

Judge Gorsuch went on to stress that while prisoners give up many liberties, the freedom to sincerely express their religion is not one of them. His reasoning was later adopted by the Supreme Court to extend similar religious liberty protections to a Muslim prisoner. Judge Sotomayor even quoted the opinion of Judge Gorsuch in her concurrence in that case.

From his opinions, it is clear that Judge Gorsuch is a mainstream nominee who understands the importance of putting personal beliefs aside and applying the law as written. This is why George Washington University Law School professor Jonathan Turley argued that Judge Gorsuch shouldn't be penalized for his past opinions. As he said, "the jurisprudence reflect, not surprisingly, a jurist who crafts his decisions very close to the text of a statute and, in my view, that is no vice for a federal judge."

It is for the reasons I have cited today and for the reasons we have seen over the past week that I am certain Judge Gorsuch will make Colorado proud and that his decisions will have a positive impact on the Supreme Court and this country for generations to come.

I look forward to working with my distinguished colleagues on both sides of the aisle to expeditiously confirm his nomination and to make sure that we uphold the best traditions and the precedent of this Senate.

Mr. President, thank you.

I yield the floor.

RECESS

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

Thereupon, the Senate, at 12:52 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF MONTENEGRO—Continued

The PRESIDING OFFICER. The Senator from Arizona.

(The remarks of Mr. FLAKE pertaining to the introduction of S. 745 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FLAKE. 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.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RUSSIA

Mr. SASSE. Mr. President, I rise to comment briefly on Russian inter-

ference in the electoral processes in this country and across the West and governments of many of Russia's own neighbors.

We are in the middle of a civilization warfare crisis of public trust in this country. This isn't about the last 2 months. This isn't just about the last Presidential election. This is fundamentally about the last few decades of declining public trust in a broad range of our institutions: the press, political parties, executive branch agencies, the Congress, and beyond.

Russia is not unaware of our own distrust of each other. Russia is not unaware of our own increasing self-doubt about our shared values. Russia is today very self-consciously working to further erode confidence in our self-government by pulling at the threads of our public and civic life. Moscow's influence campaigns don't start by creating wholly new problems out of thin air, but rather by exploiting fissures that already exist in our civilization. The simplest way for Russia to try to weaken us is by trying to exploit the places where we are already weak, the places where we are already distrustful, and the places where we are failing to pass along a shared understanding of American values to the next generation.

The sad state of modern politics and the explosion of digital media are proving to be ripe targets for many of our own internal doubts and our own discord. We—all of us, Republicans and Democrats, the legislature and the executive branch—are ill-prepared for the challenges that are already on our doorstep, let alone what comes next with the acceleration of these kinds of technologies.

Today in the Wall Street Journal, we in this body were rebuked—rightly rebuked, I think, and rebuked in a bipartisan way by former Congressman MIKE ROGERS. Chairman ROGERS, a Republican, served as the Chairman of the House Intelligence Committee from 2011 through 2015. I am going to read his op-ed rebuke into the RECORD today, but I would humbly ask that all 100 Members of this body calmly and self-critically consider carefully Chairman ROGERS' argument, for his argument is not fundamentally against Republicans alone. It is not against Democrats alone. He is offering double-barreled criticism of all of us in the Congress—criticism of both parties. Why of both parties? Because Russia's influence campaign is a really big deal. Are we Republicans listening? Also, because our response to Russia's influence campaign is not primarily about who you supported last November in the Presidential election.

Listening to the Democrats, it is sometimes hard to understand if that side of the aisle remembers that basic fact about what Russia's influence campaign was up to. Russia's goals in our most recent election were not initially about one candidate versus another candidate. We need to underscore

this. There are particulars that those of us who spend time reading classified intelligence know we can't discuss in this unclassified setting. But the big, broad point is simple and needs to be shouted, and that is that Putin's fundamental goals are about undermining NATO. Putin's fundamental goals are about making us doubt our own values: freedom of speech, freedom of religion, freedom of the press, freedom of assembly, the right of protest or redress of grievances.

The Kremlin isn't attempting an influence campaign to make Americans believe that the sky is green or the grass is blue. He is trying to undertake an influence campaign to make us doubt our own First Amendment values. The Kremlin wants us to believe that our society is as corrupt as the thugocracy that Putin and his cronies are trying to advance. That isn't true, but if you listen to us in this body, we regularly do very little to restore the kind of public trust that Putin is actively working to undermine.

So I ask that each Member of this body would humbly and carefully consider Chairman ROGERS' rebuke to the Congress this morning. This is from the Wall Street Journal, Chairman ROGERS; headline: "America is Ill-Prepared to Counter Russia's Information Warfare."

When historians look back at the 2016 election, they will likely determine that it represented one of the most successful information operation campaigns ever conducted. A foreign power, through the targeted application of cyber tools to influence America's electoral process, was able to cast doubt on the election's legitimacy, engender doubts about the victor's fitness for office, tarnish the outcome of the vote, and frustrate the new President's agenda.

Historians will also see a feckless Congress—both Democrats and Republicans—that focused on playing partisan "gotcha" and fundamentally failed in its duty to gather information, hold officials accountable, and ultimately serve our country's interests.

Whether or not the Trump campaign or its staff were complicit in Moscow's meddling is missing the broader point: Russia's intervention has affected how Americans now view the peaceful transition of power from one president to the next. About this we should not be surprised. Far from it.

Propaganda is perhaps the second- or third-oldest profession. Using information as a tool to affect outcomes is as old as politics. Propaganda was familiar to the ancient Greeks and Romans, the Byzantines, and the Han Dynasty. Each generation applies the technology of the day in trying to influence an adversary's people.

What's new today is the reach of social media, the anonymity of the internet, and the speed in which falsehoods and fabrications can propagate. Twitter averaged 319 million monthly users in the fourth quarter of 2016. Instagram had 600 million accounts at the end of last year. Facebook's monthly active users total 1.86 billion—a quarter of the global population. Yet each of these staggering figures doesn't fully capture the internet's reach.

In February, Russia's minister of defense, Sergey Shoigu, announced a realignment in its cyber and digital assets. "We have information troops who are much more effective and stronger than the former 'counter-propaganda' section," Mr. Shoigu said, according

to the BBC. Russia, more than any other country, recognizes the value of information as a weapon. Moscow deployed it with deadly effect in Estonia, in Georgia and most recently in Ukraine, introducing doubt into the minds of locals, spreading lies about their politicians, and obfuscating Russia's true intentions.

