

Thereupon, the Senate, at 12:31 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. HOEVEN).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019—Continued

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, one of the greatest things about our country is the Bill of Rights. When we passed the Constitution, many people were fearful that if specific rights were not enumerated, they might be taken away. I think other people said: We don't need a Bill of Rights. Who can imagine a time when we would take away the right to trial? Who can imagine a time when you wouldn't get a lawyer or that you could be held indefinitely without a trial?

Some people opposed the Bill of Rights and said: We don't need this because it is so obvious that no one in their right mind would ever argue that an American citizen or someone apprehended or accused of a crime in the United States would be held without limit, would be sent to a camp in another country and held forever without a trial. None of our Founding Fathers ever imagined that could happen.

Well, here we are at a time where just 4 or 5 years ago, this body passed a bill that says an American citizen can be detained forever; that an American citizen accused of a crime in the United States can be sent to a foreign camp and held forever without trial.

When you mention this, people are incredulous. They ask: Who is the person who would object to the Bill of Rights? Who is it who possibly objects to the Fifth Amendment and the Sixth Amendment?

You are going to hear from that person shortly because it is one person in the Senate who objects to the Fifth Amendment and the Sixth Amendment applying to those who are accused of a crime in our country—captured in our country and accused of a crime in our country. This person would deny you a lawyer. This person believes the entire world is a battlefield, including the United States, so we need to have martial law in the United States. This person discounts the whole presumption that you are presumed to be innocent until found guilty.

Why is this a problem? Well, after 9/11, we captured 119 people, and we tortured them. Our government tortured them, but, in retrospect, we found out that 26 out of the 119 were the wrong person.

Does anybody remember a time in our history when Black people were lynched because they were presumed to be guilty? This is what this is about. This is about people accused of a crime—not declared guilty, not found guilty, but you are willing to lock them up without a trial. I cannot think of anything more un-American.

You will hear today from the representative of the un-American position that the Fifth and the Sixth Amendments don't apply to everybody.

Some will say: Oh, the Fifth Amendment just applies to citizens, and maybe we could talk about citizens but not noncitizens. The Fifth Amendment says that no person shall be held or deprived of their liberty or due process, which is the whole idea of going to court. Nobody captured in this country can be deprived of that. The Sixth Amendment says: "In all prosecutions, the accused"—not just American citizens but the accused.

People will say: Oh, we are talking about terrorists here, and they are terrible people. Absolutely they are terrible people. Everybody would want to punish the guilty terrorists, but do you want to punish people who are only accused of terrorism?

You say: Well, it is a terrible crime. We might as well just throw out the Constitution and throw out the Bill of Rights. Why don't we just lock these people up or, better yet, kill them? That is the mentality of lynching. That is the mentality of locking up all the Japanese during World War II. Is that who we are as a people?

They will have won after 9/11 if we give up on the Bill of Rights. If we give up on who we are, they will have won. We presume people to be innocent. We don't lock up people because they are Japanese—not any longer—and we don't lynch people because they are Black—not any longer—because the Bill of Rights applies to everyone.

If you say, well, he is accused of terrorism, and he shouldn't get a trial, or she shouldn't get a trial, we have had 386 people accused of terrorism in our country, and every one of them has been convicted.

The man who killed 13 people in New York City the other day, if I am on the jury, I vote to convict, but I want to hear the evidence first. I want to know that they got the right person. I want to know that someone saw him do it, that there is evidence—not just because he has brown skin we are going to lock him up and lock him up forever without a trial.

We have convicted everybody tried in the United States. We didn't give up on who we are. Yet the law currently says—thanks to several individuals—that you can be detained forever without a trial.

President Obama signed this law, but even President Obama knew it was a terrible law. He said: This law, this power is so terrible that I will never use it.

But that is not what the law is about. The law is about being so good that even when you get a rotten person in office someday, they don't have the power to do this. What happens if someday we elect someone who is a bigot or someone who says that gay people should be guilty or someone who says that Brown people or non-Christians or Christians or homeschoolers—

you name it—you can be a minority of the color of your skin or a minority of your ideology, but we should never let the government lock you up without a trial, without a lawyer.

The amendment I have been trying to get for 6 years simply restates the Constitution, restates the Bill of Rights. It says that no declaration of war will allow people apprehended in the United States to be held without a trial. We not only can't get this passed, we can't get a vote on it because certain individuals have such disregard for American tradition, disregard for the presumption of innocence, and disregard for the Bill of Rights that they object to even having a vote. So we have been trying for 6 years to have a vote on this.

Mr. President, I ask unanimous consent that it be in order to call up my amendment, which would forbid indefinite detention of American citizens and others who are accused of a crime, amendment No. 2795 to amendment No. 2282.

The PRESIDING OFFICER. Is there objection?

Mr. GRAHAM. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I will try to be brief. I appreciate Senator PAUL's passion. He has been doing this for 6 years. I think he has been wrong for 6 years.

Let me say something. There is a reason I am not talking about eye surgery on the floor: I don't know anything about it. You are talking about legal concepts you clearly don't know anything about. You are fighting a crime; I am fighting a war. If it were up to Senator PAUL, there would be no difference between a criminal and a warrior. Radical Islam in the form of ISIS is not trying to steal your car or break into your house; they are trying to destroy your way of life. So if you believe we are at war, as I do, we should apply the law of war.

For 33 years, I was a military lawyer, a prosecutor, a defense attorney, and a military judge. I think I know the difference between fighting a crime and fighting a war. When it comes to fighting a war, if you capture somebody who is part of the enemy force, the last thing we worry about is how to try them. We want to hold them under the law of war to gather intelligence, to make sure we understand what this person knows about any enemy operations.

We had 450,000 German and Japanese prisoners in the United States. Guess what. Not one of them had a lawyer. If you had said what he just said, in World War II, they would have run you out of town. Most Americans would find it odd that a Japanese or German prisoner of war would be entitled to a lawyer under the Bill of Rights because they are not.

We are fighting a war, and I would like to win the war sooner rather than

later. When it comes to killing the enemy, that is part of war. But if you are lucky enough, clever enough to capture one of these bad guys, the last thing I want them to hear is "You have a right to a lawyer." You don't. Under military law, no enemy prisoner has a right to a lawyer. You are talking about fighting a crime; I am talking about fighting a war.

There are 44 people in Gitmo who have been held for over a decade who will never see the light of day because they are part of the enemy force. They have had due process under the law of war, and they are too dangerous to let go. They are not going to be tried in Federal court and they are not going to be tried by military commission because they are too dangerous to let go. And we have no interest in a trial; we have an interest in keeping them off the battlefield. They will die in jail without a trial.

That is what happens when you join al-Qaida or ISIS—you can get killed, or you can die in jail. So if you are an American citizen thinking about joining ISIS, don't. You are not going to be captured because of the color of your skin or your religion or your political views; you will be captured because you turned on your own country.

In every war we have ever had, American citizens have unfortunately sided with the enemy. Guess what ISIS is trying to do as I speak. They are trying to recruit people in our own backyard. How many people have bought the propaganda over the internet? The two guys in Boston—one of them had permanent status. They bought into this crazy construct that you have to kill everybody in the name of religion. The guy who ran over the folks in New York—all these people have one thing in common: They were radicalized by the enemy, and they became soldiers of the caliphate.

So here is what I am trying to say: It is not my view of the Constitution that I want you to look at; it is what the Supreme Court has said.

Ex Parte Quirin—a 1942 case—involved capturing German saboteurs in Long Island. The last time I checked, Long Island, NY, is part of the United States. You had American citizens collaborating with the enemy. They were captured as a group. The American citizens were tried by military commission, and one of them was executed. Why? Because under the law of war, once you join the enemy, your American citizenship doesn't protect you from the consequence of your act.

In re Quirin said: Citizenship in the United States of an enemy belligerent does not relieve him from the consequences of belligerency which is unlawful because [it is] in violation of law of war.

In 2009, an American citizen captured in Afghanistan was fighting for the Taliban. There is no bar to this Nation's holding one of its own citizens as an enemy combatant. For those who understand the law of war, this is one of the timeless concepts.

He is trying to turn the war into a crime. I agree with Senator PAUL—if you are charged with a crime, you can't be held indefinitely and questioned without legal representation because you are being accused of a crime, and you have rights as a criminal defendant. When you become an enemy combatant, you have rights under the law of war, and there is no right for an enemy prisoner to be given a lawyer.

Mr. PAUL. Mr. President, regular order.

