

his deep levels of compassion, and his efforts helped create a more just and equitable society for all.

Even after he retired, Pete, as was his way, refused to rest. He continued to promote bipartisan solutions in Washington and continued to remind each of us of our duties to the American people. My prayers and condolences go out to his wife, Nancy, and all of his family. Amidst their grief, I take heart they may know that his legacy outlives his days and that this body will be forever better for his service.

**Mr. DURBIN.** Mr. President, this week, we mourn the loss of Pete Domenici, a former Senate colleague, a respected and leading voice in bipartisanship, and, most of all, a friend.

Pete had the distinction of being the longest serving Senator in New Mexico's history. He spent almost half a century as a public servant.

Most knew Pete for his outspokenness on energy and budget issues, but I remember him best for his commitment and dedication on behalf of Americans struggling with mental illness.

In 2008, two Senators—Paul Wellstone, a liberal Democrat from Minnesota, and Pete Domenici, a conservative Republican from New Mexico—came together to pass legislation that prohibited health insurance companies from treating mental health differently from physical health benefits.

The Wellstone-Domenici Mental Health Parity and Addiction Equity Act finally set mental health and substance abuse benefits on equal footing with other health benefits, ensuring fairness in deductibles, copayments, provider networks, and lifetime limits.

Those two Senators couldn't have been more different, but they each had family members who were touched by mental illness.

Pete Domenici and Paul Wellstone asked, Why should we treat illnesses of the brain any different than a cancer, diabetes, or heart disease?

That shared bond brought them together. It is why they spent years fighting with insurance companies about the importance of mental health coverage and ultimately got a law passed.

The Wellstone-Domenici Parity Act laid the groundwork for so much of what we fought for in the Affordable Care Act: the idea that people should have access to coverage, regardless of what their medical needs are.

You see, the ACA built off this law by requiring that all individual market insurance plans cover mental health and substance abuse services as an “essential health benefit.”

Thanks to Pete's hard work, millions of Americans no longer have to fight for mental health benefits or addiction treatment benefits, so important in the face of today's opioid crisis.

Pete taught us that mental illness is exactly that—an illness—and that those who suffer from any illness deserve equal rights and access to care.

Senator Domenici was also a strong advocate for immigration reform.

Back in 2002, he signed on as a co-sponsor of the original DREAM Act, legislation that I introduced to give a path to citizenship to talented young immigrants who grew up in the country.

As the son of an Italian immigrant mother and an Italian-born father who earned citizenship after his service in WWI, Pete understood firsthand the immigrant experience.

He once said, “I understand this whole idea of a household with a father who is American and a mother who is not, but they are living, working, and getting ahead. I understand that they are just like every other family in America. There is nothing different. They have the same love, same hope, same will and same aspirations as those of us who were born here have.”

Pete didn't just talk; he put his money where his mouth was.

In 2006, he voted for the McCain-Kennedy comprehensive immigration reform bill that included the DREAM Act.

It passed the Republican-controlled Senate on a strong bipartisan vote, but unfortunately, the Republican leadership in the House of Representatives never brought it to a vote.

Senator Domenici's work in the Senate is a great example of the good that can come from bipartisanship—of what can happen when we start working together to get something done for the American public.

It is my hope that we can carry on Pete's legacy of equal rights for all through bipartisan means.

My condolences to the Domenici family and thank you for sharing such an earnest man with us.

**Mr. COCHRAN.** Mr. President, I wish to honor former Senator Pete V. Domenici of New Mexico, who passed away September 13 in Albuquerque. It was a privilege to call Pete a friend and to work with him as a Senate colleague and member of the Appropriations Committee.

Senator Domenici had a great ability to bring people together to work on solutions to complicated challenges like the budget deficit, national security, and energy policy. His passing closes the book on a life well-lived as a public servant dedicated to his family, his State, and our Nation.

My condolences go out to his lovely wife, Nancy, and their family.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• **Mr. NELSON.** Mr. President, I was necessarily absent for yesterday's vote on the motion to table Senate amendment No. 871 to H.R. 2810, the National Defense Authorization Act, to repeal existing authorizations for the use of military force. I would have voted yea.

Mr. President, I was necessarily absent for today's vote on the motion to

invoke cloture on substitute amendment No. 1003 to H.R. 2810, the National Defense Authorization Act. I would have voted yea.

Mr. President, I was necessarily absent for today's vote on Calendar No. 109, confirmation of the nomination of Pamela Hughes Patenaude to be Deputy Secretary of Housing and Urban Development. I would have voted yea.●

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• **Mr. MENENDEZ.** Mr. President, I was unavoidably absent for rollcall vote No. 197, the motion to invoke cloture on McCain-Reed amendment No. 1003, as modified, the substitute to H.R. 2810, the National Defense Authorization Act for 2018. Had I been present, I would have voted yea.●

#### NORTH KOREA

**Mr. CARDIN.** Mr. President, today I wish to address one of the most pressing and most challenging national security issues facing our Nation: North Korea's growing nuclear and ballistic missile programs and its continued belligerent behavior.