A report last year by RAND Corporation, "The Russian 'Firehose of Falsehood' Propaganda Model," noted that cyber propaganda is practically a career path in Russia now. A former paid troll told Radio Free Europe that teams were on duty around the clock in 12-hour shifts and he was [personally] required to post at least 135 comments of not fewer than 200 characters each.

In effect, Moscow has developed a high-volume, multichannel propaganda machine aimed at advancing its foreign and security policy. Along with the traditional propaganda tools—favoring friendly outlets and sponsoring ideological journals—this represents an incredibly powerful [new] tool.

Now [let's] extrapolate that one step further: Apply botnets, artificial intelligence and other next-generation technology. The result will be automated propaganda, rapid spamming and more. We shouldn't be surprised to see [more] of this in the future.

Imagine [if you will] an American Senator who vocally advocates a new strategic-forces treaty with European allies.

Pausing from the article for a minute—it is interesting to note that is the debate we are actually having in the Senate today. We are talking about expanding NATO to include Montenegro.

Picking back up:

Moscow, feeling threatened, launches a directed information campaign to undermine the senator. His emails are breached and published, disclosing personal details and family disputes, alongside draft policy papers without context. Social media is spammed with seemingly legitimate comments opposing the senator's policy position. The senator's phone lines are flooded with robocalls. Fake news articles are pushed out on Russian-controlled media suggesting that the Senator has probably broken campaign-finance laws.

Can you imagine the disruption to American society? The confusion in the legislative process? The erosion of trust in democracy? Unfortunately, this is the reality the U.S. faces [next], and without a concerted effort it will get [much] worse.

Congress is too focused on the trees to see the frightening forest. Rather than engaging in sharp-edged partisanship, lawmakers should be investigating Russian propaganda operations and information warfare. They should be figuring out how to reduce the influence of foreign trolls, and teaching Americans about Moscow's capabilities. This would go a long way [toward saving] the republic.

That is the end of the op-ed. Again, this was Chairman Mike Rogers, who led the House Intelligence Committee from 2011 to 2015, writing an op-ed in the Wall Street Journal this morning.

Here is what he is really saying. What he is saying is that America has a future in foreign policy and national security and global security that is going to have a lot more propaganda, and a body like this—the Congress generally, but the Senate in particular—has an obligation to help make sure the American people understand Moscow's capabilities and their intentions.

Their intentions are to make us doubt our values. Their intentions are

to make us doubt our investment in NATO, the most successful military alliance of last 2,000 years. Their intentions are to exploit the ways that we already distrust each other in ways that should be Republican versus Democratic policy, fighting about particular forms of government intervention and the economy, for instance, but that are subordinate to fundamental American beliefs about who we are as a people and the things that we believe together before we are Republicans and Democrats.

But if you listen to this body right now, would you have much confidence that the American people hear people who come together and believe things that are prepolitical and prepartisan first? Do we have shared American values that we know how to trumpet? Do we have ways to celebrate the things that fundamentally make us Americans well before we are Republicans or Democrats?

I worry that if you watch cable news any given night right now, you would not, as an American citizen, have that as a takeaway. Instead, you would hear Americans saying—American public listeners and viewers to those radio shows and cable shows thinking that the great divide in the world is between Republicans and Democrats. That is actually not true.

By voting record, I am the third most conservative guy around here out of 100, so I care deeply about Republican versus Democratic answers to most of the policy fights we have. But those things are radically subordinate to the things we believe in common about the dignity of people who are created with rights. The government doesn't give us rights. God gives us rights by nature, and we come together as a government to secure those rights. The rights of free speech, press, assembly, and religion are fundamentally American things well before we get to any of our policy bickering.

Yet, if the Americans listen to us in the Congress most days or most weeks or most months, I bet their takeaway is that Republican versus Democrat is the great divide, and we shouldn't trust anybody across that aisle.

Well, guess what. That is exactly what Putin is trying to do. His fundamental objective is to make Americans doubt our own values and to doubt our own civilization so that we fight with each other first, instead of agreeing as Americans first then fighting about a bunch of important policy things—but first agreeing who we are as Americans.

The future that we face is a future where there is going to be a lot more propaganda that tries to exploit our internal divisions to begin with. It makes it all the more critical that a body like this exists to help 320 million Americans with a lot of diversity and a lot of disagreement about really important things. They ought to trust that an institution like this exists to restore some sense of those shared values and

exists to restore some of that shared trust. Right now that is not usually what they take away from us in the Congress. So I call on the 100 Members of this Senate to consider carefully Chairman Rogers' rebuke of us this morning in the Wall Street Journal.

Thank you, Mr. President.

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.

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

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

Mr. MURPHY. Mr. President, I am on the floor to speak in favor of the pending business before the Senate—to allow for Montenegro to join NATO as a new member. I have been a proponent of this move for a long time, having spent time in Montenegro and having chaired for a period of time the Europe and Regional Security Cooperation Subcommittee of the Foreign Relations Committee, now serving Senator JOHNSON as his ranking member.

I am convinced that NATO will be stronger if Montenegro joins. I am convinced that our alliance will be stronger if Montenegro joins. It is a small country with a very small military, but it occupies an incredibly important space on the world map. It is the only part of the Adriatic coast that breaks up the current NATO map, and it will provide a strengthening of our alliance in that region.

Montenegro is ready. It has made significant progress on internal reform, especially in the area of the rule of law and security sector reform. The Ministry of Defense has met all of the requirements for NATO membership. It is moving to modernize its military. It is moving to try to operationalize itself in a way that it can interact with both U.S. and European equipment. It is replacing its aircraft that previously had required Russian spare parts so that they are more compatible with European and American air equipment. There is still work that Montenegro needs to do, but now it can continue under the umbrella of the alliance.

I am very happy that we are taking an important step here to signal that NATO's open-door policy is still in practice. I think there was some doubt, frankly, and some concern, after years and years of Montenegro's desire to join amidst the interest from Georgia and prior to the crisis in Ukraine, that some of these transatlantic institutions were closing down. This is a sign that NATO is not only viable but is still open to those countries that want to join, that want to find additional safety and security under our umbrella. I am glad we are going to have a bipartisan vote here in favor of Montenegro's joining NATO.