Mr. GRAHAM. Mr. President, I object. I have so much more to offer, but I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

Mr. PAUL. Mr. President, I think it is important to listen to what you heard and analyze what you heard because apparently, if you are defined as an enemy combatant, it would be OK not to have a trial and not to have a lawyer. You wouldn't be presumed innocent; you would be presumed guilty. But the question you have to ask is, Who gets to define the enemy combatant? If the government gets to define you as an enemy combatant, is it not conceivable that you could be an enemy combatant because you are a minority either of skin color or of ideology? Has it happened in the past? The Japanese citizens were a minority, but there was no evidence—no one presented any evidence that they were a threat or had done anything wrong.

The Non-Detention Act attempted to fix this. There were people like this back in the time of World War II. There are people like this in every war, people who are frightened of those who would attack us, so they want to give up the Constitution to make it simpler to get to guilt. You don't have to have a trial; you just proclaim people guilty. If you proclaim someone an enemy combatant, there will be no trial, but it begs the question: Who gets to decide? Are we going to let one person decide, or are we going to have a jury? Imagine how important this is to our country. We should be alarmed that there are people trying to prevent a trial by jury in our country. It hasn't been used so far, thankfully. We have actually 386 times taken terrible, awful, rotten people who have tried to attack us, and we tried them in courts with juries. We presumed they were innocent. We found them guilty, and we punished them.

See, the problem isn't about how terrible terrorists are or terrorism is. Murderers are equally as bad. We had somebody go in a nightclub in Orlando and kill 125 people. He is as evil as any terrorist out there. Yet he will get a trial, not because anybody condones what he did, not because anybody doesn't want to punish him, but we will give him a trial because it is part of who we are. It is part of America to have trials.

You will short-circuit America, you will short-circuit American history if

you get rid of a trial by jury, if you get rid of presumption of innocence. It doesn't mean we have any sympathy for the guilty, but we have to make sure we get the guilty. We can't just prosecute people because they have brown skin, because they have black skin, because we don't like the way they act or we don't like their religion. That is what becomes of a country that doesn't have trials. Look around the world. There are countries that don't have trials. That is not who we are. We cannot be so frightened of terrorism that we are going to presume guilt and have no trials. It will end up in tyranny.

So I ask again and again—and I won't ask it now because the Senator from South Carolina has left, but I ask again and again, will this body not allow a vote? This isn't even about his voting no; it is about his objecting to even the democratic process of the Senate allowing a vote.

So America needs to know there is one opponent in the Senate who does not believe in the Bill of Rights. When he declares you an enemy combatant, you don't get the Fifth or Sixth Amendments. That is what this is about. I am happy if he wants to go home and defend that, but this is a very important debate and should not end here.

Thank you.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I rise to speak on the NDAA bill that is before us today.

I think most people know that we have been engaged in some tariff discussions with other countries through the administration. We have a trade act of 1974 and one of 1962 that have laid out provisions as to how we would go about dealing with tariffs. In section 232 there is a place which states that the President of the United States can declare something a national security issue. When he does that, it keeps him from having to go through the normal process that one goes through in dealing with tariffs.

Typically, when the President chooses a section of the trade act, he has to go through a process. When he decides that he wants to put a tariff in place on another country, he has to go to the ITC or some other entity to show that, somehow or another, the United States has been harmed as the reason that he would be putting tariffs in place.

What our President has chosen to do in recent times is to declare that almost everything that he is dealing with relative to tariffs is a national security issue. When he does that, it means that he does not have to lay down grounds for having done that. He can just determine that it is in our national security interests to put in place tariffs on other countries, whether it is automobiles, whether it is steel, whether it is aluminum, or whether it is some other issue. He can just wake up one morning, without going through

any of those processes, and decide that, on national security grounds, he is going to put tariffs in place.

Article I of the Constitution declares that Congress is the determiner on tariffs. Congress, per the Constitution, has been charged with the ability—actually, the responsibility—to deal with tariffs and to deal with revenues. It is the responsibility of the Congress.

Because I have been somewhat concerned that we are using this national security issue just as an ordinary course of business, I have offered an amendment to deal with that, since this is a national security bill, which says that the President can continue to deal with these other countries and he can continue to try to work through trade agreements, but, at the end of the day, if he actually decides to put tariffs in place, he would have to come to Congress to get an up-or-down vote.

Because we don't want to slow the administration's ability down too much in this regard, we have actually put in this amendment an expedited process so the President would know that we are not going to drag this out forever, so that when he comes to a conclusion, we will have acted on it in a timely fashion.

I have done this for another reason; that is, if we as a country begin claiming that every single item is a national security issue, other countries will do the same. What they can then do is to avoid the processes that take place generally in international organizations to have to prove that, somehow or another, their country has been damaged. If we use the national security issue to put tariffs on automobiles, for instance, then, all of a sudden, another country can do the same.

My amendment, by the way, is supported by 17 Senators. It is supported by Senators on both sides of the aisle. Taking myself out of it, these are Senators who are very well respected, with a wide range of ideologies. As a matter of fact, this probably is the most co-sponsored amendment that has been put forward.

I have been really proud to be able to work with Senators who care deeply about the Nation. They care about us economically. They just want to make sure that we as a Congress perform our appropriate roles, making sure that if a tariff is going to be put in place under this very unusual waiver—which has never in the history of our country been used as it is now being used by this current President—then we have the ability to at least have a say in this.

It is not unlike the President going to Singapore and meeting with Kim Jong Un. What they have told us is that they are going to negotiate through a process that, hopefully, will cause them to be denuclearized. But when they complete that process, they plan to bring that to the U.S. Senate to have us ratify a treaty. They have been very clear about it. So it is exactly that same kind of process, except in

this case it is even more our responsibility to make sure that if we are going to tariff people under this unusual section, we vote up or down.

So I am going to call up this amendment. I appreciate the way the chairman of the committee has worked with me. I know there has been a lot of resistance to our having a vote on this amendment. I don't know why that is the case.

UNANIMOUS CONSENT REQUEST—H.R. 2372

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 301, H.R. 2372; that the text of H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019, be offered as an amendment, considered, and agreed to; that H.R. 2372, as amended, be considered original text for the purpose of further amendment; that the text of Inhofe-McCain No. 2282, as modified, be made pending as a substitute to the text of H.R. 2372, as amended; that McConnell-Toomey No. 2700 be made pending to Inhofe-McCain No. 2282, as modified; that Reed-Warren No. 2756 be made pending as an amendment to Toomey No. 2700 and that Toomey No. 2700 be set aside; that Corker amendment No. 2381, as modified with changes at the desk, be made pending to amendment No. 2282; that Lee No. 2366 be made pending as an amendment to the language proposed to be stricken by Inhofe-McCain No. 2282; and that the Senate vote on the Corker amendment at 4 p.m. today.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Mr. President, reserving the right to object, we just heard a very lengthy explanation of an amendment that no one had seen until about an hour ago—at least I don't know of anyone who has.

I think the Senator from Tennessee has every right to do what he can to get his amendment heard, and there are opportunities other than the Defense Authorization bill. One of the problems—and I have worked on these Defense authorization bills for years and years—decades—is that they know it is going to pass. It has passed for 57 consecutive years. So a lot of people who want to put in things that are non-germane and very often controversial want to put them on that because they know it is going to pass.

Senator CORKER's is not the only amendment that is a problem amendment for this. There are two other non-germane amendments, one by Senator LEE and one by Senator PAUL. They say: If I don't get a vote on my amendment, then I am going to stop all other amendments from coming up, so nobody gets to have an amendment.

At the same time that they are saying that about the Paul amendment and the Lee amendment, we have other Members, such as Senator GRASSLEY and Senator GRAHAM, who are both saying: We are going to make sure you don't get a vote on that. So, whatever the case is, you have opposing parties

saying: If you get a vote on something I disagree with, I am going to stop all amendments from coming forth. In a way, they can do that, and I can see that happening right now.

I would ask my friend—because I am going to object; I am going to object not just because of the underlying bill but because it is an amendment that changes the underlying bill.

I have had occasion to talk to two Members of the House who will be part of our conference committee, who strenuously object, not so much to the content of the amendment but to the fact that this is being put on. It will force the House to go back in and reconsider their bill, according to our friend who just advised us of that. So I don't want to do anything that is going to either jeopardize or delay the passage of the Defense authorization bill.

I just got back from Afghanistan, Kuwait, and places all over the world where our troops are, and they all know that this is the week that help is on its way.

We have suffered in this Chamber for the last 10 years. During the Obama administration—I don't say this in a negative way about him, but I will say that he didn't have a strong national defense as a top priority, and he had a policy in which he said: We can't do anything about sequestration in defense unless we do the same thing for the nondefense programs.

What does that tell you? It tells you there is no priority for defending America. That is not what our Constitution says. That should be a priority.

