.

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 Thomas Alvin Farr, of North Carolina, to be United States District Judge for the Eastern District of North Carolina, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

[Rollcall Vote No. 249 Ex.]

YEAS—50

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

NAYS—50

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

(Mr. PORTMAN assumed the Chair.)

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative, and the motion is agreed to.

EXECUTIVE CALENDAR

The VICE PRESIDENT. The clerk will report the nomination.

The legislative clerk read the nomination of Thomas Alvin Farr, of North Carolina, to be United States District Judge for the Eastern District of North Carolina.

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

LEGISLATIVE SESSION

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 54

Mr. PORTMAN. Mr. President, as if in legislative session, I ask unanimous consent that notwithstanding rule XXII, the Senate proceed to legislative session, and Senator SANDERS, or his designee, be recognized to make a motion to discharge S.J. Res. 54; further, that there be time for debate of the motion until 4 p.m. and of that time, 10 minutes be under control of the chairman and 10 minutes for the ranking

member, and the remaining time be equally divided between the two leaders or their designees; that at 4 p.m., the Senate vote in relation to the motion to discharge; that following disposition of the motion, the Senate resume executive session and the time spent in legislative session count postcloture on the Farr nomination.

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

The PRESIDING OFFICER. The Senator from Vermont.

MOTION TO DISCHARGE—S.J. RES.

54

Mr. SANDERS. Mr. President, pursuant to section 1013 of the Department of State Authorization Act, fiscal years 1984 and 1985, and in accordance with the provisions of Section 601(b) of the International Security Assistance and Arms Export Control Act of 1976, I move to discharge S.J. Res. 54 from the Committee on Foreign Relations.

The PRESIDING OFFICER. The motion is pending.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I want to speak very briefly on behalf of the resolution being offered today by Senator SANDERS, Senator LEE, me, and several others. I encourage my colleagues to support it. I want to use my brief time to respond to some of the arguments that the administration has made over the course of the last few days as to why we should not stand together as a body and say that without a congressional declaration of war, the United States cannot and should not be involved in a disastrous civil war in Yemen.

This is as important a vote as we will take in the Senate. Lives are at stake; lives are in the balance. I don't need to repeat everything Senator SANDERS and others have said about the humanitarian catastrophe that exists inside that country. Yet this is different than other famines. This is different than other cholera outbreaks. This is different than other humanitarian nightmares in which tens of thousands of children lose their lives because we are not just a spectator in Yemen; we are participant. The bombing campaign that is causing the worst humanitarian nightmare in the world today is caused by a military campaign of which the United States is a major player and participant. So we have something to say today about whether this civil war ends. We have something to say about whether this Congress is going to allow the administration to continue to perpetuate a war that has had no debate in the U.S. Congress.

Let me take the four arguments the administration uses to try to argue against our resolution and talk to you a little bit about them.

The first argument that has been made—it is probably the most clear in

Secretary Pompeo's op-ed in the Wall Street Journal this morning—is that the real issue is not Saudi Arabia, it is Iran, and if we do not continue to support the Saudis' bombing campaign inside Yemen, the result will be that Iran will win in the region.

First, that exhibits a third-grade understanding of the Middle East. The Middle East is not a zero-sum game between the Saudis and the Iranians. Every time you do something that is potentially disadvantageous to the Saudis doesn't mean it results in an equal-sized benefit for the Iranians. In fact, it may be that both countries are doing things that are deleterious to American national security. It may be that we want to pick and choose when we engage with the Saudis and when we don't engage with the Saudis. Just because we choose not to engage in one particular aspect of Saudi foreign policy does not mean that it equals a gift to the Iranians. Yet that is what Secretary Pompeo would have you believe; that if we don't blindly support the Saudis' civil war inside Yemen, then that will be a win for the Iranians.

The reality is, while this civil war has been occurring, al-Qaida and ISIS have gotten stronger and more numerous. In fact, the greatest threat to the American homeland today comes from the wing of al-Qaida that is inside Yemen. This civil war that we have been helping to perpetuate is actually making our most sacred enemy even stronger inside that country.

Second, there has to be a line that is crossed in which our ally has gone too far, that we are not willing to follow. Clearly, that has happened in Saudi Arabia as they intentionally bomb schools and hospitals and schoolbuses. Just because we stand up and say: We are not willing to support you, Saudi Arabia, in your targeted bombing of civilians, that does not equally gift to Iran. We are still able to decide when we engage or not engage even with our allies.

Third, a lot of folks seem to believe there is some command-and-control relationship between the Iranians and the Houthis. They are, certainly, tied together. There are, certainly, weapons capabilities that have been gifted, granted, to the Houthis by the Iranians, but the Houthis are not Hezbollah. This is not a group of fighters that Iran controls. In fact, as the civil war goes on and on and gets deeper and deeper, the Houthis and the Iranians get closer and closer together. So as we continue to just feed enough support to the Saudis to keep the civil war going, we are actually perpetuating the very end we seek to avoid, which is the merger of the Iranian regime and the Houthi rebels. They are becoming closer and closer the longer and longer the United States becomes engaged in this conflict.

The Middle East is not a zero-sum game. You do not have to unconditionally back the Saudis in everything they ask of us simply because you

don't like the Iranians. That is not how the Middle East works. You can pick and choose the places in which you back up your ally—at no cost to your campaign—so as to try to delegitimize and reduce the influence of Iran.

Second, the claim is that this resolution, if it were to be agreed to, would hurt the negotiations that are scheduled for next month. False. It is exactly the opposite for two reasons.

One, the Saudis need to understand that our support is not unconditional, that they actually have to bend at the negotiating table. Right now, they don't believe they have to do that. In fact, over the course of this civil war, they have been, more often than not, the reluctant party in these negotiations because they believe that if negotiations fall apart and they return to a state of military hostilities, the United States will give them whatever they need. It is really important right now for the Saudis to understand, as they head into these negotiations, that if these negotiations don't succeed, there will be consequences.

Second, the idea that the Houthis are ready to give up the fight, that they are tired, is also false. There is no evidence of that. The Houthis don't believe the negotiation is real, so they are prepared to just fight it out. If the Houthis believe the United States is an honest broker here, that there is some point at which we are unwilling to follow the Saudis into battle as they continue to deliberately attack civilians inside Yemen, then the Houthis will be actually more willing to sit and talk at the negotiating table. Showing that there is some conditionality to our support for the Saudis, that there is some line on war crimes that they cross that is too far, is actually helpful in getting both of these parties closer together at the negotiating table.

Third, the claims that if this resolution were to be agreed to, it would hurt our work against al-Qaida and ISIS are absolutely false. Inside this resolution is an exclusion. What we say is, if there is an existing authorization for war inside Yemen, this resolution does not erase it. There is an existing authorization for any campaign anywhere in the world that the United States launches against al-Qaida. The administration and the prior administration, the Obama administration, have expanded the 9/11 AUMF to cover ISIS as well, so nothing in this resolution hurts our ability to go after al-Qaida and ISIS inside Yemen. All of those operations can continue, even if this is to be agreed to and becomes law.

Second, al-Qaida has been growing in strength. ISIS had no foothold in Yemen before this civil war. It is stronger today than it was 3 years ago because, once again, like we did in Iraq for 10 years and like we are doing in Syria, we are giving just enough help to the Saudis to keep the civil war going without actually ever being willing to give enough force so as to be dispositive on the ground. All we are

doing is lengthening the civil war. Nature abhors a vacuum, and in the vacuum that is created by that civil war, especially in the vast, ungovernable portions of Yemen, al-Qaida takes advantage, and ISIS continues to grow. Every day we continue to just keep this thing going, our sworn Sunni extremist enemies are getting stronger.

Lastly, the argument is made that if the United States is not involved with the Saudis, the humanitarian nightmare would be worse. How could it be worse? How is that a justification? There are 85,000 children under the age of 5 who have died of starvation and disease. There are 22 million people in the country, and three-quarters of the population cannot live without humanitarian assistance. The world's worst cholera epidemic in the history of the world is happening right now inside that country. Why? Because the Saudis have been deliberately hitting the water treatment facilities. I am not making this up. They have been targeting the water treatment facilities so you can't get clean water, so people get cholera.

