

the rule of law, preparing her for a distinguished career.

Joan Larsen also served as the Deputy Assistant Attorney General in the Justice Department's Office of Legal Counsel. Former government officials from both Republican and Democratic administrations wrote in strong support of her nomination, each of them holding her in the highest regard.

Joan Larsen later joined the law faculty at the University of Michigan, teaching there for many years. She excelled in academia, earning the praise of her students and the esteem of her colleagues. In fact, more than 30 of Michigan's deans and law professors wrote to support her nomination. They wrote that Justice Larsen's "commitment to the rule of law and her capacity for top-flight legal analysis are both of the first order, and her personal integrity and decency are exceptional." Even when they disagreed, her colleagues praised Justice Larsen's generous manner, her personal integrity, as well as her legal acumen.

In 2015, Larsen was appointed to the Michigan Supreme Court. The next year, she won election to a full term, winning every single county in the State. Her fellow justices—even those with different ideologies—praised her intellect and her commitment to apply the law as it is written to every case before them.

Joan Larsen's time on the Michigan high court has shown a record of independence and of fairness. Here is how one practitioner put it in a letter to the Judiciary Committee: "I am not a Republican," he wrote. "Justice Larsen approaches cases with an open mind and an independence from party affiliation. . . . I believe that . . . Justice Larsen has had a very positive influence on the Michigan Supreme Court. In my view, she would be a deserving addition to the Sixth Circuit Court of Appeals."

Another lawyer wrote the committee, advising that he "has practiced law in Michigan for 39 years" and is "a past president of the Michigan Association for Justice (formerly the Michigan Trial Lawyers Association)." He goes on to say that Justice Larsen "has demonstrated on the bench that she is precisely who she is in person, a genuine, thoughtful individual who respects precedent, the common law and the role that lawyers and judges play in society. . . . I have no hesitation in telling you that Justice Larsen will make an excellent judge on the Sixth Circuit Court of Appeals."

In conclusion, President Trump continues to nominate smart, well-qualified, and impartial individuals to our Nation's Federal courts. Justice Larsen, like each of the other nominees before her, was nominated on the basis of her belief in the rule of law and her commitment to apply the law fairly to everyone who enters her courtroom.

Once again, I would also like to thank Chairman CHUCK GRASSLEY for his leadership on the Judiciary Com-

mittee, tirelessly working to bring the President's nominees to the floor.

I look forward to voting to confirm Joan Larsen today, and I urge all of my colleagues to join me.

#### RESERVATION OF LEADER TIME

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the Larsen nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Joan Louise Larsen, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### NEW YORK CITY TERROR ATTACK

Mr. SCHUMER. Mr. President, I rise this morning with a heavy heart. My city, my dear city of New York, no stranger to terrorism, was once again its victim yesterday.

Yesterday afternoon, a man deliberately drove a rented truck into groups of pedestrians and cyclists, killing eight and injuring about a dozen more. Some of the injured were schoolchildren. These people were biking or walking home, enjoying a brisk and beautiful New York autumn day. It is tragic. It leaves a hole in your stomach.

Our hearts go out to the victims and their families, and we wish all of the injured a full and speedy recovery. We are also grateful—deeply grateful—to the New York Police Department and the first responders, especially Officer Ryan Nash, 28 years old, who was the first on the scene. He reacted quickly and decisively to bring down the attacker and bring him into custody. Who knows how much worse the tragedy would have been without his actions.

As one of thousands of New Yorkers who regularly ride on the path where this attack took place—in the last month, I have ridden on it twice—it hits close to home. My daughter went to the school near the scene, Stuyvesant High School, and she used the bike path I don't know how many times. This is our territory, our home.

The attacks are meant to confuse and terrorize, but, as the world learned after 9/11 and will learn again, New

York doesn't scare easily. New Yorkers are resilient. We always bounce back. We won't let these terrorists get their way or affect our way of life. We will never let terror prevail.

True to form—something that made my heart swell with pride—the New York City Halloween parade marched on last night. Thousands of school kids went right into Stuyvesant today. The terrorists cannot stop us. They cannot change our way of life. We love New York. We love America. That bond holds us together.

#### ANTITERRORISM FUNDING

Now, I have seen the tweets from President Trump. After September 11, the first thing President Bush did was to invite Senator Clinton and me to the White House, where he pledged to do whatever was in his power to help our city. President Bush, in a moment of national tragedy, understood the meaning of his high office and sought to bring our country together.

President Trump, where is your leadership?

The contrast between President Bush's actions after 9/11 and President Trump's actions this morning could not be starker.

Again, President Trump, where is your leadership?

