

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### BORDER SECURITY AND ACCOUNTABILITY FOR THE DEATH OF JAKELIN CAAL

Mr. CASEY. Mr. President, I rise today to speak about the tragic passing of a 7-year-old child, Jakelin Caal, on December 8 of this year.

Jakelin died in Customs and Border Patrol custody, reportedly due to shock and dehydration. It is an understatement to say that we need a thorough and independent investigation to understand exactly what happened in this case and to make sure it never happens again.

Jakelin entered Customs and Border Protection custody and was held with her father overnight with about 160 migrants, nearly half of whom were minors, at the Antelope Wells border station.

Customs and Border Protection has stated that food and water were made available, but the child's father and news articles have stated that water was not—was not—available.

It is not visible from a distance, but I will just hold up a story and a headline from today's Washington Post. The headline reads: "Lawyers: No water provided to migrant who died."

Here is what the first paragraph of this Washington Post story, dated today, says:

El Paso. Seven-year-old Jakelin Caal and her father, Nery, were not provided water during the eight hours they were held in a remote Border Patrol facility with 161 other migrants, the family's lawyers said Wednesday, contradicting statements by U.S. Customs and Border Protection.

The story goes on from there.

Similarly—and I am getting back to my observations of this—although health screenings were reportedly conducted, news reports indicate that none of the agents on duty had advanced medical training.

Though the father signed a DHS Form I-779, which is titled "Juvenile Medical Screening," and he apparently also signed other medical paperwork, there are questions as to whether he understood the form itself. I believe it is critical that we evaluate this form and also evaluate the medical screening that children undergo.

I would like to know—and I am sure many Americans would like to know—whether the American Academy of Pediatrics and our Nation's medical professionals believe the current system is adequate. I would add this: When this form and other protocols and procedures were put in place, were those experts, such as the American Academy of Pediatrics, consulted? Was this process or the forms informed by the expertise that is available? That is another set of questions.

This has to be about improving the conditions at our Border Patrol sta-

tions to make sure they are safe, including ensuring that there is sufficient food, water, and medical attention at every one of these Border Patrol stations. If that means that the administration comes forward to the Senate or the House in the appropriations process to have more dollars appropriated for this purpose, not just general appropriations but for this purpose—to make sure that food and water and appropriate medical attention is available, and trained medical professionals are available at every Border Patrol station—we should make sure that we engage in a dialogue about such specific appropriations.

Understanding what happened in this tragedy is not about assigning blame. That is easy. That happens all the time in Washington. This shouldn't be one of those instances. This is about fixing the problem so it never happens again. It is also about making sure that our policy and the procedures that surround this policy and the details of the policy and the resources dedicated to it are not just correct, but that these policies are consistent with our values.

Therefore, we need an expeditious, thorough, and independent investigation. We are told that the inspector general is reviewing this. That is good, but that report has to be done expeditiously, and we have to get to the bottom of what happened to this 7-year-old child.

In addition to all of that, there needs to be debate about how to improve the system and how to investigate what happened, with recommendations on the record to improve these policies. We also need Commissioner Kevin McAleenan and Secretary Nielsen to come to testify before Congress so they can provide testimony about what happened here and about what both of them and their Agencies are doing to make sure this never happens again.

Finally, we must take a moment to think about the broader atmosphere and the policies that relate to our border. Those who come to our shores seeking asylum are often fleeing terrible conditions of violence and poverty. In some cases, they are fleeing from almost indescribable horror. All of those seeking asylum should have a fair opportunity to present their claims and should not be subjected to unhealthy, unsanitary, or unsafe conditions while their claims are processed.

It is entirely possible to have an immigration system that treats all individuals with compassion and dignity while also securing the border and protecting national security. None of that is internally inconsistent. A great nation can do all of that. I am certain that our Nation is capable of that.

We must come together as a nation to mourn the loss of Jakelin and others who die under similar circumstances. We need to put politics aside to fix our broken immigration system so that these policies are consistent with our American values.

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

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

#### UNANIMOUS CONSENT REQUEST— H.R. 3764

Mr. DAINES. Mr. President, my Montana colleagues, Congressman GIANFORTE and Senator TESTER, and I have worked for years to bring Federal recognition to the Little Shell Tribe, and for the first time, we are just one vote away from making it happen.