I want to make a broader point about our future policy in the Balkans. It was

not that long ago that it was a precondition, if you were a Member of Congress, to be an expert on the Balkans. The United States was at war in the Balkans, as were Russia and our European allies. It was the hottest spot on the globe. Thanks to U.S. military might as well as diplomatic might, the Dayton Peace Accords brought peace and relative economic prosperity to a region of the globe that has been, frankly, at the center of almost every major conflict in and around Europe over the greater part of the last 100 years. It is a moment to celebrate this period of political and security stability in the Balkans and to remember that we should not take it for granted. There are still festering ethnic and nationalist tensions that play out every day in the Balkans. We see them in small ways.

When I was there, a drone with a map of greater Albania dropped down into the middle of a football match between the Serbian national team and the Albanian national team, which was a deliberate attempt to inflame the Serbians. It seemed like a small thing, but it resulted in the cancelation of a historic meeting between the Prime Minister of Albania and the Prime Minister of Serbia.

Just recently, we have seen some breakdown in the progress Serbia and Kosovo had been making to try to resolve their differences, resulting ultimately, we hope—we believe—in the recognition of Kosovo's statehood by the Serbian Government, which is a reminder that bringing Montenegro into NATO is important for the alliance's sake, but it is also an important step in continuing to make investments in security in the Balkans.

It is important for a second reason in that there is another player out there that is desperately trying to make the Balkans less stable, and that is Russia. For a very long time, Russia has had legitimate interests in the Balkans. They have relations with the people of the Balkan nations, as well as with those governments, but today they have an interest in trying to destabilize that region, to create a crisis for Europe, to create a crisis for NATO.

As we all know, Russia fills vacuums of power better than almost any other player out there. Whether or not we like it, as Members of the Senate, there is an enormous vacuum in the world right now that is created by the withdrawal of America. Without a robust State Department, without coherent U.S. foreign policy, we are just not players in the world today like we were a year ago. Example A may be the Balkan region.

The Balkans require attention because there are these simmering potential conflicts, and the United States has been a force for good but in ways that most Americans probably do not even know. It required the constant attention from Vice President Biden, Secretary of State Kerry, and Assistant Secretary of State Victoria Nuland

to make sure that the Balkans—in particular, the western Balkans—continued their move toward Europe and rejected offers from Russia for a different kind of alignment. Weekly big and small interventions allowed the Balkan nations to feel comfort in a future with Europe and with the United States. That intervention, that attention, has, frankly, just disappeared, and the Russians have filled that vacuum.

There was a coup attempt in Montenegro. You do not see a lot of coup attempts these days in countries in and around Europe, but there was an attempt to storm the Parliament—an attempt that has been connected to Russian nationals. Those Russian nationals, according to Montenegro, have connections directly with the Russian Government. That has not been confirmed yet, but it is incredibly disturbing to know that Russian nationals were behind an attempted military coup inside Montenegro.

We have seen a much tighter joining of the leaders of the Republika Srpska and Russian interests and operatives in a move toward a referendum for independence in the Republika Srpska, which is a component of Bosnia and Herzegovina. It looks suspiciously like the kind of independence referendums that have threatened to take place in parts of Ukraine and Luhansk and Donetsk.

There are reports that the same players who are trying to fund and operationalize independent referendums in Ukraine are also at work inside Serbia—players with connections back to the Kremlin.

There are reports of a massive increase in Russian media presence in the Balkans—more offers from Russian TV stations and radio stations to provide free content to cash-strapped Balkan media outlets.

There are over 100 different nonprofit organizations in Serbia alone, according to one report, that have financial connections back in and through Russia.

Russia is filling this vacuum in the Balkans. It is trying to win friends and trying to create an instability that ultimately would land at the doorstep of NATO, at the doorstep of Europe, and at the doorstep of the United States. They are filling that vacuum because we do not have a presence there today.

Secretary Tillerson has no meaningful experience in the Balkans. He has no Deputy and he has no Assistant Secretary for the Balkans. When you pair that next to a proposal that Secretary Tillerson endorses cutting his budget by 40 percent, you will make America relatively feckless in that region because it is those funds that the administration is seeking to cut that are often our linkages to influence.

In Belgrade, our Ambassador has made enormous progress with a small amount of money for exchange programs. You look at people in powerful positions in Serbia today, and many of them are close to the United States be-

cause they have participated in State Department exchange programs. They have spent time here in the United States getting to know our country, maybe getting educated here, and they have gone back to Serbia to be part of the government in order to represent Serbian interests but with a connection to the United States and to the West that is important. Those exchange programs are basically eviscerated by a 40-percent cut. They will not exist any longer. It is a very small program, but it has not only gotten us important results in the Balkans, it has contributed to our ability to argue for stability and to argue for the calming of tensions because it gets doors opened for the United States.

Without anybody being on call for the State Department in the Balkans, without any funding in order to try to promote stability and economic connections between those countries, we cede ground to Russia every single day. Russia sees vacuums, and they fill them, and we have created them. We have created a vacuum globally, but we have created a specific vacuum in the Balkans. It is filled in part by this movement to join Montenegro with NATO.

I do appreciate the fact that Secretary Tillerson, I believe, and Secretary Mattis have both recommended to this body that we take up this matter. I think that was important, and I applaud them for standing against the recommendations of the Russian Government and for the accession of Montenegro into NATO, but it is not enough.

I wanted to come to this floor—and I see my great friend and colleague from Ohio, who is ready to speak—to make the case as to why this is so important and to make the case that as Russia tries to view Montenegro as an opportunity to establish a Kaliningrad on the Mediterranean, we can prevent its happening with this vote and with the vote of our European allies to join Montenegro with NATO, but it is not enough. We have to remember that stability in the Balkans is nothing to be taken for granted. The next global crisis may come from a small act of tension between neighbors that spins out of control, in part because the United States is not paying attention and because Russian intervention in the region, which is bigger and broader now than ever before, has an interest not in stability but actually ultimately in instability.

