

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 16.

The PRESIDING OFFICER. The question is on the motion.

The motion was agreed to.

The clerk will report the nomination.

The bill clerk read the nomination of Eric D. Miller, of Washington, to be United States Circuit Judge for the Ninth Circuit.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Eric D. Miller, of Washington, to be United States Circuit Judge for the Ninth Circuit.

Mitch McConnell, David Perdue, Mike Crapo, Johnny Isakson, John Cornyn, Pat Roberts, James M. Inhofe, Thom Tillis, Roger F. Wicker, Lindsey Graham, Roy Blunt, John Thune, John Boozman, John Barrasso, James E. Risch, Richard Burr, John Hoeven.

## LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

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Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 6.

The PRESIDING OFFICER. The question is on the motion.

The motion was agreed to.

The clerk will report the nomination.

The bill clerk read the nomination of Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

James E. Risch, Johnny Isakson, Todd Young, Mike Crapo, Pat Roberts, John Thune, Rob Portman, Roy Blunt, Thom Tillis, John Boozman, Roger F. Wicker, James Lankford, Tim Scott, Steve Daines, Michael B. Enzi, John Hoeven, Mitch McConnell.

## LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

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Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 10.

The PRESIDING OFFICER. The question is on the motion.

The motion was agreed to.

The clerk will report the nomination.

The bill clerk read the nomination of Andrew Wheeler, of Virginia, to be Administrator of the Environmental Protection Agency.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Andrew Wheeler, of Virginia, to be Administrator of the Environmental Protection Agency.

Mitch McConnell, Thom Tillis, John Boozman, Johnny Isakson, Mike Crapo, Pat Roberts, John Hoeven, Shelley Moore Capito, Roger F. Wicker, John Barrasso, Joni Ernst, Mike Rounds, John Thune, John Cornyn, Jerry Moran, Chuck Grassley, Richard Burr.

## LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

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Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 12.

The PRESIDING OFFICER. The question is on the motion.

The motion was agreed to.

The clerk will report the nomination.

The bill clerk read the nomination of John L. Ryder, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2021.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 John L. Ryder, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2021.

Mitch McConnell, Steve Daines, John Thune, John Cornyn, James M. Inhofe, Pat Roberts, Mike Crapo, Chuck Grassley, Richard Burr, John Barrasso, Jerry Moran, Roy Blunt, Shelley Moore Capito, John Boozman, Johnny Isakson, Thom Tillis, John Hoeven.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

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

The PRESIDING OFFICER. The Democratic leader.

## GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, first, let me congratulate the Chamber on the overwhelming vote for the appropriations bill. It is good news that we passed it by a lot of votes, and I hope the House does it by a lot, too.

I need to comment on the news that President Trump may declare a national emergency in an attempt to build his border wall. If President Trump decides to go forward with a disaster declaration, he will be making a tremendous mistake.

Declaring a national emergency would be a lawless act, a gross abuse of the power of the Presidency, and a desperate attempt to distract from the fact that President Trump broke his core promise to have Mexico pay for the wall. It will be another demonstration of President Trump's naked contempt for the rule of law and congressional authority.

Congress just debated this very issue. There was not support for the President's position. Congressional intent on this issue is very clear. The President's wall has been before Congress several times and has never garnered enough votes to even merit consideration. For the President to declare an emergency now would be an unprecedented subversion of Congress's constitutional prerogative.

The fact is, this is not an emergency, and the President's fearmongering doesn't make it one. A policy dispute about our southern border does not constitute a national emergency.

Democrats support and have always supported strong border security, but the fact is, according to the CBP, apprehensions at our southern border are at historic lows.

President Trump couldn't convince Mexico, he couldn't convince the American people, and he couldn't convince their elected representatives to pay for his ineffective and expensive wall. Now he is trying an end run around Congress in a desperate attempt to put taxpayers on the hook for it. Make no mistake—Congress will defend our constitutional authorities in every way that we can.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

RUSSIA

Mr. MENENDEZ. Mr. President, over the last 2 years, many of us have grappled with a very difficult question about our President. It is a question that never before could we even imagine thinking about an American President, let alone saying it out loud on the floor of the Senate. I am talking about the entirely legitimate question of whether Donald Trump could be compromised by the Russian Government. It is more than a legitimate question; it is the natural question that comes to mind every time we learn more about the links between President Trump, his associates, and the Russian Government.

With the Mueller investigation possibly coming to a close in the near future, we may be forced to deal with—both Congress and the American public—some very stark facts about the President's ties to Russia. Just think about the reported revelations over the last month or so.

We have learned that President Trump took unprecedented steps to conceal the contents of his conversations with Putin from his own advisers.

We have learned that following one of the meetings with Putin, Trump phoned a New York Times reporter to argue that Russia did not interfere in the 2016 election—once again carrying the Kremlin's water in direct conflict with the entire U.S. intelligence community.

