

The Under Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock, warned that this famine could become “the largest famine the world has seen for many decades, with millions of victims.”

Every day, about 130 children die from hunger and disease. We pride ourselves on going to the assistance in the world when children are being slaughtered or starved or decimated by disease. In this case, we are participating in this carnage. Does any Member of this Senate want to stand up and say that is an appropriate mission for the United States to participate in, this carnage? I certainly hope not.

The death and destruction in Yemen is unimaginable. It is appropriate that we debate on the floor the Sanders-Lee-Murphy resolution, a bipartisan resolution to say: Let's honor the Constitution. Let's abide by the 1973 War Powers Act. Let's hold the administration accountable because it is not just this issue—although this issue is massive—it is also the standard by which the Executive will operate in every potential war theater around the world for a decade to come.

If we proceed to say that it is OK that you trample the Constitution in Yemen, that you disregard the War Powers Resolution in Yemen, then we will be giving carte blanche to this administration to do so in one nation after another. We have long abdicated our responsibility. Let's abdicate no more. Play the role, the responsibility the Founding Fathers gave us in the Constitution, and bring an end to our participation without authorization in this horrific conflict.

RECESS

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

Thereupon, the Senate, at 12:39 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

S.J. RES. 54—MOTION TO DISCHARGE—Continued

The PRESIDING OFFICER. The President pro tempore.

JUDICIAL VACANCIES

Mr. HATCH. I thank the Presiding Officer.

Mr. President, 1 year ago today, the Senate Judiciary Committee opened its hearing on the nomination of Supreme Court Justice Neil Gorsuch. The Stanford Law & Policy Review has now published my article on one of the opposition's arguments made in that hearing and sure to be repeated should President Trump have the opportunity to make another Supreme Court nomination.

Today, I want to look at the lower courts because no fewer than 138 positions on the Federal district and ap-

peals courts are vacant. That does not include 33 vacancies that we already know will occur in the next year or so. Everyone must understand both the seriousness and the cause of this crisis.

By itself, 138 is just a number. It is a big number, but it needs a frame of reference or a standard for us to know whether this number of judicial vacancies is normal or a serious problem that has to be addressed. I certainly don't want to be accused of partisanship, so I will rely solely on the standards and criteria used in the past by my Democratic colleagues. Let's first use some Democratic standards to evaluate the number of judicial vacancies that we face today.

One standard is that the Democrats have specifically identified how many vacancies are unacceptable. In February 2000, with a Democrat in the White House, the Democrats said that 79 vacancies were “too high.” In September 2012, with the Democrats both in the White House and controlling the Senate, they declared a “judicial vacancy crisis” when there were 78 vacancies.

If 78 vacancies is a crisis, what is the label for 138 vacancies? This is the highest judicial vacancy total since September 1991, but more than half of those vacancies were fresh from Congress's having created new judgeships several months earlier. So I think it is fair to say that in either total or percentage terms, we face today the most serious judicial vacancy crisis that anyone in this body has ever seen.

A second Democratic vacancy standard is that, as they did in April 2014, we can compare judicial vacancies today with vacancies at the same point under previous Presidents. If that Democratic standard is valid, vacancies today are 35 percent higher than at this point under President Obama and 46 percent higher than at this point under President George W. Bush.

There is a third Democratic vacancy standard. In June 2013 and at least as far back as April 1999, the Democrats have complained that the Senate was not confirming enough judicial nominees to keep up with normal attrition. Well, judicial vacancies today are 30 percent higher than when President Trump took office, and, as I said, at least 33 more have already been announced.

Finally, the Democrats have frequently said that the 107th Congress—the first 2 years of the George W. Bush administration—should be our judicial confirmation benchmark. During that time, the Senate confirmed an average of just over four judicial nominees per month. The Senate has so far confirmed 28 of President Trump's district and appeals court nominees or fewer than two per month.

Take your pick. By any or all of these Democratic standards, we face a much more serious judicial vacancy crisis than in years past. In addition to the gravity of this crisis, however, the American people need to know its

cause. I can tell you what is not causing this vacancy crisis. President Trump started making nominations to the Federal district and appeals courts on March 21, 2017, just 61 days after taking office, as you can see on this chart. By August of last year, he had made more than three times as many judicial nominations as the average for his five predecessors of both parties. President Trump has nominated 86 men and women to the Federal bench since he took office 14 months ago.

If the President is making so many nominations, perhaps the problem lies somewhere in the Senate confirmation process. Once again, my Democratic colleagues can help figure this out. In November 2013, then-Judiciary Committee Chairman PATRICK LEAHY spoke about obstructing judicial nominees “in other ways that the public is less aware.” The Democrats are using such below-the-public-radar obstruction tactics at each stage of the confirmation process.

The first stop in the confirmation process is the Senate Judiciary Committee. Under Chairman CHUCK GRASSLEY's leadership, the committee has held a hearing for 62 of President Trump's judicial nominees—more than under any of the previous five Presidents at this point. So that is clearly not the problem. The first sign of Democratic obstruction is the unwarranted and partisan opposition to reporting judicial nominations from the Judiciary Committee.

In February 2012, 3 years into the Obama administration, the Democrats complained that five nominees to the U.S. district court had been reported by the Judiciary Committee on a party-line vote. This, they said, departed dramatically from Senate tradition. Today, just 14 months into the Trump administration, eight nominees to the U.S. district court have been reported by the Judiciary Committee on a party-line vote. The present rate of such party-line votes in the Judiciary Committee is more than four times what the Democrats criticized just a few years ago.

The below-the-radar obstruction tactics continue when the Judiciary Committee sends judicial nominees to the full Senate. The Democrats, for example, refuse to cooperate in scheduling confirmation votes. They can't prevent confirmation votes altogether because they abolished nomination filibusters in 2013, but if they can't make judicial confirmations impossible, they are determined to make them very difficult. Here is how they do it.

The Senate must end debate on a nomination before it can vote on confirmation. The majority and minority have traditionally cooperated to end debate and set up confirmation votes. In March 2014, not for the first time, the Democrats said that refusing consent to schedule votes on pending nominees was obstruction. When the minority refuses that consent, the only way to end debate and set up a confirmation vote is by the formal cloture

process, which requires a cloture vote and can add up to several days to the confirmation timeline, as seen here.

Since President Trump took office, the Democrats have forced the Senate to take 28 cloture votes on judicial nominations, compared to just two cloture votes at this point under the previous five Presidents combined. Even when cloture is invoked, Senate rules provide for up to 30 hours of debate before a confirmation vote can occur. Nearly half the time under President Obama, a judicial nomination cloture vote was followed by a confirmation vote on the same day. Under President Trump, that has plummeted to 17 percent. The average time between cloture and confirmation votes for President Trump's judicial nominations is more than 55 percent longer than it was under President Obama.

When a judicial nomination gets out of the Judiciary Committee, survives an unnecessary cloture vote, and then is subjected to postcloture delay, Democratic obstruction is still not over. In March 2012, the Democrats complained about Senators having voted against nominees to the U.S. district court who were supported by their own two Senators. In fact, the Democrats called this a new standard of obstruction because it departed so far from Senate tradition.

OK. Let's assume for the moment that this Democratic standard is also valid. At this point in the previous five Presidencies—from President Reagan to President Obama—U.S. district court nominees had received a combined total of 10 negative votes. So far, under President Trump, his confirmed district court nominees have received 72 negative votes.

Two weeks ago, the Pew Research Center released a new analysis showing that President Trump's confirmed judges have "faced a record amount of opposition." In fact, this analysis concluded that President Trump's judges have each received an average of more than 22 negative votes, "by far the highest average for any president's judges since the Senate expanded to its current 100 members in 1959." This level of opposition is more than four times what it was under President Obama—or should I say oppositional delay.

These tactics don't involve high-profile filibusters or headline-grabbing confirmation defeats but, rather, internal Senate rules and unwritten traditions. That is why they operate below the radar. Yet the Democrats have criticized these tactics precisely because they take their toll. Individually and especially in combination, they can add days and weeks to the time it takes to confirm a single judicial nomination even when the final confirmation vote is unanimous.

In November 2013, for example, the Democrats said that taking cloture votes on unopposed nominees amounted to "obstruction and abuse of Senate rules." At that point, almost 4 years

into the Obama administration, the Senate had taken one cloture vote on a judicial nominee who was later confirmed without opposition—just one. We are only 14 months into the Trump administration, and the Democrats have already forced the Senate to take five cloture votes on nominees who were later unanimously confirmed. It has already happened twice this month. If doing this once amounted to obstruction and abuse, what would my Democratic colleagues call doing it five times as often in one-fourth the time?

These are just a few of what then-Chairman LEAHY called obstruction tactics that the public may not be aware of. Believe me. There is more where these came from. As I said, I want to avoid partisanship. Each of these is a Democratic standard. These are Democratic criteria. If my colleagues who once thought these were valid standards want to abandon them now, then perhaps they were also wrong the first time around. Otherwise, we have to face the conclusions that follow from applying these Democratic standards and criteria.

We face an unprecedented judicial vacancy crisis. Since President Trump is making nominations and the Judiciary Committee, under Chairman GRASSLEY's leadership, is steadily processing them, there remains only one explanation for the vacancy crisis we face today—plain, old-fashioned, partisan obstruction. The Democrats are manipulating this process at every stage, using the very tactics that they have loudly condemned in the past to make confirmations as difficult and time-consuming as possible.

Even in politics, actions speak louder than words. In July 2012, when there were 76 judicial vacancies, Chairman LEAHY said that "we should be doing better." Today, with nearly twice as many vacancies, I challenge my Democratic colleagues to put actions to those words.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. REED. Mr. President, I rise today to express my concern about the continued deterioration of the situation in Yemen and to share my views about the resolution that is currently before us.

The military conflict going on in Yemen has gone on for far too long and has affected tens of millions of civilians who face displacement, famine, and a widespread cholera outbreak. According to the United Nations, more than 15,000 Yemenis have been killed or injured since the war began in March of 2015. The humanitarian situation there has been described as the worst in the

world, with more than two-thirds of Yemen's approximately 29 million people facing severe food shortages. An outbreak of cholera has already infected at least 1 million people, marking the worst such outbreak in decades.

Continued instability in Yemen also benefits our adversaries. While we have sought to maintain pressure on al-Qaida in the Arabian Peninsula, or AQAP, and ISIS, the lack of a functioning government or state security apparatus inhibits our ability to go after these groups. Additionally, it is clear that Iran has taken advantage of the current situation to spread its malign influence and provide lethal support to the Houthis, thereby further undermining regional stability and security.

Unfortunately, we have yet to hear any strategy from the administration as to how they would propose to use U.S. diplomatic leadership to help bring about an end to the conflict in Yemen. We still do not have an Ambassador to Saudi Arabia, and occasional visits by White House officials are not a replacement for sustained diplomatic efforts by our experts in the Foreign Service. I am encouraged, though, by the appointment of a new United Nations Special Envoy to Yemen, Martin Griffiths, and hope that the U.S. Government will seek to support his efforts wherever possible.

While the primary conflict in Yemen is between an Iranian-backed Houthi insurgency and a Saudi-led coalition, the United States is involved.

As stated in a letter sent by Secretary Mattis to congressional leadership last week, "Since 2015, the United States has provided limited support to Saudi-led coalition military operations to restore the U.N.-recognized government of Yemen and preserve Saudi territorial integrity from Houthi aligned forces in Yemen." Moreover, according to Secretary Mattis, U.S. forces are not authorized to use force against the Houthis but do support the Saudi-led coalition with "intelligence sharing, military advice, and logistical support, including air-to-air refueling."

