

The fact that we are considering this nominee, given this issue with his background, just 3 weeks after the Las Vegas shooting, should really give us all a reason to pause. Las Vegas is now the deadliest mass shooting committed by an individual in the United States. It has only been a year since the Pulse Nightclub massacre in Orlando, which was previously the deadliest mass shooting in our Nation's history. It has been only 5 years since 20 6-year-olds and 6 adults were murdered at Sandy Hook Elementary School in Newtown, CT. What happened after each of those shootings?

After Sandy Hook, the NRA opposed any legislation that would have restricted high-capacity magazines or military-style assault rifles.

After the Pulse Nightclub shooting, the NRA opposed any legislation to expand background checks on gun buyers or to prevent gun sales to people on terrorist watch lists.

After the Las Vegas shooting, the NRA, despite initial statements to the contrary, has come out opposed to any legislation to ban "bump-fire stocks," even though such devices allow guns to function as machineguns, which are already banned under the law.

The NRA has never supported any commonsense gun legislation. The NRA's views on gun control issues could not be clearer, which is why it is so problematic that a judicial nominee chose to double-down on his NRA membership while his nomination was pending, rather than extricate himself from his prior commitments and then refuse to commit to recusing himself on cases where the NRA has made its views abundantly clear. This should trouble all of us.

Our job in evaluating judicial nominees is to ensure our Federal courts are an independent part of our system of checks and balances. To do that, we need confidence that judicial nominees will safeguard their own impartiality. I think all of my colleagues feel that way.

That is not what Mr. Palk has done. Instead of taking steps to separate himself from strong political views, he has proactively taken steps to increase his commitment to specific views of the law.

I will vote against Mr. Palk's nomination and urge my colleagues to do the same.

Mr. MARKEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AFRICOM, FOREIGN POLICY, AND OUR MILITARY

Mr. INHOFE. Mr. President, I came back just a week ago from visiting our troops stationed all around the world, in all the commands—AFRICOM,

EUCOM, CENTCOM—and talked to them about the threats in all these regions.

At a time when I hear colleagues across the aisle and political pundits ask the question, Why do we have troops in various places like Africa, it is important to remember the strategic importance of Africa.

I remember 10 years ago we didn't have a command for Africa. It was part of three commands: Pacific Command, Central Command, and European Command. Now we have AFRICOM. It is its own command. It seemed a little unreasonable that we were treating Africa as somewhat of a stepchild when that is the breeding ground out there for a lot of the things happening in terms of terrorism.

Despite our military's reach and influence, our Nation's shrinking defense budget has put AFRICOM at risk during a time when commanders are saying we face the most dangerous world we have ever faced, and we have.

I have often said that I look wistfully back at the days of the Cold War, when we had two superpowers and they were predictable. We knew what they had. They knew what we had. You have people from all over the world who are putting together equipment that we never dreamed they would have.

We have just gone through 8 years of another administration. I don't say this critically of him, but one thing about President Obama was that he was a committed, sincere liberal. Liberals generally don't pay a lot of attention to the military. Now we find ourselves in a situation where we are hurting. A lot of people assume that we don't have any problems militarily.

Sometimes I remind people that up until about 1962, we spent more than half—52 percent in 1962—of all of our revenues on defending America. What is it today? It is 15 percent. When I tell people that, they are in shock that we are in the situation we are in. We have terrorist groups in Africa—such as ISIS, al-Shabaab, and Boko Haram—and they are all growing in capability and have expanded their areas throughout Africa. This year we have seen horrific events occurring at the hands of these extremists. On October 14, a truck bombing killed 300 people in Somalia's capital. In Niger—it just happened—we had four of our U.S. soldiers who were killed in action on October 4 by an ISIS group.

We know that we have serious problems. I think it is a great disservice for people to say that we must have known that we had the threat that was out there in Niger, when in fact we didn't know it. They even compare it sometimes with Benghazi. I remember Benghazi. I was there at the time. I remember Chris Stevens. Chris Stevens was the Ambassador who went there. He was in my office right before he left, talking about the threats that were there, talking about the Taliban, his training there, and talking about organized terrorist activity.