I thank Leader McCONNELL for bringing this before the body. This is a chance for us to join together in supporting Montenegro as it joins NATO. Hopefully, there will be more opportunities for us to work together to make sure that this administration, to make sure that our country has a comprehensive policy to continue to build on the NATO peace accords and double down on the work we do to promote long-term stability and prosperity in the Balkan region.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, first I want to thank my colleague for coming to the floor today to speak about Montenegro and the importance of its accession into NATO, as well as for his focus on the Balkans and for his comment that right now the people of the Balkans and, for that matter, the people in Ukraine and other countries in eastern Southern Europe are feeling a lot of pressure. I applaud him for working on a bipartisan basis over the last couple of years to help us push back against some of the disinformation and propaganda that is primarily being promoted by Russia.

In each of these countries—and I know my colleague Senator MURPHY has visited these countries—the first issue I hear about when I go on a trip to Latvia, where I went recently, and certainly Ukraine and even Poland is concern about this sort of unrelenting campaign of disinformation, as we call it; maybe the other term would be “propaganda.” We do need to stand up and be counted. The new department of global engagement at the State Department is beginning to do that. I know Senator MURPHY has had some meetings recently—and I have, too—where they are starting to get their feet on the ground and being able to allow people to be able to see the objective truth; in other words, to sort of separate narratives from reality, to be able to ensure that we don’t have an undermining of these great democracies—these fledgling democracies, many of them.

So we are talking today, as my colleague from Nebraska did earlier, about the meddling in our own election here and the effect it is having on the level of trust in this country, and this is true not just here but in other democracies. I appreciate Senator MURPHY standing up and being counted on that issue and then today specifically being able to help Montenegro to have the opportunity to develop its own institutions. As I said, it is not perfect, but they have made progress, they have made reforms, and they have followed the directions many of us have given them to enable them to be responsible members of NATO. So I thank Senator MURPHY for being here today and talking about that.

READ ALOUD MONTH

Mr. President, I am actually speaking out today about another issue, which is one that is a little closer to home, and that is about the importance of reading to our kids. It turns out that this month of March has been designated as Read Aloud Month, and this group called Read Aloud is doing fantastic work around the country. They actually started in my hometown of Cincinnati, OH, so I am a little biased about them, but what they are doing is incredibly important. It is about education, it is about the economy, and more importantly, it is about

the lives of young people around the country and the ability to achieve their dreams. It is about child literacy.

Here is the information. Elementary schools and libraries are talking about this more and more back home. If you read to your kids when they are young, they will have a much better chance of succeeding in life. According to a study that dates back to 1995—kind of a famous study—by the time a child born into poverty reaches age 3, he or she has heard 30 million fewer words than his or her peers. Let me repeat that. A kid who is born into poverty is going to hear 30 million fewer words by the time he or she is 3 years old. Why does that matter? Why does this word gap, as they call it, matter? Well, it matters because it turns out these verbal skills, like other skills, develop as they are used, and if they are not used, they don’t develop. So a lot of kids who already have the challenge of growing up in poverty are also burdened with the disadvantage of not developing these verbal skills. That makes it harder for them to get good grades, harder for them to develop social skills, and harder for them to get a good job and ultimately to be able to live out their dreams.

I know Washington, DC, may be the only place on Earth where 30 million sounds like a small number, but it is a big number. It makes a huge difference. This word gap leads to an achievement gap later in life based on all the studies. Experts tell us that a child’s vocabulary is reflective of his or her parents’ vocabulary. It makes sense. Kids learn what they see and what they hear.

There is a 2003 study by Elizabeth Martin and Tom Risley studying word gaps which found that by age 3, before even reaching school age, children’s “trends in the amount of talk, vocabulary growth, and style of interaction were well established and clearly suggest widening gaps to come.” So having poor reading skills makes it harder to make a living, it affects self-esteem, and it makes life more difficult in so many small ways. Think about this: unable to read a manual when you buy something, unable to read a list of ingredients, unable to read a newspaper to understand what is going on, to be online.

Millions of our friends and neighbors are struggling with these consequences every day. According to the Department of Education, about 32 million adults in this country can’t read. Think about that. That is a group nearly 3 times the size of the State of Ohio and maybe 25 to 30 times the size of the Presiding Officer’s State—32 million. Too many of these adults, of course, started off life with the disadvantage of this word gap, and they never caught up.

That is why this Read Aloud Month is so critical. Parents and other caretakers need to know they can steer their child in a better direction—develop vocabulary skills and end the

word gap just by reading aloud to them.

Developing these skills, according to experts, affects the biology of the brain. Dr. Tzipi Horowitz-Kraus of Cincinnati Children’s Hospital—a great institution in my hometown and one of the top three children’s hospitals in the country, based on U.S. News and World Report. Anyway, he is an expert on this topic, and this is what he said: “The more you read to your child, the more you help the neurons in the brain to grow and connect.” So it is physiological.

Dr. Kim Noble, a brain scientist at Columbia University, has found that this word gap actually translates into a brain-sized gap in the areas dealing with language.

Dr. Dana Suskind of the University of Chicago has found that more than 80 percent of a child’s brain development occurs by age 3—80 percent—and the effects of the word gap are detected in brain development in babies as young as 9 months old. These aren’t children; these are babies. Doctor Suskind says that by reading aloud, every parent has the ability to grow their child’s brain.

So certainly before a child can read, before a child can even speak, it is important to be speaking to that child. Think about that. Think about the impact you can have. So get out a book and do some reading to a child, a grandchild, someone who is in the neighborhood, one of your kids. Do it tonight.

Sometimes when I talk about this, people say: Well, ROB, parenting is pretty tough. Everybody is busy. Some people are working two shifts. Both parents are working. Where do you make time for this? Here is my answer to that: Fifteen minutes a day. That is the goal here. Fifteen minutes a day makes a huge difference to be able to close that gap.

Others say: We can’t afford it. How do you afford to buy these books if you are going to read all the time? To me, that is pretty simple. Buy a library card. They are free, usually. If not, they are cheap. You don’t need a lot of new books, but you do need a library card, and that is very helpful. They helped Jane and me to be able to have books to read to our kids.

Again, I am very proud Ohio has led on this issue. In 2008, this group Read Aloud was started in Cincinnati, OH. It has now become a national movement. It has more than 10,000 grassroots partners—including daycare facilities, schools and libraries, and rotary clubs—in all 50 States.

So what can you do to help? I would say that this issue is not going to be found here in this body. It is not about Washington, DC, doing anything except encouraging people to do what makes sense, which is to spend time with your kid, to ensure that if you have a kid in school, that you know that kid gets the right start in life, to ensure that everybody has the ability to have a successful life.