As a result, we have a lot of systems that have gone down. As General Dunford, Chairman of the Joint Chiefs of Staff, said: We are losing our competitive edge. We are losing it. Actually, he said that 2 years ago, so we have lost it in some areas.

Artillery is a good example. Right now, artillery is measured by two means—one by rapid fire and one by range. Both China and Russia now have better artillery than we have in the United States. Most people don't believe that. They don't know what has happened to our military.

Hypersonic is the new weapon that operates at five times the speed of sound. This is something we have been working on. We are racing against our peer competitors—China and Russia—and they are ahead of us. They are ahead of us in the area of the nuclear triad. We haven't done anything to our nuclear program in the last 10 years, and they are ahead of us.

So all these things are happening. The troops know it is out there. They know their pay raise is in this bill. They know their benefits are in this bill. They know it is a good bill. It should pass unanimously in the U.S. Senate. But if you start putting something on it that, No. 1, doesn't belong on it in terms of germaneness, and, No. 2, is going to cause a pause that could be detrimental to our fighting troops

and for getting the bill done, then I wouldn't want to do that.

So I would like to join Senator CORKER in finding another bill. I will do all I can to help him to get that on as an amendment, but not to the Defense authorization bill. I think this would cause a lot of damage. The House agrees with this. I can't let that happen. For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Tennessee.

Mr. CORKER. Mr. President, I am going to make a few comments here.

I thank Senator INHOFE through the Presiding Officer for working with me. I realize there is a lot happening here, and I know he is conducting to the best of his ability the progression of this bill. I will just leave it at that.

Mr. President, I was asked to find a solution to this blue-slip issue, and I found one that is used as customarily as waking up in the morning and drinking a cup of coffee. It happens all the time. This in no way has any effect on our ability to pass the NDAA in a timely fashion, but I am in no way countering the person who just spoke. I am not, and he knows I am not.

I am going to speak to a larger issue, but before I do, I want to point out that the NDAA usually passes each year in November or December. It usually doesn't pass in June. So even if there were something that needed to be worked out, we would be way ahead of schedule in dealing with this as we are between now and August.

But if I could, the germaneness of these bills has nothing whatsoever to do with our ability to offer amendments—nothing. That is something that happens postcloture.

For the last year and a half, under Leader MCCONNELL, we have had one amendment vote—one amendment vote—and that amendment wasn't even really an amendment. It was a chairman who was controlling his own bill and asking if he could substitute his own amendment. So it really wasn't even a real amendment vote.

We have been here a year and a half, and because Senators—U.S. Senators who are elected by the people in their States—don't want to cast a tough vote, they block everybody from voting. I have no idea why RAND PAUL cannot get a vote on his amendment. It is ridiculous. He has been trying to get a vote on it for years—years—and we have blocked it. Why is that?

For the record, I want to say that I have held amendments this morning until we could work out the solution. I am not holding any amendments—none, zero. I am holding no one's amendment. But we, as Senators, are worried somehow that, gosh almighty—I heard the senior Senator from Texas saying the other day: Gosh, we might upset the President. We might upset the President of the United States before the midterms. Gosh, we can't vote on the Corker amendment because we are taking—

rightly so—the responsibilities that we have to deal with tariffs and revenues; we can't do that because we would be upsetting the President of the United States. I can't believe it.

I would bet that 95 percent of the people on this side of the aisle intellectually support this amendment. I would bet that. I would bet it is higher than 95 percent, and a lot of them would vote for it if it came to a vote. But, no, no, no, gosh, we might poke the bear. That is the language I have been hearing in the hallways. We might poke the bear. The President might get upset with us, as U.S. Senators, if we vote on the Corker amendment, so we are going to do everything we can to block it.

If people don't like it, they can vote up or down. But, no, the U.S. Senate right now, on June 12, is becoming a body that says: Well, we will do what we can do, but, my gosh, if the President gets upset with us, then we might not be in the majority. So let's not do anything that might upset the President.

Look, I am in no way upset with my friend from Oklahoma. I am not. I understand he is doing his job, and he is actually filling in, in a wonderful way, for Senator MCCAIN, who happens to be ill at home—someone we all love.

Look, I know there is not going to be a vote on this amendment. I know it. I am not about to hold up somebody else's amendment from being voted on. I know every ounce of power possible is going to be used to keep from voting on this amendment because, well, my gosh, the President might not like it; therefore, we as Senators might be offending someone, by the way, just by voting on an amendment—voting on an amendment, up or down, and deciding whether we, in fact, want to assert some responsibility over a process of tariffing, where we wake up, ready, fire, aim. Well, let's change this. Ready, fire, aim—that is the process that is under way on these tariffs.

I haven't heard of a single Senator on our side who hasn't expressed concern to the President directly about what is happening with tariffs. Our farm folks are worried about NAFTA. Our auto manufacturers are worried about Canada and Mexico and what is happening in Europe. Our steel and aluminum folks are concerned. I haven't heard of a person who hasn't had some degree of concern. All my amendment would do is say: Look, Mr. President, you go negotiate, but when you are finished, come back, and as Senators and as House Members, let us vote up or down.

I understand what is happening. If I came up with another solution, there would be some objection, and my friend knows that. There is going to be an objection. Hell, if we named this—no matter what, there is going to be an objection to this vote because people are concerned on this side of the aisle—some people, not everybody. We have some great cosponsors who want to assume our responsibilities. We have a

lot of great cosponsors who understand that we are abdicating our responsibilities if we let the President of the United States use a national security section 232 on every single tariff he is putting in place and not have to think about why he is doing it and not have to justify why he is doing it. They know that is a problem, and some of the most respected Senators we have on both sides of the aisle have signed on, but I know there is a minority of people here who do not want us to take up issues of debate and responsibility in the U.S. Senate.

I know that no matter what I do, this is going to be objected to. I am not going to object to RAND PAUL having an amendment, MIKE LEE having an amendment, TOOMEY having an amendment, or people on the other side of the aisle.

I am disappointed at where we are in the U.S. Senate today. We have had one amendment vote in a year and a half because this same cycle occurs every time someone wants to bring something up. I in no way take this out on my friend from Oklahoma. I realize he is doing a job; I realize he has been asked to block this.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, I have been listening to the debate, and I wish this debate would go on, on a regular basis, in the U.S. Senate. I think it is healthy. I wish there were a process in place today so that every single amendment brought up could have this type of discussion and debate and those proposals could actually be amended on the floor of the Senate to improve them.

I will share with you that I thought what our friend from Tennessee was trying to do was an honest attempt to bring back to Congress section 1 or article I responsibilities that we have, over a period of years, allowed to be delegated to the executive branch.

I also shared with the Senator that while the debate was a very healthy one, I felt at this stage of the game that it probably would not, in its current form, be appropriate and that the President was already acting on these tariffs. I thought that I probably could not support his bill, but I thought he should have an opportunity in this process to have the debate.

Let me now share that what the chairman—or the ranking member, who is acting as the chairman in this particular case—is doing is protecting the National Defense Authorization Act and making it as viable as possible in the long term to survive in both the House and the Senate.

For those who are wondering what we are talking about in a nebulous sort of way, what Senator CORKER had tried to do was to have a debate about whether the tariffs that the President had proposed for national defense purposes under a 1962 law were appropriately determined to be a national security

threat. That was the language Congress had delivered to the President.

The President has made his choice, and there are a number of Members who feel that while they support the President, they think he has overstepped with regard to whether they were actually of national security importance. Senator CORKER wanted to have that discussion, and I agreed he should be able to have that discussion. However, I had shared with him that I thought it needed to be in different order and that he was making it too tough for the executive branch to succeed with the numbers he had proposed. He wanted a 60-vote margin for the Senate to proceed. That is the way, though, he was going to introduce it.

I was prepared to vote on it and, hopefully, win in an honest debate on the floor of the U.S. Senate with those arguments, but in doing so, I also learned, as the chairman has shared, that the House had sent over a bill to us. We were on the House bill. In order to get, in this particular case, a vote on this particular topic, the Senator from Tennessee, in a very innovative way and one that normally would be used earlier in the process where everyone had the opportunity to recognize it, would have to change the underlying bill. In changing the underlying bill, it would have to go back to the House, and they would have to revote on the bill once again. Doing so puts this very important bill in jeopardy. As a Member who has been here only for 3 years, I understand that is not always the easiest thing to do.

I wish to thank our Chairman for making what is a very hard decision and stepping up to protect the National Defense Authorization Act because of everything else that is in it, while at the same time I will commit the same as the chairman has committed, in this particular case, to Senator CORKER that his item of discussion, which is the appropriate use of tariffs for national defense purposes, is a healthy debate to have, and it should be had in such a fashion that amendments could be offered on the floor of the Senate, and a very straightforward debate could then determine the fate of that legislation on its own and not in connection with the NDAA.