North Korea has developed an active nuclear weapons program and is making considerable progress in developing nuclear-capable ballistic missiles that can reach our allies and partners in the region, including South Korea and Japan, U.S. territories like Guam, and, likely, the continental United States as well.

The time for illusions about North Korea's programs, or wishful thinking about our policy options, is past.

With each passing day, North Korea's continued defiance of the international community makes it clear that the Trump administration's policy of maximum pressure is yielding minimal results.

If the United States continues on the path laid out by President Trump, there are only two realistic outcomes, both bad: North Korea becomes a nuclear power or a large-scale conventional war breaks out on the Korean Peninsula that would result in the loss of hundreds of thousands and possibly millions of lives.

If our policy options leave us with only capitulation or war as possible outcomes, those policies are deeply flawed. There should be a lot of space between war and capitulation on the Korean Peninsula.

I strongly believe that we must therefore adjust our strategy to fill that space with an all-out “diplomatic surge,” one that results in serious, hard constraints on North Korea's nuclear ambitions and a more peaceful, stable, and prosperous Northeast Asia for all.

The initial objective of this surge would be to begin a diplomatic process, with Pyongyang first verifiably halting

their nuclear and ballistic missile testing and the United States and our allies taking steps to deescalate the current tensions on the Korean Peninsula.

We have not arrived at the current situation with North Korea overnight. Where we are today is an outgrowth of two decades of steady progress by North Korea's nuclear and ballistic programs. The tense situation on the Korean Peninsula highlights the failure of the international community and multiple administrations, Republican and Democratic alike, to end North Korea's nuclear and missile programs and to promote greater security and stability in the region.

This year alone, North Korea has conducted at least a dozen ballistic missile tests, including ICBM tests, and now a nuclear test of what is likely a thermonuclear weapon.

We may not like this reality, but we must face the fact that North Korea already has a small but nonetheless operational nuclear arsenal.

At this critical moment, the President, instead of providing responsible leadership, has engaged in bluster and provocative statements about nuclear war with North Korea. He continues to show he lacks the temperament and judgment to deal with this serious crisis. He continues to increase tensions rather than reduce them and to issue threats when it is far from clear he is willing to back them up.

President Trump's dangerous rhetoric has painted the United States into a corner.

The President has zig-zagged from one extreme to the other, as the Washington Post recently put it, veering between bellicose tweets aimed at North Korea, threats to our allies and partners, efforts to flatter Beijing, offers of diplomacy, and then strident rejections of it at the same time. He has created an environment of uncertainty amongst our allies and partners, emboldened our adversaries, and confused and deeply concerned the American people about their safety.

I therefore feel a solemn responsibility as the ranking member of the Senate Foreign Relations Committee to put forward an approach to North Korea that I believe represents the type of responsible bipartisan leadership the world has come to expect from the United States.

When the United States leads with our values and interests at the fore, others follow, but when we abdicate or purposefully cause doubt, well, that kind of uncertainty makes the world less safe.

Therefore, the United States should put its full weight into creating and executing a comprehensive policy that includes the immediate imposition of additional sanctions, active engagement with our allies, vigorous support for human rights and the pursuit of principled multilateral measures to shape the regional environment.

Most urgently, we should begin immediate and direct diplomatic engage-

ment with Pyongyang, guided by strategic clarity, to curtail North Korea's nuclear ambitions, protect our allies, and bring stability to the Korean Peninsula.

Underlying our current North Korea policy—or lack thereof—are a series of assumptions, which I believe must be reconsidered in light of our decades-long failure to achieve our strategic objectives.

First, will China, ever really "carry our water" on economic sanctions?

My assessment is China prioritizes its own interests in maintaining North Korea stability over denuclearization and will never place enough pressure on North Korea to force them to give up their nuclear program. That said, and as I will discuss further, China has a crucial role to play as a partner in this process, both imposing costs on North Korea up front and providing security and economic guarantees on the back end, but we should not expect that China will solve this issue for us.

Second, do we still think that North Korea wants and needs to rejoin the international community?

In other words, do they need us more than we need them? Based on its current actions, one would have to conclude no—and that holding out that possibility is not in fact an incentive for Pyongyang because it does not interest them.

