

scenarios that we could face in the coming decades. Utilizing over 2,000 simulations based on the latest intelligence to assess force performance against strategic competitors, the Air Force produced a model of the requirements necessary to fulfill the goals of the national defense strategy.

This analysis found that we will need an array of advanced capabilities to counter ongoing and robust military modernization by our competitors. The assessment determined that we must focus our own modernization around several key areas to ensure our continued ability to defend the homeland and to defeat strategic threats.

Perhaps most critically, this analysis, which the Air Force calls “the Air Force We Need,” has determined that to be effective in achieving these goals, we must grow the Air Force to 386 operational squadrons.

Given the growing threats we face, the Air Force will play a key role in any future conflict. That is why I believe it is imperative that we act on this analysis and align the necessary resources to bridge the gap between the Air Force we have and the Air Force we need and reach that goal of 386 squadrons.

The need to grow the Air Force is not some arbitrary desire for more planes. The reality is that, even today, our Air Force is too small, and it is stretched too thin to properly execute all of its missions.

Right now, the Air Force has 39 percent fewer aircraft and 58 percent fewer combat-coded fighter squadrons than it did during Operation Desert Storm, and it is struggling to maintain a rapidly aging fleet. All the while, Russia and China continue to invest hundreds of millions of dollars into new technology and equipment that is designed to seize control of the sky.

That is why it is imperative that we act to provide the resources necessary to grow to 386 operational squadrons. We simply cannot face these challenges with one of the smallest Air Forces we have ever had. That is a recipe for disaster. It is a recipe for defeat.

Instead, we must rebuild the fleet. We must increase flying hours, improve training, add pilots and maintainers, and retain the best airmen we have. We have to act now, without delay.

While the “Air Force We Need” adds significantly to the physical capability of our Air Force, it is about more than simply adding equipment to the flight line. This plan will also modernize the way we fight. With an increased focus on “jointness” and integration with advanced technology like unmanned systems and artificial intelligence, we can continue adapting to stay ahead of our enemies, all of whom have spent years watching and learning from us in the field.

As a senior member of the Senate Armed Services Committee, I commend the Air Force for putting forward a bold vision for the future. I believe if we truly are to execute the goals of the

national defense strategy, this is the kind of analysis and planning that has to happen, and it must be followed by action from Congress.

That is why I urge my colleagues in the Senate to join me in supporting a robust defense budget and investing in the enhanced capability the Air Force needs to continue its mission of protecting the American people.

At this critical juncture in the Nation’s history and amid a fundamental shift in the type of threats we face, now is not the time to let partisanship get in the way of what must be done to continue supporting our airmen and maintainers. Let’s work together so that we can build the Air Force that we need so that, above all else, the world knows that the U.S. Air Force will never allow any adversary to dictate how, when, and where we fly.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### NOMINATION OF WILLIAM BARR

Mr. CARPER. Mr. President, I rise this afternoon to speak regarding the nomination of William Barr to serve as the next Attorney General of our country.

First, I want to take a few minutes to reflect on the circumstances surrounding this vacancy. I believe that every Member of this Chamber should use this occasion to decide, ultimately, whether we believe Mr. Barr will be the Attorney General for all Americans or whether Mr. Barr will be the Attorney General, really, for one American.

When President-elect Trump selected then-Senator Jeff Sessions, our colleague from Alabama, to serve as Attorney General for this country, it brought me no joy to vote against our long-time colleague and friend. The truth was, though, that our views too often diverged on too many important issues that included immigration, healthcare, civil rights, voting rights, LGBT rights, environmental protection, and more.

After considerable prayer and reflection, I reached the conclusion that Senator Sessions would not be an Attorney General for all Americans.

Unfortunately, during his tenure at the Department of Justice, he went on to preside over a number of divisive policies and decisions, including the Muslim ban, overturning protections for Dreamers and asylum seekers, enacting a cruel policy of family separation at our southern border, and failing to defend the constitutionality of the Affordable Care Act in court.