Last week, the commander of U.S. Central Command, General Votel, testified before the Armed Services Committee that our support to the Saudi-led coalition is "primarily defensive" in nature and focused on the Iranian-supported ballistic missile threat to Saudi Arabia that originates in Yemen, maritime threats to international shipping in the Bab el Mandeb Strait and the Red Sea, the defense of Saudi Arabia's southern border, and counterterrorism.

However, General Votel also acknowledged that when the United States provides aerial refueling to coalition aircraft, we do not know where those aircraft then go; therefore, they could be going to conduct offensive strikes against Houthi targets, which may result in civilian casualties, which is a major concern for me. Even more troubling, if these aircraft went to conduct strikes against targets outside of

Yemen, the United States would be complicit in a much more dangerous and provocative activity.

I have significant concerns about persistent reports of civilian casualties and damage to civilian infrastructure caused by the Saudi-led coalition in Yemen. Far too many of the strikes by the coalition have killed or injured civilians and resulted in the destruction of infrastructure needed to provide basic services to the population, thereby exacerbating the humanitarian crisis.

It is also clear that more must be done by both the coalition and the Houthis to facilitate the flow of humanitarian aid into and throughout Yemen. The United Nations and humanitarian organizations continue to express concern about their ability to access seaports and airports and difficulties in distributing aid to vulnerable populations once it is inside the country.

It is important that shipments into Yemen be subject to inspection by the U.N. Verification and Inspection Mechanism to help prevent the transit of illicit materials in violation of the U.N. arms embargo, but all parties to the conflict in Yemen have a responsibility, including under international humanitarian law, to allow access to aid by those in need.

We are faced with a very difficult set of issues, and I certainly understand and commend my colleagues, Senators SANDERS, MURPHY, and LEE, for bringing this issue to the floor. The Saudi-led coalition clearly must do more to end this war and must prosecute this war in a way that limits civilian casualties and the humanitarian crises. On the other hand, Saudi Arabia and the United Emirates, or UAE, remain important partners for the United States, and we share many common interests in the region, including in the fight against al-Qaida, ISIS, and other violent extremist groups.

The resolution before us would establish a blanket prohibition on all assistance to the Saudi-led coalition except for the purposes of countering al-Qaida and associated forces. While I understand the argument for this approach, I believe it would prevent us from exerting influence to limit and hopefully end the conflict. Indeed, it may even cause harm as both sides potentially act more violently.

We can and should engage if there is a possibility that we can help minimize collateral damage by providing the coalition with training and advice on best practices. General Votel testified last week that U.S. assistance has contributed to improvement by the coalition on these issues. Specifically, the Department of Defense told us that engagement by U.S. military personnel has resulted in the introduction of a “no-strike” list. That is a process which actually puts targets off-limits and ensures that pilots and others understand those targets. They also caused a cessation—an ending—of the

use of cluster munitions by Saudi-led forces and the formation of a body to investigate noncombatant casualties. These are positive steps, but it is clear that much more must be done to minimize the impact of the war on Yemeni civilians. I support our continued engagement for that purpose.

Both Saudi Arabia and the UAE face a significant threat from Houthi rebels armed with ballistic missiles, apparently with the technical assistance of the Iranians. There have reportedly been dozens of attacks against Saudi Arabia since the spring of 2015, including against civilian targets like the international airport in Riyadh, which was attacked in December. I strongly support the right of our partners to defend themselves against these threats and believe that continued sharing of U.S. intelligence for defensive purposes is appropriate, especially in light of the fact that tens of thousands of U.S. civilians, military, and diplomatic personnel also face these threats while living and working in the region around Riyadh and throughout Saudi Arabia.

I also have concerns that ending all support to the Saudi-led coalition may cause the conflict to escalate. As Secretary Mattis wrote to congressional leadership this past week, restrictions on our “limited U.S. military support could increase civilian casualties, jeopardize cooperation with our partners on counterterrorism, and reduce our influence with the Saudis—all of which would further exacerbate the situation and humanitarian crisis.” Secretary Mattis also expressed concern that withdrawal of our support would “embolden Iran to increase its support to the Houthis, enabling further ballistic missile strikes on Saudi Arabia and threatening vital shipping lanes in the Red Sea, thereby raising the risk of a regional conflict.”

Therefore, I believe that support by the U.S. military of the Saudi-led coalition in Yemen should not be absolutely prohibited but should be explicitly limited to the following objectives: No. 1, enabling counterterrorism operations against al-Qaida and ISIS; No. 2, defending the territorial integrity of Saudi Arabia and the UAE, including against ballistic missile threats; No. 3, preserving freedom of navigation in the maritime environment around Yemen; and No. 4, enhancing the training and professionalism of their armed forces, with a primary focus on adherence to the law of armed conflict and prevention of civilian casualties.

Our support for the Saudi-led coalition needs to be considered in a thoughtful and deliberate manner. From a policy perspective, we should distinguish between assistance that is provided for defensive or noncombat purposes and that which could be used to enable offensive military operations in the Yemeni civil war.

Let me be clear. I am not in favor of giving the Saudi-led coalition a blank check. In fact, I believe we should no longer provide aerial refueling assist-

ance unless it is used to enable aircraft conducting counterterrorism missions pursuant to the 2001 authorization for use of military force or countering specific identified threats to Saudi territorial integrity. Indeed, use of our military assets to support Saudi-led coalition efforts or the efforts of other nations to conduct other operations outside this narrow scope would raise very serious legal questions.

Given its comprehensive approach, I do not believe the Sanders resolution is the appropriate vehicle for these issues to receive the careful and deliberate consideration they are due. I understand the Foreign Relations Committee may soon take up this issue, and I urge them to do that. I look forward to engaging further in those discussions when presented with the opportunity.

The administration must make clear to both the Saudi-led coalition and the Houthis that there is no military solution to this conflict and that the time has come to reach a negotiated settlement. Congress also has an important role in setting the policy framework for the use of U.S. Armed Forces overseas and ensuring that U.S. military capabilities are only used for authorized purposes. At the same time, we should not take action that would unduly restrict our engagement with partners for legitimate purposes and, in doing so, undermine our ability to help bring an end to the conflict in Yemen, ease civilian suffering, and defend the territorial integrity of our partners.

With that Mr. President, I yield the floor.

Mr. LEAHY. Mr. President, it is about time we had a debate, if only for a few hours, on the participation of the U.S. military in the civil war in Yemen. Frankly, I cannot comprehend nor am I able to explain to my Vermont constituents the ongoing involvement of U.S. troops in support of the Saudi-led coalition as it flies U.S.-origin planes and drops U.S.-made bombs—purchased at a discount thanks to American taxpayers—amid continued reports of indiscriminate targeting and horrific civilian casualties.

These are not isolated incidents in Yemen. They have occurred time after time over the past 3 years. Houses, health clinics, and markets are destroyed, millions of people uprooted from their homes. Whether extreme negligence or intentional and a war crime, the effect is the same for those who are killed, wounded, or displaced. There is no evidence that U.S. military involvement nor the recurrent appeals of international humanitarian and human rights organizations has improved the situation.

This is not just a matter of the carnage we have observed. It is that we are supporting these military operations at all. Only Congress has the power to declare war, and the ongoing participation of U.S. forces in the Saudi-led coalition's war against the

Houthis in Yemen clearly meets the definition of the “introduction of United States Armed Forces into hostilities” under the War Powers Resolution. The War Powers Resolution also authorizes Congress to direct the removal of U.S. forces if their introduction has not been authorized by law, as is the case in the war against the Houthis.

That is why I support the resolution before us, S.J. Res. 54, which would exercise Congress’s prerogative to limit the involvement of U.S. forces, in this case to the narrow purpose of combating al-Qaida, which does serve our national security interests in the region. I recognize, as some others have pointed out, that the war in Yemen is part of a larger conflict of interests and ideology between Iran and Saudi Arabia. If there are other legitimate and compelling national security interests that justify the deployment of U.S. forces in that region, let us debate them.

We should also be doing more to demand greater transparency and accountability for civilian casualties in Yemen, regardless of the context in which they occur. If the Saudis want U.S.-taxpayer subsidies, they need to focus their efforts on terrorists, take effective steps to minimize civilian casualties, and credibly investigate such casualties when they occur.

I have heard Senators who oppose this resolution say they intend to hold hearings and focus more attention on what is happening in Yemen. I welcome that, but I have to wonder why it has taken so long and whether anything will change as a result. Yemen has been a humanitarian disaster for years, and there is no end in sight. The Foreign Relations Committee should have held hearings and voted to invoke the War Powers Resolution when the U.S. military first became involved in Yemen.

This is not a new crisis, and other than the increasing toll of death and destruction, the facts on the ground have not materially changed. The Saudis have seemingly done nothing to improve the conduct of their air force in Yemen.

The least we can do is support this sensible resolution to put an end to the unauthorized involvement of the U.S. military in this civil war, as the War Powers Resolution compels us to do. The alternative is conceding unchecked power to the executive branch to use U.S. troops in support of any armed conflict, without congressional debate or authorization. That is just what the War Powers Resolution was designed to prevent. It is time to live up to the responsibility entrusted to us in the Constitution. Only Congress can declare war. If we are unwilling to do so, we have no business asking the men and women of the U.S. military to risk their lives in Yemen today.

The PRESIDING OFFICER. The Senator from Arkansas.

HUMAN TRAFFICKING LEGISLATION

Mr. BOOZMAN. Thank you, Mr. President. As you know, our Chamber

is focused on a heavy subject at the moment—human trafficking.

An estimated 25 million people are victims of human trafficking all around the world. Smuggling people for forced labor and sex slavery is a heinous crime. It is the kind of crime that we tend to think happens in some far-off place, but these atrocities are happening all across the globe—sadly, including, unfortunately, here in the United States. In fact, human trafficking appears to be on the rise in our country, according to data released by Polaris, which shows a 13-percent jump in cases reported to the help lines it runs.

Since Polaris began operating over 10 years ago, its help lines have received reports of 203 cases of human trafficking from my home State of Arkansas. Almost half of those were reported in the last 2 years. Fortunately, our State is fighting back. Last year, Arkansas legislators approved a law requiring State-licensed truckers to be trained in spotting the red flags of human trafficking. Using their position on the road, these drivers have the tools to recognize the signs of human trafficking and alert the authorities to any suspicious activity.

Congress is also increasing its efforts to combat human trafficking. In September, the Senate unanimously passed two pieces of legislation to renew existing programs in support of survivors and help bring perpetrators of these horrific crimes to justice.

The Abolish Human Trafficking Act provides more resources to law enforcement in its effort to combat human trafficking and establishes human trafficking justice coordinators at every U.S. attorney’s office and at the Department of Justice. In addition, the legislation helps survivors rebuild their lives by extending the Department of Justice Domestic Trafficking Victims’ Fund.

The Trafficking Victims Protection Act reauthorizes key programs to help survivors in their recovery, as well as offering specialized training on human trafficking to judges and Federal investigators.

We have made progress, but more needs to be done, and the legislation on the floor this week will help by giving law enforcement and prosecutors additional tools to crack down on crimes involving exploitation of the vulnerable. It will help us to take on nefarious actors like Backpage, which hid behind the Communications Decency Act to avoid prosecution for trafficking crimes.