Congressman GIANFORTE championed his bill through the House with unanimous votes in the committee and on the floor. When it came to the Senate, Senator TESTER and I pressed it, also by unanimous consent, through the Indian Affairs Committee. Now, with just hours left in the 115th Congress, we need to pass this important bill out of the Senate and get it on the President's desk.

The Little Shell Tribe has waited for lifetimes. It should not have to wait another year to get this done. Therefore, in the fashion of all of the previous votes on this bill that have had strong bipartisan support, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 574, H.R. 3764. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, in reserving the right to object, Tribal recognition is a very serious matter. It is not one that should be undertaken lightly. Given the sacred nature of Tribal recognition and the significant impact it has both on the Tribe in question and on the U.S. Government, as well as on surrounding communities, we have an orderly process by which this needs to be done.

In 2009, the Bureau of Indian Affairs, having considered the argument by the Little Shell, concluded it had failed to meet three of the seven categories that are typically considered for Tribal recognition, and on that basis, the Bureau turned down its application. It has been suggested that there is still an appeal pending—a challenge to that finding—by the Little Shell.

I am not aware of any legal analysis suggesting that the Bureau of Indian Affairs got it wrong. This is not to say that Congress cannot or should not or could not decide on its own to recognize it. Yes, this is a power that Congress has. Yet, as I see it, those seven criteria ought to be considered and considered carefully. I am aware of no

legal analysis indicating that the conclusion by the Bureau of Indian Affairs in 2009 was inadequate or flawed.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Montana.

Mr. DAINES. Mr. President, I have great respect for the objection by my friend and my colleague from Utah.

I do feel the need to point out that the Little Shell Tribe meets all of the necessary qualifications for recognition, including its having a long history that predates 1940. Let me enumerate on this.

Little Shell is the only Tribe in the country that has funds held in trust by the Department of the Interior but yet lacks Federal recognition. The Little Shell Tribe is the only Tribe that has had a favorable determination by the Department of the Interior and has had it reversed by a bureaucrat with zero negative comments. That decision, however, was remanded by the previous Secretary, and Secretary Zinke strongly supports our efforts here today. The Little Shell has, indeed, existed as a distinct community—recorded as early as 1863 in the Pembina Treaty with the U.S. Government.

I ask unanimous consent that this treaty, with Chief Little Shell's name on it, be printed in the RECORD.

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

TREATY WITH THE CHIPPEWA INDIANS—  
OCTOBER 2, 1868

TREATY BETWEEN THE UNITED STATES AND THE RED LAKE AND PEMBINA BANDS OF CHIPPEWA INDIANS; CONCLUDED IN MINNESOTA, OCTOBER 2, 1868; RATIFIED BY THE SENATE WITH AMENDMENTS, MARCH 1, 1864; AMENDMENTS ASSENTED TO, APRIL 12, 1864; PROCLAIMED BY THE PRESIDENT OF THE UNITED STATES, MAY 5, 1864.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION

*To All and Singular to Whom There Presents Shall Come, Greeting:*

Whereas a treaty was made and concluded at the Old Crossing of Red Lake River, in the State of Minnesota, on the second day of October, in the year of our Lord one thousand eight hundred and sixty-three, by and between Alexander Ramsey and Ashley C. Morrill, Commissioners on the part of the United States, and the hereinafter named Chiefs, Headmen, and Warriors of the Red Lake and Pembina Bands of Chippewa Indians, on the part of said Bands, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:—

Articles of A Treaty made and concluded at the Old Crossing of Red Lake River, in the State of Minnesota, on the second day of October, in the year eighteen hundred and sixty-three, between the United States of America, by their Commissioners, Alexander Ramsey and Ashley C. Morrill, agent for the Chippewa Indians, and the Red Lake and Pembina Bands of Chippewas, by their Chiefs, Headmen, and Warriors.

Article I. The peace and friendship now existing between the United States and the Red Lake and Pembina bands of Chippewa Indians shall be perpetual.