I have not been shy about expressing my disagreement with these decisions,

and others, made by the Department of Justice during the current administration. However, one area where I strongly agreed with Attorney General Sessions was his decision to recuse himself from the special counsel’s investigation into Russian interference in our 2016 elections.

One of my core values is to figure out what is the right thing to do and to try to do it—not what is politically expedient, not what is easy but what is the right thing to do. After it became clear that then-Senator Sessions provided testimony to the Senate Judiciary Committee that called into question his impartiality on matters relating to Russia and the 2016 election, Attorney General Sessions recused himself from all matters related to the 2016 Presidential election. That was the right thing to do. It certainly wasn’t what our President wanted him to do. The President has said as much repeatedly. I should say that, maybe, he has tweeted as much repeatedly.

The President repeatedly admonished Attorney General Sessions for doing what I think many of us believe was the right thing to do. Here is what the President tweeted on June 5, 2018:

The Russian Witch Hunt Hoax continues, all because Jeff Sessions didn’t tell me he was going to recuse himself . . . I would have quickly picked someone else. So much time and money wasted, so many lives ruined . . . and Sessions knew better than most that there was No Collusion!

Let me be clear, Special Counsel Robert Mueller’s investigation is not a witch hunt. It is, in fact, the unanimous opinion of the U.S. intelligence Agencies and law enforcement community that Russia attacked our democracy and interfered in our 2016 elections.

As a result of the special counsel’s ongoing investigation, 34 individuals and 3 companies have been indicted or pled guilty to a range of crimes. This includes the Trump campaign manager, the Trump deputy campaign manager, Mr. Trump’s National Security Advisor, and, most recently, President Trump’s longtime political advisor.

Special Counsel Mueller is a lifelong Republican who served with distinction in the Vietnam war. I think I am the last Member of this body who served in the Vietnam war, but he served there with real distinction. He served with distinction as our FBI Director following the September 11 attacks. He is not conducting a partisan witch hunt. He and the team he leads are striving to find out the truth and, in doing so, help us prevent future attacks on our democracy.

I believe we should be doing everything in our power to allow Special Counsel Mueller and his team to conduct and complete this investigation free from political interference and partisan games.

During the years I was privileged to serve as chairman of the Homeland Security Committee, Bob Mueller was the head of the FBI. I had a chance to work

with him and to get to know him. My wife and I know his wife. He is among the finest people I have ever known in the military, outside of the military, in government service, and outside of government service.

Unfortunately, President Trump does not view political independence as a prerequisite for the job of Attorney General. Instead, he tends to view political independence as a disloyal act, an offense for which one should be fired. Just ask former Acting Attorney General Sally Yates. Just ask former FBI Director Comey, whom I also came to know well during the time I served on the Homeland Security Committee, including as its chairman. Just ask former Attorney General Sessions.

Recall with me, if you will, after the November election, President Trump fired Attorney General Sessions and named the Attorney General's Chief of Staff, Matt Whitaker, as Acting Attorney General. This was a curious decision, as well as a legally questionable decision. Why would the President go outside the line of succession at the Department of Justice? I fear it is because of Mr. Whitaker's public comments regarding the Mueller investigation.

Mr. Whitaker previously likened the special counsel's investigation to a "fishing expedition," and a "witch hunt" and implied that following the truth "could be damaging to the President of the United States and his family—and by extension, to our country."

Really? Could he have been serious in saying that getting to the bottom of all this could be damaging to the President of the United States and his family and, by extension, to our country?

Another President, a long time ago, Thomas Jefferson, used to say these words: If the people know the truth, they won't make a mistake.

Those are hardly the views of our current President. It saddens me to say that.

Despite publicly expressing these views that clearly call into question his impartiality, Mr. Whitaker did not recuse himself from the Mueller investigation when he assumed the role of Acting Attorney General, even though he received a recommendation to recuse himself from ethics officials at the Department of Justice.