I would say in closing that I have always believed that immigration is good for America. I believe it today.

President Trump, instead of politicizing and dividing America, which he always seems to do at times of national tragedy, should be bringing us together and focusing on the real solution—antiterrorism funding, which he proposed to cut in his most recent budget. So I am calling on President Trump to rescind his proposed cuts to this vital antiterrorism funding immediately. Our city relies on this funding to track potential terrorists and to snuff out attacks. The NYPD, which bravely and quickly responded to the scene yesterday and brought the mayhem to an end, depends on this antiterrorism funding to keep our city safe day in and day out. So, again, I am calling on the President to rescind his proposed cuts to this vital antiterrorism funding immediately.

Instead of dividing, instead of politicizing, do something real, Mr. President. Restore these funds now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, this week the Senate is moving through a series of votes to fill vacancies in the Federal appeals court. President Trump has nominated highly qualified, mainstream judges and legal scholars to do these jobs. Now, Democrats have responded once again with delay and with obstruction. It is clear to me that we need to change the rules in the Senate that govern how we debate nominations in this body. All year Democrats have been putting up roadblocks to nominations. They have forced the majority leader to file cloture so that

then we can confirm nominees like these four judges.

As of last Friday, Democrats have forced the Senate to file cloture 47 different times when we have had to have cloture votes on President Trump's nominees. There were only six cloture votes at this point for the previous four Presidents—five for Obama, none for George W. Bush, one for Bill Clinton, and none under the Presidency of George Herbert Walker Bush. These are the kind of hoops that the Democrats have been making the Senate jump through in an effort to confirm President Trump's nominees.

The procedure has been set in place to allow for debate. Well, debate is a good thing in the Senate, as long as debate is actually occurring. It is a chance for Senators to stand up, to say what they like or what they don't like about a nominee. Now, if no one wants to debate, we should just move things along and have the vote. There is one Senate rule that allows for as much as 30 hours of debate time on Presidential nominations after we have actually had the cloture vote. Now, in reality, very little of that time that is spent on the Senate floor is actually being used for the debate. In the past, both sides would agree to waive the time requirements and to move on to other Senate business, which is what we need to do to get the country continuing to move forward. But what is happening now is that Democrats are insisting on cloture votes, and then they are insisting that we use hour after hour after hour, even when there is no one here to debate what is the issue or the person in front of us.

It is time to end this pointless spectacle. The Senate used to be called the world's greatest deliberative body. Democrats have turned it into the world's most paralyzed deliberative body.

We have more than 125 nominees for various jobs who have had hearings in committee, who have testified in committee, who have been voted on in committee, who have cleared through the entire committee-vetting process and are now waiting for a vote on the Senate floor—125 of them. Most of these people have bipartisan support. They will be confirmed easily and eventually. They should be confirmed immediately. There should be no reason for Democrats' stalling tactics except, once again, to slow down the pace of other progress in the Senate on legislative issues.

Mr. President, look at what happened with one judge last week. It is a case you are very familiar with. Scott Palk was nominated by President Trump to serve on the U.S. district court. He had bipartisan support in the Judiciary Committee. He went to the committee, had a hearing in the committee, and with bipartisan support was voted out of the committee. That was in June—more than 4 months ago.

Now, apparently that is not good enough for the Democrats—not at all.

They are only interested in slowing down the work of the Senate. So we had a cloture vote on the nominee. It was 1 of the 47 cloture votes that we talked about. We had to have a cloture vote. Every Republican and 27 Democrats voted for him. So he had bipartisan support. We still had to allow all of this wasted time for the debate. We couldn't conduct any of the other business of the Senate during the time because the Democrats insisted that we use all of the debate time. Now, they could have very easily agreed to waive the rules, as we do, and go straight to a vote. We wanted to do that. The Democrats refused.

So how much of that time—those 30 hours—did the Democrats actually spend on the floor debating this person's qualifications to be a Federal judge? How many of those 30 hours did the Democrats use? None. How many minutes did they use? None. Not one Democrat came to the floor of the Senate to talk about that judge. Not a single Democrat even bothered to say a word against his nomination. There were fewer than 20 minutes of total talk on the floor of the Senate. Through hour after hour after hour of ongoing time, there were fewer than 20 minutes spent actually talking about the judge, and it was all spent in praise by the Republicans. We still had to run out the clock because that is the delay game the Democrats are playing in the Senate. The Senate had to waste hours and hours when we could have finished debating in less than 20 minutes. The Democrats have done this same thing time after time after time, day after day, wasting day after day.