Article II. The said Red Lake and Pembina bands of Chippewa Indians do hereby cede,

sell, and convey to the United States all their right, title, and interest in and to all the lands now owned and claimed by them in the State of Minnesota and in the Territory of Dakota within the following described boundaries, to wit: Beginning at the point where the international boundary between the United States and the British possessions intersects the shore of the Lake of the Woods; thence in a direct line south-westwardly to the head of Thief River; thence down the main channel of said Thief River to its mouth on the Red Lake River; thence in a south-easterly direction, in a direct line towards the head of Wild Rice River, to the point where such line would intersect the northwestern boundary of a tract ceded to the United States by a treaty concluded at Washington on the twenty-second day of February, in the year eighteen hundred and fifty-five, with the Mississippi, Pillager, and Lake Winnebigoshish bands of Chippewa Indians; thence along the said boundary line of the said cession to the mouth of Wild Rice River; thence up the main channel of the Red River to the mouth of the Shayenne; thence up the main channel of the Shayenne River to Poplar Grove; thence in a direct line to the Place of Stumps, otherwise called Lake Chicot; thence in a direct line to the head of the main branch of Salt River; thence in a direct line due north to the point where such line would intersect, the international boundary aforesaid; thence eastwardly along said boundary to the place of beginning.

Article III. In consideration of the foregoing cession, the United States agree to pay to the said Red Lake and Pembina bands of Chippewa Indians the following sums, to wit: Twenty thousand dollars per annum for twenty years; the said sum to be distributed among the Chippewa Indians of the said bands in equal amounts per capita, and for this purpose an accurate enumeration and enrollment of the members of the respective bands and families shall be made by the officers of the United States: *Provided*, That so much of this sum as the President of the United States shall direct, not exceeding five thousand dollars per year, may be reserved from the above sum, and applied to agriculture, education, the purchase of goods, powder, lead, doc., for their use, and to such other beneficial purposes, calculated to promote the prosperity and happiness of the said Chippewa Indians, as he may prescribe.

Article IV. And in further consideration of the foregoing cession, and of their promise to abstain from such acts in future, the United States agree that the said Red Lake and Pembina bands of Chippewa Indians shall not be held liable to punishment for past offences. And in order to make compensation to the injured parties for the depredations committed by the said Indians on the goods of certain British and American traders at the mouth of Red Lake River, and for exactions forcibly levied by them on the proprietors of the steamboat plying on the Red River, and to enable them to pay their just debts, the United States agree to appropriate the sum of one hundred thousand dollars; it being understood and agreed that the claims of individuals for damages or debt under this article shall be ascertained and audited, in consultation with the chiefs of said bands, by a commissioner or commissioners appointed by the President of the United States, and that after such damages and debts shall have been paid, the residue of the above sum shall be distributed among the chiefs. Furthermore, the sum of two thousand dollars shall be expended for powder, lead, twine, or such other beneficial purposes as the chiefs may request, to be equitably distributed among the said bands at the first payment.

Article V. To encourage and aid the chiefs of said bands in preserving order and induc-

ing, by their example and advice, the members of their respective bands to adopt the habits and pursuits of civilized life, there shall be paid to each of the said chiefs annually, out of the annuities of the said bands, a sum not exceeding one hundred and fifty dollars, to be determined by their agents according to their respective merits. And for the better promotion of the above objects, a further sum of five hundred dollars shall be paid at the first payment to each of the said chiefs to enable him to build for himself a house. Also, the sum of five thousand dollars shall be appropriated by the United States for cutting out a road from Leech Lake to Red Lake.

Article VI. The President shall appoint a board of visitors, to consist of not less than two nor more than three persons, to be selected from such Christian denominations as he may designate, whose duty it shall be to attend at all annuity payments of the said Chippewa Indians, to inspect their fields and other improvements, and to report annually thereon on or before the first day of November, and also as to the qualifications and moral deportment of all persons residing upon the reservation under the authority of law; and they shall receive for their services five dollars a day for the time actually employed, and ten cents per mile for travelling expenses: *Provided*, That no one shall be paid in any one year for more than twenty days' service, or for more than three hundred miles' travel.

Article VII. The laws of the United States now in force, or that may hereafter be enacted, prohibiting the introduction and sale of spirituous liquors in the Indian country, shall be in full force and effect throughout the country hereby ceded, until otherwise directed by congress or the President of the United States.