We should also be clear about North Korean intentions. Indeed, for all the talk about how irrational and unpredictable North Korea is, they have pursued these weapons—and developed tactics to evade international sanctions and pressure—with clarity and determination. They have not hid their intentions, the reasons why they believe they are seeking these weapons, or their vision for the peninsula.

Even so, I believe Pyongyang will respond to incentives and to pressure, but we must get both the pressure and the disincentives right to be effective.

Third, is time still on our side?

The regime continues to move forward with its nuclear and missile programs, defying consistent predictions since the end of the Cold War that North Korea was on the verge of immediate collapse. All signs indicating that Kim Jung-Un is firmly in control and faces no serious challenges. He has even had members of his own family murdered to keep his iron grip on the country firm and in place. So while time has not run out, it is not on our side, either.

Finally, are negotiations with North Korea pointless because they will always renege on their commitments?

I recognize the history of numerous efforts to engage with North Korea that have ended in failure and acrimony, but it is also important to remember that while the 1994 framework agreement had many problems, it did limit and constrain North Korea's stockpile of plutonium for an 8-year period.

Yes, North Korea continued with a part of its nuclear programs in secret,

but there is no question that, during this period, the United States and our allies were safer and more secure than they would have been given the alternatives, which were war or acquiesce to North Korea's nuclear program.

While it is certainly possible that the agreed framework would have fallen apart regardless, it is also possible, if the agreement had been maintained, it would have provided options for bringing the North's nuclear ambitions to a more permanent end.

So while the Agreed Framework was far from perfect, it does suggest there are pathways by which a diplomatic surge can succeed in constraining and binding North Korea and in creating a more stable security environment in the region.

I want to be very clear—I have no illusions about North Korea or about the low chances of success for even the best strategy for dealing with this regime.

Nevertheless, it is incumbent on those of us in Congress, as well as our colleagues in the executive branch, to think through a policy that gives us the best chance of success and to take the necessary steps to see if this approach might lead to a better outcome.

So, what would a policy geared for success with North Korea look like?

First, we must immediately begin a sustained diplomatic effort with the goal of first constraining and then ultimately eliminating Pyongyang's nuclear and missile programs. Working with China is critical to these efforts.

We can't expect China to solve North Korea for us. However, that does not mean that there is no space to make common cause with Beijing to contain North Korea's nuclear and missile programs and thereby reduce tensions in East Asia, which would benefit our mutual national security interests.

At the end of the day, China understands that it, too, benefits from a denuclearized peninsula and that increased military tensions in the region, let alone war, do not serve China's interests well. So we can work with China to assure that sanctions are fully implemented—especially those which China has already signed up for at the United Nations but has been slow to bring into force, an immediate test being the unanimously passed Security Council sanctions just this week. We can encourage China to take necessary measures that can force Pyongyang back to the negotiating table.

To make this strategy work, we must indicate to China and Russia that we are ready and willing to engage in negotiations with North Korea.

As we turn the screws on North Korea and strengthen our alliances, we need to be open to wide-ranging talks. We should be willing to discuss measures to deescalate the conflict on the Korean Peninsula, ways to improve the lot of the downtrodden people of North Korea, and ultimately a pathway forward for a denuclearized Korean Peninsula.

To begin this process, Pyongyang will first have to verifiably halt their nuclear and ballistic missile testing, and the United States and our allies must indicate a willingness to take steps to deescalate the current tensions on the Korean Peninsula.

China's assistance will be necessary not only in getting talks started but also in helping them reach a successful conclusion. Only China can provide North Korea with certain kinds of security guarantees which likely will be necessary to enhance Pyongyang's confidence that any agreement will be enduring.

Second, it is worth emphasizing that an "America Alone" approach is not a formula for success in dealing with North Korea—or anything else for that matter. A complex threat like North Korea can't be successfully confronted without assistance from our allies and partners in the region—and any successful approach must start by strengthening our alliances and partnerships with Japan and Korea.

The scope and range of partnership with our allies—starting with Japan and Korea—is both dynamic and comprehensive and has been critical for maintaining peace, stability, and economic prosperity throughout the Asia-Pacific region.

This stability and prosperity has also made the United States more secure and more prosperous. It is why the United States, after the devastation of the Second World War and the Korean war, built partnerships with Japan, South Korea, and other Asian nations. These actions turned the region into one of the greatest foreign policy success stories of the past 70 years. Any successful policy toward North Korea must be built on this foundation and recognize that our strategic alliances combine not just military but also diplomatic and economic elements.

The election of Moon Jae-in as President of South Korea and our partnership with Prime Minister Abe in Japan have created new opportunities to reconsider and recalibrate our approach and encourage us to align and coordinate our approach with that of our regional allies. Nations such as Australia, Singapore, and our other ASEAN partners also have important roles to play.