It is time to rip the cover away from these bad actors. We are going to do that by making narrowly crafted changes to the law to ensure that websites that knowingly facilitate sex trafficking online are held accountable. “Knowingly” is the keyword here.

During the last session of Congress, the Homeland Security Committee, under the leadership of Senators PORTMAN, MCCASKILL, and JOHNSON,

uncovered just how much Backpage knew. It was a lot. In fact, Backpage’s operators helped customers modify their ads to hide references to underage prostitutes. I think we can all agree that rises to the threshold of knowingly facilitating sex trafficking online.

Should this bill pass—and I believe it will in a very bipartisan way—these bad actors will not be able to fade quietly into the dark, as we are going to give State attorneys general the authority to prosecute websites that violate sex trafficking laws. That is why I support this bill. That is why I cosponsored similar legislation here in the Senate. It is also why I supported the inclusion of at least \$90 million in Federal funding to combat human trafficking. As a member of the Senate Appropriations Committee, I will continue to support funding for these important programs, and I look forward to the Senate’s completing work on fiscal year 2018 funding bills.

I am pleased to see all levels of government lending their support to help fight this crime. Together we can end this attack on human rights in our State, our country, and around the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, in light of the vote later today on the Sanders-Lee-Murphy legislation, or S.J. Res. 54, I rise today to discuss the situation in Yemen and the path forward. As many know, over the last year I have focused persistently on the humanitarian crisis in Yemen.

My activities have been manifold. I have issued letters to the administration and the Saudi Government, an administration nomination, hearings, a Senate resolution, and countless meetings, briefings, and phone calls with senior administration officials, Saudi officials, and leaders of the NGO community.

My goal? My goal has been to address impediments to the delivery of humanitarian assistance—food, fuel, and medicine—into the country of Yemen.

Now, we have seen some progress, and I have been encouraged by this. The USAID-funded World Food Programme cranes have been delivered, and the Red Sea ports have been opened. According to the United Nations, since the ports were open, we have seen more than 884,000 metric tons of food and more than 410,000 metric tons of fuel delivered to the ports of Hodeidah and Saleef alone.

Of course, we understand the importance of the food. But why is the fuel so important? Well, without the fuel, you can’t run the water treatment facilities and, therefore, the cholera epidemic that has broken out in Yemen will only get worse. So 884,000 metric tons of food and more than 410,000 metric tons of fuel have resulted in the saving of countless of lives in Yemen.

Look, there is a continued humanitarian crisis in Yemen. A lot of problems persist, and we need to address those. We have seen progress with respect to the delivery of some of the humanitarian assistance I mentioned, but commercial and humanitarian vessels have been offloading their lifesaving cargo less quickly than we would like. So there is a lot left for us to do.

The National Security Council presidential statement issued on March 15 related to Yemen indicated that there are still over 22 million people in need of humanitarian assistance. This is the world's largest humanitarian disaster. The risk of famine persists for millions of Yemenis.

The Saudi-led coalition continues, unfortunately, to impose unacceptable delays on ships carrying food and fuel into Yemeni ports. According to the U.N., the Saudi-led coalition caused 5.9 days of additional delay in the month of February on ships going to the major ports of Hodeidah and Saleef. Those delays continue this month.

Now, why does this matter? Well, this matters, of course, because we don't want people to suffer. It is inconsistent with our basic human values. It is inconsistent with what we Americans believe. When people suffer, it also exacerbates a national security crisis. It facilitates radicalization.

In fact, last week I chaired a Foreign Relations Committee subcommittee on this very topic—the connection between food insecurity, specifically, and the instability or radicalization of those who are food insecure. The hearing demonstrated that there is now a strong, evidentiary, and academic basis to conclude that it is in America's clear national security interest to address food insecurity, as well as a lack of fuel and medicine. A retired Marine Corps general testified at that hearing, Lieutenant General Castellaw. I thought he put it succinctly. He said: "Food crises [can] grow terrorists." Well, we have seen a lot of terrorists grown in Yemen in recent years.

The longer the civil war persists in Yemen, the worse the humanitarian crisis will grow. This will radicalize yet more people and provide even further opportunities to Iran to undermine our national security interests and those of our partners.

What are our objectives in Yemen? That is a fair question. It is one that all of us as policymakers and, really, all Americans ought to be asking. Well, consistent with our humanitarian principles and our national security interests, I believe we have to continue to pursue two primary objectives. First, we want to address the largest humanitarian crisis in the world, and, second, we want to press all parties to end the civil war.

The real question here—because I don't think there is agreement on those two primary objectives—is how can we best achieve these two goals? That takes me to the Sanders-Lee-Murphy resolution before us today. We, of

course, need to fulfill our article I constitutional responsibilities. Article I, section 8, of the Constitution indicates that it is Congress's responsibility to declare a war, and it is Congress's responsibility to authorize the use of military force. I share Senator LEE's conviction, Senator SANDERS' conviction, and Senator MURPHY's conviction that we need to take that responsibility very, very seriously. This is why I introduced an authorization for the use of military force last year. It is also why I have been working with Chairman CORKER of the Senate Foreign Relations Committee, Senator Kaine, and other members of the committee to break a logjam in negotiations—some principled disagreements that exist with respect to what the authorization for the use of military force should look like moving forward.

We have finalized an updated AUMF against Islamic terrorist groups like al-Qaida and ISIS that will merit consideration in coming weeks. In fact, we heard from Chairman CORKER. He has now offered a public assurance that there will be hearings on the issue of authorizing military force and there will be marking-up and reporting of legislation so that this 17-year-old authorization for the use of military force can be re-upped. My own view is that whatever one thinks of the legal merits of this long war under the authorizations given in 2001 and 2002, the further away we get from that point in time, where a past Congress authorized force, the more attenuated that argument is and the less power it has. Moreover, we owe it to the men and women in uniform to consistently debate our involvement in overseas conflicts. So I commend the chairman for agreeing with other members of the committee that we need to have hearings and to pass legislation specifically on this matter through the committee of jurisdiction through what we call regular order.

Let me share with those who are watching my remarks here today what I believe the wrong approach is. I believe S.J. Res. 54 is the wrong approach. That resolution sidesteps the Senate Foreign Relations Committee. It doesn't lead to the sort of fulsome debate. It doesn't allow us to hear from professional witnesses and members of the administration the way a formal committee hearing and markup would allow.

Moreover, the legislation is never going to become law. It will never become law. It is an exercise in messaging. Now, messaging is important. We need to make the argument, and I respect my colleagues for making their principled arguments. They are strong in conviction, and they make each of them quite articulately. But the administration has already indicated that the President wouldn't sign this into law. The administration has already indicated that they do not regard, under the law, that we are engaging in hostilities, which is required to

trigger the law they have invoked. So this will never become law.

Moreover, we most certainly will not be overriding a Presidential veto should this pass out of the Senate and the House and go to the President, whereupon he would veto it. So this will never become law.

The last reason I think S.J. Res. 54 is the wrong approach is because it will not achieve our shared objectives. It would fail to achieve its stated objective because the administration rejects the premise of the Sanders-Lee legislation related to hostilities, as I have already stated.

So there is a better approach. Rather than just criticizing S.J. Res. 54—and let me be careful to distinguish between criticizing the legislation that we will be voting on later and my colleagues, because I have great respect for my colleagues and their motives. I wanted to play a more constructive role in this debate. So I wanted to introduce legislation that would provide leverage to pressure the Saudis to actually end the civil war in Yemen and to actually improve the humanitarian situation. At the same time, we have to acknowledge and respond to Iran's malign behavior in Yemen, as well as the presence in Yemen of ISIS and AQAP—al-Qaida in the Arabian Peninsula. This is arguably the most aggressive and most dangerous al-Qaida franchise in the world. We also have to recognize Saudi Arabia's legitimate right to not have ballistic missiles launched into their cities. This is our partner.

So I wanted to develop a bipartisan compromise that could actually pass out of the Senate Foreign Relations Committee, be passed by both Chambers, and signed by the President of the United States. I think we are well on our way to doing that. I wanted to develop legislation that would actually further its stated purpose and our objectives in Yemen—ending the civil war and addressing the humanitarian crisis.

So that is why I and Senator SHAHEEN introduced S.J. Res. 55 on March 8. Now, since then, we worked with the committee, we have worked with members of both parties, and we have worked with the administration and outside experts to further refine our legislation, making numerous substantive changes and principled compromises.

The current version of our legislation would require the Department of State to certify in an unclassified and written report that Saudi Arabia is undertaking the following: No. 1, an urgent and good-faith effort to conduct diplomatic negotiations to end the civil war in Yemen; No. 2, appropriate measures to alleviate the humanitarian crisis in Yemen by increasing access for Yemenis to food, fuel, and medicine, including through Yemen's Red Sea ports, the airport in Sana'a, and external border crossings with Saudi Arabia; and, No. 3, demonstrable action to reduce the risk of harm to civilians and civilian infrastructure resulting from its

military operations in Yemen, including by complying with applicable agreements and laws regulating the use of cluster munitions and other defense articles and services purchased or transferred from the United States.

Now, if the Department of State can't make that certification, then U.S. air refueling missions, which are essential to the Saudi coalition's operations, would end. They would be prohibited under our law. Given the humanitarian crisis in Yemen and our national security interests there, I appreciate Chairman CORKER's commitment today to mark up Yemen legislation in the Senate Foreign Relations Committee when we return from recess in April.

So based on this reasoning, which I have laid out quite clearly here today, I plan to oppose the Sanders-Lee-Murphy legislation today. Instead, I will support legislation like ours that could actually become law and would provide the administration the leverage they need to result in real change in Yemen.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I note that the Senator who was to be on the floor is not, so I ask to proceed.

The PRESIDING OFFICER. The Senator is recognized.

Mrs. FEINSTEIN. Mr. President, I rise to participate in the discussion on the conflict in Yemen.

In 2015, I received a phone call from a Saudi official informing me that the kingdom was about to take military action in Yemen. The official said the conflict would not last long. They would launch airstrikes to push the Houthis out of Sana'a, restore Hadi to power, and broker a political compromise. That was nearly 3 years ago, and the conflict has since grown into the world's worst humanitarian disaster.

More than 10,000 civilians have died, and more than 40,000 have been wounded. More than half of Yemen's healthcare facilities have been destroyed. Three-quarters of the population—almost 22 million people—need humanitarian assistance. Eleven million require urgent assistance to survive, which means they are close to starvation.

The situation for children is especially dire: 1.8 million children under the age of 5 are malnourished. Of that, more than 400,000 are so malnourished that they are now 10 times more likely to die.

On top of the bloodshed and famine, the people of Yemen are facing a horrific outbreak of cholera. More than 1 million cases of cholera have been reported, potentially the worst cholera outbreak in world history. More than 2,200 people have died from it, almost one-third of whom are children. Cholera has spread because more than 80 percent of the population lack clean drinking water.

We can't turn away from suffering because we are a party to this conflict. The United States is providing intelligence, military advice, logistical support, and aerial refueling to Saudi Arabia. The fact is, we are enabling a major proxy war between Saudi Arabia and Iran.

We do all that despite there being no military solution. This has not been a brief war. It has turned into a major war that must end. The longer we permit suffering to continue, the more innocent men, women, and children are going to die. Instead of facilitating endless fighting, we should be pushing for reconciliation.

I have personally urged Saudi and Iranian officials to meet to discuss their differences. To my great disappointment, they have refused to do so. Iran is expanding its influence across the Middle East. It continues to arm Hezbollah, back President Assad in Syria, and support the Houthis. Saudi Arabia and its partners will not back down. Just last week, Crown Prince Salman said his nation would pursue the same nuclear capabilities as Iran. What does that say to us?