Article VIII. In further consideration of the foregoing cession, it is hereby agreed that the United States shall grant to each male adult half-breed or mixed-blood who is related by blood to the said Chippewas of the said Red Lake or Pembina bands who has adopted the habits and customs of civilized life, and who is a citizen of the United States, a homestead of one hundred and sixty acres of land, to be selected at his option, within the limits of the tract of country hereby ceded to the United States, on any land not previously occupied by actual settlers or covered by prior grants, the boundaries thereof to be adjusted in conformity with the lines of the official surveys when the same shall be made, and with the laws and regulations of the United States affecting the location and entry of the same.

Article IX. Upon the urgent request of the Indians, parties to this treaty, there shall be set apart from the tract hereby ceded a reservation of (640) six hundred and forty acres near the mouth of Thief River for the chief "Moose Dung," and a like reservation of (640) six hundred and forty acres for the chief "Red Bear," on the north side of Pembina River.

In witness whereof, the said Alexander Ramsey and Ashley C. Morrill, commissioners on the part of the United States, and the chiefs, headmen, and warriors of the Red Lake and Pembina bands of Chippewa Indians, have hereunto set their bands, at the Old Crossing of Red Lake River, in the State of Minnesota, this second day of October, in the year of our Lord one thousand eight hundred and sixty-three.

ALEX RAMSEY,  
ASHLEY C. MORRILL,  
*Commissioners.*

Mons-O-Mo, his x mark, Moose Dung, Chief of Red Lake.

Kaw-Wash-Ke-Ne-Kay, his x mark, Crooked Arm, Chief of Red Lake.

Ase-E-Ne-Wub, his x mark, Little Rock, Chief of Red Lak[e].

Mis-Co-Muk-Quoh, his x mark, Red Bear, Chief of Pembina.

Ase-Anse, his x mark, Little Shell, Chief of Pembina.

Mis-Co-Co-Noy-A, his x mark, Red Rob, Warrior of Red Lake.

Ka-Che-Un-Ish-E-Naw-Bay, his x mark, The Big Indian, Warrior of Red Lake.

Neo-Ki-Zhick, his x mark, Four Skies, Warrior of Red Lake.

Nebene-Quin-Gwa-Hawegaw, his x mark, Summer Wolverine, Warrior of Pembina.

Joseph Gornon, his x mark, Warrior of Pembina.

Joseph Montreuil, his x mark, Warrior of Pembina.

Teb-Ish-Ke-Ke-Shig, his x mark, Warrior of Pembina.

May-Zhuae-E-Yaush, his x mark, Dropping Wind, Head Warrior of Red Lake.

Min-Du-Wah-Wing, his x mark, Berry Hunter, Warrior of Red Lake.

Naw-Gaun-E-Gwan-Abe, his x mark, Leading Feather, Chief of Red Lake.

Signed in presence of—

PAUL H. BEAULIEU, *Special Interpreter.*

PETER ROY, *Special Interpreter.*

T. A. WARREN, *U.S. Interpreter.*

J. A. WHEELLOCK, *Secretary.*

REUBEN OTTMAN.

Mr. DAINES. The Little Shell entered this treaty with other bands of the Chippewa Cree. As well, they all support Little Shell's recognition.

I ask unanimous consent that these letters of support be printed in the RECORD.

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

TURTLE MOUNTAIN,  
BAND OF CHIPPEWA INDIANS,  
*Belcourt, ND, March 17, 2015.*

Re Support for S. 35 the Little Shell Restoration Act of 2015.

Chairman JOHN BARRASSO,  
*Senate Committee on Indian Affairs,*  
*Washington, DC.*  
Vice Chair JON TESTER,  
*Senate Committee on Indian Affairs,*  
*Washington, DC.*

CHAIRMAN BARRASSO & VICE CHAIR TESTER: The Turtle Mountain Band of Chippewa Indians ("Turtle Mountain Band") supports S. 35 the Little Shell Restoration Act of 2015. The Little Shell Tribe of Chippewa Indians of Montana, along with the Turtle Mountain Band and the Chippewa-Cree Tribe of the Rocky Boy's Reservation ("Rocky Boy"), are political successors in interest to the Pembina Treaty of 1863. Unfortunately, unlike Turtle Mountain and Rocky Boy, the Little Shell Tribe has lacked formal federal recognition. This is an historical injustice that must be remedied. S.35 would restore federal recognition to the Little Shell Tribe so that it may take its rightful place next to its sister tribal nations.