We have learned that over the past year, President Trump repeatedly argued for pulling the United States out of NATO—something that Putin desires.

We continue to learn new details about Paul Manafort's—President Trump's campaign chairman—meetings with Konstantin Kilimnik, a Russian national with suspected ties to Russian intelligence and an associate of Oleg Deripaska's. We know that Manafort met with Kilimnik repeatedly, provided him with polling data, and discussed ending U.S. sanctions and adopting a Russia-friendly peace plan for Ukraine. This is perhaps the most significant indication that Trump's inner circle was discussing pro-Kremlin policies in the months before the election.

Tellingly, just last night, we learned that Manafort has lied again and again about the truth of his contacts and his conversations. Did Manafort determine that lying to prosecutors was a better alternative to telling the truth?

Finally, let's not forget the revelation from just a few weeks ago that the Nation's top law enforcement agency reportedly opened a counterintelligence investigation into the President, in part for firing the FBI Director because of "this Russia thing."

You can't make this stuff up. Not even in your wildest dreams, not even on the TV set of "Homeland" could you make this stuff up. The news of a possible counterintelligence investigation against a sitting President should shake us all to the core. Instead, we are barely even surprised.

For the rightwing pundits who spoon-feed a warped reality to President Trump every hour of the day, it is just one more excuse to paint him—the most powerful man in the world—as a victim, but for the rest of us, these revelations only sharpen the dread that gnaws at us as we search our minds for any explanation for President Trump's perplexing posture toward Russia.

Look, I may have my differences with the President on tax policy, on immigration policy, on healthcare policy, and more, but let me assure you, every time he was set to meet with Putin, I, for one, hoped and prayed that our President would prove our suspicions wrong.

I hoped that the President of the United States would stand up to Putin and demand accountability for Russia's interference in the 2016 elections—the cyber attacks, the stolen data, the malign social influence campaigns designed to stoke division and doubt in the American people. I hoped President Trump would make clear to Putin that legal aggression against Ukraine and the continual denial of Ukrainian sovereignty is unacceptable and will result in consequences. I hoped President Trump would not congratulate Putin on another sham election victory but operate from a position of truth about his grip on power—that it comes from the oppression of the Russian people, the seizure of their assets, the torture and murder of dissenters, the building of a chemical weapons arsenal, and the denial of a free press and basic human rights. And of course I hoped President Trump would not budge an inch on sanctions on the Kremlin.

But time and again, our President has let us down. He has let our country down. He has let our country down. He has let Americans to lie awake at night asking themselves: What does Putin have on our President? Why won't he hold Russia accountable? Why won't he champion the values of democracy, freedom, and human rights that transcend political parties and define our greatest ideals as a nation?

Instead, our President champions talking points that could have only come out of the Kremlin. Let me provide just a few examples.

He told the leaders of the G7 that Crimea should be a part of Russia. He told the President of France to leave the EU. He said that Montenegro, a NATO member, could start World War III because they are "very aggressive people." He said that the Soviet Union invaded Afghanistan because "terrorists were going into Russia" and Russia was "right to be there."

The Wall Street Journal rightly said that "we cannot recall a more absurd misstatement of history by an American President."

I challenge anyone to find one person—one person in the State Department, the Defense Department, the National Security Council—who believes these statements and would have put them in the President's ear. So who does he get these ideas from? I can think of only one person—his good friend Vladimir Putin.

Thus far, our greatest insights into what may be driving President Trump's peculiar behavior toward Russia have come out of Special Counsel Mueller's investigation and the additional investigations spawned by it. With every new court filing, we learn that the tentacles of Russian influence over the President and his associates are wrapped tighter than we previously thought.

Meanwhile, the President and his cheerleaders on FOX News continue to discredit the Mueller probe as some kind of partisan witch hunt, when the truth is that it has already resulted in 4 individual sentences, 7 guilty pleas, and a total of more than 30 people and 3 Russian entities charged.

But all of this still begs the question why. Why does President Trump behave as though he has been compromised by the Russian Government? Why is he so deferential to Putin? We saw that at the Helsinki summit. Why have those around the President gone to such great lengths to cover up and lie about the extent of their interactions with Russia and with Russians?

Of course, if we can consider the possibility that the President is an asset of the Russian Government, we then have to wonder whether he is a witting or an unwitting asset.

On the one hand, it seems as though most of what President Trump does is unwitting. Perhaps his refusal to take Russian interference in 2016 seriously is merely an outgrowth of his narcissism, a symptom of a fragile ego that cannot accept that maybe, just maybe the unprecedented malign influence campaign orchestrated by the Kremlin did indeed sway some votes on election day.

On the other hand, the more I learn about President Trump's strange behavior toward Russia, the more I wonder if he knows exactly what is going on; the more I wonder if he knows that his campaign was making promises about pro-Kremlin positions and rolling back sanctions; the more I wonder if Trump knows that he is indebted to Russia and cannot allow the truth of