Their fight in Yemen offers no military solution. Only a political resolution will end this miserable war.

It is time we separate ourselves from this bloodshed. The United States must make it clear that we will not continue to support unending conflict. That is why I support the Sanders-Lee resolution, which would require the United States to stop refueling Saudi and Emirati aircraft.

Now, this seems like just a small step, and it certainly will not immediately end the war, but it is a deeply symbolic one. This resolution will send a clear message that we will no longer enable this proxy war.

There is no reason a diplomatic solution can't be found to end this violence, and a strong push for reconciliation will save the lives of thousands upon thousands of men, women, and children in Yemen, but that peace is only achievable if we speak with one voice and pass the Sanders-Lee resolution, otherwise we will continue to enable this barbaric war.

Thank you very much.

The PRESIDING OFFICER. The Senator from New Jersey.

FOREIGN POLICY

Mr. MENENDEZ. Mr. President, I come to the floor with a series of my colleagues on the Senate Foreign Relations Committee on the Democratic side to enter into a colloquy about this administration's chaotic and incoherent approach to foreign policy—an approach that has left our allies confused and our adversaries emboldened and undermines the standing of the United States on the global stage.

To be fair, the President's own national security strategy echoes decades of bipartisan recognition that the founding values of the United States—democracy, the rule of law—should continue to drive our foreign policy.

Yet the President himself has shown a fundamental disrespect for these very principles: declining to publicly champion the importance of human rights and good governance, refusing to condemn dictators around the world who brutally repress their own citizens, sow instability across the world, or even attack those who attack the United States—something I fear will ultimately weaken our ability to promote the security and prosperity of all Americans.

Last week's unceremonious firing of our Nation's top diplomat was the President's latest and brazen example of disrespect for the role of diplomacy, diplomats, and of the State Department itself. While I had my differences with Secretary Tillerson, the reality is, it does not serve the interests of the United States when the President undermines his top diplomat on major foreign policy initiatives, from the crisis in the gulf to, ironically, his outreach to North Koreans.

Secretary Tillerson's legacy will be shaped not just by the President's misguided efforts but also his own ill-advised attempt to dismantle the State Department, leaving the United States without key voices to advance our interests around the world.

The administration has failed to even nominate critical, high-level positions—Under Secretaries, Assistant Secretaries—leaving a void of empowered voices. Meanwhile, there are gaping vacancies in some of the world's most troubled regions. For example, as we confront a nuclear-armed North Korea, the President has yet to nominate an ambassador to South Korea, our critical ally on the peninsula—one that has historically relied upon American assurances and allegiance.

Similarly, the President took more than a year to nominate an Assistant Secretary for East Asian and Pacific Affairs. The impact of these vacancies was on full display last week when the President—without the knowledge of his top diplomat—announced a meeting with North Korean Dictator Kim Jong Un, an assertion that was then ultimately walked back and modified by his Secretary of Defense and his White House Press Secretary.

In the Middle East, as the President continues to send more and more American troops and we face an emboldened Iranian regime creeping further into Syria, facilitated by the Kremlin's military support, he has yet to appoint Ambassadors to consequential posts, including Saudi Arabia, Egypt, Qatar, Turkey, and Jordan, which has proved a critical partner in our fight against terrorism in the region and in supporting refugees—two essential components of U.S. policy in the Middle East.

How can we possibly expect to assert American leadership and secure our interests with these posts unfilled and with no empowered individuals at the Department itself? Under the President's watch, the number of career Ambassadors, which is basically the State

Department's equivalent to four-star generals at the Department of Defense, has plummeted by 60 percent. If we were shedding four-star generals this quickly, we would be sounding the alarm of a national security crisis.

We have just one career-level Ambassador left at the State Department. Let me say that again: One career-level Ambassador left, and this administration has seen fit to ship him off to an academic institution rather than to engage him in frontline diplomacy.

We are witnessing a mass exodus of experienced diplomatic and security professionals who have dedicated their lives to this country. This is a forced exodus, and I am deeply alarmed to see reports revealing what we have feared for some time.

We just started to learn about disturbing efforts to purge the Broadcasting Board of Governors and impose a partisan editorial voice on U.S. international media. Alarming, last week, press reports highlighted emails that provided concrete evidence of the administration's efforts to effectively purge the Department of anyone they do not believe would be a purist for the President's vision. Emails showed political leadership describing some civil servants as "turncoats, leakers, and troublemakers."

The conversations showed senior political appointees working with outside organizations engaged in vicious smear campaigns against career civil servants and dismissing death threats against some of these same career officials. Diplomats who have served Republican and Democratic Presidents alike, who have spent their careers working to build a more prosperous and secure world so a Commander in Chief would not have to send our sons and daughters into war.

This is America. Our government functions because of apolitical civil servants across agencies who dedicate their lives to advance the interests of their fellow citizens, from distributing Social Security checks to negotiating nuclear arms treaties. It is outrageous. It is disgraceful. It is dangerous.

We face challenges from every corner of the globe. We simply cannot confront them if we are not present, and we cannot overcome these challenges when the President himself does not acknowledge them.

As China's political leadership consolidates power and as the country expands into the South China Sea and pursues an aggressive economic agenda around the world, the President, for his part, praises these dictatorial moves. Meanwhile, he has failed on his promise to deliver better trade deals.

In Latin America, while the President calls our neighbors to the south drug dealers, criminals, and rapists, China is expanding its economic and cultural presence in our own backyard.

In Mexico, one of our most integral bilateral partners—Mexico is the second largest market for U.S. goods and services in the world—we will soon lose

our Ambassador, as we hear about how the Russian Government is seeking to interfere in their upcoming elections.

When it comes to Russia, again and again, the President's own intelligence officials have made clear that the Russian Government not only meddled in our election in 2016 but continues its interference in the American political system to this day. Yet the President refuses—refuses—to condemn Vladimir Putin or impose congressionally mandated sanctions to hold them accountable for their attack on the United States. I understand today he congratulated him on his "election." That is not an election. Putin is seeking to be a czar, not to be a President.

The Russian Government continues its military aggression in the Ukraine and its disinformation campaigns across Europe.

In the Middle East, it continues to enable Bashar al-Assad's slaughter of innocent civilians and Iran's efforts to expand its presence and threaten Israel. In a brazen move this month, the Kremlin used an unlawful chemical agent to commit murder on British soil, showing how far they will go if they are unchecked.

Beyond these great power threats, we must also confront nonstate actors and new tools designed specifically to destabilize free and democratic societies.

We must demand more information to learn about Cambridge Analytica and the efforts of this organization to exploit private information from social media users across the world to promote particular political agendas.

The only way to confront old and emerging threats is to stand united with our allies. We have spent decades building these alliances based on mutual respect, accountability, and vigorous engagement in the international institutions and security agreements that are essential to promoting peace and security around the world. We ourselves must be a reliable ally and partner. We must speak with an authoritative voice. We must have our national security agencies executing clear, integrated, coherent strategies.

The President himself must champion the fundamental ideas that have made America secure and prosperous: democracy, human rights, free expression—values we champion not because simply they are right but because they are also strategic. We stand for these values because, globally, governments that uphold the rule of law, that respect human rights and freedom of expression, that welcome economic competition—these are the nations that form America's most reliable allies, most prosperous economic partners, and most strategic security relations.

Let me close with this: The American people and the institutions we have built remain resilient. Now more than ever, Congress must exercise its role as a coequal branch of government when it comes to our foreign policy. We need Republicans and Democrats in Congress to uphold our duty to conduct

oversight, to ensure that bipartisan values that have guided American foreign policy for decades can be executed by an experienced, empowered, fully funded and fully staffed State Department.

Together, we must ensure that our reputation as a leader of nations is not eroded by a President and an administration that thus far, in my view, far from putting America first, threaten to leave America isolated and behind. That is our challenge. That is our choice. I appreciate my colleagues who join us in this regard.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from New Mexico.

Mr. UDALL. Mr. President, I would like to say how glad I am to have Senator MENENDEZ back in the saddle as our ranking member on Foreign Relations, and I thank him so much for his speech and for his leadership on our very important committee.

I join my colleagues from the Foreign Relations Committee in their critique of President Trump's handling—or maybe we would call it mis-handling—of foreign policy. I am most concerned about how U.S. power, prestige, and diplomacy have been weakened across the world as a direct result of this President. The United States has stood as a world leader of liberal democracy, the rule of law, and human values since the end of World War II. Our actions abroad have not always been perfect, but over the decades, we have earned the world's respect because we have acted on our principles.

After the fall of the Berlin Wall, authoritarian regimes were in retreat. Today, authoritarianism is back on the march. The President himself even cheers them on, praising Vladimir Putin, Xi Jinping, and others who fashion themselves President for life of one-party, repressive regimes.

In this President's short but raucous and chaotic tenure, he has diminished our standing within the world community by grossly offending other nations and their leaders, including many of our closest allies, by abruptly changing foreign policy with no clear policy basis, and by denigrating countries and an entire continent with comments laced with racism. The President issues conflicting messages. World leaders and international diplomats cannot rely on his word or his tweets. He has plenty of criticism for our friends and allies but little for strongmen like Vladimir Putin. The world is alarmed. It is less stable under this Presidency.

Secretary Tillerson had disagreements with the President, and early on, the President undercut and sidelined him. The day before Mr. Tillerson was shown the door, the Secretary broke with the White House by directly pointing the finger at Russia for using a chemical weapon on the ex-British spy in his homeland, and this incident shows that the President will not tolerate daylight between his own corrupt

political beliefs and the views of his lieutenants.

During confirmation hearings for Mr. Pompeo, our committee must find out whether he will hold fast to traditional American values or bend to the President's servility to Vladimir Putin and other autocrats around the world.

The President's own diplomacy has been chaotic and dangerous. He has alienated one of our closest friends and biggest trading partners—the country of Mexico. He insists that Mexico will pay for this offensive wall that he says is necessary to keep out rapists and criminals.

The President has imperiled our relationships with both Mexico and Canada with his threats to tear up NAFTA, which he seems to say over and over again. In my home State of New Mexico, border communities rely on the integrated border, and border communities rely on the economy that has been built up over the last 24 years. We have a trade surplus with Mexico. NAFTA negotiations continue, but there has been a chill on economic activity in States like New Mexico, Texas, California, and Arizona.

The President has shaken the world with his grade-school taunts about nuclear weapons—a deadly serious subject. He chided Secretary Tillerson that talking to North Korea won't work, undercutting the Secretary once again, and then suddenly agreed to meet and even negotiate with Kim Jong Un without the careful diplomatic work needed to ensure success. I support diplomacy as the best solution, but rash diplomacy can easily lead to rash wars, and impulsive decision-making is extremely risky.

I hope the President seriously studies the issues between now and any meeting, brings an experienced team, and sets realistic and achievable goals for any negotiation. He must understand that diplomatic failure is potentially catastrophic. A war would likely result in 20,000 casualties a day in the opening week, and Secretary Mattis has warned that there would be, in his words, “the worst kind of fighting in people's lifetimes.”

I do not trust this President to follow the constitutional process required to go to war. That is why I am cosponsoring S. 2047, prohibiting any President from launching a preemptive strike on North Korea. Starting a war with North Korea would only undermine the security of the United States and our regional allies and should not be done without approval of the American people through the Congress.