Today, humanitarian supplies have been reduced by 50 percent to the Port of Hodeidah because, as we speak, the Saudis, with U.S. support, are bombing all around Hodeidah, and humanitarian agencies have cut off many of the supplies they would traditionally send into that capital. The humanitarian nightmare is getting worse right now, as we speak today, because this civil war continues to go on and on.

It can't get much worse than it is today, and there is no evidence that the U.S.' participation in this campaign has made it better. In fact, since we have been sitting inside these targeting centers, with U.S. personnel helping the Saudis pick targets, more civilians have been killed, not fewer. We actually pulled out of the targeting centers at the end of the Obama administration. The Obama administration made a determination in 2016 that we were potentially committing war crimes by being with the Saudis as they were choosing to hit the water treatment facilities, so they pulled our people out.

There is no evidence that during the time we were not in the targeting centers, the Saudis were hitting more civilian targets. In fact, the evidence tells us that the deeper we get involved in the targeting decisions, the more they hit civilian targets. There is a perfectly reasonable explanation for that. So long as they have the United States inside the tent, they have moral cover for hitting civilian targets. They can use us to say: Well, the United States was there. It was inside the room when these decisions were made, so it can't be that we are doing the kind of damage you say we are.

The evidence doesn't suggest the contrary. The evidence says, the contrary is true—of a 160-percent increase in civilians being killed just this year versus last year. So the Middle East

isn't a zero-sum game. The adoption of this resolution does not empower Iran. We are not obligated to follow the Saudis into every mistake they make.

Second, this resolution will not hurt negotiations. It will absolutely help negotiations by showing that the United States is going to be an honest broker. The Houthis are bad players. They have killed a lot of people. They have done a lot of damage inside that country. This is not just a question of what the Saudis have done. Seventy percent of the civilians have been killed by Saudi bombs, but the Houthis need to be held to account for what they have done as well. We need to be a broker of peace. This resolution will help us be a broker of peace.

Third, al-Qaida and ISIS can still be confronted, even if this resolution is agreed to, and the quicker this civil war ends, the less power they have.

Fourth, theoretically, maybe things could be worse. Maybe we could have 185,000 children under the age of 5 die from starvation and disease, but this is not a justification to just stay the course. We need to shake up the stalemate that exists today. We need to send a signal that the United States is not OK with the way the Saudis have perpetuated this war—frankly, the way they have lied to us over the course of the last several months about other things they are doing to quell dissent in and around the Kingdom. We need to send a message, but we also need to get the United States out of a conflict right now that is of no benefit to American national security and that has become a nightmare for people who are stuck in Yemen today.

I urge the adoption of the resolution. I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Vermont.

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

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

Mr. LEAHY. Mr. President, I ask unanimous consent that my remarks begin at this point and not a minute or so ago.

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

#### NOMINATION OF THOMAS FARR

Mr. LEAHY. Mr. President, as we all know, we have a constitutional obligation as U.S. Senators to provide advice and consent to a President's nominee. That is not advice and rubberstamp; it is advice and informed consent.

I do my best to scrutinize each nominee on the merits, regardless of party, and decide whether they deserve a lifetime appointment to our Federal bench. During my 44 years in the Senate, I have actually voted for more Republican nominated judges than almost

all but one or two Republican Senators in this body today.

The simple fact is, given Mr. Farr's track record of working to systematically dismantle the franchise for thousands of African-American voters, Thomas Farr becomes one of the most controversial nominees of either party I have ever encountered. Someone who has made a career out of attacking a sacred constitutional right, indeed the very right that gives democracy its name, simply does not belong on the Federal bench.

Let's begin with his role on Jesse Helms' Senate campaign in 1990—a campaign I remember very, very well. The Department of Justice alleged that Senator Helms' campaign sent thousands of postcards to every African-American precinct, falsely telling voters that they were ineligible to vote and threatening prosecution against those who did. Mr. Farr served as a top lawyer to Senator Helms at the time. He appears to have misled Congress about his role in that brazen voter suppression scheme. When Senate Judiciary Committee members asked Mr. Farr whether he knew about or had provided any counsel on the decision to send these postcards, Mr. Farr said he hadn't learned about their existence until after they were mailed out, but a former DOJ official has stated that Mr. Farr definitely knew about the postcards before they were sent out and that Mr. Farr's responses to Congress were just plain contrary to the facts.

Setting aside this outrageous attempt at voter suppression, each Senator in this Chamber should care whether the President's nominees tell the truth. If a nominee will not tell us the truth, especially when they are under oath, then they are unfit to take another oath—the oath of judicial office.

Mr. Farr's embrace of voter suppression appears only to have grown after his work on the Helms campaign. In 2013, he chose to defend North Carolina's racially restrictive voting law—a voting law that the Fourth Circuit struck down because it “target[ed] African Americans with almost surgical precision.” Undeterred, between 2014 and 2017, Mr. Farr again defended North Carolina legislature in numerous lawsuits alleging that it had racially gerrymandered its State house and senate map. In each of these cases, higher courts found North Carolina's gerrymandering to be unconstitutional.

There is a pattern here. It is deeply troubling. Mr. Farr has dedicated his skills as a lawyer to suppressing the right to vote for minorities. His refusal to acknowledge, under oath, his involvement in disenfranchisement operations makes him doubly unqualified for the Federal bench.

I urge all Senators who care about the right to vote and who care about the right of this body to hear the whole truth from a President's nominees, especially when they are under oath, to vote no on Mr. Farr's nomination.

As a child, I remember going into voting booths with my parents in Montpelier, Vermont, and watching them vote. They emphasized to me, my brother, and my sister how important it was to be able to vote, that democracy required it.

When our children were growing up, we said the same to them: Always vote. No matter who you vote for, vote. It is a sacred right.

I have been in countries where people fought revolutions, had family members die for their right to vote, but they all show up; everybody who is left shows up when they can vote. I want to think that my grandchildren will have the right to vote when they grow up, that all of my grandchildren—no matter what color their skin is—have the right to vote. That should be the same for everybody's child, everybody's grandchildren in this country.

Mr. Farr doesn't think that should be the case. He does not think people of color should be able to vote. That is wrong, and such a person does not deserve my vote or any other Senator's vote to sit on the Federal court.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COTTON).

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, I ask unanimous consent that the time of further quorum calls be equally divided between the two leaders.

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

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

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

#### SAUDI ARABIA BRIEFING

Mr. DURBIN. Mr. President, there was a classified briefing this morning that Members of the Senate were invited to on a bipartisan basis, Democrats and Republicans. It is rare. We don't do it very often. We do it when there is an important issue of national security and something else of great moment.

What we came to discuss today was Saudi Arabia, and that discussion really focused on our guests—the Secretary of State, Mr. Pompeo, and the Secretary of Defense, Mr. Mattis. They talked to us about our relationship with Saudi Arabia, for obvious reasons. Hardly anyone in the world could have missed what happened over the last several weeks when a man named

Khashoggi went into the consulate for Saudi Arabia in Istanbul and never came out.

We have a videotape that shows the Saudi citizen and American resident entering that building. For the longest time, there was a debate as to what actually happened to him. All sorts of stories were manufactured and fabricated. It turned out that the Turks had access to audio recordings of what actually happened inside that consulate. They eventually made them public, released them to the Government of Saudi Arabia as well as to the United States, and we came to learn that Mr. Khashoggi, a frequent critic of the Saudi royal family, was murdered. He walked into that consulate and never walked out alive. Some group flew in from Riyadh, Saudi Arabia, ambushed him, killed him, and, as hard it may be to believe, brought with them a bone saw so they could dismember him and take parts of his body out to be destroyed and buried somewhere in Turkey.

That story eventually emerged, and President Trump was confronted repeatedly: What are we going to do about this?

Saudi Arabia is supposed to be one of our allies. We have arms agreements with them. We are involved in a lot of things relative to energy and national security. For the longest time, the President was dismissive, saying: I have spoken to the royal family, and they have denied they had anything to do with it.

Well, that excuse worked for a while but not very long. Once the recordings were released by the Turks, once the world came to grips with what actually happened to Mr. Khashoggi, serious questions were raised about this outrageous abuse of human rights at the hands of the Saudi regime.