I have to remind people that the persons who are responsible for advising the Secretary of State, who at that time was Hillary Clinton, and the President, who was President Obama at that time, are the DNI—that was James Clapper at that time—the Secretary of Defense and Chairman of the Joint Chiefs of Staff. When the Benghazi event happened, the annex was blown up. They all said at that time—they advised us, the President, and the Secretary of State—that they were forewarned by more than a month that on the anniversary of 9/11 things would blow up, and it was going to be an organized attack.

Right now there is an investigation going on to determine whether or not there is any way that we could have anticipated that in Niger this would be happening, and so far, that hasn't come up.

Despite the best of intentions, many of our partners in the region lack the capacity and the effectiveness to adequately defend themselves. People say: What do we have to gain there? This is exactly the same situation that we saw in Afghanistan prior to the war there. The terrorists have to have a safe harbor to train in, and that is what has happened.

During my travel, I had the opportunity to meet Prime Minister Benjamin Netanyahu. I have to say this about him. I have never seen him so ecstatic. A lot of us were looking back at what they were trying to do during the Obama administration. It was disheartening to think that they put together this Iran deal, and our Secretary of State at that time, John Kerry, talked about how great it was and all of these concessions that were made when, in fact, that wasn't the case. Nonetheless, when our President came out and said that he was not going to recertify the Iran deal, that was kind of neat because people don't realize that it takes a recertification every 30 days by the President in order to keep the Iran deal together. He has not done that.

Shortly after that, I happened to be talking to Prime Minister Netanyahu. It was an incredible relief to him that we were going to be looking at this. Still today, I think we all understand that Iran is the one that is financing terrorism all around the world. We discussed the shortcomings and looked forward to working with my colleagues in the future so that Iran does not become a nuclear nation, not now or ever.

What is perhaps the most encouraging is the message that this approach sends to the rest of the world, specifically to North Korea. President Trump's approach shows me—and, more importantly, shows Kim Jong Un—that an America-first foreign policy means that we refuse to take a single-minded approach to global threats.

I recall the changes taking place 8 years ago when our new President, President Obama, started his appeasing tour by going over and talking about

how America hadn't been doing the right thing. Now, all of a sudden, we have changed that around. That is what is taking place now. At that time we didn't have the threats that are out there today.

We look at North Korea. North Korea is run by a questionable person, totally unpredictable, according to our own military leaders. He is rapidly getting the capability not just of an ICBM—he has already proven he has an ICBM—but with a range not just of Alaska and some of those areas but of the entire continental United States.

On July 4 he launched his first successful ICBM. If that were fired on a standard trajectory, that missile could have reached Alaska. Some experts think it could have reached even further, into the continental United States. In light of that test, the Defense Intelligence Agency updated their assessment of the timeline by which North Korea would have the capability of hitting an American city. Instead of being 2 years out and 3 years out, it is now down to 1 year out. Some people say they have it right now. We have that threat that is out there. It is the greatest threat, in my opinion, that we are facing now or that we have ever faced.

Following this, on September 3, North Korea tested what is believed to be a hydrogen bomb. That would be seven times the power of what was dropped on Hiroshima. Even if delivered by a relatively inaccurate ICBM, there would be horrible damage imposed on our continent.

It is important to remember that all of this power is being wielded by an erratic despot, Kim Jong Un. North Korean officials have stated that they are not interested in diplomacy until they have an ICBM capable of reaching the east coast of the United States.

What does that tell you? It tells you that they are on their way. This stresses the need for the United States to enhance and accelerate our ballistic missile defense systems and to continue to put pressure on North Korea through every other means we can, diplomatic and otherwise.

My recent travels enforced again what I have been saying for some time; that is, that this is the most dangerous situation we have had, certainly in my lifetime. We have an opportunity to counter that threat right now. We are in the midst of our NDAA. One thing about the National Defense Authorization Act is that this act is going to pass. It has passed for 55 consecutive years so we know it is going to pass now. But we need to go ahead and get it done. It is important because the primary constitutional responsibility that we have is to provide for the common defense of our great Nation.

We have serious readiness issues that are going to have to be addressed, and they are being addressed in this bill. I am the chairman of the Readiness Subcommittee, and we have fought hard to ensure that this year's NDAA takes

care of these shortfalls we have had. Our forces are smaller now. We actually had a Readiness Subcommittee hearing, and we had the Vice Chiefs of all of the services there. They came in and said that right now we are in the same situation we were in when we had the hollow force following the Carter administration in the 1970s.

