

and business owners are achieving economic growth that is unmatched in recent memory. It is driven by a 21st century tax code that lets Americans keep more of their own money and encourages job creators to invest in our Nation's workers.

It is made possible by historic regulatory reform, which has leveled the playing field for American consumers and small businesses. From farmers and ranchers to community bankers, the burdens of an out-of-control regulatory state are being lifted.

So after a decade of stagnation, Republican policies have gotten Washington out of the way and freed American workers and job creators to do what they do best—build a dynamic economy that is literally the envy of the world.

But as impressive as some of these statistics may be, I think it is important to keep in mind that these stories are, at the end of the day, human stories. More than 1 million new jobs have been created just since we passed tax reform last December. That is not an abstract number. That is 1 million opportunities for young workers who are just starting out and need to begin climbing the first rungs of the economic ladder; for young fathers and mothers who can now leave a position where their pay has stayed flat for a new opening in their industry; or for midcareer professionals who were sidelined by a tough economy and can now suit up and check back in to the game.

These aren't just economic statistics; they are American men and women who have new chances to support their families and build their lives that they simply did not have under the policies of the previous administration.

I am glad that we fought and won—and will continue to win—major accomplishments for the middle-class families we represent.

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 to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Robert Earl Wier, of Kentucky, to be United States District Judge for the Eastern District of Kentucky.

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

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

The legislative clerk proceeded to call the roll.

Mr. CORNYN. 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.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. CORNYN. Madam President, this week, we will be taking up the National Defense Authorization Act, which Congress has passed for 57 consecutive years to support and guide our country's military. Earlier this month, the Armed Services Committee voted overwhelmingly—25 to 2—to advance this important legislation to the Senate floor, so when I hear people say that there is no bipartisan consensus for anything in Washington these days, I think that is belied by the facts and certainly in this case by our bipartisan commitment to provide that support and guidance for our Nation's military.

According to the Department of Defense, there are 1.8 million Americans around the world on Active Duty in the U.S. military. The United States has 737 installations overseas, and the DOD—the Department of Defense—is the world's largest employer. Supporting all these people and the facilities they occupy is a Herculean task, and the Defense authorization bill is one very significant way that we do just that. It is how we make sure that all of our American servicemembers are trained, equipped, and paid and that our alliances are strengthened and our military facilities are properly modernized and maintained. We have an All-Volunteer military, and it is important for us to do all of these things in terms of quality of life, in addition to the basics, to prepare our warriors for hopefully an avoidable fight, but when it is unavoidable, to prepare them for that conflict.

In Texas, there are roughly 200,000 military men and women stationed in places like Fort Hood, Joint Base San Antonio, the Red River Army Depot, and Ellington Field. These are the people I think about as we take up this Defense authorization bill. They rely on us to deliver what we have asked them to do, to give them the tools, the equipment, and the training to do what we have asked them to do. That goal is increasingly difficult because the world is a very complex and dangerous place. The array of national security threats facing the United States is more complex and diverse than at any time since World War II. Our leadership at the Pentagon says that the strategic environment has not been this competitive since the Cold War. Simply put, America no longer enjoys the competitive edge it once had over our competitors and adversaries.

Secretary Mattis and the Department of Defense have admirably craft-

ed the national defense strategy that was delivered to Congress earlier this year laying out its strategic goal. This was a critical first step, but now the strategy must be implemented. The Defense authorization bill will align that strategy with the resources necessary to implement it—the investments, the policies, the authorizations—with the new orientation articulated in that strategy.

The Secretary of Defense will reevaluate the highest priority missions for the Department of Defense, the roles of the joint force, as well as the capabilities required to complete these missions.

All told, in its current form, the Defense authorization will support \$716 billion for our national defense. To those who would think that the price is too high, I would say there is no option. There is no nation in the world that is as capable of keeping the peace and deterring aggressors around the world. In fact, the No. 1 responsibility of the Federal Government is to provide for our common defense.

All of the rights that we enjoy in this great country of ours flow from the freedoms that are protected by our men and women in uniform. We have seen what has happened in the last few years when America has receded and retreated from its leadership role.

We don't have to fight all of these fights on our own. As General Mattis says, it is appropriate for Americans to fight by, with, and through our allies, which is the strategy we are using now rather than placing boots on the ground in many of these locations.

One important piece of the bill is bolstering recruitment, retention, and effectiveness of our Armed Forces.

A second important piece that was included in the committee markup of the NDAA is legislation I introduced called the Children of the Military Protection Act. This will close a jurisdictional loophole affecting military installations when minors commit criminal offenses on base. Because it is a military base, the Federal Government has the jurisdiction, but frequently Federal prosecutors don't have the time or the resources to prosecute the cases, so they fall through the cracks. This legislation will allow Federal prosecutors to relinquish jurisdiction to the State in these instances, allowing State-level authorities to take up the case when the Federal Government's other responsibilities and finite resources prevent it from being able to do so.

I am proud to join with Senator KING, the junior Senator from Maine, in this effort. This is a bipartisan priority that Members on both sides of the aisle should rally behind. Our children on our military bases must be protected at all costs. When they are assaulted, their assailant should not escape justice because of loopholes in the law.

Although the Federal Government maintains jurisdiction over military

bases, as I have said, unfortunately, it does not always assert its prosecutorial authority. Historically, Federal prosecutors have pursued roughly 15 percent of juvenile sex offense cases, and that is clearly not enough. We have to address this black hole for juvenile justice. We have to give local prosecutors the authority they need to go after these cases on our bases with the agreement of the Federal authorities.