There is a lot of speculation back and forth about who ordered it and who knew about it. Those questions may never be answered. But we do know that some 15 to 17 people close to the Crown Prince in Saudi Arabia have been implicated to the point where the Trump administration finally acknowledged that we have to do something. We have to take a stand even when it involves a country that has been our ally in many circumstances.

If you read the history of Saudi Arabia's relationship with the United States, it has a lot to do with oil. For the longest time, we counted on the Middle East for oil. We looked the other way. We helped them, and they made a fortune in the process. The opulence of the royalty in Saudi Arabia rivals any royalty in the modern world, and the lavish lifestyles of the Saudi princes as they travel around the world has been well documented.

The United States has looked the other way many times because we needed the oil or we needed them as a strategic ally or a strategic partner. Those times have changed in some respects. We are becoming more energy

independent. We are not as dependent on Saudi Arabia as we once were for energy supplies to fuel our economy.

In the meantime, something else has happened within the Kingdom. There has been a transition of power to the Crown Prince, who is known as MBS. He is a young man in his thirties, and he announced when he came to power that he was going to make some real changes in Saudi Arabia. One big breakthrough he announced was that women would be allowed to drive cars. In the West, it is almost comical to think of that as a concession, but in Saudi Arabia, that is progress in a country that has been slow to give women recognition in roles they deserve.

Then he got engaged in foreign policy and started doing things that were hard to explain, one after the other. One of them was the decision to take the Prime Minister of Lebanon, Mr. Hariri, and, basically, to put him under house arrest when he visited from Lebanon in the Royal Kingdom and, then, to have a confrontational relationship with Qatar, a country that we rely on for our military basing and support in the region. Then, of course, there is what brings us to the floor later this afternoon for an important—maybe historic—vote. He decided that the Saudis would invade Yemen because they believed the Iranians were establishing a power base there and because there was aggression from Yemen against Saudi Arabia.

That decision to begin this war in Yemen sometime in the recent past resulted in outcomes that no one could have predicted. There are about 28 million people who live in Yemen. We estimate that 14 million of them, half of the people living in that country, are subjected now to a famine that threatens their very lives. We know that over 80,000 children have been killed so far in the war in Yemen.

What is the role of the United States? Well, it is hard to define it in specific terms. At one point—I think it has been discontinued now—we were fueling the bombers the Saudis sent into Yemen, releasing the bombs that killed civilian populations and other innocent people. At one point—I think it is still the case—we were assisting them in targeting the areas in Yemen where they were going to drop their bombs.

So the United States has not been on the sidelines. We have been involved. Our military, the best in the world, has been involved in helping the Saudis with this invasion of Yemen. They have discontinued, I understand, the fueling mission, but other things continue.

The question we have to ask ourselves now is this: Why are we there? By what constitutional authority? It is this little book here that is supposed to guide our conduct. By what constitutional authority is this administration and the Department of Defense waging a war in Yemen? It isn't because of any

vote on the floor of the U.S. Senate or the House of Representatives, though the Constitution is explicit that the declaration of war is in the hands of Congress—really, in the hands of the American people through Congress. In this case, whatever is going on in Yemen has never been expressly approved.

What they hearkened back to was a measure that was passed on the floor of the Senate 17 years ago, and I remember because I was here. It was after 9/11. Who will ever forget that? Three thousand innocent Americans were killed by terrorists who crashed planes into the World Trade Center in New York and into a field in Pennsylvania. Do you know the nationality of the terrorists who were on those planes, the ones who commandeered them and killed those innocent Americans? Saudis. They were all Saudis.

Yet we passed this resolution saying the United States can use force to retaliate against them, and I voted for it. We found them in Afghanistan. We went after them. But could anyone have possibly imagined that that vote 17 years ago gave authority to our government today to engage in a war in Yemen?

True, there are terrorists on the ground in almost every country in the Middle East, and you could justify our military involvement by saying we are fighting terrorism. But let's be honest. This Constitution did not want a generic declaration of war. It wanted us to be careful when we chose those battlegrounds.

So today we had a briefing by the Secretary of State, Mr. Pompeo, which I cannot recount in detail because it was in a classified setting, but we do know this. This morning, that same Secretary of State authored an article in the Wall Street Journal about this issue. It is entitled "The U.S.-Saudi Partnership is Vital," by Secretary of State Mike Pompeo. I would like to read the opening paragraph of Secretary of State Pompeo's statement. When it comes to our relationship with Saudi Arabia and the war in Yemen, here is what he wrote:

The Trump administration's effort to rebuild the U.S.-Saudi Arabia partnership isn't popular in the salons of Washington, where politicians of both parties have long used the kingdom's human-rights record to call for the alliance's downgrading. The October murder of Saudi national Jamal Khashoggi in Turkey has heightened the Capitol Hill caterwauling and media pile-on. But degrading U.S.-Saudi ties would be a grave mistake for the national security of the U.S. and its allies.

It is a long article. Read it in its entirety and draw your own conclusions, but the first paragraph sets the tone. We are not discussing our role with Saudi Arabia in the salons of Washington. We are discussing them on the floor of the U.S. Senate. Why? Because we were elected to do just that.

The American people entrust us with the foreign policy of the United States and decisions that need to be made

about whether we commit American tax dollars or American lives in a military conflict. It isn't some group of academics in a salon. It is Members of the U.S. Senate, duly elected, who are facing their responsibility to debate it today.

Listen to these terms that the Secretary of State uses: "The October murder of Saudi national Jamal Khashoggi has heightened the Capitol Hill caterwauling and media pile-on."

"Caterwauling"—you don't run into that word much, do you? I went to look it up to make sure I understood it. It is the shrieking of cats when they are in a fight.

So the national reaction—the international reaction—to the cold-blooded murder of an American resident, a Saudi citizen and the dismemberment of his body and its disposal in ways we couldn't even explain is "caterwauling"? To me, it is a reflection of your values, and, rightfully, people around the world are protesting that this sort of activity could happen.

That is why we are bringing this measure before the Senate this afternoon. I see my colleague from Indiana is here. I thank him for his leadership.

I will close with this. I am reluctant to display this picture, though it was on the front page of a major newspaper in the United States. But I want those who wonder why we are in this debate and why we are caterwauling about this assassination of Mr. Khashoggi to understand what is really the issue that we are debating and voting on.

Amal Hussain died at the age of 7 in Yemen. "My heart is broken," her mother said. She died just a few days after the picture was taken. She is a victim of famine in Yemen. This is what the decision is all about on the floor of the U.S. Senate. Will we continue to expend American taxpayer dollars—even American lives—in support of the Saudi regime and their invasion in the war in Yemen?

I understand the threat of Iran, and I understand we have to stand up to their aggression when and where it takes place. But did we enlist in this war? Did the American people have a national debate about this war? Did we vote in the Senate to engage in this war? The answer is, clearly, no.

I will be supporting this resolution that will be coming before us this afternoon. I thank my friend from Indiana for waiting an additional moment while I completed my remarks.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

#### NOMINATION OF KATHLEEN KRANINGER

Mr. PETERS. Mr. President, I rise today in opposition to the nomination of Kathleen Kraninger to be Director of the Consumer Financial Protection Bureau, or CFPB.

This is one of the most important positions in our entire government—a job that is dedicated to protecting consumers from fraudsters, from predatory lending, and from dangerous financial

products that can drive families to bankruptcy.

Ms. Kraninger does not have the experience or the values to hold such an important job. In fact, she has fully endorsed this administration's ongoing efforts to systematically dismantle protections for consumers.

This time last year, I led over 40 of my colleagues in writing to the President urging him to nominate a professional, bipartisan expert with a proven record of being tough on financial institutions that rip off consumers. Instead, this administration has spent the past year working to gut the CFPB under Interim Director Mulvaney. They have frozen data collection of consumer complaints and undermined enforcement tools. They have slow-walked enforcement actions and weakened protections for our servicemembers and seniors. They have stripped the Fair Lending Office of enforcement powers and closed the Office of Students and Young Consumers. Ms. Kraninger supports all of these actions, and all of these actions run contrary to the mission and to the purpose of the Consumer Financial Protection Bureau.

This nominee is not a bipartisan professional with a proven record of financial enforcement. She is a politically driven choice who will dismantle protections for the men and women currently serving in our military, and for our veterans, our students, our seniors, and all American consumers.