Senator HARRIS and I introduced a resolution about this recently in the U.S. Senate. It is called the Read Aloud Month resolution. It encourages parents and caregivers to read to their kids for 15 minutes a day. We are asking our colleagues on both sides of the aisle, Republican and Democratic, to sign off on that resolution. That would help raise the visibility of this issue.

Again, I hope everybody listening today takes the opportunity to follow up, to read to a kid, to help ensure they can close that words gap in their lives and therefore have a better chance of getting better grades, getting a better job, and achieving whatever their dream is in life.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON. 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. JOHNSON. Mr. President, as chairman of the Subcommittee on Europe and Regional Security Cooperation, I rise today to support Montenegro's accession to the North Atlantic Treaty Organization, also known as NATO.

NATO is a defensive alliance founded in 1949 to provide collective security against the threat posed by the Soviet Union. Although the world had hoped that the threat had subsided with the collapse of the Soviet Union, under the rule of Vladimir Putin, Russia has become an ever-growing menace to its neighbors and to world peace and security. As a result, NATO remains as relevant today as it was in the year of its founding.

As Defense Secretary GEN James Mattis stated in his January confirmation hearing, "If we did not have NATO today, we would need to create it."

NATO has evoked article 5 of its charter—which states that an attack against one member shall be considered an attack against all—only once in its history, in response to the 9/11 attacks against America. Since then, our NATO allies have sent their sons and daughters to fight and die alongside our own in the generational war against radical Islamist terrorism.

The accession of Montenegro to NATO is important for a number of reasons. Montenegro has shown that it is committed to NATO and to making the internal reforms required to remain a member in good standing. Because of that commitment, Montenegro's membership in NATO will enhance stability in Europe.

Finally, Russia's alleged support of an attempted coup in Montenegro must not be rewarded by NATO turning its back on a country that exhibits such courage in resisting Russia's persistent aggression.

Just a few days ago, I met with Montenegro's Foreign Minister and the

Ambassador to the United States. They expressed their sincere gratitude that the Senate will be voting this week on their accession and that Montenegro would be one step closer to aligning itself with the freedom-loving nations of NATO.

Montenegro is a small country, but it has already demonstrated its commitment to the international community in implementing internal reforms. Montenegro has sent members of its military to Afghanistan in support of the International Security Assistance Force and as a member of the coalition to counter ISIS.

In the years leading up to its formal invitation to join the alliance, Montenegro has partnered with NATO members to make a wide range of changes to strengthen its military, its intelligence operations, and its rule of law. While it currently falls short of the goals stated in the 2014 NATO Wales Summit to spend 2 percent of its GDP on defense, Montenegro has committed to meeting this target by 2024.

Expanding NATO to include nations that desire to join the alliance and commit to meeting membership requirements contributes to a strong and stable Europe. It wasn't all that long ago that the Balkans region was unstable and war-torn, but because Slovenia, Croatia, and Albania have joined NATO, the Balkans is a far more stable region. Montenegro's accession will further enhance the stability of the Balkans and greater Europe.

Finally, I support Montenegro and NATO because it sends a clear message to Moscow that it cannot deter NATO from expanding the alliance and it cannot bully countries to prevent them from joining. Russia has warned Montenegro that it will face consequences if it continues to pursue NATO membership. As Russia continues its destabilizing actions throughout Eastern Europe and the world, it is imperative that we send an unwavering message of strength and resolve by approving Montenegro's accession to NATO.

In an era defined by polarization, Montenegro's accession to NATO has been thoroughly bipartisan. I thank my ranking members on the European subcommittee, Senator MURPHY for the current Congress and Senator SHAHEEN during the 114th Congress, for their strong support on this issue. I also thank Chairman CORKER and Ranking Member CARDIN for their continued efforts to move this legislation forward, Senator MCCAIN for being an outspoken supporter of Montenegro's accession, and Leader McCONNELL for his willingness to bring the protocol on the accession of Montenegro to the Senate floor.

It is time for the United States to approve Montenegro's accession to NATO. The Senate Foreign Relations Committee has twice unanimously approved this measure, and Secretary of State Tillerson has communicated this administration's full support for Senate passage.

I urge my colleagues to vote in favor of Montenegro's accession and hope

President Trump will soon sign the protocol on the accession of Montenegro.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF NEIL GORSUCH

Mr. ALEXANDER. Mr. President, redundancy is often a virtue, so I am about to practice redundancy.

Last week, I made a speech on the floor of the Senate about the upcoming votes in connection with the President's nomination of Neil Gorsuch to be Associate Justice of the Supreme Court of the United States, and I talked about the 230-year history of this body to always have Presidential nominations for judges—for Supreme Court Justices, for Federal district judges, and for circuit judges up to 2003 by a majority vote. Never in the history of this body has the Senate refused to allow a vote, an up-or-down vote on a Supreme Court Justice.

Because I hear that may be what the Democrats are planning to do—even though Mr. Gorsuch may be one of the most remarkably talented nominees in a long, long time—I want to make the address that I made last week again, and I am going to deliver it word for word in hopes that someone may actually hear it.

President Trump's nomination of Judge Neil Gorsuch to be a member of the U.S. Supreme Court will be considered on the floor of the Senate next week. Some have suggested that instead of allowing a majority of Senators to decide whether to approve the Gorsuch nomination, there should first be a so-called cloture vote to determine whether to cut off debate.

Now, you can see what would happen. Cutting off debate requires the approval of 60 Senators. There are 46 Democratic Senators, so if 41 of the 46 Democrat Senators vote not to cut off debate, we would never get to a vote on Judge Gorsuch. We would never get to a vote. In other words, the 41 Democratic Senators would have filibustered to death the Gorsuch nomination to the Supreme Court of the United States, a partisan act that has never happened before in the 230 years of the Senate.

Filibustering to death the Gorsuch nomination or any Presidential nomination, for that matter, flies in the face of 230 years of Senate tradition.

Throughout the Senate's history, approval of even the most controversial Presidential nominations have required only a majority vote. For example, in 1991, President George H.W. Bush nominated Clarence Thomas to be Associate Justice of the U.S. Supreme

Court. The debate was bitter. The vote was narrow. The Senate confirmed Justice Thomas 52 to 48.