The President's attitude toward Russia and Vladimir Putin complicates our ability to gain support for our efforts overseas. Russia interfered with our democracy and continues to interfere in the affairs of our allies.

There is no good explanation why he has not directed our Nation's security agencies to take all possible action in response to Russia's interference with the 2016 election, and increasingly we

see in the special counsel's investigation how Russia is playing a bigger and bigger part. There is no reason why this administration took so long to begin to implement Congress's sanctions against Russia. Special Counsel Mueller's investigation has already produced indictments against Russians and key officials from President Trump's campaign, but the President himself does not send the message to deter future interference by Russia. The President's failure to fight back, his resistance to sanctioning the Russians, and his subservience to Putin betray the national trust.

The President's hostility toward Iran's agreement to disarm its nuclear weapons program is mind-boggling. Director Pompeo reportedly shares this hostility. But just last week, the commander of U.S. Central Command, Army GEN Joseph Votel, testified before the Senate Armed Services Committee that the Iran deal is in our national interest. Defense Secretary Mattis and the Joint Chiefs of Staff Chairman, Gen. Joseph Dunford, also agree. Our close allies—also signatories to the deal—agree it is in the international community's interests.

This is not the United States the world has come to know, rely upon, and believe in. The President's failure to protect our national interest weakens our position within the world community.

Morale at the State Department is suffering as our foreign policy suffers. Any new Secretary of State must work to reverse this. This Congress and the world have watched as the President and the Secretary of State have hollowed out the State Department.

Highly experienced and talented Foreign Service officers have been fired, pushed out, reassigned to menial tasks, and ignored. Many senior diplomats have just packed up and left. Nicholas Burns and Ryan Crocker, who served as Ambassadors in both Republican and Democratic administrations, have warned that “we are witnessing the most significant departure of diplomatic talent in generations.” On top of retirements, the number of people who took the Foreign Service exam dropped by more than half between 2016 and 2017. There is real concern that this will have a lasting and negative impact long after the Trump administration.

Director Pompeo will need to answer tough questions during confirmation: Will he impose congressionally mandated sanctions on Russia? What actions will be taken to counter Russia's ongoing cyber warfare? We are on the razor's edge with North Korea. As chief diplomat, does he support a preemptive strike against North Korea? What will he do to avoid a disaster? Does he agree with our military leaders about staying in the Iran denuclearization deal? Will he certify Iranian compliance if the facts show compliance? Does he support the President's proposal to decimate the State Department's budget? Will he continue Secretary

Tillerson's plan to decrease staff by 8 percent? What will he do to recover agency morale, which we hear over and over is at an alltime low? Will he stand up to this President when long-held American values are at stake?

Director Pompeo will need to prove to the Senate that he will put the State Department and the U.S. standing in the world back on track. Our international partners do not view the United States as the reliable and strong partner they had in the past. Dictatorships and harsh regimes are emboldened by our lack of attention to free speech and human rights.

President Ronald Reagan said at the Berlin Wall that “the totalitarian world produces backwardness because it does such violence to the spirit, thwarting the human impulse to create, to enjoy, to worship.”

Dictators now smirk and echo our President, saying “fake news” about any news outlet that shines a light on their indiscretions. Leaders like Vladimir Putin are emboldened to continue to try to undermine our democracy and sow conflict and division within the American public.

The world is less stable without a strong, principled United States to lead. It is imperative that the United States preserve and strengthen its diplomatic power, not sabotage it.

With lack of leadership in the executive branch, Congress must step up, particularly the Senate Foreign Relations Committee. As I said at the beginning, I am so pleased that Senator MENENDEZ is back to work with Senator CORKER to try to assert the role that Congress should be playing in these very important issues.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I thank my colleague from New Mexico, a key member of the Senate Foreign Relations Committee, for his insight, input, and continuing efforts to make sure we have a diplomacy in the world that ultimately pursues our national interests and security.

I understand there are some colleagues who are on their way to the floor—Senator SHAHEEN and Senator CARDIN. When they get here, we will hopefully have the Chair recognize them at that point.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mrs. SHAHEEN. Mr. President, I am pleased to join Senator MENENDEZ, the ranking member of the Senate Foreign Relations Committee, and my colleagues from the committee to talk about the importance of diplomacy as

we look at the many challenges and conflicts that the world is facing right now.

From North Korea to Syria to Venezuela, there is really no end in sight for growing tensions and conflict in the world. Our military presence in Afghanistan is growing, we have approved lethal weapons for Ukraine, and we are forging a new partnership with NATO in Iraq. I support these efforts, but without a vigorous diplomatic capability to back our military, these initiatives risk failure. Sadly, instead of providing for a robust diplomatic corps, the administration has laid the foundation for a weakened U.S. hand on the international stage. Ultimately, this places Americans at risk. As Secretary of Defense Jim Mattis said, it forces his men and women to buy more bullets. Equally critical is the opportunity this provides for the great power conflicts to continue and to fester.

In November, I wrote to then-Secretary of State Rex Tillerson with the Senate Armed Services Committee chairman, Senator JOHN MCCAIN, to express bipartisan concern over the administration's State Department hiring and promotion rates. I was told that the statistics we had received from the American Foreign Service Association were wrong and that the redesign of the State Department is not forcing anyone from their jobs.

Unfortunately, since that time, the State Department has lost even more precious, diplomatic talent. Congress has received a budget request that cuts even more personnel, and Foreign Service hiring and promotion rates continue to plummet. Last month, the highest ranking senior Foreign Service officer, Tom Shannon, announced that he, too, would be retiring. With his retirement, we will have no senior Foreign Service officers serving in the Department's leadership.

To date, we have only one active career ambassador who will serve in the entire State Department, and he is not even working in the building. Aside from the mass exodus of critical talent, we are allowing decades of investments made by our country and our diplomats to dwindle along with their ranks.

For the past 2 years, the Senate has also received abysmally low budget requests for the State Department and USAID.

Meanwhile, our problems aren't declining. The Kremlin continues to sow chaos across the globe. China increasingly flexes its muscle by buying strategic properties throughout Europe, Africa, and the Middle East. We are facing the greatest refugee crisis since World War II. Our intelligence community repeatedly warns that in this year's midterm elections, Russia will repeat another hybrid operation against the U.S. election. The obvious response to these challenges should not and cannot be to reduce the operational capacity and personnel of the lead agency that is responsible for alle-

viating global crises and promoting the United States' public face throughout the global outreach. That is the State Department.

Just this month, the New York Times revealed that the State Department had failed to spend any of the \$120 million allocated to fund the Global Engagement Center, which is aimed at countering state-led misinformation campaigns. While America is under attack and Western democracies are under attack by misinformation campaigns, the State Department's response has been totally insufficient. It has been not to spend any of the money that Congress has allocated. It seems the administration is completely unaware of Special Counselor Mueller's indictment against Russia's Internet Research Agency.

I wish to spend a minute to read from excerpts of Mueller's indictment of 13 Russians, which came out last month. If we can look at this through objective eyes, it reminds us all of the threats we face because of Russia's interference.

This is stated in Mueller's document:

The [Internet Research Agency] is a Russian organization engaged in operations to interfere with elections and political processes.

I am quoting now from the indictment.

By in or around September 2016, the [Internet Research Agency's] monthly budget for Project Lakhta (its interference operation in the U.S.) exceeded 73 million Russian rubles (over 1,250,000 U.S. dollars).

They are spending, on a regular basis, 1.25 million in American dollars on this interference operation. For all of the people out there who think this is a partisan issue, this is not a partisan issue. This is an issue about interfering in our democracy. We can see how much they are willing to spend to do that.

Continuing to quote from the indictment:

Defendants and their co-conspirators also traveled, and attempted to travel, to the United States under false pretenses in order to collect intelligence for interference operations.

In or around 2016, the defendants and their co-conspirators also used, possessed and transferred, without legal authority, the social security numbers and dates of birth of real U.S. persons without those persons' knowledge or consent. Using these means of identification, defendants and their co-conspirators opened accounts at PayPal; created false means of identification, including fake driver's licenses; and posted on Internet Research Agency-controlled media accounts.

That is the Russian entity that is doing this.

Think about that. We know of the Kremlin's efforts to influence and use the American people to its own advantage. It is laid out pretty clearly in this indictment from Robert Mueller. Yet, somehow, the State Department is incapable of spending \$1 of the money that has been allocated by Congress toward countering Russia's most overt, public messages against the United States.

This is truly remarkable and, sadly, disappointing. The American people deserve better. Unfortunately, the Global Engagement Center is not alone in its lack of support from the administration. According to an analysis of data from the Office of Management and Budget, last year the State Department spent just 79 percent of the money that Congress had authorized for the conduct of foreign affairs, the lowest level in the last 15 years.

Many of us on the Senate Foreign Relations Committee would agree that most of our greatest global achievements—the Marshall Plan, the end of the Cold War, and the reduction of nuclear weapons—have been secured through diplomacy. Without it, I fear we will stray far from President Trump's ideal of brokering deals and instead cause irreparable damage to one of America's most precious resources—our diplomatic corps. That will harm this country's standing in the world and will have us viewed as weak by our great power adversaries.

The hollowing out of the State Department under this administration will cause irreparable damage to America's diplomatic efforts, and it will harm our country's standing in the world. Congress has to step in and make sure this doesn't happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I join my colleagues on the Senate Foreign Relations Committee and under the leadership of Senator MENENDEZ to point out that now—I guess it has been 14 months under President Trump's leadership—we have seen a dramatic shift in U.S. foreign policy that jeopardizes our standing globally and our national security. It starts with this administration's hollowing out the State Department and our capacity to participate in diplomacy.

As my colleagues have pointed out, so many vacancies exist today, unfilled by this administration. It is not the slowness of the Senate in confirming the positions. Many of these positions are not even positions that require Senate confirmation. We have seen an exodus of the most experienced people in the State Department, and the capacity of the State Department has been dramatically reduced. President Trump's budget speaks volumes about his support for diplomacy, as we see 30-percent reductions in the State Department budget being proposed by this administration.

The role of diplomacy in solving international issues is at an all-time low. There are many times I disagreed with Secretary Tillerson, but he at least was an independent voice in the White House as it related to certain issues on Iran or climate change. Now his voice has been silenced in this administration.

America first is America alone. It is the isolation of our country. We have seen that with the United States under

President Trump and pulling out of the climate talks—the only country in the world. We see it now, potentially, in Iran, with reports that the President may unilaterally withdraw the United States from the nuclear agreement, putting the United States as the outlier where we should be putting our attention on Iran. This is reflected in the Gallup polls, showing that the global opinion toward the United States has dropped dramatically. We see the President embracing oppressive leaders around the world, such as the leaders of Russia, China, Turkey, and Egypt, and embracing the autocratic practices of the President of the Philippines. Then, he attacks our closest allies, calling into question the transatlantic partnership.

Perhaps more than anything else, this administration has trampled on America's values. As Secretary Tillerson said early in this administration, America's interests will no longer be dictated by our values. That is not what the trademark of America is about. The President over and over has questioned universally what America stands for when he gave space to hate in his response to Charlottesville and when he implies that people who come to our country of certain religions or certain races are less favored than others. When he suggests he cannot have a conflict because he is President of the United States and does not have to divest of his business interests or when he says things that we know are not true and the President of the United States is standing up for matters that are outright lies, it diminishes the value and strength of America and our global leadership.