Mr. Whitaker's staggering unfitness for the job is a big part of the reason why my initial reaction was positive when President Trump nominated William Barr to be our Attorney General. After all, Mr. Barr previously served as Deputy Attorney General and Attorney General during the administration of George Herbert Walker Bush, someone I revered. I think many of us revered him.

By all accounts, Mr. Barr is a well-qualified nominee, someone who has been a fine public servant throughout many years of public service. I strongly believe that we need Senate-confirmed leadership at the Department of Justice. I want to make it clear that dur-

ing normal times, I might be inclined to support Mr. Barr's nomination. In fact, I probably would.

But these are not normal times. These are extraordinary times. In addition to firing the Attorney General and the FBI Director for their views on the Russia inquiry, President Trump has reportedly asked those around him why he didn't have an Attorney General who is looking out for his personal interests. According to reports, the President has said, "Where's my Roy Cohn?" during moments of crisis. For those who may not know Roy Cohn, he was President Trump's personal lawyer and fixer, who pushed legal tactics to the limits and also served with Senator Joe McCarthy during a very dark period in our Nation's history and a very dark period in this Senate's history.

This is how President Trump views the role of Attorney General—not as a lawyer to defend the rights of all Americans but as a fixer who will look out for him. Moreover, in his State of the Union address last week, President Trump highlighted what he sees as "ridiculous, partisan investigations." He went on to say: "If there is going to be peace and legislation, there cannot be war and investigations."

It is against this extraordinary backdrop that we must ask ourselves: What are Mr. Barr's views on Presidential power, and what are his views on the investigation led by Robert Mueller?

As it turns out, we don't have to guess what the answer is to that question. In an unsolicited 19-page memo that Mr. Barr sent to Deputy Attorney General Rod Rosenstein and President Trump's personal lawyers, Mr. Barr shares his views, and they are clearly hostile to the special counsel's investigation.

In a memo entitled "Mueller's Obstruction Theory," Mr. Barr raises doubt about the special counsel's ability to follow the truth while going on to defend President Trump's actions and even suggesting that the President has the power to limit the scope of this inquiry.

In that same memo, Mr. Barr states that the special counsel's investigation into obstruction of justice may do "lasting damage to the presidency."

I believe that reasonable people can disagree, as I frequently did with my friend, former Senator, and then-Attorney General, Jeff Sessions.

It is clear to me, however, that despite whatever your views may be toward the special counsel's investigation, the views expressed in his memo not only warrant Mr. Barr's recusal from the special counsel's investigation, but they cry out for it.

Attorney General Sessions did the right thing when confronted with a similar decision. However, despite expressing these biased views from President Trump's own personal lawyers, Mr. Barr says he will not recuse himself from the special counsel's investigation if he is confirmed. To make matters worse, Mr. Barr refuses to

commit to making the special counsel's final report public.

Earlier, I asked for us to consider whether Mr. Barr will be the Attorney General for all Americans or whether Mr. Barr will be the Attorney General for one American. That one American happens to go by another name, Individual 1, which is the legal moniker given to President Trump in the Southern District of New York for directing his personal attorney to violate Federal campaign finance law.

Like Mr. Whitaker's public comments prior to his elevation to Acting Attorney General, I fear that Mr. Barr's memo may have been an audition for the job and that his selection may not have been a coincidence. During his Senate hearing in 1989, Mr. Barr plainly stated that the Attorney General "is the President's lawyer."

Colleagues, these are extraordinary times for our Nation. We must make it clear to the American people that the Attorney General is not the President's lawyer. We need independence at the Department of Justice now more than ever. While I hope I am wrong—very wrong—it is my belief that Trump used this appointment as an opportunity to protect himself rather than to protect the constitutional rights of all Americans.

Ultimately, for all of these reasons I have laid out, I have concluded that despite his earlier service to our Nation—distinguished service in many instances—Mr. Barr does not, in this instance, meet the standard that is necessary to be the Attorney General for our country now.

Sadly, on that note, I yield the floor. **THE PRESIDING OFFICER.** The Senator from Oklahoma.