The United States has worked diligently for the past several years, starting under the Obama administration, to strengthen our alliances and partnerships in the region by enhancing our defense and deterrence capabilities in light of emerging North Korean threats. This has included missile defense, extended deterrence, counter-provocation planning, and a suite of other capabilities relevant to the new security environment.

We must continue and deepen these defense efforts to assure that we can stay ahead of North Korean threats, to provide leverage for diplomacy, and to maintain an insurance policy for the sort of "containment" that will be necessary should diplomacy fail.

Third, the United States has an important opportunity to set the broader regional context for peace and stability on the Korean Peninsula by engaging in forward-leaning, principled, multilateral diplomatic engagement.

Over the years, there have been numerous proposals for multilateral architecture in Northeast Asia proposed by the nations of the region, as well as by the United States.

While there is ample room for discussion and debate over which model might be best, it is clear we need a forum to draw the nations of Northeast Asia together to engage in confidence-building measures and to address outstanding diplomatic, security, and political issues so that the right context exists for a stable Korean Peninsula. When President Trump travels to Asia this November, he has an important opportunity to move the multilateral architecture debate forward as a necessary supporting element of a broader North Korea strategy.

Fourth and finally, the administration must seek to fully exercise our economic leverage, not incrementally but robustly and to the maximum extent feasible, and should immediately impose additional economic sanctions on Pyongyang.

Secondary sanctions imposed upon firms that trade with North Korea, along with other targeted sectoral and financial measures through the UN Security Council, are essential to make it more difficult for the Kim Jong Un regime to support its prohibited nuclear and missile programs, including the financing that fuels its illegal activities.

The administration must also rigorously implement and enforce the North Korea Sanctions and Policy Enforcement Act of 2016, the relevant sections of the recently passed Countering America's Adversaries Through Sanctions Act and UNSC resolutions 2270 and 2321 on North Korea.

I know several of our colleagues, including Senators GARDNER, MARKEY, TOOMEY and VAN HOLLEN, also have legislation to impose new and additional sanctions.

Critically, while many past efforts have been targeted at imposing costs on North Korea by curtailing trade leaving North Korea, to be truly effective a sanctions regime must have as its primary purpose halting the flow of goods, finances, and material into North Korea. We know that when oil shipments have been curtailed in the past or when we threaten the ability of North Korea to use the international financial system to bring its ill-gotten funds home, we have gotten Pyongyang's attention.

We will get their attention again if we cut off North Korean elites' ability to continue to enjoy luxury goods. By cutting off access to these goods, through existing sanctions that are often not seriously enforced, we will provide an opportunity to focus minds in Pyongyang.

China plays a key role in bringing this sort of pressure to bear on North

Korea, but so do others. Russia, for example, houses some 30,000 North Korean slave laborers, a key source of regime income, and has also supplied North Korea with oil and aviation fuel in the past, sometimes illicitly. Other partners, including Singapore, have been key hubs for North Korean activity. Robust implementation of current sanctions to address these activities is crucial across all members of the international community.

What I have laid out today are lofty goals to be sure, but we should stand up and try to reach them. Let's try to stop North Korea through diplomacy while watching to make sure North Korea will not cheat during negotiations or on any final agreement, as they have in the past.

While imperfect in the short term, a freeze on North Korea's nuclear and missile program serves our national security interests. If nothing is done to slow North Korea down, its nuclear program and delivery systems will continue to grow, imperiling our allies and the American people. Diplomatic engagement that allows us to constrain and eventually reverse North Korea's nuclear ambitions may not be "perfect" security, but it is enhanced security and by far the better option available.

Time is no longer on our side, but the clock hasn't run out yet. The United States and the international community have an opportunity to test the proposition of what a robust diplomatic surge to North Korea's aggression might look like. It is critical that we take the opportunity now.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO ALBERT "AL" LEE

• Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Albert "Al" Lee of Forsyth. Al has made a lifetime of contributions to our State and our Nation. Al's experiences as a veteran, rancher, long-serving volunteer, and renowned shooting sports enthusiast have made him a highly respected member of his community in Rosebud County.

After finishing his military service with the U.S. Air Force during the Korean war, Al returned to Montana State University and married Sharon, a fellow Bobcat. Al and Sharon soon settled near the Yellowstone River and began operating the family ranch. Over the years, the Lee family has opened large sections of their ranch to the Boy Scouts, hunters, and to the participants of the Matthew Quigley Buffalo Rifle Match. The Matthew Quigley Buffalo Rifle Match recently completed its 26th annual competition in June. This prestigious shooting match has grown from a few dozen shooters the first year, to well over 600 shooters this year, including international competitors from six nations.

Al's love for shooting sports and his passion for sharing our Montana cultural traditions has been highly valued