Things take time in the Senate. We understand that. That is what the Founding Fathers had in mind when they formed the two bodies of Congress, the House and the Senate. There is no excuse, though, for Democrats abusing the process to make things take even longer. Democrats aren't using the rules for debate. They are not using the rules for deliberation. It is only for delay. It hasn't always been this way, and there is no reason it should continue to be this way.

The Senate had a different standard for nominations a few years ago, and that was in the 113th Congress. In years 2013 and 2014, the Senate allowed just 2 hours of debate after cloture was invoked on nominations for district court judges. That is 2 hours more than the Democrats actually spent debating this judge's nomination last week. The rules said that we would have up to 8 hours to debate executive branch nominations below the Cabinet level. Then, for Cabinet Secretaries, for Justices on the Supreme Court, and for circuit courts, it was the full 30 hours of debate. Thirty hours now is what we allow every nomination today, and Democrats have shown that in most cases it is far too much time because even though we have to spend all the time, they use very little of it talking about the nominees.

We need a fair debate on every nomination. The procedure from 2013 and 2014, with fair debate on nominations, is one that was fair. The way the Democrats are wasting time today to keep us from doing our work is not fair. I believe it is time to return to the rules for debating nominees that the Senate used 3 years ago. There will still be plenty of time for Senators to debate the nominees, to raise objections if there are any. Every Senator could be on the record. There are just a lot of hours that we could avoid that are being wasted today that could be used to do the people's business of this country. A President's nominations of qualified people to important jobs was never meant to be a tool for delay in the Senate or to be an obstruction the way the Democrats have been using it.

Now, these rules that we used in 2013 and 2014 were the result of a compromise. Democrats controlled the Senate at the time. A Democrat, Barack Obama, was in the White House making the nominations, and Republicans agreed to make these changes to the rules. It was part of a bipartisan group, and I was part of that group. There were eight Senators. They worked on this compromise—four Republicans and four Democrats. Senator McCAIN and Senator ALEXANDER were part of this group. Senator SCHUMER, who is now the Democrat leader, was part of this group. There was overwhelming support for these changes on both sides of the aisle.

It is time to do it again. Let's change the Senate rules and go back to the process that Senator SCHUMER supported in 2013 and 2014. Today, the schedule allows us to do one or two nominations in a typical week. If we go back to the 2014 standard, we could clear multiple nominations in a day. The Republican Senate has been busy this year, and we have made progress on behalf of the American people. We have passed 15 resolutions rolling back destructive, Obama-era regulations using the Congressional Review Act and signed into law by the President. We passed a budget that will help give Americans at home a raise by cutting their taxes and giving us an opportunity to do the kind of tax relief, tax reform, tax reductions, tax cuts that the American people are looking for. We need to do more. It is time for Democrats to stop abusing the rules just to delay the process. It is time to go back to the previous standard of debating nominations. It is time to pick up the pace and do the job the American people expect us to do.

Now, if Democrats have a different approach and don't want to accept the standard of debate that was set in the previous Congress, then I believe it is time for us to force that change. If Democrats maintain their lockstep opposition to real progress on judicial vacancies and other nominees, we should give them a chance to vote on their continued obstruction. We can vote on these nominees in a straightforward

and efficient way or we can vote to return to the precedent of the 113th Congress. That is the choice. Either way, it is time to vote.

Thank you.

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. BLUMENTHAL. 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 INVESTIGATION

Mr. BLUMENTHAL. Mr. President, the magnitude of this moment should be apparent to all. A sitting U.S. President's campaign chief and his protege have been indicted for conspiring against the United States. Another campaign adviser has pleaded guilty for lying to the FBI about meetings with Russians. At those meetings, he illegally discussed obtaining dirt on the President's political opponent and emails that had been stolen.

Two points need to be underscored for the American people. First, these indictments and conviction are a sober, shattering moment in American history. Second, all of us on both sides of the aisle should come together to support the work of the special counsel and assure that he is able to follow the facts and the law and all of the evidence, wherever they may lead.

This moment will stand as a landmark in American history, just as many of the moments in Watergate did. This investigation has proceeded more quickly than Watergate did. John Mitchell was indicted in 1974 for conspiracy, perjury, and obstruction of justice. He was convicted a year later. That indictment took a year and a half of investigation. These indictments have occurred just 11 months after the election and barely 6 months after the beginning of the investigation.

We know that the President's campaign hired two alleged criminals and one admitted criminal. Two of them were foreign agents, and the campaign was run by a Russian agent, unregistered, now charged with conspiring against the United States. He was supported by another Russian foreign agent who was also charged with the same 12 criminal counts. These two individuals, Paul Manafort and Rick Gates, were significant people in the Trump campaign.