We urge the Senate Committee on Indian Affairs to support S. 35 and the federal recognition of the Little Shell Tribe.

Sincerely,

RICHARD MCCLLOUD,  
*Chairman.*

WHITE EARTH  
RESERVATION TRIBAL COUNCIL,  
*White Earth, MN, April 2, 2015.*

Re Support for S. 35 the Little Shell Tribe Restoration Act of 2015.

Hon. AMY KLOBUCHAR,  
*United States Senator,*  
*Washington, DC.*  
Hon. AL FRANKEN,  
*United States Senator,*  
*Washington, DC.*

DEAR SENATOR KLOBUCHAR & SENATOR FRANKEN: The White Earth Nation offers its strong support for S. 35, the Little Shell Tribe Restoration Act of 2015. This bipartisan legislation offered by Senator Jon Tester (D-MT) and Senator Steve Daines (R-MT) would restore federal recognition to the Little Shell Tribe of Chippewa Indians of Montana ("Little Shell Tribe" or "Tribe").

The White Earth Nation and the Little Shell Tribe are related, and as Anishinaabe, our stories are intertwined. The Little Shell Tribe is one of several recognized political successors to the Pembina Treaty of 1863. After the treaty the Little Shell Tribe moved west eventually settling in the Territory of Montana. Once in Montana, the Tribe remained landless and unrecognized. However, the White Earth Nation knows the Little Shell Tribe and the merits of their cause and that is why we fully support the Tribe.

I urge you to vote in favor of S. 35 and restore the long-awaited federal recognition to the Little Shell people.

Sincerely,

ERMA J. VIZENOR,  
*Chairwoman.*

THE CHIPPEWA CREE TRIBE,  
OF THE ROCKY BOY'S RESERVATION,  
*Box Elder, MT, November 27, 2018.*

Re Support for H.R. 3764, the Little Shell Restoration Act.

Hon. MITCH MCCONNELL,  
*Senate Majority Leader,*  
*Washington, DC.*  
Hon. JOHN HOEVEN,  
*Chairman, Senate Committee on Indian Affairs,*  
*Washington, DC.*  
Hon. CHARLES SCHUMER,  
*Senate Minority Leader,*  
*Washington DC.*  
Hon. TOM UDALL,  
*Ranking Member, Senate Committee on Indian Affairs, Washington, DC.*

LEADER MCCONNELL, LEADER SCHUMER, CHAIRMAN HOEVEN, & RANKING MEMBER UDALL: I write on behalf of the Chippewa Cree Tribe of Rocky Boy's Indian Reservation ("Chippewa Cree Tribe") in support of our sister tribal nation the Little Shell Tribe of Chippewa Indians and to urge the Senate to pass H.R. 3764, the Little Shell Restoration Act.

The Chippewa Cree Tribe and the Little Shell Tribe share a common history where the United States continually sought to remove us from our lands and push us ever westward. The Little Shell Tribe and the Chippewa Cree Tribe along with the Turtle Mountain Band and White Earth Nation are the political successors in interest to the Pembina Treaty of 1863. This was our first experience with land cessations and westward expansion but it was not our last. Unlike Little Shell, the Chippewa Cree Tribe was fortunate to eventually obtain reservation lands. Unfortunately, for Little Shell there was no money in Washington for similar treatment, which has led them to continue to be unrecognized to this day.

I urge the Senate to finally make right with the Little Shell Tribe and its tribal

citizens by passing H.R. 3764. The Little Shell Tribe has waited long enough.

Sincerely,

HARLAN BAKER,  
*Chairman.*

ATTORNEY GENERAL,  
STATE OF MONTANA,  
*Helena, MT, November 27, 2018.*

Re Urging passage of H.R. 3764, the Little Shell Restoration Act.

Hon. MITCH MCCONNELL,  
*Senate Majority Leader,*  
*Washington, DC.*  
Hon. JOHN HOEVEN,  
*Chairman, Senate Committee on Indian Affairs,*  
*Washington, DC.*  
Hon. CHARLES SCHUMER,  
*Senate Minority Leader,*  
*Washington DC.*  
Hon. TOM UDALL,  
*Ranking Member, Senate Committee on Indian Affairs,*  
*Washington, DC.*

LEADER MCCONNELL, LEADER SCHUMER, CHAIRMAN HOEVEN, & RANKING MEMBER UDALL: I write to urge the Senate to pass Congressman Greg Gianforte's H.R. 3764, the Little Shell Restoration Act. I have long called on Congress to pass legislation to restore the federal recognition of the Little Shell Tribe of Chippewa Indians and it appears this year presents the best opportunity to finally achieve this goal.