**Mr. LANKFORD.** Mr. President, in the next 24 hours, the Senate will do what it should do, which is to actually go through the process of advice and consent with a nominee—this time, for an Attorney General—William Barr.

William Barr is eminently qualified. It has been interesting to hear my colleagues on the other side of the aisle talk all day long today about how qualified William Barr is but then always pause with a "but" and take off on the Mueller investigation.

Let me explain what this means by "eminently qualified." He has had an exceptionally impressive legal career. He serves in one of the top U.S. firms. He began his legal career decades ago as, actually, an analyst and as legislative counsel for the CIA. He worked on domestic policy for Ronald Reagan. He served as the Deputy Attorney General from 1990 to 1991, and then he served as the Attorney General of the United States for George Herbert Walker Bush from 1991 to 1993.

When he was appointed as the Attorney General in 1991, his nomination passed out of the Judiciary Committee with a unanimous vote of 14 to 0. The Judiciary chairman at the time—a gentleman named Joe Biden—called him a fine Attorney General. He was overwhelmingly confirmed by the Senate in

1991—a less partisan time. It was when Democrats and Republicans both looked at his qualifications, not at a political agenda.

We have a unique moment in which to look at someone who was a good Attorney General for the United States, one who served faithfully but then had a season away from that, only to turn around and do it again. How many of us wouldn't want to redo something we did years ago and say: I did it, and it went well, but if I were to have a little more time and could do it over again, I would do things better. We have that chance with William Barr. It is a unique moment for us as a nation to be able to bring somebody like that back again.

What happened under his watch?

During that time period, he believed and still believes that the personal security of the citizens of the United States is the primary, first duty of the government's and of the U.S. Attorney General's. Despite what is being smeared about him on this floor over and over again—with people saying he is being hired to be the President's personal attorney—for those who have actually met with him and talked with him, he speaks openly about law enforcement in the United States. He talks about working with local law enforcement and with U.S. attorneys to actually prosecute crime and go after the issues that distract from American values and that keep the American people from living the American dream.

During his tenure as Attorney General, he spearheaded the initiative called the Weed and Seed Program, which removed violent drug offenders from the streets. Under Attorney General Barr, in the 1990s, violent crime in the United States went down because they were aggressively prosecuting for crime.

He is also the Attorney General who supervised the enforcement and implementation of the Americans with Disabilities Act. It was an incredibly difficult legal process to have gone through and to have implemented nationwide in order to have protected the rights of individuals who had been overlooked in our country for two centuries—those with disabilities. It was a major feature of what he did during that time period.

He brings this unique, important perspective from his dealings with law enforcement, his background, his experience. All of those things look like they would make a slam dunk with which to come to this floor and have wide, bipartisan support except for this—that he is being used as a message in the Mueller investigation. It is not that he said: I am going to stop the Mueller investigation. It is not that he said anything else about that. He did write a 19-page letter as an attorney in the law practice that is helping President Trump get through this process.

He wrote: Hey, as former Attorney General, here are all of the things of

which you should be advised. When you are working with the President, here are the key features.

It seems like a kind thing to do for any President. He wrote the letter with all of that information in it, and he gave those details. Fine.

He has also said over and over again that he is not going to undercut the Mueller investigation. Yet some of my Democratic colleagues have said: No, it has to be more than that. He has to recuse himself like Jeff Sessions did. He has to recuse himself. If he doesn't recuse himself, he can't be there.

May I remind you that the reason Jeff Sessions had to recuse himself was that he was on the campaign team for the President, and when he got into the position of Attorney General, the ethics team from the Department of Justice advised him: Hey, since you were on the campaign team, you can't be the investigator for the campaign team. At that time, Attorney General Jeff Sessions agreed and said that it would violate ethics for a person on the team to help investigate the team, so he recused himself. That was not William Barr. There is all of this talk that he has to recuse himself like Jeff Sessions did, but it is a completely different situation. Why should he recuse himself?

