

HURRICANE HARVEY AND THE AMERICAN SPIRIT

Mr. COTTON. Mr. President, today I join my colleagues and all Arkansans in support of and in prayers for the people of Southeast Texas and all of the victims of Hurricane Harvey. I also want to express our thanks on behalf of a grateful nation. All of you reminded us of the American spirit at a time when we needed it pretty badly.

August was not an easy month for our country. First, in Charlottesville, then in Berkeley, we saw some pretty disgusting things—racism, anarchism, mob violence. If all you knew about America was what you saw on cable news and social media, you might think it was disintegrating into two armed camps of Communists and neo-Nazis. Images reminiscent of dark days in the last century appeared on our screens—torchlight marches, black-masked thugs, political violence in the streets, beatings, and even a murder—but none of these contemptible people represent America, certainly not what is best about America. They cannot even begin to understand what makes this country great because this country's destiny was always to be more than a new battleground for old hatreds. It was meant to be a mighty fortress for the rights of all Americans. Our destiny is to be the home of mankind's aspiration for freedom, not the twisted delusions of grandeur of pathetic losers. The vast majority of Americans—whatever color, faith, age, or region—celebrate this creed, and they welcome this destiny.

That is exactly why we should not amplify irrelevant, fringe voices. It creates the illusion that a trivial, impotent minority is, in fact, a large and powerful movement against the dictates of common sense and experience. To my knowledge, I have never met a neo-Nazi, a White supremacist, or a leftwing anarchist, nor have the Arkansans with whom I spoke in the last month, but while watching TV or surfing the web in the last month, you would think they number in the tens of millions. The drive for ratings and clicks seemed to leave a lot of Americans wondering, Is this America? Is this whom we have become?

Then Hurricane Harvey made landfall. The stories and the images that followed, once again, proved the old maxim: Adversity does not teach character; it reveals character. What it revealed is an American spirit as strong, as brave, and as loving as ever.

Law enforcement and other first responders performed bravely and skillfully, as always, but what was striking was how ordinary citizens answered the call to duty. There was Jim McIngvale, better known as Mattress Mack. Anyone who has ever lived in Houston knows that you cannot watch TV without seeing a Mattress Mack commercial, but Mack was not selling mattresses that day—he was saving families. He turned two furniture stores into relief centers and opened his doors to anyone who sought shelter. Soon, he

had 400 people at each store, sleeping on recliners, sofas, love seats—you name it. He gave out his personal cell number for people to call for help. If they could not reach his store because of the flooding, he sent his delivery trucks to go get them. When asked about his generosity, Mattress Mack replied: “I’m a big believer that it’s better to give than to take.”

But not everyone had a Mattress Mack to go to. Some people had to call their local Chick-fil-As. Jeffrey Urban went to work just to make sure that everything was all right when he noticed a familiar phone number flashing across the caller ID. It was J.C. Spencer, a regular customer, who called that morning to place a once-in-a-lifetime order: two grilled chicken burritos with extra egg—and a boat. Urban called the owner, Cindy Smith, who sent her husband with his boat to the Spencers’ home, but there was not enough room in the boat for both of them and their possessions. Luckily, two heroes on jet skis arrived—Keith Christensen and Winston Savice, Jr. When J.C. took a photo of his wife Karen sitting atop a jet ski while Winston sped her to safety, an internet sensation was born.

After weeks of our living rooms being filled with the sounds and imagery of hatred, we were suddenly overcome by stories of bravery and self-sacrifice. There was local reporter Brandi Smith, who flagged down a rescue crew to help a truckdriver who was trapped in his vehicle. There was Houston SWAT Officer Daryl Hudeck, who carried a young mother, Catherine Pham, and her 13-month-old son Aiden to dry land. There was Catholic priest David Bergeron, who kayaked around his neighborhood and offered to say Mass for anyone in town. Then there was an unknown man from Texas City, who said, when asked what he was doing with his boat under a flooded underpass, that he and his friends were there to save some lives.

So many of these images have already become iconic: Sheriff’s Deputy Rick Johnson carrying two children through the floodwaters and the Cajun Navy from Louisiana being lined up like soldiers on a highway, as far as the eye could see, readying for battle. Yet perhaps the most telling image of all was the human chain. When Andrea Smith went into labor in her flooded apartment, her neighbors formed a human chain to help her reach a dump truck that had come to take her to the hospital. There was no pride of place, no rank, no distinction—just humble, selfless Americans who joined hands to help a neighbor in time of need.

You could say that human chain was a symbol because, when you step back and soak it all in, you realize this is America, that this is who we are as a nation, not those ideological zealots, not racists and Communists. Their blinded eyes cannot see the dignity and love in that unbroken human chain.

We have never lost this spirit of America, but we do occasionally lose

sight of it, which is why we ought to pay tribute to these normal, public-spirited Americans—the people in that human chain, the people who heeded the call, who put their stranded countrymen first. They do not mistake malice for power, and they understand that the greatest power of all is love. They are an inspiration to all of us in this Chamber and, indeed, to all the world. They are the reason we can look to Houston, a city much embattled though not embittered, and take pride in what we see—not human devastation but human valor.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. 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. GRASSLEY. Mr. President, today I am pleased to support the nomination of Tim Kelly to be a judge on the DC district court. Tim serves as my chief counsel for national security, senior crime counsel, and majority staff director for the Caucus on International Narcotics Control. That is quite a professional title, isn’t it? And he has done an excellent job serving not only this chairman of the Judiciary Committee but all of the Judiciary Committee.