One issue I want to talk about in the time I have is that of ignoring one of our greatest national security threats—what Russia is doing to the United States under Mr. Putin. We just saw in Russia's most recent election that it was neither free nor fair. The opposition candidates were not allowed to participate, as they were handpicked by Mr. Putin, and he controlled the media. As the OSCE observed, the election took place in an overly controlled legal environment, and it had pressure on the critical voices of the Russian people.

We find a Russia today under Mr. Putin that is contrary to the values we stand for. In January, I authored a report on Russia, with the other Democrats on the committee, that talked about the asymmetric arsenal Mr. Putin uses that includes propaganda. We saw this on display when he was asked about what happened in the United States. According to the transcript, as reported by the Washington Post, these are Mr. Putin's own words: "Maybe they're not even Russians," in his talking about who attacked our country and referring to those behind the election interference. "Maybe they're Ukrainian, Tatars, Jews—just with Russian citizenship." He also speculated that France, Germany, or

Asia might have interfered in the election or even Russians who were paid by the U.S. Government.

That type of rhetoric is straight out of the Soviet and Russian playbook to cast Jews and other minorities as undesirables—enemies of the state. As an American Jew who has family roots in Eastern Europe and Russia, I find that kind of rhetoric to be dangerous and frightening, but at its most basic, such rhetoric is part of Mr. Putin's grand design. That is what he does.

We saw it play out in the UK just 2 weeks ago when a person was poisoned in England who was an enemy of Mr. Putin's. We see it play out over and over again. Prime Minister May spoke out. She called it for what it was. She sent a clear signal to Moscow that that type of behavior by the Russian state against the British people would not be tolerated and that there would be consequences. This is how a leader of a great nation should speak out in defense of its people to counter a major threat from a global adversary.

Yet what happened here in Washington with the threat we saw to our own country by Mr. Putin? The President has said virtually nothing. His spokesperson condemned the crime but ignored that likely Russian link. The Secretary of State later did what the President could not or would not do by calling out the Russians. Maybe that was his swan song because it was the last thing we heard before he was silenced by Mr. Trump.

Never before in America's history has such a clear threat to our national security been so clearly ignored by the President of the United States. The President's difficulty in publicly acknowledging the Russia threat and leading our country forward to combat that threat is one of the most perplexing and reckless pieces of Mr. Trump's disastrous foreign policy. We in Congress took action. We passed legislation. We passed mandatory sanctions against Russia. Yet this administration has not taken full advantage of the law we passed. The President needs to protect America's interests, not appease Mr. Putin.

Congress's role in shaping and advancing U.S. foreign policy has never been more important. I will continue to advance legislation, conduct oversight, and speak out about these important issues in the name of the American people and the values and norms that define us and our place in this complicated world. I am proud to be a part of the group of Senators who will stand on this floor and work to make sure we protect our national security interests.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I come to the floor to share my deep concern over the Trump administration's approach to North Korea.

I thank the Senator from New Jersey, the leader of the Democrats on the

Foreign Relations Committee, for asking the Members to come out here to speak to the Trump administration's foreign policy.

North Korea is a serious and ever-worsening threat to its people, to our allies and partners in the region, and to the United States. Unfortunately, the Trump administration has mismanaged our North Korea policy, and the potential consequences of failure are too great to ignore. North Korea may have bent over backward to appear conciliatory during the Winter Olympics and through its offers of talks with South Korea and the United States, but Kim Jong Un has not stopped his dangerous activities—far from it. While the North Korean regime is all smiles and open arms, its malign behavior continues.

Its engineers race to perfect a nuclear-tipped intercontinental ballistic missile. North Korean laborers around the world—modern-day indentured servants—send paychecks home to the regime to help fund its illicit military programs. Illegal ship-to-ship transfers of refined petroleum products continue. North Korea's army of cyber warriors grows more capable, and the Kim regime's thugs make no efforts to scale back rampant human rights abuses.

However, President Trump's approach to date threatens to make an already bad situation even worse. Despite his recent announcement that he would accept a meeting with Kim Jong Un, President Trump has systematically undermined the effectiveness of the very agency—the U.S. Department of State—he will need to make talks successful. By so doing, he has harmed U.S. foreign policy right as the United States is poised to embark on a crucial diplomatic effort with North Korea.

By firing Rex Tillerson, President Trump threw the State Department further into chaos when what we need right now is more consistency. This is indicative of a President who considers himself to be his own diplomat, negotiator, and strategist. Yet the gutting of the State Department goes much deeper. It has been badly depleted of both staff and resources by the Trump administration and is consistently ignored in the opaque process the White House is using to try to conduct American foreign policy.

President Trump has stifled dissent, ignored experience, politicized key diplomatic and national security agencies. The Special Representative for North Korea Policy, Ambassador Joseph Yun—the lead American negotiator with North Korea—has stepped down. One wonders whether he felt his advice was being heeded. We still don't have a U.S. Ambassador to South Korea more than a year into the Trump administration. We still don't have a confirmed Assistant Secretary for East Asian and Pacific Affairs. We still don't have a special envoy for North Korean human rights issues. We no longer have a sanctions coordinator.

Going into talks at the senior-most level with a hollowed-out State Department is no way to peacefully resolve a crisis. To the contrary, it exposes us to greater risk, and as if these vacancies were not enough, it gets worse.

The Trump administration's recently released budget request for fiscal year 2019 would drastically cut State Department funding. The State Department is already alarmingly underresourced and understaffed to handle the significant and increasing threats from North Korea. Yet there is no explanation as to why the President believes it is prudent to cut diplomatic resources, especially in the middle of a crisis.

We deserve an answer as to why the administration believes the State Department deserves fewer resources while trying to execute a wide-ranging strategy of diplomatic engagement and pressure. All the while, the White House is subjecting our allies and partners to contradictory statements that cause confusion and dampen the prospects of a peaceful solution.

We hear different thoughts on different days. Before firing him, President Trump routinely undercut Secretary Tillerson and, with it, our diplomatic high ground. Confusing our allies in South Korea and Japan, whose assistance in helping resolve the North Korean crisis is indispensable, only serves to embolden Kim Jong Un, who seeks to drive a wedge between the United States and our allies.

We cannot afford to fail. I am concerned that if these talks do not go well, President Trump will be able to claim he tried both economic pressure and diplomacy, with neither path having solved the problem. He will be left with the conclusion that the only approach remaining will be military force. We must be clear. There is no military solution to the North Korea crisis.

Today marks the 15th anniversary of the U.S. invasion of Iraq. Although the current situation we face with North Korea is not identical to the one we faced in the runup to the Iraq war in 2003, the North Korea situation is, in fact, worse, and the consequences are even more severe. Unlike Iraq, North Korea has nearly completed the development of long-range nuclear-armed missiles that will be capable of creating nuclear mushroom clouds in our cities.

We all agree we need to act to ensure that this never happens. The only responsible course of action is for the administration to use all tools of American statecraft to reduce the threats from North Korea. We have an obligation to American families, service-members, and our allies to say, unequivocally, that we did everything in our power without resorting to armed conflict.

Let's return the United States of America to the forefront of statecraft and allow for our diplomats to advance our interests without having to risk a

frivolous loss of life. That is what is at stake as the President moves further away from using the kinds of tools which are available that can try to peacefully resolve this conflict with North Korea.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I ask unanimous consent that Senators COONS, CARDIN, LEE, SANDERS, and I be recognized for up to 5 minutes each and then Senator CORKER be recognized for up to 15 minutes prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MURPHY. I thank the Presiding Officer.

Mr. President, I just returned from a trip to a major transatlantic conference in Europe. While the Europeans have spent a lot of time over the course of the last 12 months hand-wringing about whether the United States is committed to Europe, committed to NATO, committed to our common defense, my feeling upon going to Brussels for this particular conference is, they are kind of over the hand-wringing. They are now just making plans to move on without us. They are making plans to protect themselves without us. They are making plans to set the rules of the road economically, politically, and culturally around the world without the United States. The evidence of that was very clear.

The Europeans are setting up something called the European Defense Initiative, in which they are going to start doing military planning and purchasing outside of NATO because they are just not convinced, not confident that the United States is going to be seriously engaged in NATO. That compromises our security as the Europeans start to make plans for their defense without us, even though we still have an obligation under the treaty to protect them.

Over and over, you see the world moving on as they watch this massive withdrawal of America from the world. The President said at a rally in Alabama a few months ago that the world is starting to respect the United States of America again. That could not be further from the truth. The Pew organization charts other countries' opinions of the United States. It also charts whether other countries believe the United States is going to act in the best interests of the world. The numbers are, frankly, startling.

Of the 37 countries they surveyed, only two of them have higher confidence in the United States under Trump than they did under Obama. One is a rather statistically significant increase, that being Russia, which by 42 percentage points is more confident that the United States is going to act in that country's best interests. South Korea had 88 percent confidence under Obama and has 17 percent confidence

under Trump. Canada had 83 percent confidence under Obama and has 22 percent confidence under Trump. Germany is 86 to 11. They have come to this belief because, as my colleagues have mentioned, the Trump administration had signaled its unwillingness to try to set a moral tone for the world in the way that it budgets. The budget they presented to us reduces accounts dedicated to countering Russian aggression around its periphery by 63 percent. It is a clear telegraph to Europe that they are on their own, that countries that are trying to fight back against a country that wants to reestablish a new version of the Soviet Empire will have no help from the United States.

In this budget, the National Endowment for Democracy is cut by \$100 million. It is no secret that countries like Hungary and Poland are starting to slip away from traditional democratic norms. Countries like the Philippines are doing the same because there is not a moral force here in the United States committing to bring them closer to the ideals of participatory democracy.

There is a \$1.6 billion cut in humanitarian aid, telling the rest of the world: If you want to solve these enormous problems of humanitarian catastrophe—famine and refugee displacement—you can't look to us anymore. You are on your own again.

There is a 35-percent cut in overall international narcotics and law enforcement funding, just at a time when record amounts of fentanyl are finding their way into the United States.

The moment of panic is over for the world. They have watched this administration walk away from its traditional obligations to try to stand up for the rule of law, to try to promote democracy and human rights, and to try to protect America's interests and our allies. They are simply making other plans. I hope the next administration will be able to correct that, but those plans are hard to break once they are made.

I hope Republicans and Democrats will stand up to make sure that America does not become any weaker in the world than it already is today, 15 months into this administration. We are less safe as a nation because of this wholesale withdrawal from the global stage. It is not too late to try to turn it around.

I yield the floor.

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

Mr. COONS. Mr. President, I join my colleagues on the floor this afternoon to address the mounting concerns we have with the foreign policy of the Trump administration. I want to thank my colleague, Senator MENENDEZ of New Jersey, the ranking member of the Foreign Relations Committee, and comment at the outset on two things that have been widely said that I don't think are true.

First is that Democrats are bottling up the President's vitally needed nominees for senior ambassadorial positions

or senior Department of State nominations and that we are holding key nominees.

Frankly, nothing could be further from the truth. Earlier today, in a business meeting, our Foreign Relations Committee, which works well on a bipartisan basis, voted out a whole series of Ambassadors, treaties, and Assistant Secretaries of State.

Second, I heard it said by some pundits that Democrats wish President Trump ill, that we are working to do everything we can to hold him back and prevent him from being successful.

Let me start by saying that I think all of us know that we are strongest when we stand together and work together. All of us have at some point heard the old adage that politics should stop at the water's edge, and nothing would make me happier then to see our foreign policy, our military, and our diplomatic efforts succeed around the world.