I had the honor of serving on the Dodd-Frank conference committee, where we finalized the strongest Wall Street reform bill in a generation and created the CFPB. I have spent the past decade defending the CFPB from one attack after another—efforts to cut off its funding, efforts to make it harder for them to hire qualified staff, and efforts to make it harder for them to put in place important new protections for the American people.

It is unconscionable that this administration will now spend the coming years attacking the CFPB from within by putting in place leadership that fundamentally does not believe in protecting consumers. We need to hold financial bad actors and special interests accountable, not let them set the CFPB's agenda.

My Democratic colleagues and I told the President this a year ago, and I will say it again. The Nation needs a professional, bipartisan expert with a proven record of being tough on financial bad actors to run the CFPB. We must have a Director who is focused on the prosperity of all American families and not payday lenders and fraudsters.

Ms. Kraninger does not meet the standard. So I will oppose her nomination, and I urge my colleagues to join me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, I rise today to discuss my vote on the motion

to discharge S.J. Res. 54. This resolution is a joint resolution to direct the removal of the U.S. Armed Forces from hostilities in the Republic of Yemen that have not been authorized by this Congress.

As my colleagues well know, since March of 2017, I have focused on the humanitarian crisis in Yemen and ending the civil war that has made it so much worse. During that time period, I have spent as much time as anyone I can conceive of here on Capitol Hill focusing on this humanitarian tragedy in Yemen—this national security disaster. I have studied all sides of this issue and have tried to approach it with the seriousness it deserves.

Before saying where I am going to come down on today's vote, I wish to discuss why I opposed S.J. Res. 54 in March, what has happened since then, and why I plan to vote the way I do today.

In March, I voted to table S.J. Res. 54. In a speech here on the Senate floor on March 20, I explained my three reasons for doing so at that time.

First, I expressed concern that the bill hadn't been considered and marked up by the Senate Foreign Relations Committee, of which I am a member.

Second, I said that it would never become law because the administration has threatened to veto it, and even if Congress were able to override a veto, I said it would fail to achieve its stated objective, because the administration rejects the premise that the legislation is related to hostilities in Yemen.

Third, I said I wanted to introduce legislation that could actually pass and provide the administration with the leverage it needs to pressure the Government of Saudi Arabia to do two things: No. 1, end the civil war in Yemen, and, No. 2, improve the humanitarian situation.

What has transpired since then? Well, I, along with Senators SHAHEEN, COLLINS, and COONS, introduced S.J. Res. 58 on April 11.

Our bill required the Secretary of State to repeatedly certify the Government of Saudi Arabia is taking urgent steps to end the civil war in Yemen, alleviate the humanitarian crisis, and reduce the risk to civilians. If he cannot make these written, detailed, and unclassified certifications, the legislation would prohibit U.S. air refueling for Saudi-led coalition aircraft, conducting missions exclusively focused on the civil war in Yemen.

We, in a bipartisan way, worked successfully to ensure the Senate Foreign Relations Committee and the Senate Armed Services Committee passed versions of our legislation. We then worked, in a bipartisan way, to ensure it was included in the National Defense Authorization Act as section 1290, which the President of the United States signed into law.

In September, pursuant to section 1290, Secretary of State Pompeo sent to

Congress the required submission regarding Saudi actions in Yemen. Secretary Pompeo chose not to use the national security waiver and instead certified that Saudi Arabia was indeed taking urgent steps to end the civil war in Yemen, to alleviate the humanitarian crisis, and to reduce risk to civilians.

There were numerous problems with the Secretary of State's certifications. No. 1, the Secretary certified that Saudi Arabia was undertaking demonstrable actions to reduce the risk of harm to civilians and civilian infrastructure resulting from military operations in Yemen. That was not a credible certification because we saw in the preceding months a dramatic increase in civilian casualties and deaths.

No. 2, the Secretary certified that the Saudis were complying with applicable agreements and laws regulating defense articles purchased or transferred from the United States. That also was not a credible certification because the Secretary's own memorandum of justification for the section 1290 submission explicitly said the Saudis were not doing so. The document was directly and explicitly self-contradictory.

In summary, as a group of us wrote in a letter I led on October 10 to our Secretary of State, it was "difficult to reconcile known facts with at least two of [the] certifications." In other words, the Secretary's September section 1290 certification—the law of the land, a statute signed into law by the President of the United States—was not credible.

Despite repeated requests for answers to our questions regarding Saudi Arabia and Yemen, we couldn't get responsive or timely answers from the administration. After repeatedly calling for the administration to do so, I appreciated the decision to no longer provide air refueling to the Saudis in Yemen. Again, I appreciated that decision. However, I was disappointed the administration didn't use section 1290 to end the air refueling.

Why is this important? Such an approach would have demonstrated respect for the law and this article I branch of government. It would have also provided the administration additional leverage to persuade the Saudis to support our objectives—not the Saudi's objectives, our objectives—in Yemen.

I also thought the claim the Saudis requested to end the refueling was, shall I say, lamentable. In our October 10 letter, seven of us—again, a bipartisan group—asked for answers on a number of questions related to Saudi Arabia and Yemen and the section 1290 certification. We asked for a response by October 31.

Failing to receive those answers from the administration on November 15, more than 2 weeks after that deadline, I worked with Ranking Member MENENDEZ to introduce the Saudi Arabia Accountability and Yemen Act of

2018, S. 3652. Among other things, this bill seeks to ensure effective congressional oversight of U.S. policy on Yemen, provide leverage to push the stakeholders in Yemen's civil war toward a political process, and address the world's worst humanitarian crisis. I am told this is the worst crisis since the 1940s.

Yesterday, the day before a potential vote on this legislation, we finally received a response to the October 10 letter. It was late, and it was unresponsive. For me, the briefing today with Secretaries Pompeo and Mattis, though appreciated, raised more questions than it answered.

Let me now turn to today's vote. Recall my reasons for voting to table this bill in March. I wanted legislation to go through the Foreign Relations Committee, and I wanted something that could actually become law. With the support of the chairman and the ranking member, that is exactly what we did with my legislation, which ultimately became section 1290 of the Defense bill and was signed into law.

Unfortunately, as I have laid out, the administration did not take that law seriously, and it submitted a certification with highly troubling and problematic elements. That puts me in a very different place than last March. Plus, with 14 million people on the verge of starvation in Yemen and things getting worse by the day, there is no time to lose. I believe the Senate must speak clearly that we expect all parties—all parties—to the civil war to come urgently to the negotiating table to end the civil war.

Let me lay out my thoughts on Iran in the big picture. There is, of course, Iranian influence in Yemen. Iran is the world's worst state sponsor of terrorism, and Iran has played an immoral and illegal role in Yemen. I will take a backseat to no one as an Iran hawk.

I have studied the situation in Yemen as closely as anyone, and I believe the best way to oppose Iran and Yemen and stop ballistic missile attacks on our partners is to bring all parties to the negotiating table, to end this civil war, and to address the humanitarian crisis.

Famine and the indiscriminate targeting of civilians will only push more Yemenis toward Iran and its proxies, giving Tehran increased opportunities to threaten Americans, our allies, and our interests.

If you are not sure about this, ask yourself the following questions: Does Iran have more or less influence in Yemen now than it did a year ago or than it did when the civil war started? Will Iran have more or less influence in Yemen if the civil war continues indefinitely?

Solely from an anti-Iran perspective, I think an objective assessment of those questions demonstrates the need to end the civil war and the need to pursue an inclusive political solution that seeks to drive a wedge between the Houthis and Tehran.

In addition, there is no way we are going to make any real or sustainable progress in the world's worst humanitarian crisis unless we end the civil war. Ending the civil war would also allow us to focus more effectively on isolating and killing members of ISIS and al-Qaida in the Arabian Peninsula in Yemen.

To counter Iran, to help 14 million people on the verge of starvation, and to more effectively go after ISIS and AQAP, we need the civil war over now. The United States has leverage with the Saudis to help bring this about, and we need to use all of that leverage immediately. We have not done so thus far.