The Little Shell Tribe enjoys broad support in the State of Montana because Montanans, like me, understand the Little Shell Tribe's history and its legitimacy. The Little Shell are an integral part of Montana's history, and an important part of Montana's future. I was encouraged when the House of Representatives passed H.R. 3764 by unanimous consent in September because it shows that Congress is finally listening to the people of Montana when it comes to the Little Shell. I hope the Senate will follow suit and pass H.R. 3764 expeditiously.

Again, I fully support the federal recognition of the Little Shell Tribe and call on Congress to pass H.R. 3764 in its current form.

Sincerely,

TIM FOX,  
*Attorney General.*

OFFICE OF THE GOVERNOR,  
STATE OF MONTANA,  
*Helena, MT, November 27, 2018*

Re Support for passage of H.R. 3764, the Little Shell Restoration Act.

Hon. MITCH MCCONNELL,  
*Senate Majority Leader,*  
*Washington, DC.*  
Hon. JOHN HOEVEN,  
*Chairman, Senate Committee on Indian Affairs,*  
*Washington, DC.*  
Hon. CHARLES SCHUMER,  
*Senate Minority Leader,*  
*Washington DC.*  
Hon. TOM UDALL,  
*Ranking Member, Senate Committee on Indian Affairs,*  
*Washington, DC.*

DEAR LEADER MCCONNELL, LEADER SCHUMER, CHAIRMAN HOEVEN, AND RANKING MEMBER UDALL:

I urge the United States Senate to pass Montana Representative Greg Gianforte's H.R. 3764, the Little Shell Tribe Restoration Act. This bipartisan bill will finally right the historical injustice perpetrated against the Little Shell Tribe.

As Governor of Montana, I have continued the government-to-government relationship with the Little Shell Chippewa Tribe as a state recognized tribe. In 2015, I supported the Montana State Legislature's passage of

House Joint Resolution No. 15 in the 64th Legislative Session calling on the “federal government to restore federal recognition to the Little Shell Tribe of Chippewa Indians” and asking Congress to pass legislation to accomplish this. If the Senate passes H.R. 3764, Montanans’ calls to restore federal recognition to the Little Shell Tribe will finally be answered.

The Little Shell Tribe of Montana enjoys immense support in the State of Montana because tribe’s history and culture are the fabric of Montana. The Little Shell deserves the passage of this legislation. It has been long overdue for this recognition and I call on the United States Senate to respect the State of Montana’s voice in this debate and move to pass H.R. 3764 in its current form. The Tribe has waited long enough for this action.

Sincerely,

STEVE BULLOCK,  
Governor.

Mr. DAINES. The Little Shell is also unique, and all 12 of Montana’s Indian Tribes on our seven Indian reservations also support its recognition. The Little Shell also has the support of the entire Montana delegation. It has the support of our Governor, and it has the support of our Attorney General.

Here are their letters.

In fact, Federal recognition of the Little Shell has enjoyed support from the congressional delegation and our State’s Governors since the 1930s and 1940s when our country first began to federally recognize Indian Tribes. The American Indian Policy Review Commission, from later in 1977, also recognized its plight as a distinct entity.

There are more documents for the RECORD. Clearly, the record has existed in support of this Tribe’s Federal recognition. I remember, during my time in the House, looking at what it had been going through—literally, stacks and stacks of paperwork—in following a process. There is, indeed, longstanding evidence supporting its recognition, and I strongly disagree with my colleague’s objection.

The Little Shell Tribe has seen lifetimes—not a lifetime but lifetimes—of neglect from our Federal Government. I had hoped we could finally deliver its recognition here today. We are just one vote short in the Senate. I will not stop pushing for our government to rectify this injustice.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Iowa.

#### NOMINATION OF WILLIAM R. EVANINA

Mr. GRASSLEY. Mr. President, yesterday one of my colleagues came to the floor to talk about my objection to the unanimous consent request relating to the nomination of William R. Evanina.