For that purpose, I simply wish to say that what I think the American people have seen here today is, No. 1, our commitment to making certain that the National Defense Authorization Act moves forward because it is critical every single year that we improve our ability to defend our country, while at the same time making a very hard decision, which the chairman did today, to suggest that even though we all want to have a debate on this particular issue, unfortunately, this bill is not the place to do it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, I appreciate the comments by the

Senator from South Dakota. I think the point is, this is the most important bill of the year.

I want to make only a couple of comments, and I was hoping to make these comments while the Senator from Tennessee was still here. One is that I have a disagreement because he mentioned that this bill—the most important bill of the year—is very often not considered until November or December. The absolute deadline is the end of December. I can remember getting within 2 or 3 days of that deadline in the past, and, if that happened, then our flyers wouldn't get flight pay or there would no longer be any hazard pay. There were a lot of things we would have to give up that we couldn't afford to give up.

We made a commitment—and it wasn't just me by myself; it was with the Senator from Rhode Island, who is handling the bill on the Democratic side—that we wanted to have amendments. We preferred not to have non-germane amendments, and that would be my goal, if I am around here next year when we do this, to lay groundwork so that we don't have non-germane amendments. As I said, this is a bill that will pass. Normally, for things that don't pass any other way, if they can get them on as amendments, they can get them passed.

We have the same situation happening right now, not just with Senator CORKER but also with Senator RAND PAUL and the Senator from Utah. That wasn't going to work either way. The problem I had with Senator CORKER's change was it was a very long change that changed the underlying bill, and, as was pointed out by the Senator from South Dakota, that would mean we would have to go back over to the House. I don't feel comfortable doing that when we have all of those kids out there who are looking at pay raises and wondering what is really happening in Washington. Is there really not the support we anticipated that they all had?

I am sincere when I say this; he isn't here now, but I said it when he was here. If Senator CORKER wants to get this done, and I know he does, I will help him. We have a lot of time to find another bill that might be more germane, but it would not be on this bill that we really can't afford to jeopardize. I feel strongly about that. We were attempting to help him get a vote initially, and then, when he changed the underlying bill, that meant we would have to go back to everyone. He mentioned his coauthors, and we don't know how many of those coauthors would still be supporting his amendment if they knew it was changing the underlying bill.

Those are the problems we have here, and I think we want to get on with, as rapidly as possible, getting these amendments opened up so that people can vote on the amendments and hopefully get the bill done this week. I don't know if it will be this week or not.

Senator CORKER was also implying we are doing something for this President with this amendment, and I wish to remind everyone of the fact that there are several things the President—our new President—had in mind. He wanted to privatize air traffic control. I almost singlehandedly stopped that, and that was one of his main objectives. Also, he wanted to have a BRAC round in this bill that is on the floor now, and we stopped that. Many of the provisions that he wanted we have taken out of the bill.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. PORTMAN). The Senator from Minnesota.

STOP ACT

Ms. KLOBUCHAR. Mr. President, I am here to talk about net neutrality. First, though, I wish to commend the Presiding Officer for the agreement we have made on the STOP Act. He is the lead sponsor, and I am the lead Democrat on the bill that will really get at these drugs, like fentanyl, that can kill someone with just a grain-of-salt amount of it, which have been coming in from China and other places through our own Postal Service, which is outrageous for Americans. We have valiantly worked on this bill, and the Senator has worked out an agreement with Senator HATCH and Senator WYDEN on the Finance Committee. I want to commend him for that. We are excited the bill is moving forward.

Mr. President, I also want to mention another completely separate issue as we debate the NDAA, which is the issue of the Secure Elections Act that Senator LANKFORD and I have put on as an amendment to this bill.

Let me remind my colleagues that we are approaching a different kind of warfare; that is, cyber warfare. It is certainly what we saw during the last election, but we have seen it in the area of business—in attacks on some of our major businesses in our own country—and, of course, we have seen it in elections, as well, with Russia attempting to hack into the election systems of 21 States.

What this bill does is make it easier for local elected officials to get the information in realtime when hacks that they may not know about are going on in other States and to have the classified information they need by getting the security clearance they need to protect their own election system. We have worked with the secretaries of state all over the country on this. Senator BURR, Senator WARNER, the heads of the Intelligence Committee, support this bill.

I also thank Senator LINDSEY GRAHAM and Senator KAMALA HARRIS, who worked with us on the bill, and we are asking to get it on as an amendment to the Defense Act with the simple idea that warfare isn't the same as it was 50 years ago or 20 years ago or 10 years ago or even 5 years ago. Things are changing, and our laws need to be as sophisticated, the protection of our

country needs to be as sophisticated as those who are trying to do us harm. We are hopeful that we will be able to reach an agreement on this, given that the Intelligence Committee has held numerous hearings about election security, as has Homeland Security, as has Judiciary.

NET NEUTRALITY

Mr. President, today, I am here in opposition to the Federal Communications Commission's action on Monday to repeal net neutrality protections. Net neutrality is the bedrock of a fast, fair, open, global internet. It holds internet service providers accountable for providing the internet access consumers expect while protecting innovation and competition.

These protections have worked and are part of the reason the internet has become one of the great American success stories, transforming not only how we communicate with friends and family but also the way companies do business, how consumers buy goods, and how we educate our kids.

Earlier this year, the FCC approved Chairman Pai's plan to eliminate net neutrality rules. Yesterday, the final rollback of net neutrality went through. The FCC has now given major internet service providers the ability to significantly change consumers' experiences online. Big internet service providers now have the ability to block, slow, and prioritize web traffic for their own financial gain. This means they can sort online traffic into fast or slow lanes and charge consumers extra for high-speed internet. Internet service providers can even block content they don't want their subscribers to access. The only protections that are maintained are requirements for service providers to disclose their internet traffic policies. A lot of good that will do if, in like the State of Minnesota, you have significant rural areas where there is no real opportunity to comparison shop or find a new provider. If you only have one provider to go to, it has a virtual monopoly over your internet service.

According to the FCC, more than 24 million Americans still lack high-speed broadband. We should be focusing our efforts on helping these households get connected, not eliminating net neutrality and worsening the digital divide. You can always pay for high-speed access. You can pay for it no matter where you live. You can run lines to your house if you are in a remote area—lines that will cost millions of dollars. But that is not what they have done in other developed countries. No, they have seen it as a virtue, as part of a democracy, that everyone should have access to the internet and that it is part of what makes an economy work. You don't leave people behind if they don't have the money by themselves to afford to run lines all the way to their homes.

This isn't only about individual internet users. It will limit competition, and it will hurt small business en-

trepreneurship and innovation, which has always been at the heart of the American economy. Without unrestricted access to the internet, entrepreneurs may be forced to pay to have an equal footing so as to be able to compete online, rather than to focus on growing their businesses.

When you talk to small companies—to some of the startups we have seen out there, some of the companies that young people have started—and you ask them: How do you break into the market when you have a big guy out there who has millions and millions and billions and billions of dollars and a multinational presence if you are trying to sell baby clothes or if you are trying to have a new digital service, they tell you: It is online. They break in because they can compete by getting customers online. Guess what. If they start having to pay huge amounts of money to get that access online in order to compete with the big companies that, of course, can already pay for that and can already afford that, you are going to have a problem, and you are going to defeat the very idea of entrepreneurship.

Small businesses that are unable to pay for access to faster internet service may soon find themselves struggling to compete from the slow lane. Repealing net neutrality will hurt the very people who are creating jobs and keeping our economy competitive. That is why I joined my colleagues to force a vote last month on Senator MARKEY's bill to repeal Chairman Pai's plan and reinstate net neutrality rules. This bill received bipartisan support and was passed by the Senate—in this very room. Now it is up to the House to do the same.

The internet should remain free and open for all who use it. So the fight to save net neutrality is far from over.

I have joined Senate Democrats in urging Speaker RYAN to immediately schedule a vote on the bill to save net neutrality protections. They can do this. To keep the pressure on, it will take all of us, working together—private sector partners, business, small business, nonprofit advocates—to tell our government officials at the local, State, and Federal levels to take that good vote in the Senate as a sign that it is time to change the policy. The way you do that, of course, is with a vote over in the House of Representatives. At least allow a vote.

The fight to protect net neutrality is far from over, and we need to make our voices heard for all of the American consumers, entrepreneurs, and innovators who rely on a free and open internet.

I yield the floor.

THE PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise to urge my colleagues to join me in voting for a bipartisan amendment, No. 2294, the Military Justice Improvement Act. It will fix our broken military justice system.