Apparently, people don't want the Mueller investigation to have any supervision, which, again, I find fascinating politically because I distinctly remember, during the Clinton administration, that many of my Democratic colleagues who are still in this Chamber now were furious with Ken Starr. They can't believe Donald Trump would say he is frustrated with the Mueller team, but they had no problem with the Clinton White House's literally saying: We are going to go to war against Ken Starr. The term "witch hunt" is not new. The Clinton administration used that same term against Ken Starr. This is a fascinating side-by-side to me, to be able to look at this.

Here is what I would advise: Let the Mueller investigation finish its job. It has a job. Let it do its job. Quite frankly, the Attorney General shouldn't be in the day-to-day operations of the Mueller investigation. That is why we have a special counsel. Yet, at some point, the special counsel has to turn information over to someone. William Barr is not going to be the one writing all of the information from the special counsel. He should neither have this incredibly high standard nor be held to some standard of doing something that he is not going to do—try to interfere in this process. He has made that very clear.

He has also made it very clear verbally, in committee settings, and in written statements that he is going to release whatever comes out, as under the law, from the Mueller investigation. I think some people believe that the Mueller investigation is going to release a big, giant written report like the Senate Intel Committee will do.

Yet the Mueller investigation's task is not to release some big, giant report; its task is for them, as prosecutors, to go through and recommend indictments. If they choose to write a report, that is up to them. Now, this Congress could try to mandate that, but that is not their requirement. They are a special counsel. This is a group of attorneys that is making recommendations. That is all it is.

Don't judge an Attorney General nominee based on some accusation from some thought of what might happen and what he might do. Judge him on what he actually says and what he has done. Hold him to that standard.

I have also had some folks back in my State say they have heard that William Barr supports the possibility of some States having red flag laws on the Second Amendment. Now, I spoke to William Barr. He came to my office. We spent about 45 minutes together. We went through a whole litany of questions and answers about his background and the issues he has dealt with, his passions, his dealings with local law enforcement, his cooperation with State prisons, consent decrees, religious liberty. We talked of drug trials and processing. We talked about the whole issue of gang violence—on and on and on—including the Second Amendment.

He again reiterated he is supportive of the Second Amendment in every area. If someone loses his Second Amendment rights, it will only be based on due process, which is with a court's being involved. That has always been the standard for us as a country.

I have seen some of the things that have been written about him, one being that he is not supportive of the Second Amendment. That is absolutely false, and I can say those things based on my personal conversation with him after having asked him those questions. See not the things that have been written about him but the things that he has actually written and said about the Second Amendment. He is a protector of our rights under the Constitution. It is one of the things to which he has sworn under oath to protect as the previous Attorney General and would have to swear to again under oath.

This is a simple thing for us. We are looking at a qualified nominee who has an excellent background, the experience, and a passion to protect our country; who has shown a passion for law enforcement, protecting our Nation, and reducing violent crime in our country. I look forward to his stepping in and taking the lead in the Department of Justice.

May I make a side note on this? Again, this nomination reminds me of why it is so important that this Senate fix its nomination process. We have a broken nomination process—period.

If you take the last six Presidents combined, when they were putting their staffs together in their first 2 years of office, it was 25 times that someone in the Senate asked for additional time to debate that person. It

could be any one of 100. For the last six Presidents, it was a total of 25 times that one person asked for additional time to debate. In this body, it was 25 times that somebody said for the last six Presidents combined that we need a little more time to debate this person. They asked for additional what is called postcloture debate time. That is a full intervening day—24 hours—plus an additional 30 hours after that just to debate. That is fine. For highly controversial nominees, it is entirely appropriate.

Yet, in the first 2 years of President Trump's Presidency, that request has been made 128 times—25 times for the last 6 Presidents combined versus 128 times for this President. It is not because they have been all that controversial as nominees, although I am fully aware that President Trump has nominated some folks who have created heated debate on this floor, but it was certainly not 128 times. In fact, many of the times after we had had that postcloture intervening day, plus another 30 hours, those people passed either unanimously or with 90-plus votes. They were not controversial. It was an attempt to shut down this Senate and shut down this President to keep him from hiring his staff. That has never happened before. There has never been a time that the Senate has tried to prevent an elected President from hiring his own team—until now.