I do not wish our President ill or our State Department a lack of success, but I think it deserves mentioning for the few minutes I am taking on the floor today that President Trump, who promised as a candidate to be unpredictable and nontraditional, has overperformed in that category. His foreign policy has been defined by inconsistency, volatility, unpredictability, and at times, a failure to advance our values. This comes exactly at a time, as my colleague from Connecticut was just reciting, when our allies and partners crave stability and leadership and when the threats to our democratic way of life from Russia and China are on the rise.

Trump's "shock and awe" style of governing was demonstrated recently by his abrupt firing of the Secretary of State in a tweet and his further humiliation of the Secretary of State in stories that dribbled out about exactly how and when and where he was fired. We should not be conducting foreign policy in the same way that one might host a reality TV show like "The Apprentice."

In just a year, as I have attended a variety of conferences and meetings around the world, I have been struck by the number of ways in which the President has undermined alliances and friendships that have taken decades to build. Let me briefly review a few of the ways our European and Asian allies have been puzzled or confounded—by our withdrawal from the Trans-Pacific Partnership; by imposing a travel plan on citizens from majority Muslim countries; by withdrawing from the Paris climate accord; by imposing tariffs on steel and aluminum, including against our close North American and European allies; by questioning our commitments to NATO; and by denigrating an entire continent when discussing the value of potential immigrants from Africa.

Real and consistent leadership around the world that reflects American values is needed now more than

ever. In the dozen countries I have visited for regional security conferences in the past year, I have heard the same from our vital allies. Senator MCCAIN and I traveled to Halifax in Canada and to Singapore in Southeast Asia for a series of bilateral meetings of representatives of close and trusted allies. Senator FLAKE and I have traveled to Africa. Senator GRAHAM and I have traveled to the Middle East. In all of these trips, what I have heard is that our allies are concerned, that they need reassurance about how and where we stand, and that in many cases, yes, they are beginning to move on past us and to reach accommodations with China or Russia, having concluded that we are not committed to engagement with the world.

Every time I go on a visit to a foreign embassy—an embassy of the United States overseas—I sit down with our Foreign Service officers and I ask about their work and service, and I am overwhelmingly impressed with the professionalism and dedication of our career development professionals and our diplomats. Yet, overwhelmingly, the big number of vacancies at the State Department and a budget that proposes a more than 30-percent cut in the State Department and USAID have had a significant, demoralizing impact on these people whom we count on to advance America's interest and values around the world.

Let me also say briefly that on the continent of Africa, where I have spent a great deal of my time on the Foreign Relations Committee, we are missing Ambassadors to some of the biggest and most important countries—South Africa and Tanzania being just two, for example. It is a continent where China's pervasive presence is not being countered by an America that is robustly engaged. Why does this matter? Because in this century, Africa will become the fastest growing and largest market for our goods and should be the continent in which we have the closest alliances and partnership. But instead of building partnerships and helping to extend markets here at home, the Trump administration is squandering the current momentum and watching from the sidelines as democratic norms deteriorate.

As a member of both the Appropriations and Foreign Relations Committees, I was gravely concerned that for a second year in a row, the Trump administration budget proposed deep cuts in diplomacy and development. We must recognize that while these investments serve a humanitarian purpose, they also make us stronger by spreading American values, safer by building coalitions, less susceptible to terrorism by creating a more stable world, and more prosperous by creating stronger export markets for our goods. If we want to remain a global leader, we need a strong State Department and USAID that are sufficiently funded.

Let me turn to the matter of Russia before I conclude. Throughout his ad-

ministration, President Trump has not only turned away from some of our critical allies and weakened our commitments to international coalitions but has also refused to head-on, clearly address the real and multifaceted threats we face from Russia.

Russia's activities, as has been testified to by senior administration officials over many hearings, now are directly interfering with our democracy—our last election and likely our next election, as well as those of our closest allies throughout the world. Rather than sending a clear and forceful signal to Russia that our political affairs are not to be meddled with, President Trump has instead at times turned aside from this challenge and failed to address it.

Let me conclude by simply saying that now more than ever, the United States must lead in the world, and I look forward to working with my colleagues on the Foreign Relations Committee on a bipartisan basis to advance our interests.

Thank you, Mr. President.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I take this time because I think this issue is an extremely important issue. I am talking about the authority of the Congress of the United States versus the President on the introduction of our troops into war or hostilities. This has been a struggle we have been debating for a long time. Congress passed the War Powers Act over the objections of the President because we recognize that the Constitution gives us the power to introduce troops into harm's way.

The resolution says very clearly that the introduction of the U.S. Armed Forces into hostilities will allow Congress to have an expedited process if the administration has not gotten the authorization for the use of that military force. The Supreme Court decision made it very difficult for us to enforce that, causing us to pass, in the State Department authorization, a process in which a joint resolution could be filed in order for Congress to express itself if the President has not sought the authorization for the use of military force.

We now have a circumstance where the United States, in my view—the President has introduced American troops into hostilities by assisting the Saudis in refueling missions in regard to the campaign in Yemen. To me, that is introducing troops. Whether it is right or wrong, Congress has a responsibility to respond to this. I say that knowing that our Presiding Officer has been very articulate about the need for us to pass an authorization for the use of military force in regard to our campaign against ISIS.

Here is the challenge we have. The administration and previous administrations have interpreted hostilities in such a narrow way, it would take away

from Congress our ability to have the authorization for the introduction of American troops into hostile circumstances. Yet compare that with this administration's and previous administrations' interpretations of the 2001 authorization for use of military force, which we passed after the attack on our country on 9/11. They would have you believe that authorization, which was limited to those who planned the attack against us in 9/11, applies to our military campaign against ISIS in Syria or ISIS in Yemen or wherever we may find ISIS anywhere in the world. I think that is an absurd interpretation.

Yes, I know the distinguished chairman of the Senate Foreign Relations Committee is on the floor. I think our committee needs to take up this issue. We need to take up what is happening in Yemen with our support of the Saudis and what is happening in regard to the authorization for the use of military force. But this campaign has been going on for a long time. Congress needs to weigh in whether we are for or against it. We need to exert our jurisdiction, and we haven't done that. It is very frustrating that those of us who believe very deeply in our constitutional responsibilities, assume that responsibility—and I have a lot of confidence in the distinguished chairman of the Senate Foreign Relations Committee, but I question whether we are going to get more time in the future to debate this issue. I know the chairman will give us time in committee, but will we have time on the floor of the Senate to debate this issue? I think we need to debate it and vote up or down whether American troops should be assisting in this mission.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I stand to urge a "no" vote on the motion to table. We are involved as cobelligerents in hostilities in someone else's war—in a civil war in Yemen.

It is very difficult to dispute the contention that there is no decision made by a government that is more severe, more serious, that carries with it more dire consequences than sending brave young men and women sworn to protect us into harm's way, into battle, into hostilities.

We have been faced with the debate here about what amounts to hostilities. We have the executive branch of government that understandably has defined that term narrowly but in this case so narrowly as to obliterate any meaning behind that word, basically suggesting that we are not in hostilities unless we have people on the ground firing upon an enemy and being fired upon. That is not always the way modern warfare is conducted and hasn't been for some time.

The fact is that we have our uniformed military personnel who are engaged in things like midair refueling

on combat missions, refueling the combat aircraft of another country when those combat aircraft are in route to a battlefield, to a theater of warfare. If those aren't hostilities, I don't know what is.

We have been told that we need to do this in regular order. Let's talk about regular order for a minute because, as I mentioned a moment ago, there is nothing more serious than sending our uniformed military personnel into hostilities. We have in this body adopted laws and procedures making it possible for us to receive fast-track consideration of measures that indicate that the executive branch of government has overstepped its power.

We are in our third year involved in this civil war in Yemen—3 years—and yet this hasn't come up for a vote; 3 years and we haven't had anything come out of committee and voted on the Senate floor. Three years ought to be long enough. In fact, the War Powers Resolution gives us expedited consideration. It gives the committee 10 days to consider that. The committee has now had more than twice that time to consider that, and the committee has not put anything out. This is why we are well within our rights, well within the boundaries of what is appropriate, in fact, and well within what the Constitution already grants us, which is the power to declare war. That power, with good reason, was not vested in the executive branch of government. It was vested only in Congress—that branch of government most accountable to the people at the most regular intervals.

The reason this is so important is that before we send our young people into a place where they could die, we want to make sure that an open, honest debate is held in public view, not behind closed doors at the Pentagon or at some other government office building, but right here on the Senate floor and in the House of Representatives. We cannot exercise that power capably, we cannot claim to be mindful, and we cannot be deemed faithful to our oath to uphold, protect, and defend the Constitution of the United States if we don't look out for our authorities and if we don't make sure that someone else isn't exercising authority that was granted to this body. That authority belongs not to any one person; it belongs to the people.

If we refuse to take this vote today, if we choose instead to table this measure rather than to allow it to come up for a vote on the Senate floor, we are choosing not to decide, and we will still have made a choice—a choice to abdicate our responsibility. If we make that decision today, then shame on us. It is our prerogative as a coequal branch of government to make sure that we do our job, to do that which only Congress can do.

This is, in fact, a war. There are, in fact, grave humanitarian concerns presented by that war, and that makes it all the more important, not less impor-

tant, for us to debate this and for us to discuss this under the light of day, in public, and on the Senate floor.

I urge my colleagues in the strongest terms I am capable of communicating to vote against the motion to table.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I have enjoyed hearing the discussion about the item before us. I must say that I would feel a whole lot better about this debate if it were focused on our refueling French jets going into Mali—the same exact debate. I assume these individuals would consider those to be hostilities, but, somehow or another, that doesn't rise to congressional approval.

This one, I think, is politically tinged. Saudi Arabia certainly has issues. They have conducted themselves in manners that we wish were better. The Crown Prince was here today, and all of us who met with him "demarched" him, if you will, on the conduct relative to Yemen. Yet, at the same time, we know that because American folks are involved in refueling and because we are helping, to a degree, with intelligence, we know that less civilians are being killed there. We know that. We know that our being there has affected their conduct.

I wish to talk about process here. The sponsors of the resolution, who I have great respect for, have used a very entrepreneurial method to bring this to the floor, and I don't say that to be pejorative. They have reached into the War Powers Act and pulled out something that was unintended for this purpose. I think everyone understands that, and I think everyone understands that if we don't table this, we will be setting a precedent here. It will be a situation of first impression where from now on, when our Air Force is refueling jets in the air, we are involved in hostilities. I don't think that is a standard that we wish to set.

I want to argue this on a different level. It is hard for me to believe that we would take up an issue of this serious nature and not allow the committee of jurisdiction to work its will. We had a hearing last week that Senator MCCONNELL set up for all Senators to come in and be briefed on Yemen. His stated reason for doing that was that most people in the Senate don't know much about what is happening in Yemen. People on the Foreign Relations Committee do, and the people on Intel do, and the people in Armed Services do. But most of the Senate has not really been involved recently in that issue.

Typically, the way we work around here is that the committee does its work. It does its recommendation. It works with the administration, and you come forth with a piece of legislation. Can we imagine, for instance, with tax reform, if we just had some kind of entrepreneurial way of bringing tax reform to the floor without the Finance Committee working, or bringing

FISA to the floor without Intel working? That is not the way we are supposed to do things here.

So we have a bill that is being generated right now—it is a bipartisan bill—by JEANNE SHAHEEN and TODD YOUNG. It may not be the bill we deal with on Yemen, but it is just now being developed.