When I noticed my intention to place a hold on this nominee back in June of this year, I made it very clear to the public and to the administration my reasons for doing so, and I put my statement of those reasons in the RECORD. I have done that consistently, not only since the rules of the Senate

require every Member to do that but even before that rule was ever put in place. When I put a hold on a bill or a hold on a nominee, I don’t ever want anybody to, say, put the adjective “secret” before the word “hold” because there is nothing secret about what I do when I place a hold on something.

The Judiciary Committee has experienced difficulty in obtaining relevant documents and briefings from the Justice Department and the Office of the Director of National Intelligence.

For example, Deputy Attorney General Rod Rosenstein personally assured me the Senate Judiciary Committee would receive equal access to information that had been provided to the House Permanent Select Committee on Intelligence with regard to any concessions in its negotiations regarding pending subpoenas from that committee related to the 2016 election controversies. I have not received equal access, as promised, on that front.

On August 7 of this year, I wrote to the Justice Department and pointed out that the House Intelligence Committee had received documents related to Bruce Ohr that we had not received. The Department initially denied those records had been provided to the House Intelligence Committee. After my staff confronted the Department on that misinformation, we eventually received some Bruce Ohr documents.

In that 2018 letter I have referred to, I asked for documents based on my equal access agreement with Deputy Attorney General Rosenstein, and as you might expect, I have not received a response to date.

This morning, I had Acting Attorney General Whitaker in my office for issues he wanted to bring up, but I also had an opportunity to present him with three pages—fairly finely printed—that had a multitude of requests for information that in my constitutional role of oversight of the Justice Department, they should be providing to me. Some of them have nothing to do with this hold, but the Department does have a pretty good record of not responding to this chairman of the Judiciary Committee on things I have a constitutional responsibility to do.

I also have a promise from these Department heads that they will supply information when Congress asks for it. Since that 2018 letter, I have learned the Justice Department has taken the position that Director Coats has prohibited them from sharing the requested records with the committee.

In addition to the records that were requested in May of this year, the Director of National Intelligence and the Justice Department provided a briefing in connection with a pending House Intel subpoena to which no Senate Judiciary Committee member was invited. Thus far, the committee’s attempts to schedule any equivalent briefing have been ignored. The administration’s lack of cooperation has forced my hand. So then, I continue to press for this hold on this nominee.

My objection, if there were ever a request for a unanimous consent to move ahead, is not intended to question the credentials of Mr. Evanina in any way whatsoever. However, the executive branch must recognize it has an ongoing obligation to respond to congressional inquiries in a timely and reasonable manner.

#### INTERNATIONAL TRADE

Mr. GRASSLEY. Mr. President, now I would like to speak to the issue and several issues that deal with international trade.

During the last 2 years, there has been more talk about international trade in this town than at just about any other point since this President has been President or, you might say, over a long period of time in Washington.

When I was elected to the Senate in 1980, the General Agreement on Tariffs and Trade, known as GATT, was the main guiding document on international trade. GATT was signed by 23 nations in Geneva on October 30, 1947, a little more than 2 years after the destruction of World War II. It remained the institutional foundation for global trade until January 1, 1995. That day is when the World Trade Organization—we refer to it as WTO—was born with 81 charter members, including this great country of the United States. The WTO has been in place now for 24 years, serving as the clearinghouse for our rules-based international trading system.

Since the start of the WTO, international trade volumes have increased by 250 percent. Countries representing 98 percent of global merchandise trade are currently members of the WTO, with 22 more countries officially working toward joining. Over all, the WTO is moving global commerce forward just as planned. The rules-based trading system it promotes has been very successful, integrating people across the world into the global economy.

I also must acknowledge that international trade can, at times, be disruptive. There are regions of the country that have been disproportionately impacted by job losses, at least in part, to foreign competition over the last several decades. Those losses become especially problematic when they are the result of market forces being overwhelmed by foreign government intervention—any foreign government, as far as that is concerned. President Trump has rightly pointed that out and has delivered on his promise to make trade fairer for workers across our country, for agriculture and international trade is the bridge to the world’s customers.

In Iowa, we export every third row of soybeans. Some people like to say that God made Iowa for the growing of corn and soybeans, and I agree. Iowa also has significant pork and beef exports as well. American farmers produce more than we can possibly consume here in