Since March of 2017, I have tried to give the administration all the leverage it needs to accomplish the outcomes I have laid out. The administration has failed to fully utilize the leverage I provided, and so I have no choice. Based on that history, based on those facts, based on our national security interests, based on our humanitarian principles, I plan to support S.J. Res. 54 today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to express my concern about the continued violence and humanitarian crisis in Yemen and to share my views on the resolution that is currently before us. The conflict in Yemen has persisted for far too long. I strongly support the efforts of the U.N. Special Envoy for Yemen, Martin Griffiths, to bring the internationally recognized Government of Yemen and the Houthis to the negotiating table in the near future, with the goal of reaching a sustainable political solution. I also welcome the call by Secretary Mattis and others for a cease-fire that would provide space for such negotiations to occur while also providing a measure of relief to the Yemeni population that has suffered so horrifically during this conflict.

According to the United Nations, half of Yemen's population—approximately 14 million people—are on the brink of famine and entirely reliant on external aid for their own survival. These challenges have been exacerbated by mass displacement in much of the country and recent fighting in the vicinity of Hudaydah—one of Yemen's only functioning ports through which approximately 70 percent of Yemen's food and other supplies enter the country. Even when food is available for purchase, reports indicate that currency inflation has made it too expensive for most Yemenis to afford. More must be done by both the coalition and the Houthis to facilitate the flow of humanitarian aid into and throughout Yemen.

I also have significant concerns about persistent reports of civilian casualties and damage to civilian infrastructure in Yemen caused by both the Houthis and the coalition of Armed Forces led primarily by Saudi Arabia and the United Arab Emirates, UAE.



According to the United Nations, there have been nearly 17,000 documented civilian casualties since the beginning of the conflict, although that number is likely much higher given the difficulty of investigating such incidents in a conflict zone. Most of these casualties have been the result of airstrikes led by the Saudi-led coalition.

Unfortunately, well-intentioned efforts by the United States to help the coalition avoid civilian casualties have not produced sufficient results. Far too many of the strikes by the coalition have killed or injured civilians and resulted in the destruction of infrastructure needed to provide basic services to the population, thereby exacerbating the humanitarian crisis.

Secretary Pompeo's September certification that the coalition is taking demonstrable action—in his words—to reduce the risk to civilians does not seem to be borne out by the facts on the ground. According to reports, civilian casualty incidents increased dramatically over the summer. Indeed, Secretary Pompeo's own certification acknowledged that "recent civilian casualty incidents indicate insufficient implementation reforms and targeting processes" and "investigations have not yielded accountability measures" into the behavior of coalition pilots flying missions into Yemen.

Any U.S. support to the Saudi-led coalition needs to be considered in a thoughtful and deliberate manner. From a policy perspective, we should distinguish between assistance that is provided for defensive or noncombat purposes and that which could be used to enable offensive military operations in the Yemeni civil war. I strongly support the recent announcement by Secretary of Defense Mattis that the U.S. would no longer provide aerial refueling support to the Saudi-led coalition—an outcome I have long advocated for.

Earlier this year, I led an effort with Senator BLUMENTHAL and a number of other colleagues to raise concern about the apparent inability of the Department of Defense to account for the required reimbursements from members of the Saudi-led coalition for aerial refueling support provided by the United States. We were informed yesterday afternoon that, as a result of our inquiry, the Department has found errors in accounting and will now be seeking full reimbursement from Saudi Arabia and UAE for aerial refueling support provided from March 2015 through September of this year—an action that is expected to recover millions of dollars in U.S. taxpayer funds.

Going forward, I believe that any U.S. assistance to members of the Saudi-led coalition should be explicitly limited to the following objectives: first, enabling counterterrorism operations against al-Qaida and ISIS; second, defending the territorial integrity of Saudi Arabia and the UAE, including against ballistic missile and UAV threats; third, preserving freedom of navigation in the maritime environ-

ment around Yemen; and fourth, enhancing the training and professionalism of their armed forces, with a primary focus on the adherence to the law of armed conflict and the prevention of civilian casualties.

With particular regard to defense against ballistic missile and UAV threats, the United States cannot be in the position of providing targeting information in Yemen that would be misused by Saudi or UAE forces either deliberately or through carelessness.

I recently joined a bipartisan group of colleagues in introducing a bill that would advance these principles. Among other things, the bill would suspend offensive weapon sales to Saudi Arabia, prohibit a resumption of U.S. refueling of Saudi-led coalition aircraft, and require sanctions for persons blocking humanitarian access and those who are supporting the Houthis in Yemen. I believe these actions would contribute to a resolution of the conflict in Yemen by making the best use of the tools and leverage available to the United States.

The United States can and should engage with the Saudi-led coalition if there is a possibility that we can help minimize collateral damage by providing them with training and advice on best practices. To date, such engagement by U.S. military personnel has resulted in the incorporation of a no-strike list into target development procedures, a cessation of the use of cluster munitions, and the formation of a joint assessment team to investigate strikes that result in collateral damage. These are positive steps, but it is clear that the coalition has not sufficiently minimized the impact of the war on Yemeni civilians, and more must be done.

Both Saudi Arabia and the UAE face a significant threat from Houthi rebels armed with ballistic missiles—apparently with the technical assistance of Iran. There have reportedly been dozens of such attacks against Saudi Arabia since the spring of 2015, including against numerous civilian targets. I support the right of our partners to defend themselves from these threats and believe that continued sharing of U.S. intelligence for strictly defensive purposes—not to be used as an excuse for offensive operations in Yemen—is appropriate.

I continue to support U.S. engagement for the purposes and in accordance with the principles outlined above—activities that I do not believe conflict with the War Powers Resolution. The resolution before us would make clear that Congress does not support the introduction of U.S. forces into hostilities in Yemen absent an affirmative authorization for the use of military force. I commend my colleagues—Senators Sanders, Murphy, and Lee—for their continued efforts to keep focus on the need to bring an end to the violence in Yemen.

When we last considered this resolution 8 months ago, I was hopeful that a

negotiated settlement to the conflict was attainable and expressed concern about the possibility of escalation. I also hoped that the principles I articulated above could be rigorously adhered to. Unfortunately, since that time, fighting in Yemen has continued to intensify, civilian casualty incidents have risen, and the humanitarian crisis has only worsened. The status quo cannot persist, and the Senate should take every opportunity to make its views clear. For that reason, I intend to support this resolution.

Moreover, the administration must make it clear to both the Saudi-led coalition and the Houthis that there is no military solution to this conflict and that the time has come to reach a negotiated settlement. The conflict in Yemen has negatively impacted the strategic security interests of the Saudis, the Emiratis, and the United States. It has emboldened Iran and relieved pressure on al-Qaida and ISIS. Most importantly, the conflict has resulted in the largest humanitarian disaster facing the world in recent memory. It is time for this war to stop.

It is also appropriate to reassess our relationship with Saudi Arabia in response to the brazen murder of Jamal Khashoggi and other violations of human rights. We must ensure that all individuals who played a role in directing, planning, and carrying out the murder are held accountable. Despite denials by the President, it is inconceivable to me that such an operation would be conducted without at least the awareness of Crown Prince Muhammed bin Salman—if not in its planning, then certainly in its immediate aftermath. The Crown Prince effectively controls all levers of power in Saudi Arabia, and it is no coincidence that those who have been publicly identified as most directly responsible for the murder included his closest adviser and numerous members of the Saudi Royal Guard. If the Saudis are now being honest—despite repeated denials and shifting explanations for the disappearance of Khashoggi—then they should voluntarily submit to an independent international investigation.

President Trump should also publicly release a declassified assessment of our intelligence community with respect to what role Saudi Crown Prince Muhammed bin Salman and other Saudi leaders had in the murder.

Finally, the Senate should immediately take up and pass the bipartisan Saudi Arabia Accountability and Yemen Act of 2018, which is comprehensive legislation to ensure effective congressional oversight of U.S. policy toward Saudi Arabia and Yemen, and demand meaningful accountability for the murder of Jamal Khashoggi.

I yield the floor.

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

The PRESIDING OFFICER (Mr. TOOMEY). 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.

Mr. LEE. Mr. President, I stood before this body in March of this year to protest our country's unconstitutional intervention in Saudi Arabia's bloody war in Yemen. I was proud to stand with my colleagues, Senators SANDERS and MURPHY, to file a discharge motion of our resolution, S.J. Res. 54, which would remove U.S. Armed Forces from Yemen.

