

this meeting is fraught with peril. My primary concern is that the President, in his penchant for spur-of-the-moment decision making, could lead the United States into danger in one of two ways.

My first concern is that the President, without a clear or coherent strategy, will buy a pile of magic beans, accepting an agreement—any agreement—that allows him to declare victory. We know what he will say: the greatest compromise ever, greater than Versailles, greater than anything. Talking is good, but it is very far from an agreement to disarm.

President Trump should not accept a deal that doesn't include concrete steps to verifiably roll back North Korea's nuclear and missile programs, including those that threaten our allies and partners. So that is one concern: that the President accepts any agreement because he is just so eager to tout that he was a great deal maker and made an agreement, even if it is a rotten agreement for America.

My second concern is sort of the opposite. My second concern is that the President, without a disciplined or coherent strategy, will walk away from a bilateral meeting if he doesn't get everything he wants. There is also the possibility that the President will walk away from an agreement after the fact if he decides later he is unhappy with it. We have seen him do that on so many occasions. As someone who has negotiated deals with the President, I know it is a very real possibility.

Now, some may say that these are opposite possibilities. They are, in a certain sense. If he takes too little, he walks away because he didn't get everything. But they are all underlined by one coherent fact: There is no strategy—at least apparent to just about everyone.

The President seems to operate on a whim, saying one thing one day and another thing the next. When there is no coherent strategy, each of these dangers is too real. Either scenario could leave relations with a rogue state worse and more dangerous than before.

Now, the President said last night at Mar-a-Lago that he would leave a meeting with Kim Jong Un if it wasn't fruitful.

Mr. President, this is not like a business deal. There is a very real danger to walking away from a meeting with a nuclear-armed dictator. It could risk serious escalation. If the United States is seen as the one walking away from talks, we should be under no illusions that China, Russia, and others will not follow suit.

We all want to see negotiations with North Korea succeed. If it is true that North Korea will take its demand for U.S. troops to leave the Korean Peninsula off the table, that is a good step. Our commitment to the Korean people and our alliances with Korea and Japan are not subject to negotiation. But, I repeat, if these talks are going to truly succeed, the President and his team require a coordinated strategy, some-

thing this administration hasn't been able to show with respect to Russia, Syria, Yemen, the Middle East, and other hotspots around the world.

#### SPECIAL COUNSEL LEGISLATION

Mr. SCHUMER. Madam President, on another topic, I have come to the floor several times over the past month to document the number of ways in which this administration has signaled a willingness—perhaps a desire—to interfere with Special Counsel Mueller's probe into Russian interference in the 2016 elections.

Beyond troubling statements from the White House Press Secretary and the President's allies in the media, President Trump himself has publicly mused about the firing of the special counsel. So while I appreciate that the majority leader believes the President would be wrong to fire the special counsel, I believe it is a real mistake not to pass legislation to protect the investigation. I sincerely hope Leader MCCONNELL reconsiders his refusal to entertain bringing such a bill to the floor. It is a bipartisan bill.

I have talked to Members on both sides of the aisle who are worried about a constitutional crisis. We all know the consequence of Presidential interference in the Russian probe and how dire it would be for the rule of law, fundamental to our democracy, and the constitutional crisis that it would create should be avoided at all costs. Unfortunately, there is substantial evidence that the President has thought about firing the special counsel more than once in the past and may well do so in the future.

The bipartisan legislation introduced by Senators GRAHAM, COONS, TILLIS, and BOOKER has no real downsides to it. It would simply provide a legal avenue to restore the special counsel if existing DOJ regulations are breached and he is fired for political reasons.

So what is the reason not to do it? Why not head off a constitutional crisis at the pass rather than waiting until it is too late? The rule of law is fundamental to the functioning of our democracy. Why even flirt with the prospect of a President challenging the very nature of our system of government?

So I would urge my friend Leader MCCONNELL to think twice about this—to think not simply about his responsibilities to his party and not simply about doing what the President might want, but to our country and our Constitution. If we think of it in those terms, I think it is inevitable that we would want to pass this legislation. That is because the rule of law is fundamental to the functioning of our democracy. Why even flirt with the prospect of a President challenging the very nature of our system of governance and rules?

So I hope the Judiciary Committee moves forward with the bipartisan bill. I hope there is no attempt to water it

down or to create a back channel for political interference in ongoing investigations. It is clear that several Republicans, including Chairman GRASSLEY, Senator TILLIS, Senator GRAHAM, and others, see a need to pass this legislation. Let them prevail upon the Republican leader to reconsider his position.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of JAMES BRIDENSTINE, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized.

#### PUERTO RICO BLACKOUT

Mr. NELSON. Madam President, it is hard to believe, but the entire island of Puerto Rico yesterday descended into darkness. An excavation happened to hit a main line that cut out the electricity of the entire island—3½ million people—an island that is not a small island; it is a large island. It was a total blackout. Now, 24 hours later, a large number of the people on the island are still in the dark.

Tomorrow marks 7 months since Hurricane Maria made landfall in Puerto Rico, and yet Puerto Ricans are still dealing with constant setbacks and unreliable power. This is simply unacceptable.

Senator RUBIO and I have asked the Senate Committee on Energy and Natural Resources Committee to conduct an additional oversight hearing on the overall hurricane recovery and get to the bottom of this. I understand this

hearing will likely take place next month.

In the meantime, this is a widespread power outage. It is the latest example of why so many people who were forced to leave the island after the storm haven't been able to return home, even though they want to. Yet, despite all the island's ongoing troubles, the Federal Emergency Management Agency, FEMA, said this week it is going to terminate the transitional shelter assistance for more than 1,600 families across the United States, and 600 of them are in my State of Florida. It doesn't make sense. For too many of these displaced families, the only thing keeping a roof over their head right now is the FEMA program, and it is transitional housing assistance. What that means is, they are either in hotels or motels and, in some cases, apartments, where FEMA is providing them temporary shelter because they have been displaced from their homes; in this case, the island of Puerto Rico.