In May of 2017, I made a proposal to fix our postcloture vote debate time, seeing what would happen. I continued that conversation over and over again with many of my Democratic colleagues.

The last session, we brought in front of the Rules Committee a proposal that was made by Harry Reid and then was passed under Harry Reid's time and his leadership in the Senate—that is, to limit postcloture debate time to streamline that process.

I brought that exact same proposal back out and said: Republicans voted with Democrats to make sure this process would work in 2013 and 2014. Now will Democrats vote with Republicans on the exact same language? And we will do this together to fix this process.

The Democrats gave me the Heisman at that point and said: No. It was good of you to vote with us, but we are not going to vote with you.

That was all last session.

I brought up another proposal that went through the Rules Committee today. It is a simple proposal. Historically in this body, there hasn't been a lot of postcloture debate time on nominees, especially not on nominees like district court judges or Deputy Assistant Secretaries of some entity.

I met today with the person who will be the IRS counsel, the counsel of the IRS, which I dare guess no one in this room could name right now, and certainly most people in America couldn't, but they have been blocked for a year, so the IRS does not have a

Chief Counsel. Not a controversial nominee—will probably pass unanimously or near unanimously. Just to prevent the IRS from having a counsel, they have been slowed down.

My proposal is simple. We can still have postcloture debate. If anyone in this body wanted to slow down any nominee, they could still do that. They could request a full additional day, 24 hours, and then in the next day, instead of adding an additional 30 hours, it would be just an additional 2 hours. So instead of getting a full day plus 30 hours, they would get a full day plus 2 hours. That is still a lot of time.

Quite frankly, only 25 times in the last six Presidents have there been any requests for any additional time. So that would still allow a long period of time, but it would expedite the process so at least we could go through this.

If we don't fix this now, this will become the habit of the Senate from here on out. When the next Democratic President is elected, I can assure you that we will have the same issue with nominees that President Trump is having because it only takes one Senator to say: No. I want a whole intervening day plus 30 hours for every one of your nominees.

By the way, the President puts 1,200 people through the process of nomination—1,200. So count the times that will happen in the days ahead.

I know this is part of the "resist Trump" movement and to shut down the operation of his Presidency, but it actually is going to shut down the operation of every President from here on out if we don't fix this rule.

I am asking my Democratic colleagues to look long, to not look right in front of us, to look at the future of where this is really headed and what is really happening to this Senate. The precedent that is being set right now on debate will be the standard in the days ahead. Let's fix it now so we can get this resolved long term for the sake of our country and do this right.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor this afternoon to express my deep opposition to the nomination of Mr. William Barr to be our Nation's next Attorney General.

His nomination comes at a very trying time for our country. As our own President frequently twists the truth and constantly pushes the limits of the law, the American people deserve to know that the Attorney General—the top law enforcement officer in the country—is committed, above all else, to seeking truth, defending their civil and constitutional rights, administering justice on their behalf, and safeguarding our country against threats to our democracy.

I wish Mr. Barr were the person who could right the ship and stand up for the American people no matter what. I wish he were the person who could help guide our country through this critical

juncture when questions about illegal payments involving both the Trump campaign and the Trump inaugural committee and Russia's interference in our elections and its attempts to influence millions of our friends and families must be fully explained to the public.

We know this is an administration that finds it so difficult to follow the law that it is being investigated in multiple jurisdictions at the Federal level—all of which would be overseen by Mr. Barr.

Sadly, it has become abundantly clear that Mr. Barr is incapable of being the impartial Attorney General people in communities across our country need and deserve and someone who stands up to the President when he is wrong.