Tim’s career boasts a wide range of legal experience. After Tim graduated from Georgetown University Law Center in 1997, he served as a law clerk to Judge Buckwalter of the Eastern District of Pennsylvania. He worked as an associate at Arnold & Porter, and he dedicated 6 months of his career to work for the Legal Aid Society. Tim spent a significant portion of his career serving as a Federal prosecutor, including several years as an assistant U.S. attorney for the District of Columbia, where he prosecuted a wide range of criminal cases in the very court for which he is being considered today. He also served as trial attorney in the Public Integrity Section of the Department of Justice, where he prosecuted public corruption cases. He has tried approximately 30 cases during his career, as well as negotiated dozens of guilty pleas.

Tim is a very talented attorney and is well liked by everyone—by staff and Members on both sides of the aisle. His collegiality and ability to get along with folks will serve him well on the bench. I know he will show proper respect to the litigants and attorneys who appear before him, as well as the staff who will serve his court.

Tim’s counsel and advice have served the members of the Judiciary Committee well. Just to point to one example of his work on behalf of this committee, I would note he was the lead Senate Republican Judiciary staffer on

the Comprehensive Addiction and Recovery Act of last year, which happened to be signed into law by President Obama. This bill will help countless numbers of folks struggling with drug addiction.

Tim's vast legal experiences and his thoughtful approach to his work will help him be an excellent Federal judge. I believe he has the temperament to hear any case that will come before him with a fair mind, seeking to do justice for all.

Of course, others have recognized Tim's merits as well. The American Bar Association gave him a unanimous "well qualified" rating, which is the highest rating the ABA gives, and he has received awards for his work from the Department of Justice, the Department of Energy, and the Federal Bureau of Investigation.

Tim will make an excellent judge, and I am honored to support his nomination today. I urge all of my colleagues to vote in favor of his nomination.

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. RUBIO. 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. RUBIO. Mr. President, I ask unanimous consent that all time be yielded back.

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

All time is yielded back.

The question is, Will the Senate advise and consent to the Kelly nomination?

Mr. RUBIO. 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 legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN) and the Senator from Kansas (Mr. MORAN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

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

The result was announced—yeas 94, nays 2, as follows:

[Rollcall Vote No. 188 Ex.]

YEAS—94

| | | |
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| Alexander | Boozman | Casey |
| Baldwin | Brown | Cassidy |
| Barrasso | Burr | Collins |
| Bennet | Cantwell | Coons |
| Blumenthal | Capito | Corker |
| Blunt | Cardin | Cornyn |
| Booker | Carper | Cortez Masto |

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| Cotton | Isakson | Roberts |
| Crapo | Johnson | Rounds |
| Cruz | Kaine | Rubio |
| Daines | Kennedy | Sanders |
| Donnelly | King | Sasse |
| Duckworth | Klobuchar | Schatz |
| Durbin | Lankford | Schumer |
| Enzi | Leahy | Scott |
| Ernst | Lee | Shelby |
| Feinstein | Manchin | Stabenow |
| Fischer | Markey | Strange |
| Flake | McCain | Sullivan |
| Franken | McCaskill | Tester |
| Gardner | McConnell | Thune |
| Graham | Merkley | Tillis |
| Grassley | Murkowski | Toomey |
| Harris | Murphy | Udall |
| Hassan | Murray | Van Hollen |
| Hatch | Nelson | Warner |
| Heinrich | Paul | Whitehouse |
| Heitkamp | Perdue | Wicker |
| Heller | Peters | Portman |
| Hirono | Portman | Wyden |
| Hoeven | Reed | Young |
| Inhofe | Risch | |

NAYS—2

| | |
|------------|--------------|
| Gillibrand | Warren |
| | NOT VOTING—4 |
| Cochran | Moran |
| Menendez | Shaheen |

The nomination was confirmed.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action.

The majority leader.

Mr. McCONNELL. Mr. President, I ask unanimous consent that with respect to the nomination of Timothy Kelly, the motion to reconsider be considered made and laid upon the table.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. 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.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-32, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Thailand for defense articles and services estimated to cost \$24.9 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREG M. KAUSNER
(For Charles W. Hooper,
Lieutenant General, USA, Director).
Enclosures.

TRANSMITTAL NO. 17-32

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: The Government of Thailand

(ii) Total Estimated Value:
Major Defense Equipment* \$23.2 million.
Other \$ 1.7 million.

Total \$24.9 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:
Major Defense Equipment (MDE):
Five (5) RGM-84L Harpoon Block II Surface Launched Missiles.

One (1) RTM-84L Harpoon Block II Exercise Missile.
Non-MDE includes: Also included are containers, spare and repair parts, support and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor representatives technical assistance, engineering and logistics support services, and other related elements of logistics and program support.

(iv) Military Department: Navy (XX-P-AKR).

(v) Prior Related Cases, if any: TH-P-AKP.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress:
August 9, 2017.

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Thailand—RGM-84L Harpoon Surface Launched Block II Missiles

The Government of Thailand has requested the possible sale of up to five (5) RGM-84L Harpoon Block II Surface Launched Missiles and one (1) RTM-84L Harpoon Block II Exercise Missile. Also included are containers, spare and repair parts, support and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor representatives technical assistance, engineering and logistics support services, and other related elements of logistics and program support. The estimated cost is \$24.9 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to strengthen the U.S.-Thai strategic relationship and to improve the security of an important partner.

The proposed sale will provide enhanced capabilities in effective defense of critical sea lines. Thailand intends to use the missiles on its DW3000 Class Frigate. The proposed sale of the Harpoon Block II missiles