At that time, members of the Foreign Relations Committee requested additional time to study the issue and to debate the resolution in the Foreign Relations Committee. The chairman of that committee, my friend and colleague from Tennessee, Senator CORKER, requested this with the commitment to "bring forth legislation to actually appropriately deal with many of the issues relative to Yemen, Saudi Arabia, and ourselves." So with that, the Senate voted to table the motion.

Since then, the committee has held a hearing on this issue and introduced a separate bipartisan bill to address it, but no further action has been taken.

So today, 8 months later, the bloodshed continues, still abetted by the United States, even amidst further revelations of Saudi depravity. It is long past overdue that Congress remove U.S. forces from Yemen, as recent circumstances only confirm. Today, we have a chance to remedy our course of action and to do what the Constitution and justice demand.

The situation in Yemen is dire. The war has killed tens of thousands of innocent civilians—human beings, lest we forget—each one of them possessing immeasurable dignity and inherent worth. It has created refugees, orphans, widows, and has also displaced countless families.

The numbers and the inhumanity are staggering—nothing short of it. Since 2015, more than 10,000 civilians have died, and 40,000 have been wounded. In an attack just a few months ago, a bomb was dropped on a school bus that killed 40 young boys who were on a school trip and wounded another 56 children.

What few Americans knew until recently is that the U.S. military has actually been making the crisis worse by helping one side bomb these innocent civilians. So how did we get entangled in this crisis to begin with?

In March of 2015, Saudi Arabia launched a war against the Houthi rebels shortly after the Houthis ousted the Saudi-backed government in the capital city of Sanaa. The Obama administration, without consulting Congress, quickly authorized U.S. military forces to provide "logistical and intelligence support" to the Saudi-led coalition. U.S. military support has continued since then, including midair refueling, surveillance, reconnaissance information, and target selection assist-

ance. In other words, we have been supporting and actively participating in the activities of war in Yemen.

But article I, section 8 of the Constitution states that Congress shall have the power to declare war—Congress, not the President, not the Pentagon, not someone else in the executive branch, not any other part of government but Congress. The Founders could not have been any clearer about this.

They did so with very good reason. The Founders set up our system of government in such a way as to protect the people from the dangers associated with the excessive accumulation of power in the hands of the few. We know from experience and we knew then from our young Nation's experience under British rule that bad things happen, especially on a national level, when too few people exercise too much power and that power goes unchecked. Nowhere is this more evident than in the case of the power to declare war.

So the Founders placed that war power squarely in the legislative branch, the branch where honest, open, and public debate is supposed to happen and the branch that is held most accountable to the people through elections at the most regular intervals.

As Alexander Hamilton pointed out in Federalist Paper 69, this power would not be exercised by the executive branch so that it would be less likely to be abused, just as it was when the King of England acted in and of himself, by himself, to send his country—and ours, for that matter—into war.

Now, some opponents of our resolution claim that our involvement in Yemen is somehow constitutionally justified under the War Powers Act of 1973. This isn't true. It is true that the War Powers Act makes it possible for the executive branch of government acting alone to use Armed Forces in cases of emergencies and subject to certain limited, defined time constraints. But the conflict in Yemen by no means—in no way, shape, or form—constitutes a threat to the safety of American citizens. Our involvement has far surpassed the allotted emergency time constraint.

The Houthis, while no friends of ours, are a regional rebel group that does not itself threaten American national security. In fact, the longer we fight against them, the more reason we give them to hate America and embrace the opportunists who are our true enemy in the region—Iran. The more we prolong the activities that destabilize the region, the longer we harm our own interests in terms of trade and broader regional security.

The War Powers Act also states that the assignment of U.S. Armed Forces to coordinate or participate in hostilities of a foreign country constitutes a conflict of war. Some have argued that we have not been engaging in hostilities and therefore have not violated the War Powers Act, but this claim, too, falls flat on its face. We have spe-

cifically aided the Saudi coalition with midair refueling and target selection assistance. As Defense Secretary Jim Mattis himself said in December of 2017, our military is helping the Saudis "make certain [they] hit the right thing." In other words, we are helping a foreign power bomb its adversaries. If that doesn't constitute hostilities, I don't know what does.

Finally, some critics say that this resolution would somehow hurt our efforts to combat terrorism in the region, specifically, al-Qaida and ISIS. However, the resolution explicitly states that it would not impede the military's ability to fight these terror groups.

In fact, the U.S. effort in Yemen has arguably undermined the effort against al-Qaida's affiliates. The State Department's country reports on terrorism for 2016 found that the conflict between the Saudi-led forces and the Houthi insurgents has helped al-Qaida in the Arabia peninsula—AQAP—and ISIS's Yemen branch to "deepen their inroads across much of the country."

It appears that our involvement in Yemen accomplishes no good at all—only harm, and serious consequential harm at that.

The situation in Yemen now poses a true humanitarian crisis. The country is on the brink of rampant disease and mass starvation. An estimated 15 million people don't have access to clean water and sanitation, and 17 million don't have access to food. More innocent lives are being lost every single day.

My position on this has not changed for the past 8 months, but with the taking of another innocent life—that of Jamal Khashoggi—the circumstances have only further deteriorated.

Intelligence suggests, despite his repeated denials, that the Crown Prince of Saudi Arabia himself ordered the murder. Saudi Arabia's moral depravity has only been made plainer.

This is not an ally that deserves our support or military intervention on its behalf, especially when our own security is not itself on the line. On the contrary, to continue supporting them in this war would be bad diplomacy and undermine our very credibility.

U.S. intervention in Yemen is unauthorized, unconstitutional, and immoral. We must not—we cannot—delay voting to end our involvement and our support of Saudi Arabia any further. If we do, we have ourselves to blame for our country's lost credibility on the world stage, and, more importantly, our own consciences will bear the blame for the thousands of lives that will surely continue to be lost.

The Founding Fathers had incredible wisdom in requiring these issues—issues of American blood and American treasure—to be debated and discussed between two equal branches of government. They understood that matters of war and alliances must constantly be reconsidered and reevaluated—and in an open, honest, and public manner.



That is one of our most solemn duties in this body, and it is the opportunity that lies squarely before us today.

We owe it to the sons and daughters of the American people who put their sons and daughters in harm's way to defend us. We owe it to their parents and their families, and we owe it to ourselves, who have taken an oath to uphold, protect, and defend the Constitution of the United States.

I urge my colleagues to vote in favor of the motion to discharge the resolution.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. I ask unanimous consent to speak for up to 10 minutes.

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

Mr. SANDERS. Mr. President, let me thank Senator LEE for his leadership on this resolution. At a time when many bemoan the lack of bipartisanship, we are seeing it here—people coming together around an issue of enormous concern. I want to thank Senator LEE and Senator CHRIS MURPHY of Connecticut, also one of the leaders in this effort, and the other 17 cosponsors of this resolution.

In one-half hour or so, we are going to be casting one of the most important foreign policy votes that we have cast in recent years. It is a vote to demand that the humanitarian crisis in Yemen be addressed. It is a vote that will tell the despotic dictatorship in Saudi Arabia that we will no longer be part of their destructive military adventurism. It is a vote, as Senator LEE just mentioned, that says that the Senate respects the Constitution of the United States and understands that the issue of war-making—of going to war, putting our young men and women's lives at stake—is something determined by the Congress, not the President of the United States. It is a congressional decision, not a Presidential decision, whether that President is a Democrat or a Republican.

In March of 2015, under the leadership of Muhammed bin Salman—then Saudi Defense Minister and now the Crown Prince—Saudi Arabia and the United Arab Emirates intervened in Yemen's ongoing civil war.

Let's be clear. Yemen has been a poor and struggling country for many years, but as a result of the Saudi-led intervention, Yemen is now experiencing the worst humanitarian disaster in the entire world.

In one of the poorest countries on Earth, as a result of this war—according to the Save the Children organization—some 85,000 children have already starved to death and millions more face death, face starvation, if this war continues.

According to the United Nations, Yemen is at risk of the most severe famine in more than 100 years, with some 14 million people facing starvation.

Further, Yemen is currently experiencing the worst cholera outbreak in the world, with as many as 10,000 new cases developing every week, according to the World Health Organization. Cholera is a disease spread by infected water that causes severe diarrhea and dehydration and will only accelerate the death rate and the misery in that country. The cholera outbreak, as it happens, has occurred because Saudi bombs have destroyed Yemen's water infrastructure, and people are no longer able to access clean water.