Storms like Hurricane Maria did this to the island of Puerto Rico. We have a responsibility to provide them with all the assistance we can. Senator RUBIO and I sent a letter to the FEMA Administrator and to Governor Rossello, the Governor of Puerto Rico, urging them to work together to extend this vital program. At the very least, because there are so many of these families who have children in school, to extend it to the end of the school year so the family doesn't have to be uprooted while their child is still in school.

I am happy to report that Governor Rossello has made that formal request to FEMA. The deadline is tomorrow. Hopefully, FEMA is listening to the Governor and to the pleas of Senator RUBIO and me as well because students and families have had endless disruptions and need some semblance of stability so they can finish out the year.

The hard fact is this. The situation in Puerto Rico is far from over. These are our fellow U.S. American citizens, and they desperately need our help. We should be providing them with all the help we can.

Mr. President, I want to speak on another topic.

(The remarks of Senator NELSON pertaining to the introduction of S. 2720 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. NELSON. I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. RUBIO. Madam President, we are on the nomination of Congressman BRIDENSTINE to be the new Administrator at NASA. I want to tie it into

what I will talk about in a moment because it comes down to Presidential appointments and the problems we are running into with regard to them.

I was not enthused by the nomination. It is nothing personal against Mr. BRIDENSTINE. I feel that NASA is an organization that needs to be led by a space professional. Unfortunately, a few weeks ago, the Acting Administrator resigned—or, I should say, retired. His last day on the job is the 30th. So it leaves us with the prospect of this incredibly important agency for Florida and the country with a vacancy in its top job. We are on our second Acting Administrator. If one were to do the math, even if Congressman BRIDENSTINE were to withdraw and a new vetting process were to begin for a new nominee, by the time it would work its way through the administration, the committee process, and the floor, the way things are going here, we could be into February-March, at the earliest, of next year. There is no way NASA can go 2 years and X number of months without having a permanent Administrator.

One makes these decisions always under the context that a President should have significant discretion in picking the team. Whether you like it or not, millions of Americans last year voted for the President. He was elected, and he has a right to govern. In 4 years—in less than 4 years now, in 2½ years—the American people will have the chance, once again, through our democratic process, to opine on whether or not they will want him to have a second term. Our job here is to provide advice and consent. We are to analyze these nominees and determine whether or not we want to support them.

My view of it is, as has been the tradition of the Senate for the entire existence of the Republic, that we give great deference to the President on choosing the qualifications. We want to make sure that people are qualified and that there is nothing about them that would disqualify them. It is my view that the more important the job the more discretion the President deserves. It is why, although I had significant reservations about the nomination of Secretary Tillerson, I decided to support it, because I believed the President deserved significant discretion. When you get to the subsecretaries and the like, I think that discretion diminishes.

It is what has led me to decide to support Congressman BRIDENSTINE, despite my reservations, and it is what, I hope, will lead my colleagues—at least a sufficient number—to support the nomination of Mike Pompeo to be the Secretary of State.

Let me read you some of the previous votes we have had here in the Senate. All but one of them predates my service.

Colin Powell was confirmed by a voice vote, which is almost unimaginable in a 21st century Senate, but in 2001, on January 20, by a unanimous

voice vote, he was confirmed as the Secretary of State.

A few years later, in 2005, Condoleezza Rice was confirmed as Secretary of State by a vote of 85 to 13. Now, it was still 13 noes, but, nonetheless, it was 85 yeases. I assure you that not everyone who voted for her was happy about her nomination. People didn't necessarily agree with her. One of the people who supported her, I believe, was future President Barack Obama.

Hillary Clinton was nominated and confirmed in the Senate by a vote of 94 to 2, and I promise you that a significant number of the Members on my side of the aisle may have respected Secretary Clinton but strongly disagreed with her and her views on a number of issues, but, nonetheless, they felt the President deserved to have his nominee.

When she resigned, her replacement was then-Senator Kerry, who was the chairman of the Foreign Relations Committee, with whom I had significant policy disagreements in the Senate and during his time as Secretary of State. Yet I, along with 93 other Members of the Senate, supported his nomination, and he was confirmed.

#### NOMINATION OF MIKE POMPEO

Madam President, we now have the Director of the Central Intelligence Agency—a man who is clearly qualified. He is a graduate of the U.S. Military Academy, a person who has served this country in uniform, who has served his country in Congress, who has been successful in the private sector, and who has served as the Director of the Central Intelligence Agency.

We have learned over the last couple of days that the President has significant trust in him, so much so that he was willing to send him privately to begin setting the stage for, perhaps, the most important short-term diplomatic engagement this country will have with North Korea. By the way, one of the most important things you want in a Secretary of State is for the President to have confidence in him. You have to have someone who, when he goes abroad and meets with people, the people know he has the President's ear and speaks for the administration. Mike Pompeo clearly has that. Yet we face the prospect of significant opposition to the point at which there are questions about whether it will pass in the committee. Although, I think it will pass on the floor.

I hope people will recalibrate their thinking. I don't think you have to agree with Mike Pompeo. You most certainly don't have to feel that he is the person you would have picked had you been President. You need to recognize that you are not the President, and none of us here are the President. The President deserves to have a team of people whom he trusts and can work with and who are qualified. I do not believe anyone could argue that Mike Pompeo is not qualified. He is certainly as qualified—in fact, I would argue