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## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who knows what is best for us, we submit today to Your loving providence. Continue to be our refuge and strength, a very present help in the time of trouble. May we never forget that nothing in all creation can separate us from Your love.

Bless our lawmakers. Fill their hearts with such love for You that no difficulty or hardship will prevent them from obeying Your precepts. Help them to remember that those who walk in integrity travel securely.

Lord, strengthen their resolve to serve You as they should and in doing so may they become more aware of Your continuous presence.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The Democratic leader is recognized.

### DONALD TRUMP AND THE JUDICIARY COMMITTEE CHAIRMAN

Mr. REID. Mr. President, the Republican nominee of our great country continues to attack a Federal judge because of his Mexican heritage. This is

not only wrong, it is racist and un-American. It is also a fundamental attack on the American judiciary system.

When issues like these arise, the Nation has historically looked to the Senate for leadership. In particular, throughout our history, the Senate Judiciary Committee has been a bastion of independence and bipartisanship. When Federal judges are under assault, we should expect the chairman of the Judiciary Committee to rise above politics and condemn racism—but not this Judiciary chairman who is now the chairman of the committee in the United States Senate, not the senior United States Senator from Iowa.

Instead of a bold feat of bipartisanship, we are left with yet another example of how he has become the most partisan Judiciary chairman in the history of America. Instead of rising above partisanship and condemning Trump's racist attacks on a highly qualified judge—by the way, who was born in Indiana—Senator GRASSLEY kisses Trump's ring and toes the party line. Instead of condemning Trump, GRASSLEY defended him.

His rationale is mind-boggling. Listen to this: Senator GRASSLEY says that Trump must respect the Judiciary because over the course of hundreds of lawsuits and years of litigation, Trump has actually won some cases. I can't make up something like this.

For example, a quote from a newspaper article:

Grassley also suggested Trump's propensity for filing lawsuits showed some level of respect for the judicial branch.

"He must respect the Judiciary," Grassley said. "I've seen statistics that he's won over 400 cases, only lost 30."

How about that. I find it curious that the chairman doesn't have time to read Merrick Garland's questionnaire or give him a hearing, but he has time to study Donald Trump's success rate in the courtroom. This says a lot, and one of the things it says is what Senator GRASSLEY's priorities are.

In spite of everything coming out of Donald Trump's mouth, Senator GRASSLEY remains loyal to Donald Trump. According to an Iowa newspaper, the Ames Tribune, Senator GRASSLEY told his constituents on Friday: "He isn't concerned by any of the controversial or inflammatory rhetoric coming from the Trump campaign."

I am a little disappointed, but—with what has happened the last couple of months—not surprised. I believe no Member of the Senate has done more for Donald Trump than the chairman of the Senate Judiciary Committee.

In January, when many Republicans were still trying to distance themselves from Donald Trump, Senator GRASSLEY introduced Trump at an Iowa campaign event. Since then, despite dozens of editorials against Senator GRASSLEY and pressure from his constituents, Senator GRASSLEY has done everything in his power to hold open a Supreme Court seat for Donald Trump to fill. I am surprised Senator GRASSLEY has yet to acknowledge these racist attacks on Judge Curiel because these attacks are beyond the pale. Instead, Senator GRASSLEY chose to further establish himself as a Trump cheerleader, just like the Republican leader has done.

Last week Senator GRASSLEY told his constituents:

He's building confidence with me.

Talking about Trump.

I've already said I'm going to vote for him.

... I'd campaign with him.

But this is not the beginning of Senator GRASSLEY's campaign for Donald Trump. Senator GRASSLEY's entire chairmanship the past 6 months has been one big campaign push for Trump. His committee has become an extension of the Trump campaign. The Republican Judiciary Committee has done everything to focus on boosting Trump but has neglected to do its job in the process.

Under Chairman GRASSLEY, the committee is reporting out almost no bills,

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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fewer judicial nominations than any time in recent history, and because of this inaction by the chairman of the Judiciary Committee, the Senate has confirmed fewer judges than in decades. We heard the report yesterday of how the Federal system of courts in our country is in disrepair. Why? Because the Judiciary Committee is processing none of the appointments President Obama has made.

What has the Judiciary Committee done instead? It has spent its time carrying out a political hit job on Secretary Clinton. Senator GRASSLEY has wasted countless dollars and staff time developing partisan opposition research that he hoped could be used to help Trump's candidacy against Secretary Clinton. It hasn't helped, but it has shortened the pocketbook of the American people. Senator GRASSLEY has been so desperate to drag Secretary Clinton's name through the mud that he even encouraged the FBI to leak an independent review of Secretary Clinton's use of email.

At every turn, the senior Senator from Iowa has used his committee for partisan purposes that benefit only one person: Donald Trump. There is no better example than the current vacancy on the Supreme Court. Rather than doing his constitutional duty and processing Merrick Garland's nomination, Chairman GRASSLEY took his marching orders from Trump, and Trump said: Delay, delay, delay. And that is exactly what the Senator from Iowa has done—delay, delay, delay.