I look forward to my legislation being a part of the NDAA when we vote on it perhaps as soon as next week.

There is one final aspect of the Defense authorization bill I would like to touch on, and it involves how we address future threats to our national security.

I have spoken quite a bit on the floor about the threat China poses to the United States, and they are not even coy about it. They have told us what their plan is. Their plan is to grow their economy and to grow their military in a way that dwarfs the power and economy of the United States.

Let me talk a little bit about the threat. I have spoken about that threat, but let me quote the chairman of the House Armed Services Committee, who recently said that it is “in the Indo-Pacific region [where] the United States faces a near-term belligerent threat armed with nuclear weapons and also a longer-term strategic competitor.” Of course, my friend Congressman MAC THORNBERRY is talking about China, “the competitor,” and the “belligerent threat” he identified was North Korea.

That is why this year’s Defense authorization bill, among other goals, prioritizes military readiness in the region and strengthens our key partnerships there. It promotes security and stability in the Indo-Pacific through exercises with our allies and supports improving Taiwan’s defense capabilities.

Even more important, the Defense authorization bill will include legislation I coauthored, along with the senior Senator from California Mrs. FEINSTEIN, known as the Foreign Investment Risk Review Modernization Act, or FIRRMA.

This legislation will allow us to better intercept threats to our national security posed by China when its companies masquerade as normal corporate actors, but, in fact, they are an arm of the Communist Party and the leadership in that country.

As has been well documented, China is intent upon, No. 1, stealing our intellectual property, and when they can’t do that, strategically investing to get access to both the intellectual property and the know-how to be able to take advantage of all the research and development expenditures we have made in our country and to short circuit that in developing their equivalent. Our legislation will modernize the review process of the Committee on Foreign Investment in the United States and ensure that we are better protected

from these sophisticated threats and help us maintain our technological edge in the national defense realm, but, as I said earlier, the Defense authorization bill is important for reasons that hit much closer to home.

In years past, this bill has authorized needed improvements at our military facilities. It has given our troops a much needed and much deserved pay raise and updated advanced aircraft, ships, and ground vehicles. These, too, have implications in all of our States, and Texas is no exception.

So when I vote on the Defense authorization bill, I will be thinking about servicemembers back in my State in addition to all those who serve in remote locations overseas. We need to get the Defense authorization bill across the finish line for them and for our country.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. SCHUMER. 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.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

WELCOMING EVERYONE BACK

Mr. SCHUMER. Madam President, first, let me welcome you and all of my colleagues back from another productive State work period. I traveled a good deal around my State, spoke at a bunch of graduations, and found it fun and productive. I learned a lot. I am glad to be back but glad we were out in our States.

RUSSIA INVESTIGATION

First, Madam President, let me address the President’s recent comments on the Russia probe, then our negotiations with North Korea, and then healthcare.

This morning, the President tweeted that he has the “absolute right” to pardon himself and that the appointment of the special counsel is totally unconstitutional. President Trump, you went 0 for 2 on the Constitution this morning.

First, of course no President has the power to pardon himself or herself. If they did, the Presidency would function above and outside the law, counter to the very founding principles of our country. We don’t have a king. We are a nation of laws, not men. That is why the Founding Fathers created America; they didn’t like the monarchy. But if a President can pardon himself, it is virtually a monarchy, at least as far as the President is concerned. If Presidents had the power to pardon themselves, we would no longer be a democracy.

As the Department of Justice legal counsel wrote 4 days before Nixon resigned, “Under the fundamental rule

that no one may be a judge in his own case, the President cannot pardon himself.” This is virtually indisputable.

Does the President get to choose what he can pardon himself over— theft, murder, who knows? The President does not have the right to pardon himself. That is for sure.

Second, of course the appointment of the special counsel is constitutional. Never mind the fact that President Trump’s own Republican appointees made the appointment of the special counsel; this is far from the first special counsel to investigate a serious matter concerning the President. Again, if the President were beyond the reproach of any investigation, there would be no check on the President’s conduct. The President could engage in rife corruption and self-dealing without consequence. Surely, that is not what our constitutional system envisions. That is not the structure of America that the Founding Fathers set up and that we have followed for more than 200 years.

The President’s tweets are silly, farcical, and even absurd. They are not legal arguments to be treated seriously. Rather, they seem to reveal increasing desperation on the part of the President. President Trump has escalated his criticism of the Russia probe from smearing the special counsel and his team and hawking outrageous conspiracy theories to attacking the very legal architecture of our country.

Special Counsel Mueller has already issued more than a dozen indictments. He has secured several guilty pleas from top Trump campaign officials. The probe is not only legitimate; it is finding violations of the law on the part of the Trump campaign and others.

As wrong as President Trump was in his tweets this morning, you have to wonder, why is he asserting his right to pardon himself? Why is he questioning the constitutionality of an investigation in the first place? For a man who constantly proclaims his innocence, President Trump is doing an awfully good impersonation of someone who believes he has something to hide. It is hard to think of another explanation for the increasingly ridiculous and far-fetched legal theories peddled by the President and his lawyers.

The pundits and the analysts in the media are debating whether it makes smart, strategic sense for President Trump to sit down for an interview with the special counsel. They are asking the wrong question. The President’s strategy and political interests shouldn’t be the basis for whether he sits down with the special counsel.

If the special counsel requests an interview with the President as part of his investigation, the President should agree to provide testimony. If President Trump has done nothing wrong, as he so often and so loudly claims, he should have nothing to fear by sitting down with the special counsel.