Although Senate rules have allowed any one Senator to try to filibuster the nomination to death, to insist on a 60-vote vote, not one did. In fact, Senate rules have always allowed Senators the option to filibuster to death a Presidential nomination, yet it has almost never happened.

According to the former Senate historian, with one possible exception, which I will describe later, the number of Supreme Court Justices in our country's history who have been denied their seats by filibuster is zero. The number of the President's Cabinet members in our country's history who have been denied their seats by a filibuster is zero. The number of Federal district judges in our country's history who have been denied their seats by a filibuster is zero. I know that for a fact because an attempt was made to filibuster one—Judge McConnell from Rhode Island—and I voted against that, as did other Republican Senators, because we thought it was wrong to break the Senate's 230-year tradition of always considering judges by majority vote, and we prevailed.

We could have done it, but we didn't do it. That is the point.

Next week, the Democrats can filibuster Judge Gorsuch to death, but they shouldn't do it. They shouldn't do it.

Until 2003, the number of circuit judges in our country's history who have been denied their seats by filibuster was zero.

Senator Everett Dirksen did not filibuster President Lyndon Johnson's nominees. Senator Robert Byrd did not filibuster President Reagan's nominees. Senator Howard Baker did not filibuster President Carter's nominees. Senator Bob Dole did not filibuster President Clinton's nominees.

During most of the 20th century, when one party controlled the White House and the Senate 70 percent of the time, the minority never filibustered to death a single Presidential nomination.

On the other hand, there have been plenty of filibusters on legislation—so many that in 1917, the Senate adopted the so-called cloture rule as a way to end filibusters. The idea is, after you talk enough, you should bring it to an end, so they had a supermajority for that purpose. The rule was amended in 1949, 1959, 1975, 1979, and 1986—always in response to filibusters on legislation, never on nominations. It was the 1975 change that established the current cloture standard of 60 votes to end debate, except on amendments to the Standing Rules.

Filibustering a Presidential nomination has always been treated differently than filibustering a legislative matter. The filibuster of legislation is perhaps the Senate's most famous characteristic. It has been called "democracy's finest show, the right to talk your head off."

As the actor Jimmy Stewart says in the movie "Mr. Smith Goes to Washington": "Wild horses aren't going to drag me off this floor until those people have heard everything I've got to say, even if it takes all winter." That was Jimmy Stewart talking about his filibuster.

The late Robert Byrd described the importance of a legislative filibuster in this way in his last speech to the Senate: "Our Founding Fathers intended the Senate to be a continuing body that allows for open and unlimited debate and protection of minority rights. Senators have understood this since the Senate first convened."

In fact, the whole idea of the Senate is not to have a majority rule on legislation. Throughout Senate history, the purpose of the legislative filibuster has been to force consensus on issues, to force there to be a group of Senators on either side who have to respect one another's views so they work together and produce 60 votes on important matters. We did that last December in a piece of legislation that the majority leader called the most important legislation of the Congress, the 21st Century Cures Act. There were enormous differences of opinion about it, but because Senator MURRAY, the ranking Democrat and I, and the Democrats and Republicans in the Senate and in the House, and President Obama and Vice President Biden all wanted a result, we formed a consensus. We resolved our differences, and we agreed on this most important piece of legislation that will help virtually every American family by advancing cures for cancer, Alzheimer's, diabetes, and a variety of diseases.

Nominations have always been treated differently from legislation. For example, under Senate rule XIV, any Senator can bring legislation directly to the Calendar of General Orders, bypassing committees. There is no such power for nominations. There is no rule XIV for nominations. Senate rules allow debate and, therefore, the possibility of filibuster on a motion to proceed to legislation. Debate is not allowed on a motion to proceed to nominations. So there can't be a filibuster on a motion to proceed to a nomination. In summary, while Senate rules have always allowed for extended debate or filibusters, the filibuster was never used to block a nomination until recently.

As I mentioned earlier, it was never used to block a Cabinet nomination, never used to block a Federal district judge, until 2003, never used to block a Federal circuit judge, and never used to block a Supreme Court Justice, with one possible exception. The exception occurred in 1968 when President Lyndon Johnson sought to elevate Associate Justice Abe Fortas to be Chief Justice. There was bipartisan opposition to that idea. When it became clear that the Senate majority would not agree, President Johnson engineered a 45–43 cloture vote so that Fortas could

save face and appear to have won something, according to the former Senate Historian. Fortas then asked the President to withdraw the nomination.

Other than that, never has a Supreme Court nominee been filibustered to death in the Senate. Other than the Fortas nomination, the filibuster was never used to block any judicial nomination until 2003 and 2004, when Democrats for the first time decided to use the 60-vote cloture requirement to block 10 of President George W. Bush's nominees. I had just arrived in the Senate. I remember it well. I was really outraged by it because, as for the nominees, it was the right of the President to name them and the right of the Senate to reject them. But throughout history it was always by 51 votes. This unprecedented action by the Senate Democrats produced a threat by Republicans to change the Senate rules to make it clear that only a majority is required to approve a Presidential nomination. There was a negotiation, and eventually five of Bush's nominees were approved, five were blocked, and the rules weren't changed.

Then in 2011 and 2013, Republicans returned the favor. That happens around here—a precedent set by that side then becomes a precedent that this side, then, undertakes. In 2011 and 2013, the Republicans returned the favor by seeking to block five of President Obama's nominees for the circuit court by insisting on a 60-vote cloture on each. Republicans alleged the President was trying to pack the Federal Circuit Court of the District of Columbia with three liberal justices. To overcome Republican objections, the Democrats invoked the so-called nuclear option. They broke the Senate rules to change the rules. The new rule eliminated the possibility of 60-vote cloture motions for all Presidential nominations except for the Supreme Court, which is where we are today.

There have been other examples of minority Senators filibustering nominations to death, all of them during the last three administrations and all involving sub-Cabinet nominations. Then, of course, there have been delays in considering nominations.

My own nomination in 1991 as U.S. Education Secretary was delayed for 51 days—I thought improperly—by a Democratic Senator. President Reagan's nomination of Ed Meese as Attorney General of the United States was delayed 1 year by a Democratic Senator. No one has ever disputed our right in the Senate, regardless of who was in charge, to use our constitutional duty of advice and consent to delay and examine and sometimes to cause nominations to be withdrawn or even to defeat nominees by a majority vote.