Based on what I have seen over the past 2 years and despite the critical time we are in, I don't expect many of my Republican colleagues to join me on the floor today in order to defeat this nomination. Although people across the country have been raising red flags on this nomination, my Republican colleagues have been busy building the glidepath for Mr. Barr's nomination. In fact, just last week, the majority leader, standing here on the Senate floor, left little doubt about whether the majority would try to get this nomination sewn up. The leader referred to Mr. Barr as a "tried and true public servant" and a "proven professional" who was applying for the same job he got in 1991 under President George H. W. Bush. The job description, the majority leader said, "remains exactly the same as it was years ago." But that is the problem. Senate Republicans are still operating as though it is the early 1990s, as if the world around them has not changed, as if what we have experienced for the past 2 years is normal.

Well, on behalf of the American people, I urge us all to wake up. For the past 2 years, we have had a President whose only consistent agenda items are self-preservation and self-dealing, whether that means flouting the law or disregarding ethics, acting with impunity, violating norms and destroying relationships with our allies, firing those who challenge him and bullying those he can't, threatening jail time for political opponents, or changing Federal policy by tweet and based on his current mood.

On top of all that, President Trump faces a number of investigations, including serious questions about whether he has obstructed justice in order to make the special counsel's investigation into Russia's meddling in our elections go away. That is the same special counsel investigation that has already resulted in 34 indictments or guilty pleas to date. Despite what the President would like us to believe, that is far from a witch hunt.

When President Trump's first choice to be the next Attorney General is someone with highly questionable

views on Executive power, we have to be on alert.

When that nominee, Mr. Barr, can't adequately explain why, out of the blue—out of the blue—he sent a memo to the White House in order to criticize the special counsel investigation, absolve the President of questions about obstruction of justice, and make a case for less accountability with this President, we ought to be on alert.

When Mr. Barr writes that President Trump has “complete authority to start or stop a law enforcement proceeding,” we ought to be on alert.

Mr. Barr's memo makes no sense unless it was an audition for this job, and that is absolutely not how any President should select an Attorney General.

When we know that, if confirmed, Mr. Barr would be in charge of the special counsel investigation and would decide what, if anything, the public gets to know about the findings on Russia's 2016 election meddling, we ought to be on alert.

Someone who has written such an obviously flawed analysis of the investigation should not be put in charge of overseeing the investigation. That is just common sense.

People across this country sent us here to Congress not to shield the President from the law but to help restore integrity and independence to the Federal Government and to provide a check on the Executive branch, as outlined in the Constitution. And the idea that any Member of this Senate would support an Attorney General nominee who has openly and unequivocally advocated for less accountability when it comes to President Trump—that is just wrong, and the American people will not stand for it.

So to any of my colleagues who plan to support this nomination, I have a message: Seize this opportunity while you can to make it very clear to Mr. Barr and the Trump administration that you believe the American people deserve to know for sure that the findings on Russia's 2016 election meddling will be made public in order to get them the answers they deserve and that any attempt to cover up or hinder or otherwise muddy the waters around the Mueller investigation would be a serious disservice to the people we represent and will only lead to the further erosion of trust in our institution and our ability to work on their behalf.

The President is not above the law—not in the White House, not in New York, not anywhere. So Mr. Barr may be the Attorney General this President wants—someone to shield him from serious questions about abuse of power, someone who believes the President should be able to do more or less whatever he or she wants—but Mr. Barr is certainly not, in my opinion, the Attorney General this country needs, which is someone who will stand up for the rights of everyone else.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### THE GREEN NEW DEAL

Mr. WHITEHOUSE. Mr. President, I came here this afternoon to give my customary weekly climate speech urging that it is time to wake up here, and I was planning to speak about a legal brief that a number of scientists, led by Robert Brulle and Naomi Oreskes, filed in the Ninth Circuit detailing the long history of the oil industry knowing about climate change, doing its own research to confirm what it knows about climate change, telling the public something they knew was false, and yet taking what they knew to be true and using it in their own internal planning. But something even better than that came up, so I come here to react to the—well, for starters, the Wall Street Journal editorial calling for a vote on the Green New Deal.