I believe our servicemembers deserve a military justice system that is worthy of their sacrifice. That means one that is both professional and fair. I think every one of my colleagues in this Chamber agrees that this is a priority, no matter where you are from and no matter your background. Some of my newer colleagues may be less familiar with this issue. So I am going to tell them what I am talking about.

We all deeply revere our servicemembers, which means it is not easy to talk about problems within an institution that we treasure so greatly in this country. The fact is that the military has a problem with sexual assault. It is pervasive, it is destroying lives, and it has been going on for years.

Listen to these most disturbing numbers.

Since we first introduced this bill 5 years ago, the number of cases that commanders have moved forward has decreased despite an increased number of reports. In fiscal year 2013, 484 cases proceeded to trial, and in fiscal year 2017, only 406 cases proceeded to trial. It is estimated that there were close to 15,000 cases of military sexual assault in 2016. That doesn't even include spouses and civilians in that estimate. It is just an estimate of servicemembers. In a survey of Afghanistan and Iraq veterans—and supported by the Department of Defense's own data—7 out of 10 military sexual assault survivors said they had experienced retaliation or other negative behaviors because they had reported the crimes, and 14 percent of survivors declined even to participate in the justice process after their reporting. That is how little confidence they have in this current system.

This is after years of our committee's working with the Defense Department to fix this problem. I think we have passed every small-ball, incremental reform anybody has been willing to agree on, and it hasn't made a difference. This is even after every Secretary of Defense since Dick Cheney was Secretary of Defense has said there will be zero tolerance for sexual assault in the military. Almost nothing has changed. Listen to these stories.

In one case, a woman was raped by a servicemember. She went to the hospital. She told a friend. An investigation then started. During the investigation, two more victims came forward to tell their stories. They said they had been raped by the very same servicemember. The military investigative team—the military police—recommended that the case proceed to a court-martial, but because of the way our military justice system works today, a military commander was in charge of the case, not a trained military prosecutor. That commander chose just to discharge the perpetrator—to send him right into the civilian world with no trial, with no court-martial, with no record. Not only were those servicemembers who were violently assaulted denied justice, but

a serial predator was also released into the general public. That is not right.

Listen to another case of a former marine who was working as an Air Force civilian. She was from a military family with Army and Navy veterans. She was proud to serve and loved to support the camaraderie, but she was abused by her own immediate commander, who had direct power over her in the chain of command. She tried to seek justice, but, once again, a military commander was in charge of the case, not a trained military prosecutor who understands these kinds of cases and understands criminal justice. Despite overwhelming evidence, including text messages, physical evidence, and eyewitnesses, the perpetrator was allowed to retire without bearing any financial penalty, without there being any charges, and with a full military pension.

My office hears all the time from women and men who have been raped in the military, who have been abused, who have been stalked, who have been retaliated against. It is an epidemic, and it is not improving.

Listen to the most recent headline from USA Today: "Marine Corps general fired for calling sexual harassment claims 'fake news.'"

The Navy Times reads: "Officer accused of patronizing prostitutes worked in the sex assault prevention office while awaiting court-martial."

The Stars and Stripes reads: "Fort Benning drill sergeants suspended amid sexual assault allegations."

USA Today reads: "Bad Santa: Navy's top admiral kept spokesman after boozy party, sexual predator warning."

Another from the same paper reads: "Senior military officials sanctioned for more than 500 cases of serious misconduct."

The AP reads: "Pentagon misled lawmakers on military sexual assault cases."

These are just the recent headlines. There is a pattern here.

Our military justice system is broken, and the Pentagon is not being forthright about this problem. Yet Congress is still hesitating. Congress is still refusing to put trained military prosecutors in charge of these cases. This has to end. Congress has to step in. It has to do its job. Our job is to provide oversight and accountability over the administration and over the Department of Defense on this very issue. We have the responsibility to ensure that military justice is possible for survivors in the military. It shouldn't matter if the perpetrator has skills that the commander needs. It shouldn't matter if he happens to be buddies with the commander. What should matter is whether there is evidence that a serious crime has been committed. That should be the determining factor of whether these cases go forward to trial.

We need to pass the Military Justice Improvement Act. This legislation is as

bipartisan as it gets. It is supported by conservative Republicans and liberal Democrats alike and plenty in between. It has the support of some of the biggest veterans' organizations, women's organizations, and legal organizations. There is good reason for this in that the bipartisan bill we have put together would ensure that the survivors of these heinous crimes and the alleged perpetrators of these crimes will all be afforded due process—the due process they are entitled to under the U.S. Constitution.

The bill in no way exceeds a commander's ability to take action for military-specific crimes, like when a soldier goes AWOL. What it would do is to take the prosecutions of sexual assault and other serious crimes—serious violent felonies—out of the chain of command and put them in the hands of trained military prosecutors, who actually understand how to deal with serious crimes. This would allow our survivors—men and women who sacrifice everything for this country—to have the basic right to civil liberty and justice.

This bill would also professionalize the military. It would make sure that all people, every servicemember—men, women, Black, White, gay, straight—will not be subjected to biased judgments and will actually have the benefit of having trained prosecutors look at the evidence. Sadly, according to a report that came out recently, in all four of the services—Army, Navy, Air Force, Marines—Black servicemembers are more likely to be court-martialed than are White servicemembers. This is unacceptable.

This bill would help to alleviate some of the unfairness in the current system by having trained prosecutors make those judgments based solely on evidence. Our commanders have a tough enough job in defending our country. So we should let these trained prosecutors do their jobs and make the right decisions based on the evidence alone. We can only make this change if we pass this amendment.

I urge all of my colleagues to look at this bill—to look at it anew—and to look at the fact that we have not improved our rate of cases that actually go to court-martial and our rate of convictions, even though more are reported. It is a huge problem. I promise you. Every year, we have this excuse: Let the reforms take more time to work. OK, well, it has been 5 years, and this has had a spotlight on it. If the commanders cannot put more cases forward for court-martial and if the cases can't result in more convictions, we are not doing it right. We are failing the men and women who will die for this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, let me state how much I appreciate the passion the Senator from New York has on this issue. She has been so out-

spoken on this in committee, and I think most of us agree that there are problems out there that need to be addressed.

In 2014, a congressionally mandated, independent panel of experts determined that there is no evidence that removing the authority to convene courts martial from commanders would reduce the incidence of sexual assault, increase reporting of sexual assaults, or improve the quality of investigations and prosecutions in sexual assault cases in the Armed Forces.

The Department of Defense opposes this amendment on the grounds that doing so will endanger military readiness and combat effectiveness without promoting the goal of eliminating sexual assault.

I don't know what the intentions of the Senator from New York are on this amendment, but in all fairness, I have to state that I will be opposing it. We did consider this in committee, and I have never seen a stronger advocate for a cause or an amendment than the Senator from New York. For some of us who have been in military service—I do have a problem with taking away the authority that has always historically been with the commander and feel that would not be to the benefit of the overall system.

Two years ago, Congress passed extensive military justice reform, which will come into effect next year. I think that is correct. Rather than imposing additional reforms, I think we ought to allow the DOD to work on implementing the previous legislation to see if that resolves some of the problems that are articulated very effectively by the Senator from New York.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

TAX REFORM

Mr. THUNE. Mr. President, when we took up tax reform, we had one goal, and that was to make life better for hard-working Americans. That involved a couple of things. For starters, it involved putting more money in Americans' pockets right away by cutting their taxes, and Americans are already seeing the tax relief we passed in their paychecks.

But we knew that tax cuts, as helpful as they are, were not enough. We wanted to make sure we created the kind of economy that would give American workers access to the jobs, wages, and opportunities that would set them up for security and prosperity in the long term. Since jobs and opportunities are created by businesses, that meant reforming our Tax Code to improve the playing field for businesses so that they could improve the playing field for workers, and that is what we did.

I am proud to report that it is working. Since tax reform was passed, business after business has announced good news for workers: pay increases, bonuses, and better benefits, including increased retirement benefits, new and better education benefits, and enhanced parental leave benefits.

A recent survey from the National Association of Manufacturers reported that 77 percent of manufacturers plan to increase hiring as a result of tax reform, 72 percent intend to increase wages or benefits, and 86 percent report that they plan to increase investments, which means new jobs and opportunities for workers. Meanwhile, a recent survey from the National Federation of Independent Business reports that 75 percent of small business owners think that the Tax Cuts and Jobs Act will have a positive effect on their businesses.

A number of small businesses are increasing wages, and that has recently hit a record 35 percent. In April, for the first time since the Bureau of Labor Statistics began tracking the data, the number of job openings outnumbered the number of job seekers. For the first time since they started keeping track, the number of job openings is greater than the number of people who are actually seeking employment. Meanwhile, in May, unemployment dropped to its lowest level in 18 years, and wage growth increased at the fastest pace since July of 2009.