The fact is that the United States, with limited media attention, has been Saudi Arabia's partner in this horrific war. We have been providing the bombs that the Saudi-led coalition is using. We have been refueling their planes before they drop those bombs. We have been assisting with intelligence.

In too many cases, our weapons are used to kill civilians. As is now well known, in August there was an American-made bomb that obliterated a schoolbus full of young boys, killing dozens and wounding many more. A CNN report found evidence that American weapons have been used in a string of such deadly attacks on civilians since the war began. According to the independent monitoring group Yemen Data Project, between March 2015 and March 2018, more than 30 percent of the Saudi-led coalition's targets have been nonmilitary.

A few weeks ago, I met with some brave human rights activists from Yemen, and they are urging Congress to put a stop to this war. They told me that when Yemenis see "Made in U.S.A." on the bombs that are killing them, it tells them that the U.S.A. is responsible for this war, and that is the sad truth. This is not the message the United States of America should be sending to the world.

The bottom line is that the United States should not be supporting a catastrophic war led by a despotic regime with a dangerous and irresponsible military policy. Above and beyond the humanitarian crisis, this war has been a disaster for our national security and the security of our allies.

The administration defends our engagement in Yemen by overstating Iranian support for the Houthi rebels. While Iran's support for Houthis is of serious concern to all of us, the fact is that the relationship between Iran and the Houthis has only been strengthened with the intensification of this war. The war is creating the very problem the administration claims to want to solve. The war is also undermining the broader effort against violent extremists. A 2016 State Department report found that the conflict had helped al-Qaida and the Islamic State's Yemen branch "deepen their inroads across much of the country."

This war is both a humanitarian disaster and a strategic disaster in our fight against international terrorism. Further, let's never forget that Saudi Arabia is an undemocratic monarchy

controlled by one family—the Saud family.

In a 2017 report by the conservative Cato Institute, Saudi Arabia was ranked 149th out of 159 countries in terms of freedom and human rights. For decades, the Saudis have funded schools, mosques, and preachers who promote an extreme form of Islam called Wahabbism. In Saudi Arabia today, women are treated as third-class citizens. Women still need the permission of a male guardian to go to school or to get a job, have to follow a strict dress code, and can be stoned to death for adultery or flogged for spending time in the company of a man who is not their relative. Earlier this year, Saudi activist Loujain al-Hathloul—a leader in the fight for women's rights—was kidnapped from Abu Dhabi and forced to return to Saudi Arabia. She is currently being held without charges. The same is true of many other Saudi political activists.

Sadly, President Trump continues to proclaim his love and affection for the Saudi regime. The brutality and lawlessness of that regime was made clear to the whole world with the murder of dissident Saudi journalist Jamal Khashoggi in the Saudi consulate in Turkey. Pathetically, as part of his continuing respect for authoritarian regimes around the world, President Trump rejected the findings of the CIA's assessment that the Saudi Crown Prince was responsible for that murder.

Finally, an issue that has long been the concern of many of us—and Senator LEE touched on that very thoughtfully—it is the Congress, not the President of the United States, who, under our Constitution, has war-making responsibility. For too long, under Democratic and Republican Presidents, we have abdicated that responsibility.

Today, I say to my conservative friends: Respect the Constitution. Reclaim Congress's rightful role on the issues of war and peace. Congress has not authorized the war in Yemen; therefore, that war is unconstitutional, and that must change and must change now.

In a few minutes, we are going to undertake a very important vote, and I hope that all of my colleagues—Democrats, Republicans, Independents—will vote to discharge this resolution.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I know Senator INHOFE is trying to get to fly home. Do we know the order here?

The PRESIDING OFFICER. There is no consent request setting up an order.

Mr. MENENDEZ. Mr. President, I am happy to yield to the chairman.

I understand Senator INHOFE wants to speak to this issue.

Mr. CORKER. No.

Mr. MENENDEZ. No, he doesn't want to speak to this issue.

I am happy to yield to the chairman, or I am ready to go—whichever way you want.

Mr. CORKER. We will both speak very briefly. Why don't you go ahead, and then I will go.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise today to speak to S.J. Res. 54, legislation brought forward by Senators Lee, Sanders, and Murphy more than 8 months ago. The past 2 years have reminded us time and again of the urgent responsibility of Congress to perform real checks and balances and to steadfastly defend our American values both at home and abroad. I thank them for their continued efforts throughout these intervening months to shed light on the devastating humanitarian crisis in Yemen and to make sure this body fulfills its oversight duties.

Over the last 3½ years, the tragic humanitarian crisis in Yemen has continued to deteriorate. More than 10,000 people are dead and 14 million people are on the brink of starvation. We have seen the heartbreaking photos of malnourished starving children on the brink of death. We have learned from U.N. reports of the cholera outbreaks that jeopardize more than 10,000 people every week. We have come to the conclusion that the status quo cannot stand.

Back in March, I joined a majority of my colleagues in voting to table this resolution with the understanding that the Senate Foreign Relations Committee would hold hearings to fully weigh our options in Yemen and the hope that the administration would strategically leverage our limited military support for the Saudi coalition to lessen civilian casualties, to influence a potential political settlement, or at the very least prevent the situation from getting worse.

At the time, I also made clear to this body, to the President, and to the Saudi Government that our relationship and our limited military support was not and is not a blank check. I had hoped the administration would provide convincing evidence that our military support was, in fact, reducing civilian casualties—a goal we heard repeatedly emphasized by U.S. officials. I had hoped the administration would use this foreign policy tool to advocate for a meaningful political process.

Unfortunately, this administration has failed to adequately address either problem. The Saudi coalition has not provided any more confidence in its operations. Despite being reassured that our engaging with the Saudis was decreasing civilian casualties, the facts on the ground speak far more powerfully against those assertions.

On a broader scale, we are seriously evaluating our bilateral relationship with Saudi Arabia. The bombing of a schoolbus full of children and other civilian targets is not something I want America's fingerprints on.

Make no mistake—the United States and Saudi Arabia do share common security interests. Saudi Arabia faces real and imminent threats from Yem-

eni-originated attacks inside its territory—from ballistic and SCUD missile attacks aimed at major Saudi population centers, to cross-border attacks by Iranian-backed Houthis.

Meanwhile, Iran continues its destabilizing behavior across the Middle East, and the terrorists with al-Qaida in the Arabian Peninsula take advantage of the security breakdown.

I continue to believe the United States must live up to our commitments and support our partners in the face of real and imminent threats, but over the past year, I have failed to see how continued U.S. military support for the Saudi-led coalitions operations in Yemen have, in fact, promoted our interests or, indeed, the long-term interests of the Saudi population.

As I said in March, this particular resolution raises the question of how we leverage all of the foreign policy tools at our disposal to advance peace and prevent the tragic loss of more human life.

Today, it is clear to me that the status quo is not advancing these critical interests. The limited military support we are providing the Saudi coalition is not our best tool, and today I offer my support for discharging something I normally oppose—discharging a resolution from the committee.

I call on the administration again to develop a cogent strategy, in concert with the international community, to compel all the parties to the negotiating table and to ensure that the millions of Yemenis at risk of starvation receive the humanitarian support that is ready to be delivered.

I have also worked with Senators YOUNG, REED, GRAHAM, SHAHEEN, and COLLINS, as well as with my colleague Senator MURPHY, to introduce legislation with reference to the Saudi Arabia Accountability and Yemen Act of 2018. I had hoped the committee would have considered this legislation and that we would have had a vote on it in this Congress.

In the aftermath of the Saudi Government's murder of U.S. resident and journalist Jamal Khashoggi and of the whitewashing the Trump administration has performed to avoid real consequences for those who ordered his death, this legislation is needed now more than ever. Without a real diplomatic and political strategy, there is no end to this conflict. There is no end to the violence. There is no end to the human suffering. It is time we bring this resolution to the floor for the full consideration of the Senate.