But, as we approach the vote next week on Neil Gorsuch on the floor of the Senate, it is useful to remember that the tradition of the Senate has been to treat legislative matters one way and Presidential nominations a different way: to filibuster to death

legislation, yes; to filibuster to death
Presidential nominations, no.

Should the Gorsuch nomination come to the floor soon, as I believe it will, overwhelming Senate tradition requires that whether to approve it should be decided by a majority vote and there should be no attempt by the minority to filibuster the nomination, especially of such a qualified man.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. COTTON. Mr. President, I ask unanimous consent that, notwithstanding rule XXII, all postclosure time on Executive Calendar No. 1, the Montenegro treaty, be expired; that all pending amendments be withdrawn, the resolution of ratification be reported, and the Senate vote on the resolution of ratification with no intervening action or debate; and that if the resolution of ratification is agreed to, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments (No. 193 and 194) were withdrawn.

The PRESIDING OFFICER. The clerk will report the resolution of ratification.

The senior assistant legislative clerk read as follows:

Resolution of Advice and Consent to Ratification of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, which was opened for signature at Brussels on May 19, 2016, and signed that day on behalf of the United States of America.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification.

Mr. COTTON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

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

The yeas and nays resulted—yeas 97, nays 2, as follows:

[Rollcall Vote No. 98 Ex.]

YEAS—97

Alexander	Flake	Nelson
Baldwin	Franken	Perdue
Barrasso	Gardner	Peters
Bennet	Gillibrand	Portman
Blumenthal	Graham	Reed
Blunt	Grassley	Risch
Booker	Harris	Roberts
Boozman	Hassan	Rounds
Brown	Hatch	Rubio
Burr	Heinrich	Sanders
Cantwell	Heitkamp	Sasse
Capito	Heller	Schatz
Cardin	Hirono	Schumer
Carper	Hoover	Scott
Casey	Inhofe	Shaheen
Cassidy	Johnson	Shelby
Cochran	Kaine	Stabenow
Collins	Kennedy	Strange
Coons	King	Sullivan
Corker	Klobuchar	Tester
Cornyn	Lankford	Thune
Cortez Masto	Leahy	Tillis
Cotton	Manchin	Toomey
Crapo	Markley	Udall
Cruz	McCain	Daines
Donnelly	McCaskill	Van Hollen
Duckworth	McConnell	Warner
Durbin	Menendez	Warren
Enzi	Merkley	Whitehouse
Ernst	Moran	Wicker
Feinstein	Murkowski	Murphy
Fischer	Murphy	Wyden
	Murray	Young

NAYS—2

Lee	Paul
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NOT VOTING—1

Isakson

The PRESIDING OFFICER. On this vote, the yeas are 97, the nays are 2.

Two-thirds of the Senators voting, a quorum being present, having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification agreed to is as follows:

Resolved, (two-thirds of the Senators present concurring therein),

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO DECLARATIONS, AN UNDERSTANDING, AND CONDITIONS.

The Senate advises and consents to the ratification of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, which was opened for signature at Brussels on May 19, 2016, and signed that day on behalf of the United States of America (the “Protocol”) (Treaty Doc. 114-12), subject to the declarations of section 2 and the conditions of section 3.

SEC. 2. DECLARATIONS.

The advice and consent of the Senate under section 1 is subject to the following declarations:

(1) REAFFIRMATION THAT UNITED STATES MEMBERSHIP IN NATO REMAINS A VITAL NATIONAL SECURITY INTEREST OF THE UNITED STATES.—The Senate declares that—

(A) for more than 60 years the North Atlantic Treaty Organization (NATO) has served as the preeminent organization to defend the countries in the North Atlantic area against all external threats;

(B) through common action, the established democracies of North America and Europe that were joined in NATO persevered and prevailed in the task of ensuring the survival of democratic government in Europe and North America throughout the Cold War;

(C) NATO enhances the security of the United States by embedding European states in a process of cooperative security planning and by ensuring an ongoing and direct leadership role for the United States in European security affairs;

(D) the responsibility and financial burden of defending the democracies of Europe and

North America can be more equitably shared through an alliance in which specific obligations and force goals are met by its members;

(E) the security and prosperity of the United States is enhanced by NATO's collective defense against aggression that may threaten the security of NATO members; and

(F) United States membership in NATO remains a vital national security interest of the United States.

(2) STRATEGIC RATIONALE FOR NATO ENLARGEMENT.—The Senate finds that—

(A) the United States and its NATO allies face continued threats to their stability and territorial integrity;

(B) an attack against Montenegro, or its destabilization arising from external subversion, would threaten the stability of Europe and jeopardize United States national security interests;

(C) Montenegro, having established a democratic government and having demonstrated a willingness to meet the requirements of membership, including those necessary to contribute to the defense of all NATO members, is in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area; and

(D) extending NATO membership to Montenegro will strengthen NATO, enhance stability in Southeast Europe, and advance the interests of the United States and its NATO allies.

(3) SUPPORT FOR NATO'S OPEN DOOR POLICY.—The policy of the United States is to support NATO's Open Door Policy that allows any European country to express its desire to join NATO and demonstrate its ability to meet the obligations of NATO membership.

(4) FUTURE CONSIDERATION OF CANDIDATES FOR MEMBERSHIP IN NATO.—

(A) SENATE FINDING.—The Senate finds that the United States will not support the accession to the North Atlantic Treaty of, or the invitation to begin accession talks with, any European state (other than Montenegro), unless—

(i) the President consults with the Senate consistent with Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties); and

(ii) the prospective NATO member can fulfill all of the obligations and responsibilities of membership, and the inclusion of such state in NATO would serve the overall political and strategic interests of NATO and the United States.

(B) REQUIREMENT FOR CONSENSUS AND RATIFICATION.—The Senate declares that no action or agreement other than a consensus decision by the full membership of NATO, approved by the national procedures of each NATO member, including, in the case of the United States, the requirements of Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties), will constitute a commitment to collective defense and consultations pursuant to Articles 4 and 5 of the North Atlantic Treaty.

(5) INFLUENCE OF NON-NATO MEMBERS ON NATO DECISIONS.—The Senate declares that any country that is not a member of NATO shall have no impact on decisions related to NATO enlargement.