Let's go back a bit as to what the Wall Street Journal editorial page has been up to for the last, say, 20 years on climate change.

The Wall Street Journal editorial page has been a mouthpiece for the fossil fuel industry's climate denial. The messages of the fossil fuel industry are echoed and amplified through the Wall Street Journal editorial page. All the way up until 2011, if I recall correctly, they were simply denying that this was a problem. They constantly behave like what I would call the one-eyed accountant—looking only at the costs of responding to climate change, never the costs of climate change.

On this subject, for those who may be interested, I would actually like to incorporate by reference two previous climate speeches I gave on this completely bogus effort that has been maintained by the Wall Street Journal editorial page. The first was my speech of April 19, 2016, and then I went back at them again on July 24, 2018. They have been making it up for a very long time, and sure enough, up comes this latest in which just yesterday, February 12, they said: Let's have a vote in Congress on the Green New Deal as soon as possible. Then they went on with a lot of their usual one-eyed accountant stuff, never looking at the costs of climate change, only looking at the costs of preventing those harms, and they concluded: “Let's not hesitate. Take the Green New Deal resolution and put it to a vote forthwith.”

Along the way, they went into some of their usual canards about renewables, saying that “solar costs remain about 20 percent higher than natural gas while offshore wind is two-thirds more expensive” without subsidies—well, unless you look at the subsidy for fossil fuel, which of course they don't, and the subsidy for fossil fuel has been quantified by the International Monetary Fund at \$700 billion per year—\$700 billion per year in the United States—propping up the fossil fuel industry. By contrast, the little tiny tax adjustments that we get for solar and wind, which the fossil fuel industry is always pushing back against, are nothing. There is a monster of a subsidy in the

energy space, and it is the fossil fuel subsidy, but will the dear old Wall Street Journal editorial page ever admit that? Not a chance.

Mr. President, I ask unanimous consent that the article be printed in the RECORD at the end of my remarks.

That came out in the Wall Street Journal that morning. Then Leader MCCONNELL went out here to the Ohio Clock for his midday press conference, and guess what he said:

I've noted with great interest the Green New Deal, and we're going to be voting on that in the Senate. That'll give everybody an opportunity to go on record and see how they feel about the Green New Deal.

I am in the habit of pointing out here how the string-pulling takes place and how the fossil fuel industry directs certain things and the mouthpieces say certain things and then we behave certain ways, but this may be the land speed record for a response. The Wall Street Journal says it wants a congressional vote, and that very day the vote gets announced. It is almost funny, if the topic weren't so serious.

The whole idea that this is the Republican response to climate change is really classic. It is really classic. Since the Citizens United decision, which powered up the fossil fuel industry to have real bullying dominance in Congress—at least over the Republican Party—no Senator here today has been on any bill to meaningfully reduce carbon dioxide emissions. It is never a topic. Nobody wants to talk about it. It is like the unwelcome, embarrassing guest at the dinner party: Oh, my gosh. Climate change. No, we can't possibly talk about that.

Never mind that NASA—which, by the way, RIP, Opportunity. The Opportunity has been driving around on the surface of Mars for 15 years, sending back information to us about that planet. NASA scientists built that thing, sent it to Mars, landed it safely on Mars, and has been driving it around for 15 years. My God, what a project that was. What a brilliant thing. So when NASA scientists say, “Oh, and by the way, climate change is serious. You ought to listen,” and we don't, that behavior is hard to explain. When we are listening to the flacks of the fossil fuel industry and not the scientists of NASA—and, by the way, 13 or 14 Federal Agencies in the latest report that came out under the Trump administration—we are way past there being any serious factual or scientific dispute here. There are just political demands by the industry with the biggest conflict of interest ever that we can't bring this up.

For pretty much 10 years, since Citizens United, nobody has brought up a serious piece of legislation to limit carbon dioxide emissions on the Republican side. Not one. Zero. Now, the majority leader is going to break this streak and bring up the first carbon-related bill. It is actually not a real bill. It is a resolution, but he is going to bring it up with the intention of voting