Over the last several months, I have seen nothing to convince me that our limited military support for the Saudi coalition's efforts in Yemen continues to serve our national security interests or to reflect America's enduring values and commitment to freedom and human rights. I continue to believe that an absence of American leadership undermines our interests, our security, and the security of our allies. An American presence does not necessarily

equal American leadership. America's leadership on the global stage must always be driven by a sense of purpose and moral clarity. I feel that when we lose that sense of moral clarity, that sense of purpose, then we lose who we are as a nation, and we lose sight of the very values that make America a leader of nations. That is, in fact, what we have lost sight of here.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the Sanders-Murphy resolution. It is time to end our involvement in the war in Yemen.

In 2015, I was notified by a senior Saudi official of the Kingdom's intention to take military action in Yemen. I was assured the conflict would not last long. I was told it would be precise and focus on ousting the Houthis and restoring the Hadi government.

Nearly 4 years later, the war in Yemen has dragged on. All we have seen is widespread death and destruction with no end in sight.

For nearly 4 years, the coalition has bombed Yemen once every 100 minutes, and one-third of those strikes targeted nonmilitary sites.

So far, the war has directly killed more than 16,000 civilians, with tens of thousands more injured. Without a resolution to this conflict, many thousands more will undoubtedly die.

But those deaths don't paint the whole picture. The ongoing war, with our support, has created the world's worst humanitarian disaster.

Nearly 85,000 children have died of severe malnutrition, and another 400,000 are at risk of the same fate.

Fourteen million people require emergency food aid just to see another day.

A majority of Yemen's population does not have access to clean water, sanitation or adequate public healthcare.

Cholera and other diseases are rampant throughout Yemen as public services have collapsed.

There have been 1.2 million suspected cases of cholera, resulting in 2,500 fatalities from this entirely preventable disease.

Today, nearly three-quarters of the population—almost 22 million people—need some form of humanitarian assistance.

That is because more than half of Yemen's healthcare facilities have been purposefully destroyed by the Saudi coalitions' relentless bombing. The few medical facilities that remain lack sufficient staff, equipment, and medicine to serve the millions of Yemenis who require their help.

The conflict is getting worse. Since the coalition's assault on the port city of Hodeidah, civilian deaths have increased by 164 percent.

The United States can no longer turn a blind eye to this conflict because we are a party to it. The United States provides targeting assistance, military advice, and until recently, aerial refueling for the Saudi-led coalition. We

do all that despite the lack of a military solution to end the war. The longer we enable the conflict to continue, the more innocent men, women, and children will die.

Instead of facilitating endless fighting, we must push for reconciliation. I have personally urged Saudi and Iranian officials to meet to discuss their differences. To my great disappointment, they refuse to do so. I welcomed Secretary Mattis's announcement that the United States will no longer refuel the coalition's aircraft, but more must be done.

Until there is a congressional authorization, all U.S. forces supporting the coalition's war should be withdrawn. That is why I support the Sanders-Lee resolution. Voting to remove our forces will send a clear message that we will no longer be complicit in this conflict. Secretaries Mattis and Pompeo have publicly called for a ceasefire, which has been ignored.

By ending our participation in this brutal war, we will send an unambiguous message that we will not accept continued bloodshed.

I am voting for the Sanders-Lee resolution, and I urge my colleagues to do the same.

Thank you.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I rise to speak on the issue before us.

On every occasion, I too have done what is necessary to keep us from alienating our ally Saudi Arabia. I think I was the last man standing, during the Obama administration, in my trying to make sure that the JASTA bill, at the time, ended up being corrected in such a manner that it wouldn't have had unintended consequences. I did so unsuccessfully. Yet, on multiple occasions, I have stood with others to make sure that we have not blocked arms sales and that we have not done those things that might have undermined our relationship.

For those who are tuning in, let me walk through what the process is.

We have a vote, today, on discharging this piece of legislation out of the Foreign Relations Committee. That is all that is happening today. There is an Executive Calendar in which we have cloture votes pending on nominees. That will burn off. Then, sometime next week, after this is discharged today—if it is so successfully—there will be another vote to actually proceed to this bill. If we proceed to the bill, what will happen will be a series of amendments that will be voted upon. Then there will be another vote at the end of that as to whether people will actually support the product that will have been created.

I just want to make it clear that what I am not doing today is voting for the substance before us; yet I reserve the right to do so. I am voting on our ability to have a debate as it relates to our relationship with Saudi Arabia.

We had a briefing today, which was very unsatisfactory, by two people

whom I highly respect. Secretary Mattis and Secretary Pompeo are two people with whom I work closely and admire greatly. I found their briefing today to be lacking. I found, in substance, that we are not doing those things that we should be doing to appropriately balance our relationship with Saudi Arabia between our American interests and our American values.

There has been a lot of rhetoric that has come from the White House and from the State Department on this issue. The rhetoric that I have heard and the broadcast that we have made around the world as to who we are has been way out of balance as it relates to American interests and American values. As I said this morning in the SCIF, where we were having this briefing, I hope that in the ensuing few days—maybe this afternoon—the administration itself will take steps to rectify this balance in an appropriate way.

As to whether the Crown Prince was involved in this killing, it is my belief that he was. It is my belief that he ordered it, but I don't have a smoking gun. What I do know is that he is responsible for this agency that carried out the killing. He has done nothing to take ownership of what has happened, and that is an affront not just to the American people but to the world.

The administration, in its broadcast, in its referring to this issue, has been way out of balance as it relates to what is important to us—their buying arms from us but neglecting this other piece and not demarching the leadership of Saudi Arabia in an important way. So what I am doing today is voting to discharge this bill out of our committee. There will be another opportunity next week to decide whether we will proceed to it.

As I said to the administration again this morning, it is my hope that it will figure out a way to bring American interests and American values into balance so that it can cause the Saudi Arabian Government to take appropriate ownership over what has happened in the killing of this journalist. That, to me, would be the best solution. If not, we will have another decision to make, and that will occur next week when we will decide whether we want to proceed to that and then, after that, proceed to deal with the issue of Saudi Arabia. There will be another point in time at which we can decide whether we like the substance that may be created in an amendment process in our going through this.

I support discharging this piece of legislation so that this body can have a fulsome debate about our relationship with Saudi Arabia as to what has happened with the journalist, the important issue of the war in Yemen, and as to all of the things that we need to be doing as a country to counter what Iran is doing in the region.

I yield the floor.

Mr. MENENDEZ. Mr. President, I yield back all time.

Mr. CORKER. Mr. President, out of respect for Senator INHOFE and a personal issue he has to deal with, we would hope to be able to vote early.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the motion to discharge.

Mr. MENENDEZ. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 63, nays 37, as follows:

[Rollcall Vote No. 250 Leg.]

YEAS—63

Alexander	Gillibrand	Murray
Baldwin	Graham	Nelson
Bennet	Harris	Paul
Blumenthal	Hassan	Peters
Booker	Heinrich	Portman
Brown	Heitkamp	Reed
Cantwell	Hirono	Sanders
Cardin	Jones	Schatz
Carper	Kaine	Schumer
Casey	King	Shaheen
Cassidy	Klobuchar	Smith
Collins	Leahy	Stabenow
Coons	Lee	Tester
Corker	Manchin	Toomey
Cortez Masto	Markey	Udall
Daines	McCaskill	Van Hollen
Donnelly	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Moran	Whitehouse
Feinstein	Murkowski	Wyden
Flake	Murphy	Young

NAYS—37

Barrasso	Grassley	Risch
Blunt	Hatch	Roberts
Boozman	Heller	Rounds
Burr	Hoehn	Rubio
Capito	Hyde-Smith	Sasse
Cornyn	Inhofe	Scott
Cotton	Isakson	Shelby
Crapo	Johnson	Sullivan
Cruz	Kennedy	Thune
Enzi	Kyl	Tillis
Ernst	Lankford	Wicker
Fischer	McConnell	
Gardner	Perdue	

The motion was agreed to.

The PRESIDING OFFICER (Mr. GARDNER). On this vote, the yeas are 63, the nays are 37.

The motion is agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session in consideration of the Farr nomination.

The PRESIDING OFFICER. The Senator from Delaware.

CLIMATE CHANGE

Mr. CARPER. Mr. President, I was happy to welcome back our colleagues this week from Thanksgiving and come back to work. A lot of stuff needs to be done and have some fresh energy and maybe some fresh ideas, but I hope my colleagues were able to get home for Thanksgiving and spend time with their families. I like to say the thing I like about Thanksgiving—it is my favorite holiday, and people ask why. It