(6) SUPPORT FOR 2014 WALES SUMMIT DEFENSE SPENDING BENCHMARK.—The Senate declares that all NATO members should continue to move towards the guideline outlined in the 2014 Wales Summit Declaration to spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defense and 20 percent

of their defense budgets on major equipment, including research and development, by 2024.

(7) SUPPORT FOR MONTENEGRO'S DEMOCRATIC REFORM PROCESS.—Montenegro has made difficult reforms and taken steps to address corruption. The United States and other NATO member states should not consider this important process complete and should continue to urge additional reforms.

SEC. 3. CONDITIONS.

The advice and consent of the Senate under section 1 is subject to the following conditions:

(1) PRESIDENTIAL CERTIFICATION.—Prior to the deposit of the instrument of ratification, the President shall certify to the Senate as follows:

(A) The inclusion of Montenegro in NATO will not have the effect of increasing the overall percentage share of the United States in the common budgets of NATO.

(B) The inclusion of Montenegro in NATO does not detract from the ability of the United States to meet or to fund its military requirements outside the North Atlantic area.

(2) ANNUAL REPORT ON NATO MEMBER DEFENSE SPENDING.—Not later than December 1 of each year during the 8-year period following the date of entry into force of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, the President shall submit to the appropriate congressional committees a report, which shall be submitted in an unclassified form, but may be accompanied by a classified annex, and which shall contain the following information:

(A) The amount each NATO member spent on its national defense in each of the previous 5 years.

(B) The percentage of GDP for each of the previous 5 years that each NATO member spent on its national defense.

(C) The percentage of national defense spending for each of the previous 5 years that each NATO member spent on major equipment, including research and development.

(D) Details on the actions a NATO member has taken in the most recent year reported to move closer towards the NATO guideline outlined in the 2014 Wales Summit Declaration to spend a minimum of 2 percent of its GDP on national defense and 20 percent of its national defense budget on major equipment, including research and development, if a NATO member is below either guideline for the most recent year reported.

SEC. 4. DEFINITIONS.

In this resolution:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(2) NATO MEMBERS.—The term “NATO members” means all countries that are parties to the North Atlantic Treaty.

(3) NON-NATO MEMBERS.—The term “non-NATO members” means all countries that are not parties to the North Atlantic Treaty.

(4) NORTH ATLANTIC AREA.—The term “North Atlantic area” means the area covered by Article 6 of the North Atlantic Treaty, as applied by the North Atlantic Council.

(5) NORTH ATLANTIC TREATY.—The term “North Atlantic Treaty” means the North Atlantic Treaty, signed at Washington April 4, 1949 (63 Stat. 2241; TIAS 1964), as amended.

(6) UNITED STATES INSTRUMENT OF RATIFICATION.—The term “United States instrument of ratification” means the instrument of ratification of the United States of the Pro-

to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

The PRESIDING OFFICER. The Senator from North Carolina.

LEGISLATIVE SESSION

Mr. BURR. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

MORNING BUSINESS

Mr. BURR. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. BURR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF NEIL GORSUCH

Ms. HIRONO. Mr. President, during last week’s hearing on Donald Trump’s nominee to the Supreme Court, Neil Gorsuch, I raised serious concerns about what is at stake for the future of our country. It is a mistake to think that the confirmation process for a lifetime appointment to our Nation’s highest Court is only about the nominee. It isn’t.

The real focus and the real heart of this decision lies in the struggles that working families, women, people of color, the differently abled, the LGBTQ community, immigrants, students, seniors, and our Native people face every single day. These are the everyday Americans who will be impacted by the decisions Justice Gorsuch would make. These are the people who would have been hurt by Donald Trump and the Congressional Republicans in their failed attempt to repeal the Affordable Care Act.

Donald Trump and the Republicans in Congress fought for a plan that would callously throw Americans by the tens of millions out in the cold without health insurance and would make the lives and health of millions more precarious. It was only through the voices of Americans who were loud and steadfast in confronting TrumpCare that TrumpCare failed. These are the people for whom the need for justice is often most urgent. An understanding of these people, their lives, and how they would be impacted by the Court is what I found to be missing from Judge Gorsuch’s view of the law. It is these same voices I am listening to now.

Judge Gorsuch should have been more open with the Judiciary Committee about how he would approach the difficult and important cases that come before the Supreme Court. But time and again, Judge Gorsuch avoided answering questions, telling us his judicial philosophy and his view of the law were irrelevant to our consideration of his nomination.

The well-funded campaign to put Judge Gorsuch on the Supreme Court fueled by millions of dollars of money from unnamed donors has attempted to create a narrative about Judge Gorsuch and the stakes of this nomination. This is a narrative woven with Ivy League credentials and endorsements but not revealing at all about Judge Gorsuch’s judicial philosophy—the heart he would bring to his view of the law.

During the hearing, many of my Republican colleagues echoed the view that credentials are enough and that our real questions about Judge Gorsuch’s record and philosophy are somehow irrelevant or even inappropriate. Certainly, Judge Gorsuch did his part, telling us time and again in his words, his views, his writings, and his clearly expressed personal views that these writings had no relevance to what he would do as a judge. I disagree.

In my view, there is a great deal of difference between how Judge Gorsuch, as Justice Gorsuch, would approach the kinds of tough cases that reach the Supreme Court and how, say, a Justice Merrick Garland would approach these cases.

We know that Justice Scalia and Justice Ginsburg, both legendary jurists and close friends, would reach dramatically different results in cases that matter deeply in the lives of millions—cases like Shelby County, like Lilly Ledbetter, like Hobby Lobby, like Roe v. Wade. Justice Scalia and Justice Ginsburg differ in how they view important cases that came before them. That is why a Justice’s judicial philosophy is important in our considerations.

Donald Trump knew this, too, when he set forth his clear litmus test for his Supreme Court pick. To paraphrase the President, he wanted a Justice who would adhere to a broad view of the Second Amendment, who believes corporations are entitled to “religious freedom” at the expense of the rights of their employees, and who would overturn Roe v. Wade, to quote the President, “automatically.”

In Judge Gorsuch, Donald Trump selected a nominee who passed his litmus test. When we asked Judge Gorsuch about his opinions in specific cases like that involving the terrible choice facing Alfonse Maddin between freezing to death or being fired, the judge told us we should look instead at his whole record. When I examined his whole record, I saw too little regard for the real-world impact of his decisions and a refusal to look beyond the words to the meaning and intent of the law,