In other words, it is a good day for American workers. There is nothing better than seeing opportunities improve for hard-working Americans. I am proud of the benefits the Tax Cuts and Jobs Act is delivering for American workers. I look forward to seeing this law produce even more benefits for workers in the future.

Mr. President, if there is one thing that we tend to automatically rely on, it is the strength of our military. We are accustomed to having the best fighting force in the world and assuming we can meet every threat. But military strength doesn't just spring up automatically; it has to be developed, and once developed, it has to be maintained. But in recent years, we haven't met this responsibility.

While we have the very finest soldiers in the world, they don't always have the tools they need to defend our Nation. Budgetary impasses paired with increased operational demands have left our Armed Forces with manpower deficits and delayed the acquisition of 21st-century weapons and equipment. Meanwhile, other major powers hostile to the United States have been building up their militaries. As a result, our military advantage has been steadily eroding.

In a 1793 address to Congress, President Washington said:

There is a rank due to the United States among nations which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be able to repel it. If we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war.

Ronald Reagan put it a little differently. He said:

Well, to those who think strength provokes conflict, Will Rogers had his own answer. He said of the world heavyweight champion of his day, "I've never seen anyone insult Jack Dempsey."

There is no better way to secure peace than to make sure the U.S. military is the strongest, best equipped, most capable fighting force in the world. If we want to protect our Nation and promote peace around the world, it is imperative that we rebuild our military.

Since President Trump's election, Republicans have been working to reverse the underfunding of our military and to restore our Nation's fighting force. In March of this year, we arrived at a budget agreement that contained the largest year-to-year increase in defense spending in 15 years.

The fiscal year 2019 National Defense Authorization Act, which we are considering this week, is the next step in rebuilding our military. This bill invests in research and modernization to ensure that our men and women in uniform will be equipped to meet 21st-century threats, including those posed by major powers. It reforms the outdated Officer Personnel Management System to improve career flexibility and merit-based advancement. It makes reforms to the civilian leadership structure at the Department of Defense to make it more agile, especially for hiring technical talent. It implements measures to deter additional aggression from Russia and China—two of the biggest threats to the security and stability of the world in the 21st century. It provides a 2.6-percent pay increase for our men and women in uniform—the largest pay increase for our servicemembers in nearly 10 years.

I have offered a number of amendments to further the bill's mission, including one to expedite the backlog of foreign military sales. This will support the administration's efforts to balance trade deficits, support domestic industry, and permit America's security partners to make greater investments in their own capabilities.

I am also working on an amendment to allow the Air Force to incorporate the B-21 bomber when determining criteria for training airspace requirements. This will build off a report I secured in last year's Defense Authorization Act on how to optimize training airspaces. My amendment will enable the Air Force to formally incorporate this future aircraft into its planning.

I know the bill managers have a host of amendments before them, and I am hopeful that the Senate can come to an agreement and include many of those.

If we want our Nation to be secure, if we want to promote peace and stability around the world, then we need to ensure that our military is the strongest, best equipped fighting force in the world. This year's National Defense Authorization Act will help our military regain its competitive edge and equip our men and women in uniform with the tools they need to meet and defeat the threats of the 21st century.

I am grateful to Senator INHOFE for his leadership and to Senator MCCAIN, who can't be with us today but whose tireless work is reflected throughout

this bill. I look forward to working with my colleagues to pass this legislation this week and ultimately get this bill to the President so that the important work of defending this country can continue.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

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

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

2008 IOWA FLOODS

Mr. GRASSLEY. Mr. President, a very disastrous thing happened 10 years ago in Iowa. The whims of Mother Nature tested the State of Iowa 10 summers ago when deadly tornadoes, storms, and floods caused more than \$10 billion in damage to communities, homes, and businesses. It caused a lot of distress.

National disasters test the mettle of humanity by every measure. Iowans were tested in 2008. Unfortunately, parts of Iowa, like Mason City, are experiencing flooding once again, almost 10 years to the day.

Ten years ago, 88 of our 99 counties were declared a natural disaster. Epic floods and EF5 tornadoes ripped holes through the center of many neighborhoods. Thanks to civic leadership and thanks to bootstrap mentality, tireless volunteers and members of the National Guard answered the call to survive and thrive from the crisis. The rallying cry to rebuild and recover has driven a decades-long drive to restore and revitalize these Iowa communities hurt 10 years ago by these massive natural disasters.

It was a tough row to hoe. Orchestrating the massive cleanup is one thing; paying for it is another. Congress, as we often do for natural disasters, approved nearly \$800 million in Federal block grants within the first year to help homeowners with restoration and buyout efforts. However, the wheels of the Federal bureaucracy too often are painstakingly restrictive to navigate. From Housing and Urban Development to FEMA and the Army Corps of Engineers, local residents got a firsthand taste of the Federal alphabet soup.

When community leaders, businesses, and homeowners got mired in bureaucratic molasses, I worked with our entire congressional delegation to take care of these immediate needs and to help develop long-term planning for the flood plain, such as levee improvements and flood protection systems to avert future catastrophes.

In addition to directing Federal disaster assistance to recovery and rebuilding efforts, I wrote the Heartland

Disaster Tax Relief Act to give flood-ravaged homeowners and businesses a fresh start. Just as Congress acted to help victims from Hurricane Katrina in 2005, 3 years before the disaster in the Midwest, I made sure that midwesterners also received a much needed break similar to what we provided at Katrina time.

Moving forward after a natural disaster isn't easy. Volunteers affirmed Iowa's treasured heritage of neighbor helping neighbor, rescuing residents and pets from flood-ravaged neighborhoods.

Voters across the State voted on measures to help their communities rebuild, and the State legislature passed laws to help areas mitigate against future disasters. City planners developed a strategy to revitalize their cities and towns.

Recovery efforts stumbled along the way, to be sure. It takes time to see sunshine and rainbows after one of the State's worst disasters in history. Collaborating and finding consensus isn't easy. In fact, governing isn't easy.

Despite the incalculable loss of personal belongings, blended with the physical, emotional, and financial toll of starting over, the people of Iowa didn't quit, and we are more resilient and better prepared now than we were before these disasters. However, work remains to be done.

Working alongside civic and State leaders for the last decade, we have identified specific needs and places where redtape gets in the way to improve flood protection in local communities. That is why I have worked with my sleeves rolled up alongside former Senator Tom Harkin and now Senator JONI ERNST and the rest of the Iowa delegation to ensure local infrastructure needs get up to snuff, including flood risk projects on the Cedar River and elsewhere.

Recently, the Committee on the Environment and Public Works approved a bill that, once again, highlights the importance of the Cedar River flood protection project and includes a secondary budgetary process that could lead to construction funds for this project and other Iowa priorities in the future, cuts redtape, and also improves public input, transparency, and accountability.

The people of Iowa have earned a well-deserved salute to civic participation. It is a good day to share pride with your fellow citizens. Thanks to our people's resilience and hard work, even better days are yet to come.

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.

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

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

Mrs. ERNST. Mr. President, I am here to call up my amendment today so we can save money for our Nation and for our military. Certainly, I am not here to derail the National Defense Authorization Act. I am thankful that again this year we have a great bipartisan bill, and I am hopeful my bipartisan amendment can be made pending today.

Amendment No. 2400 is the Presidential Allowance Modernization Act, and it has cleared committee by voice vote and cleared my colleagues on the Republican side on the hotline. However, my minority counterparts have had months to look at this bill now in amendment form, and it still remains blocked. This bill passed the House with unanimous support and has been included in the House NDAA bill.

This amendment would establish a cap on former Presidents' monetary allowances, which are currently unlimited and fund resources like office space, staff salaries, cell phone bills, and more.

Under this amendment, former Presidents would receive a \$200,000 annual pension and an allowance capped at \$500,000—a total of \$700,000 in annual benefits. It would then reduce the allowance dollar for dollar by each dollar of income a former President earns in excess of \$400,000.

The national debt is over \$20 trillion. We cannot afford to generously subsidize the perks of former Presidents to the tune of millions of dollars.

With that, Mr. President, I would like to make my amendment pending. I ask unanimous consent that it be in order to call up amendment No. 2400 to amendment No. 2282.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The assistant Democratic whip.

Mr. DURBIN. Mr. President, this is the first I am aware of this amendment. It was given to me this afternoon to take a look at. I don't have any history with it.

It is interesting and coincidental that today is the 94th birthday of President George Herbert Walker Bush, the first President of the United States to ever live to the age of 94, a World War II decorated veteran, a man who served this country in so many different ways.