In the case of Gates, his influence continued through the early months of the new administration. Manafort ran Trump's campaign at its most critical point, and he organized and directed the 2016 Republican National Committee convention, including the critical delegate-corralling effort against a potential "Never Trump" insurrection, securing the Republican nomination for Donald Trump.

Under Manafort's leadership of the Trump campaign, the Republican

Party stripped language from their platform that would have called for arming Ukraine against Russian aggression. Ahead of the convention, Manafort also offered to brief a Russian billionaire on the state of the 2016 race. The convention he helped organize became a venue for a meeting between Attorney General Sessions and the Russian ambassador, after which the Attorney General misled Congress, implying—indeed stating—that it never took place.

The Trump campaign also worked extensively with George Papadopoulos, a foreign adviser whose actions constitute the most significant indication of possible collusion—so far the most significant—between the Trump campaign and Russian officials.

Papadopoulos was named a foreign policy adviser in March 2016 and began communicating with Russian nationals the next month. He met with a professor for breakfast in London. They discussed stolen emails from Hillary Clinton and subsequently shuttled messages to the Kremlin and back for the Trump campaign.

He worked with officials at the highest level of the Trump campaign. His direct boss, in fact, was Jeff Sessions, who was then the head of Trump's national security advisory committee, and he is now, of course, the Attorney General. He communicated extensively with the campaign manager and members of the national security team.

President Trump tweeted today that he was a "young, low level volunteer," but the President sang his praises at a meeting with the Washington Post editorial board in March 2016, calling him an "energy and oil consultant, excellent guy." These revelations are stunning.

Now the President is at a critical juncture. He can choose the course of cooperation or confrontation. He is literally teetering on the brink of a decision that could prove disastrous for himself and for America if he chooses a constitutional confrontation.

We are at a moment very much like the one that occurred in Watergate. It is still memorable to many of us in this Chamber, although we were not here at the time. Our Nation could be careening toward a constitutional crisis. Some of the actions the President has already taken, such as firing Jim Comey as FBI Director, may be evidence of obstruction of justice in the investigation by the special counsel. As part of our oversight responsibility, the Judiciary Committee must continue its work in investigating that firing and other actions that may constitute obstruction of justice.

Firing the special counsel himself is something only the President could try to do. It would be the ultimate act of contempt for the rule of law that is rightly seen as the actions of someone who has something to hide.

At stake is more than just this President or this special counsel. It is literally the rule of law. To this Presi-

dent, the rule of law may be meaningless, a facade or a fiction, but that is exactly why Congress must give the judicial branch specific, enforceable power to stop the President from firing the special counsel.

That is the purpose of legislation I have introduced, along with colleagues. I am here to call upon this body to support and pass the Special Counsel Independence Protection Act.

I called for the special counsel to be established in February of this year and was joined by 10 of my colleagues in that call. It was based on credible allegations that the Trump team had colluded with the Russian Government. The Special Counsel Independence Protection Act, which I have cosponsored along with colleagues, seeks to forestall the kind of potential constitutional crisis raised by the President's threats not so long ago and his labeling the investigation a hoax and a witch hunt.

The Washington Post reported today that advisers close to the President are urging that, in fact, he take more aggressive action against the special counsel. The specter of Presidential action against Robert Mueller, designed to stop or stymie a virtually unavoidable and necessary criminal investigation of the President himself, makes safeguarding the special counsel more urgent and necessary now than ever before.

Rather than encouraging Presidential abuse of power by inaction, the Congress must move forward right away to check potential malfeasance and abuse before it occurs. Even the threat of such political interference constituting potential obstruction of justice undermines the special counsel's investigation. It makes witnesses less likely to cooperate. It discourages the agents and investigators working for the special counsel. It creates unnecessary confusion in the American public. Only judicial review can provide the check against such abuse and ensure confidence that the special counsel will proceed methodically and systematically to uphold the rule of law and follow the facts in evidence, wherever they may lead. That is what the American people want him to do. That is what we should guarantee that he will do. Make no mistake, this investigation will continue and conclude fairly and fully. The only question is how much turmoil and how much damage is done in the course of that investigation.

Clearly, like any investigation and prosecution, this one is a mosaic, consisting of many different diverse pieces and already it is coming together on the Trump campaign's contacts with Russian officials. They include, for example, campaign adviser Papadopoulos's contacts with a Russian agent who claimed he had "dirt" on Hillary Clinton; Donald Trump, Jr., and the campaign aides' Trump Tower meeting with Russian agents to obtain information on Clinton; Jared