In January of this year, the Vice Chief of Staff of the Army, General Daniel Allyn, said: What it comes down to is that we are going to be too late. Our soldiers arrived too late. Our soldiers required too much time to close the manning, the training, and the equipment we have, and the end result is extensive casualties to civilians and to our forces.

We are talking about death. That is what is at stake right here. Just last week, I met with the Secretary of the Air Force, Heather Wilson, to discuss aviation readiness. Right now we are 1,500 pilots short, and 1,300 of those are fighter pilots. Only 50 percent of the Air Force's squadrons are actually trained and ready to conduct all of their assigned missions. One-third of our ground brigades don't work. They are not ready for combat. As to the aviation brigades, it is the same thing.

Right now, as we know, the Marines use our fleet of F-18s. Sixty-two percent of them don't work. They don't have the parts for combat. We have this situation. That is going to have to be direct. This year's bill will increase the troop levels. We will do what is necessary to correct these problems. We need to get moving on that and make people aware that help is on the way.

By the way, here is one of my concerns in this bill. A lot of people are interested in the BRAC process. We do prohibit base realignment closings to take place for another year. The reason for that is not that there may be excess capacity right now or excess resources out there, but when we are in a rebuilding mode, we would rather be able to use those resources that aren't being used now rather than build new ones. One thing is true about a BRAC; it always loses money the first 3 years. Right now we can't afford to lose any of the money that goes to defending America.

Anyway, of the additional funding, there is going to be \$8.5 billion for the missile defense that has been suffering, and we are going to be doing some good things. As we continue the conference process, which started today—we had our first conference meeting today—we need to focus on where we are.

Again, I repeat, the threat is there. We understand that. We know what is happening in Africa. By the way, the number of troops we have over there—you have to quit using this number of about 6,000—is really 1,300 troops for the entire continent who are not committed or working in some of the Embassies. We need to get busy on that.

ENVIRONMENTAL PROTECTION AGENCY

Mr. President, I have another issue I wish to visit. A lot of people are crit-

ical of what is happening right now in the Environmental Protection Agency. I feel I have to talk about this because, first of all, I was chairman of the committee that had jurisdiction over the Environmental Protection Agency for about 8 years. I see the things that are happening now, improvements that are being made.

One is by a guy named Scott Pruitt. Scott Pruitt happens to be from Oklahoma. He is doing things now, and I don't know of anyone who has ever been abused during a confirmation process like he was. Poor Scott sat there. As a general rule, after a committee gets through with that process, they have questions for the record. Normally, they are somewhere between 15 and 20 questions for the record. Do you know how many questions Scott Pruitt got? He got 675 questions for the record. Anyway, he sustained that. He is now doing great things.

Over the last 8 years, I have had little, if any, chance to praise the work of the EPA, but I can do it now. After 8 years of being relentlessly targeted by the Obama administration to shut out our farmers, ranchers, manufacturers, and energy industries, we have an administration that will listen to them and work with them. This is what jobs are all about.

There is a lot of talk about the visit that was made to our conference by President Trump yesterday. What he talked about most of the time was jobs. We are in the position to correct it.

What have we done to do that? A lot of the overregulations have been eliminated. There is the caricature of businesses referred to as greedy, loony boogymen. But in reality, businesses are run by people who want what is best for America, for their families, and for the stockholders.

Now, like any sector of society, you are going to find a few bad actors, but we have laws and remedies in place to make sure we go after those individuals. The last administration treated those they regulated as the enemy, not as partners in ensuring that the environment was taken care of, which led to very harmful, unworkable regulations.

All of that is changing right now with President Trump and his administration. The administration realizes that working with those they regulate will produce better outcomes than only listening to those who wish to drive the industry into the ground. Administrator Pruitt has been meeting with farmers, ranchers, energy producers, and other industries to listen to and learn about how regulations affect them and how a worthwhile regulation might be implemented in a way that is producing an unintended harm.

I really cannot see why this is a bad thing, as the goal of the EPA is not to put companies or farmers out of business; it is to put forward policies that protect the environment and do not have a heavy cost, but just meeting with those who have been shut out of