By the way, I skipped a beat here. I want to refresh people's memory as to what we are voting on. We are not voting on anything but a decision to discharge the Yemen issue from the committee without the committee taking any action, without the committee having any hearings. This is a vote to say that we are going to skip the Foreign Relations Committee and we are going to set precedent here on the floor in this entrepreneurial way and that we have reached into the War Powers Act to find a clause to bring it to the floor, which was never intended for this purpose.

So what I would say to people is that a better way of handling this would be to table this motion, to let the Foreign Relations Committee do the work that you have assigned the Foreign Relations Committee to do. We are going to have a hearing on Yemen. We have a piece of legislation that is being developed in a bipartisan way, with the Republicans and Democrats, to deal with this issue. Let us work our will in the appropriate way—by the way, in a way that actually will generate an outcome.

In addition, I know there are Members on the floor who have been frustrated, as someone referenced earlier, that the 2001–2002 AUMF is still being used. The Presiding Officer has been very involved in trying to develop a new AUMF that would supersede those two AUMFs and give the Senate and the House the ability to weigh in every 4 years on these types of actions. We are going to have a markup on a bill that our Presiding Officer, Senator KAINE from Virginia, Senator YOUNG from Indiana, and many people have been involved in. That markup is going to take place on April 19.

So, hopefully, the Senate will not only have an ability to deal with a real bill on Yemen that actually will generate a real outcome coming through committee but also will have the ability to deal with an AUMF that will set aside the fact that for years the Congress has not weighed in on this issue. To me, that is a much better outcome.

I urge everyone in this body, instead of following this unique process that is not going to generate an outcome regardless, to allow the Foreign Relations Committee to do its work and to bring a bill to the floor that will generate an outcome. I am going to make a motion in a moment to table it, but I realize there may be one more speaker before I do so.

Mr. CORNYN. Mr. President, will the Senator yield for a brief moment?

Mr. CORKER. Mr. President, yes.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I appreciate the leadership of the chairman of the Foreign Relations Committee, and I agree with his proposed outcome on this vote. That is not to diminish the importance of the issues raised by the Senator from Utah and the Senator from Vermont, but I do agree with him that it is the preferred, careful, cautious way of dealing with competing interests in a complex world.

I just ask the Senator further to that point whether he can confirm my understanding that actually using this unique process—is it his understanding, as it is mine—that there would actually be a vote-arama; that is, we would end up voting on multiple different proposals, not just this one proposal, and create perhaps some confusion and some more chaos in what is admittedly a complex and sensitive foreign relations and national security matter?

Mr. CORKER. Mr. President, that is correct.

So, in closing, I would just ask—just like every other committee here in the Senate that hopefully takes its work seriously and does work especially on important matters like this that affect people's lives—that this body would think that a better recommendation would be to table this effort to have this wild West debate on the floor over the course of the next several hours and, instead of doing it in that manner, to give the committee of jurisdiction the ability to work its will with Yemen through hearings, through a process on the committee that would actually bring a bill to the floor that has been thought through and where we had worked with other bodies of government to get it in a place where then it could be amended and dealt with in a more methodical and appropriate way.

I would like to remind people one more time that we also plan to mark up an AUMF on April 19 to deal with the lingering issue of having an open situation where we are still dealing with ISIS and al-Qaida and others based on something that was authorized to be done in Afghanistan years ago.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, the resolution that we will soon be voting on is really very simple. It has two basic points. Point No. 1, I and the 14 other cosponsors of this resolution believe that under the definitions laid out in the 1973 War Powers Resolution, U.S. forces have been introduced into the Saudi-led war in Yemen, a war which is causing a humanitarian disaster.

I would say to my good friend Senator CORKER, the chairman of the Foreign Relations Committee, that this war has been going on for 3 years. Some 10,000 civilians in Yemen are dead and 40,000 have been wounded. A million are dealing with cholera right now, and millions have been displaced.

You come tonight on the floor and you say: We are going to hold a hearing. That is good, but it is 3 years too late.

The issue that we are dealing with right now is whether or not the U.S. Senate and the U.S. Congress accepts its constitutional responsibility on the issues of war. This is not a complicated issue, and I don't think anybody here disagrees. Article I, section 8, of the Constitution says not that the President can make war and send our young people into harm's way. It is the Congress of the United States that should make war.

Our role now in Yemen working with the Saudi-led intervention there is one of hostilities under the War Powers Resolution of the United States. It is not just my view on this. As many may know here—as I suspect the chairman of the committee knows—last November, by a vote of 366 to 30, the U.S. House of Representatives agreed with the essence of what Senator LEE and I are trying to do, and the House passed a nonbinding resolution stating that U.S. involvement in the Yemen civil war is unauthorized. Every Member of the Democratic leadership voted for that, as did the Republican chairman of the House Foreign Affairs Committee, ED ROYCE.

An editorial in the New York Times today states:

The United States initially deployed forces to combat Al Qaeda in Yemen under post-Sept. 11 congressional authorization measures. But Congress never specifically approved military involvement in the Saudi-Houthi war even though the Constitution and the 1973 War Powers Act give lawmakers a role.

The New York Times:

For too long, Congress has abdicated its role as America prolonged its stay in some wars and expanded into others. And presidents have been too reluctant to share these crucial decisions with lawmakers. Resolutions like this—

The one we are debating—

can and must force serious debate and accountability.

I say this to my friend the chairman: I think now of the two major foreign policy disasters that have taken place in our lifetime—No. 1, the war in Vietnam. In that war—a Democratic administration under an otherwise very good President, Lyndon Johnson—he and the Secretary of Defense misled and lied to the American people with regard to the Gulf of Tonkin Resolution. That is now established fact as a result of declassified information. The United States got sucked into that war, and my generation—the young men of my generation—suffered so terribly. Over 60,000 died, and many others came home wounded in body and in spirit. The U.S. Congress abdicated its responsibility at that point in 1964.

Fifteen years ago—oddly enough, on this day—there was the war in Iraq, under a Republican administration, and the administration lied to the American people again. Where was Congress getting the facts? We had the

Vice President of the United States: Oh, Saddam Hussein is building weapons of mass destruction. There is a connection between Saddam Hussein and Iraq and the 9/11 perpetrators.

It was a lie. It was a lie. Mistakenly, Congress voted to approve the war based on false information.

So what I say today is that it is time for the Congress to accept its constitutional responsibility. I don't know how well we will do. Maybe we will screw it up as well. It is very possible. But that is what the Founding Fathers suggested, and I think they were right. We are closer to the people—the House and the Senate—than is the White House, this White House or any other White House.

So there are two issues today. Do we accept our constitutional responsibility to vote on matters of war? I would suggest that every Member of the Senate vote yes. Don't duck your responsibility. Don't abdicate your responsibility. Second of all, this war in Yemen, in my view, has been a humanitarian disaster as a result of Saudi intervention. But the most important vote is, do we actually have a vote on whether American troops are involved in the war in Yemen?

I hope very much we will vote against Senator CORKER's motion to table, and I hope that after we do that, we will vote for the resolution that says it is time for the United States to get out of Yemen.

Thank you.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Tennessee. Mr. CORKER. Mr. President, very briefly, I just want to set the record straight. The House of Representatives voted to say that the war in Yemen is not covered by the 2001–2002 AUMF, and I think this body would agree. They did not do as was just mentioned by the Senator from Vermont. As a matter of fact, they decided not to take up this measure that we are taking up today because they thought it was not a good measure to take up.

I don't want anybody in this body to think that the House has already supported this effort. The House not only didn't support it, they wouldn't take it up because they thought it was damaging to our country's foreign policy.

I hope that today people will join me in voting to table this motion and to let the committee do its work as it is supposed to do. Let's bring something to the floor that will actually have an outcome, and then let's have a debate down the road on the AUMF—the 2001 and 2002 AUMF—which I hope will be given floor time.

With that, I think all time has expired.

Mr. President, I move to table the Sanders motion to discharge S.J. Res. 54, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote 58 Leg.]

YEAS—55

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Reed
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeven	Sasse
Coons	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Sullivan
Cortez Masto	Jones	Thune
Cotton	Kennedy	Tillis
Crapo	Lankford	Toomey
Cruz	Manchin	Whitehouse
Donnelly	McConnell	Wicker
Enzi	Menendez	Young
Ernst	Murkowski	
Fischer	Nelson	

NAYS—44

Baldwin	Harris	Paul
Bennet	Hassan	Peters
Blumenthal	Heinrich	Sanders
Booker	Hirono	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Lee	Tester
Collins	Markey	Udall
Daines	McCaskill	Van Hollen
Duckworth	Merkley	Warner
Durbin	Moran	Warren
Feinstein	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—1

McCain

The motion was agreed to.

ALLOW STATES AND VICTIMS TO FIGHT ONLINE SEX TRAFFICKING ACT OF 2017—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, last night I came to the floor to talk about legislation we are debating in the Senate this week that has to do with combating human trafficking, an issue that every Senator in the Chamber cares about. Last night, I talked about some of the women and children who have been exploited online, their stories—some of the heartbreaking stories.

This opportunity we have before us is to pass legislation that addresses that very directly because we are seeing in this country, in this century, unbelievably, an increase in trafficking right now. The experts all say it is for one primary reason; that is, because the trafficking is moved online.

The ruthless efficiency of the internet, the dark side of the internet—Mr. President, you have been involved with this issue in our committee. As you know, we spent a couple of years coming to this point, an 18-month investigation of what is happening online,

why it is happening, and then coming up with a legislative solution. The reports of human trafficking to one of the major anti-trafficking groups in the country, called Polaris, through their hotline and through their text line, have increased 842 percent over the past 10 years. This is consistent across the board in talking to other experts. There is this increase. When they look at it, where they see it is happening is online. Victims have told me, have told you and other Members, this has now moved from the street to the smartphone, from the street corner to the internet.

According to National Center for Missing and Exploited Children, nearly 75 percent of the child trafficking reports it receives from the public involve one single website; that is, backpage. That is why we spend a lot of time looking into backpage, why this was happening, and how we could address it.

According to Shared Hope International—another advocacy group—the number is even higher than 75 percent. We researched this through a process that many in this body were involved with. CLAIRE MCCASKILL was the ranking member of the Permanent Subcommittee On Investigations. We investigated that. I see she is on the floor now. She and I, along with our subcommittee, along with you, Mr. President, and other members of the full committee, looked into this issue. What we found was even more shocking than we expected. We knew people were being trafficked online by this website. We knew they had to be complicit with some of this. What we didn't know was they were actually taking ads and altering the ads, editing the ads to try to hide the fact that people were selling underaged girls online. As they put it, they were cleaning the ads for illegal transactions and then covering up the evidence of these crimes in order to increase their profits.

Last night, I talked about three brave mothers who shared the tragic stories of their daughters who were exploited and sold for sex on backpage.com. Their daughters were between the ages of 14 and 16 when they were trafficked. Kubiiki Pride was one of the women we talked about. She is also part of a documentary called “I am Jane Doe.” It tells the stories of her family and other families. It is a powerful, powerful presentation, and it is powerful in that you can feel their frustration, feel their pain. It is not easy to see, but it is important to see, and I recommend it. You can go on Netflix and find “I am Jane Doe.”

Unfortunately, for those mothers and countless others, backpage has gotten away with this. It is not because people haven't tried to sue them, prosecutors haven't tried to go after them; it is because the courts have consistently said they are shielded from prosecution, they are shielded from these lawsuits. They are shielded by a Federal law, one we passed in this Chamber 21 years ago.