Chairman GRASSLEY is hoping to run out the clock. He is hoping President Trump gets to nominate the next Supreme Court Justice. That is why last month Senator GRASSLEY said of Trump: "I think I would expect the right type of people to be nominated by [Trump] to the Supreme Court."

After Donald Trump's latest attack on the Judiciary, does Senator GRASSLEY really believe that Trump is the right man to pick nominees to the Supreme Court or any court? Donald Trump said that a Federal judge should be disqualified from presiding over a case because of his Mexican heritage, even though he was born in Indiana. He said the same would apply if the judge were Muslim. Does Senator GRASSLEY believe Trump's comments were racist? This is a place for the senior Senator from Iowa to start his quest for fairness.

The Republican junior Senator from Nebraska agrees it was racist. This is what he tweeted yesterday: "Public Service Announcement: Saying someone can't do a specific job because of his or her race is the literal definition of 'racism.'" The junior Senator from South Carolina, also a Republican, called Trump's remarks "racially toxic," but what does the senior Senator from Iowa say? Zero, nothing.

Does the chairman of the Judiciary Committee agree with Donald Trump? Does Senator GRASSLEY also believe judges should face a religious test? The

senior Senator from Iowa said he trusts Donald Trump's judgment. He said, and I repeat: "He's building confidence with me."

After everything we have heard from Donald Trump—all of his vile, unhinged rants—does Senator GRASSLEY honestly have confidence that Donald Trump should pick the next Supreme Court Justice? I don't trust Trump to make that decision, the people of Iowa don't, and America doesn't. Senator GRASSLEY must stop using his committee to do Trump's bidding. He must stop using the once-proud Judiciary Committee as an extension of the Trump political campaign.

Instead of continuous delay, delay, delay, Chairman GRASSLEY should give Merrick Garland a hearing and a vote, but do it now. Waiting for Donald Trump to choose the ninth member of the Supreme Court is not the answer.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2943, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2943) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain amendment No. 4229, to address unfunded priorities of the Armed Forces.

The PRESIDING OFFICER. The Senator from Maine.

#### CYBER SECURITY AND OUR ELECTRIC GRID

Mr. KING. Mr. President, at 3:30 in the afternoon on December 23 of last year, about a half hour before sunset, the lights started to go out in western Ukraine. The power started to go out. The operator in one of the Ukrainian powerplants noticed, to his horror, that he no longer controlled the cursor on his computer screen. The cursor moved of its own accord and started opening dialogue boxes and opening breakers.

The operator tried frantically to get back into the computer, only to find he was locked out and the password had been changed. At the same time, the call center of this utility in Ukraine was blocked by thousands of fake calls, so the utility itself could not know what was happening in the countryside. The backup generators around western Ukraine also went down. Malware was installed on the operating computers and a system called

KillDisk was installed, which wiped the disks and rendered the computers useless.

As a final insult, the power in the power control system itself went off and the operators were literally left in the dark. This was the first major cyber attack of a public utility anywhere in the world. It was sophisticated, it was well planned, and it was devastating. Within a few minutes, 230,000 people in the country of Ukraine were without power.

That attack could have occurred in Kansas City, in San Jose, in New York, or here in Washington. Ever since I have served in this body as a member of the Armed Services and Intelligence Committees, I have heard repeated warnings from every public official involved with intelligence and national security that an attack on our critical infrastructure is not possible, it is likely.

How many shots across our bow, how many warning shots do we have to endure? Sony, the OPM, insurance companies, and now the nightmare scenario of an electric grid attack.

We can learn something from what happened in the Ukraine, and there is a piece of good news and a lesson for us. The attack, which left 230,000 people without power, only persisted for about 6 hours. The interesting part of the scenario of this development was that one of the reasons they were able to get the power back on so fast was because the Ukrainian grid was not up to modern—I hesitate to say "standards"—practices in terms of its interconnectedness and its digitization. There were old-fashioned analog switches, and the most old-fashioned analog switch of all, a human being, who could actually throw breakers and get the system back online.

However, in this country we are not so lucky, and I use that in a very sort of backward way because we have the most advanced grid structure in the world. We are more digital, we are more automated, we are more interconnected, but that makes us more vulnerable. That makes us more vulnerable because we are asymmetrically interconnected. We keep getting these warning shots. A lot is being done by our utilities and by our government agencies to work on protecting this country from a devastating cyber attack. But I know of no one who would assert that enough is being done and that we are ahead of this threat.

I introduced a bill yesterday, along with three cosponsors: Senator RISCH from Idaho, Senator COLLINS from Maine, and Senator HEINRICH from New Mexico—all of whom, along with myself, are members of the Intelligence Committee, where we hear about these threats practically weekly. The bill is pretty straightforward. It tasks our great National Labs with working with the utilities over a 2-year period to determine, not new software patches and new complexity, but if we can protect