This effort to eliminate the expenses—an amount that is paid to him as a former President—I had not seen before today. I am told this amendment would save the Treasury \$4.3 million a year. So I would like to suggest to the Senator from Iowa—I am going to make an official request in this regard. We can do much better than \$4.3 million a year in deficit reduction.

I am going to ask the Senator from Iowa if she will modify her request to shave \$404 million over 10 years by ensuring that millionaires across the United States—in Illinois and in Iowa—

don't receive generous crop insurance subsidies.

Big agribusiness in Iowa and Illinois receive government subsidies to the tune of nearly \$600 million. A GAO study found that 4 percent of the most profitable farmers in America accounted for 33 percent of all the Federal premium support.

My legislation that I am asking to be added to the Senator's amendment would reduce premium support for producers with an AGI, adjusted gross income, higher than \$750,000 a year, and it will only reduce it by 15 percent.

So I ask the Senator to modify her request so the text of her amendment be modified with the changes at the desk.

The PRESIDING OFFICER. Will the Senator so modify her request?

Mrs. ERNST. Mr. President, reserving the right to object, I do think that is a timely request. Thankfully, the farm bill is being marked up tomorrow in the Agriculture Committee, and I do think that is the appropriate venue to discuss the caps on subsidies for crop insurance. I would agree that is probably a wise thing to take a look at.

However, what we are dealing with right now is the fact that we do have former Presidents who are receiving substantial perks from our American taxpayers. So I am disappointed that my colleagues across the aisle continue to block this bipartisan amendment designed to save millions of dollars.

Do my colleagues across the aisle think former Presidents should continue to receive unlimited, taxpayer-funded allowances as they make millions and millions of dollars per year from book deals and speaking engagements? It is not uncommon for a former President to command \$400,000 per hour-long speech. The average household income in Iowa is about \$55,000. That means that in about 8½ minutes, that former President is making what an Iowa family makes in a year.

I wish my colleagues across the aisle would reconsider.

I formally object to the modification.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. ERNST. Mr. President, 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.

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

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

Ms. SMITH. Mr. President, I ask unanimous consent to speak as in morning business.

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

CAMPAIGN FINANCE REFORM

Ms. SMITH. Mr. President, last week I gave my first floor speech. I spoke about how important it is for women to be represented in our government and why it is so important to keep working so that our legislature reflects the views and experiences of all Americans.

While increasing the number of women in this Chamber is important, it won't be enough by itself. Elections cost too much, and that is a big problem in our country. The sharp rise of secretive, unregulated money in politics means that we have no idea who is spending money on campaigns and candidates or why, and that is a profoundly troubling problem for our democracy.

While there are many causes of the rise of money in politics, perhaps the biggest is the 2010 Supreme Court decision *Citizens United v. FEC*. The 5-to-4 decision in *Citizens United* struck down key limitations on campaign contributions that were enacted on a bipartisan basis in 2002.

That decision has had dire consequences for our democracy. Since *Citizens United*, there has been successively more money poured into each congressional campaign cycle. Much of that money has come from super PACs and other secretive organizations that are structured specifically to hide the identity of their donors. Other funds have come from large corporations that can afford to spend millions on political activities in order to further their own special interests.

What is the upshot of all of this? Super PACs and other dark money organizations spent some \$1.4 billion in the 2016 election. We often have no idea who did the spending or why.

This kind of secretive, unlimited, corporate-driven political spending is unfair to voters in Minnesota and around the country. That is why I am fighting so hard to reform our campaign finance system.

One of the most important things we can do is to enact a constitutional amendment to reverse the *Citizens United* decision. In my very first month as a Senator, I cosponsored Senator TOM UDALL's legislation to do that. A few wealthy donors shouldn't dominate the political conversation in this country.

Reversing *Citizens United* isn't the only thing necessary to restore fairness to our political process; we should also pass Senator WHITEHOUSE's DISCLOSE Act, which I am proud to cosponsor. This legislation requires super PACs and big political spenders to disclose to the public exactly where their donations are going. No constitutional amendment is required for this key measure. In 2010, the DISCLOSE Act came up just one vote short in the Senate, and I urge the Senate to immediately take it up again so we can finally pass this important bill.

We also should replace the Federal Elections Commission, which is mired in political squabbling and hindered

with weak enforcement authority. The FEC should be replaced with a new campaign finance agency that has a strong mandate to enforce the law, with new rules to ensure that one political party can't shut down the agency simply for political gain.

I also believe that we should enact a small donor matching funds program. Many Americans who aren't wealthy want to support a candidate they believe in, but they simply can't afford to write a check for thousands of dollars like the big donors do. A matching funds program will help amplify the donations of these smaller donors and working families and would be a key step toward leveling the playing field for working families who want to support a candidate.

Finally, we should improve voter registration. Increasingly, some have sought to disenfranchise others—especially voters of color—by making it harder to register to vote, harder to get a ballot, or simply through voter intimidation. It is time that we restore the Voting Rights Act and crack down on discriminatory voting rules that block access to the polls. This includes fixing the terrible recent Supreme Court decision allowing States to kick voters off the rolls if they don't vote regularly, even without offering same-day voter registration for those voters to easily rejoin the rolls if they do wish to vote again.

I believe that all Americans should be represented here in the U.S. Senate, not just the wealthy few. Our democracy is built on the principle that the American people have the power in our elections, so I am going to keep fighting to reform our campaign finance rules.

Thank you, Mr. President.

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

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

AMENDMENT NO. 2842 TO AMENDMENT NO. 2366

Mr. REED. Mr. President, I call up amendment No. 2842 to the Lee amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] proposes an amendment numbered 2842 to amendment No. 2366.

Mr. REED. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the authorization of appropriation of amounts for the development of new or modified nuclear weapons)

In lieu of the matter proposed to be inserted, insert the following:

(c) AUTHORIZATION BY CONGRESS.—Section 4209(a)(1) of the Atomic Energy Defense Act (50 U.S.C. 2529(a)(1)) is amended—

(1) by striking “the Secretary shall” and inserting the following: “the Secretary—

“(A) shall”; and

(2) by striking the period at the end and inserting “; and”; and

“(B) may carry out such activities only if amounts are authorized to be appropriated for such activities by an Act of Congress consistent with section 660 of the Department of Energy Organization Act (42 U.S.C. 7270).”.

Mr. REED. Mr. President, this amendment is a technical correction to the previous amendment I offered, and I ask that it be accepted for consideration.

The PRESIDING OFFICER. The amendment is pending.

Mr. REED. Mr. President, I believe the amendment is pending.

I yield the floor and 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. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, a crash takes place in a system when conditions in that system reach a tipping point and the system rapidly destabilizes.

Climate change promises a lot of tipping points in the Earth's natural systems—ocean acidification, for instance, reaching a tipping point where foundational species, such as the pteropod, have trouble forming their shells, and populations of those foundation species crash, taking down the trophic levels above them; polar warming, for instance, releasing trapped frozen methane from Arctic tundra and hyperaccelerating the greenhouse effect. At the more local level, seasonally linked species, reacting to changing seasons, can get out of phase with one another, so the feeder and its food source no longer overlap in time, and then they have a crash.

In what Pope Francis has called “the mysterious network of relations between things,” climate change promises natural disruptions, large and small.

Of course, the same kind of disruption can occur in economics. Because we are ignoring climate change, we are hurtling toward natural disruptions like the kinds I mentioned. On top of that, recent warnings indicate that we are also hurtling toward economic disruptions—crashes, if you will—which we could avoid or moderate if we prepared. But since the fossil fuel overlords of the present Congress won't let that preparation happen, we need to

expect these economic crashes. What are these economic crashes? The first one I will discuss is the effect of sea level rise on coastal real estate values.

Sea level rise can hit you economically long before the ocean actually laps against your doorstep. When the prospect of coastal flooding begins to creep into the 30-year mortgage horizon or when the prospect of coastal flooding begins to darken property insurance horizons, there will be an effect.

Long before your house is actually flooded, its value can crash if the house becomes uninsurable or if it becomes unmortgageable to the next buyer. Freddie Mac has described the effect of this property value crash on America's coastal regions as follows: "The economic losses and social disruption may happen gradually, but they are likely to be greater in total than those experienced in the housing crisis and Great Recession." Those of us who lived through the great recession of 2008 and forward know how serious that warning is.

It is not just Freddie Mac; the insurance industry shares this exact concern. Here is what the editor of the trade publication Risk & Insurance had to say: "Continually rising seas will damage coastal residential and commercial property values to the point that property owners will flee those markets in droves, thus precipitating a mortgage value collapse that could equal or exceed the mortgage crisis that rocked the global economy in 2008." So from government-backed housing corporations to private insurance industry representatives, the warning is clear.

The leading edge of this predicted effect may already actually be upon us, as we have recently seen coastal property values begin to lag inland property values in a way that experts think may reflect this emerging coastal economic hazard. When talking about matching the damage done to the economy by the 2008 recession, that is a serious risk.

The second economic crash we are warned of is the effect of a so-called carbon bubble—a carbon bubble in fossil fuel companies. This carbon bubble collapse happens when fossil fuel reserves now claimed as assets by the fossil fuel companies turn out to be not actually developable and thus become what are called stranded assets. A recent publication by economists in the journal Nature Climate Change has described the following estimated asset reductions in fossil fuel reserves: "The magnitude of . . . stranded assets of fossil fuel companies (in a 2 degrees C economy) has been estimated to be around 82% of global coal reserves, 49% of global gas reserves, and 33% of global oil reserves."

That would be 82 percent of global coal reserves gone, wiped off the balance sheets; 49 percent of global gas reserves gone; and 33 percent of global oil reserves gone.

This asset collapse ahead would explain why fossil fuel companies have fought so hard against shareholders who sought honest reporting of this risk, and it could explain why such reports as have been produced look like exercises in "cooking the books" to avoid actually acknowledging a risk of this scale.

More recently, a group of economic analysts published a separate review of what the bursting of this carbon bubble would look like for fossil fuel companies. The report's analysis is pretty stark. It estimates that a potential \$12 trillion—\$12 trillion—of financial value "could vanish off their balance sheets globally in the form of stranded assets." The report notes that this is over 15 percent of global GDP.

This economic report posits a market scenario in which lower cost producers unload their fossil fuel reserves while they still can into this collapsing market—"selling out" their assets, in the language of the report—unloading their fossil fuel assets even at fire-sale prices to get what value they can while they still can.

In this analysis, the report says, "regions with higher marginal costs . . . lose almost their entire oil and gas industry (for example . . . the United States)."

In this environment in which there is a rapid crash in fossil fuel prices, as sellers saturate the market at whatever low price they can get to get some money for their reserves before they evaporate and get wiped off their balance sheets, the market moves rapidly and regions like ours—like the United States, with higher marginal costs—lose almost their entire oil and gas industry.

Obviously, for the United States to rapidly lose almost its entire oil and gas industry would create a dramatic economic shock, spilling over into other industries and into the economy at large, making this what the authors of this report call a "systemic" economic risk.

There is a recommended solution to avoid this shock in asset prices, and that is for the United States to begin decarbonizing, to invest more in renewables, and to broaden our national energy portfolio away from this asset collapse risk and into renewable energy. The paper concludes that "an exposed country can mitigate the impact of stranding by divesting from fossil fuels as an insurance policy," and it goes on to say specifically about the United States of America that "the United States is worse off if it continues to promote fossil fuel production and consumption than if it moves away from them."

Let me revert to the earlier economic piece I mentioned because it concludes with very similar advice. I quote from the first article:

If climate policies are implemented early on and in a stable and credible framework, market participants are able to smoothly anticipate the effects. In this case there would

not be any large shock in asset prices and there would be no systemic risk. In contrast, in a scenario in which the implementation of climate policy is uncertain, delayed, and sudden . . . this might entail a systemic risk because price adjustments are abrupt and portfolio losses from the fossil-fuel sector and fossil-based utilities do not have time to be compensated by the increase in value of renewable-based utilities.

Both economic analyses agree that transitioning to renewables is a hedge against this fossil fuel asset collapse risk, but this earlier paper also notes something else. It also notes that this transition to renewables, away from the asset collapse risk, need not be a painful transition. To quote the report, "a transition to a low-carbon economy could also have net positive aggregate effects." On one side, you have the risk of a major fossil fuel asset collapse creating a sufficient economic shock for there to be systemic risk to the economy. On the other side, you have the prospect of net positive aggregate effects. Who in their right mind would not turn toward net positive aggregate effects? A large and sudden economic shock affecting 15 percent of global GDP and precipitating systemic economic risks will, of course, be very painful.

This is stark advice. Whether we can actually heed this advice depends on the Congress of the United States being able to put the interests of the United States first over the interests of the fossil fuel industry. Given that Congress's fossil fuel industry overlords will likely object and given that we seem incapable in Congress of either seeing through their massive conflict of interest or ever telling them no, it is not presently likely that Congress will heed these warnings or take these precautions.

After all, the warnings of natural crashes ahead have so far been completely ignored due to fossil fuel industry pressure. So why expect that we would heed the warnings of economic crashes ahead?

In the days when war loomed over Europe but England would not prepare, Winston Churchill quoted a poem. The poem's image is of a train bound for destruction, rushing through the night, and the conductor is asleep at the controls. The poem begins:

Who is in charge of the clattering train?
The axles creak, and the couplings strain.

Inside the train cars, the poem describes the occupants of the doomed train:

Lull[ed into] confident drowsiness.

But then comes the end:

[T]he pace is hot, and the points are near,
And Sleep hath deadened the driver's ear;
And signals flash through the night in vain.
Death is in charge of the clattering train!

That is how the poem ends. Let us hope that we wake up before our collision, that the many warning signals nature is flashing at us do not flash through the night in vain, and that we do not hurtle into these foreseen collisions with our fossil fuel industry overlords having deadened the driver's ear with their money and their power.

We have been lulled into confident drowsiness, and it is time to wake up. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. RUBIO). Without objection, it is so ordered.

AMENDMENT NO. 2366

Mr. LEE. Mr. President, I ask unanimous consent that there be 1 hour of debate on my amendment, No. 2366, equally divided between the opponents and proponents, and that following the use or yielding back of that time, the Senate vote on the amendment.

The PRESIDING OFFICER. Is there objection?

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, reserving the right to object, Senator LEE is a very good friend, and he is very sincere. I will object, and I want to let the body know that I think the best way to handle this issue is, if American citizens are suspected of collaborating with the enemy—ISIS or al-Qaida—we have the due process in place to strip them of their citizenship. That way, you don't have the problem of reading them their Miranda rights. You can hold them, without question, as enemy combatants.

I will end with this. There is a court case right on point, that of Mr. Padilla's, who was an American citizen who was held as an enemy combatant. The court says that it doesn't matter the location of capture, he can be captured in the United States and still be held as an enemy combatant.

So I object, but I really want to work with Senator LEE to see if we can find a compromise down the road.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I appreciate my colleague's opinions, the Senator from South Carolina. I would like to respond for a moment and speak for a few minutes about a bipartisan compromise that I have introduced, along with the senior Senator from California, Mrs. FEINSTEIN.

The legislation I am referring to is called the Due Process Guarantee Act, which Senator FEINSTEIN and I have introduced. It has also been offered up as an amendment to the legislation now before this body, to the National Defense Authorization Act.

Alexander Hamilton, in his writing of Federalist No. 84, called arbitrary imprisonment one of the "favorite and most formidable instruments" of tyrants and with good reason. The Constitution includes safeguards against this form of tyranny, including the writ of habeas corpus and the guarantee that American citizens will not be "deprived of life, liberty, or prop-

erty" by the government "without due process of law." If you are going to take away people's life or liberty or property, you have to give them due process. You can't do it without that. That is by mandate of the Constitution. It is made applicable to the Federal Government through the Fifth Amendment, and it is made applicable to the States through the 14th Amendment.

Our commitment to these rights has, of course, been tested in times of crisis. This is what happens to our rights when crises erupt. Sadly, tragically, I would add, we as Americans have not always passed these tests. We have not always emerged unscathed from the temptation to dip into the well of deprivation of due process in times of crisis.

During the Second World War, for example, President Franklin Roosevelt unilaterally authorized the internment of over 100,000 Japanese Americans for fear that they would spy against the United States—100,000 Americans just based on the fear that they might spy against the United States. To be sure, the government did not—neither President Roosevelt nor anyone in his administration—present any kind of evidence that these Americans—the 100,000 Americans who were imprisoned at that time—posed any kind of threat to our country. There was not one piece of evidence—not one shred, not one scintilla—presented to that effect. In fact, most of these Americans were themselves native-born citizens. They were eligible, in that respect, to run for President of the United States. Many had never visited Japan in their entire lives. Many didn't speak the language spoken in Japan.

That episode in our Nation's history was tragic, and it remains a blight on our record to this very day. It is also an example that is, sadly, personal to the State I represent. You see, the U.S. Government unjustly detained thousands of Japanese Americans in Utah at the Topaz War Relocation Center. Japanese-American internment is, perhaps, the most dramatic and shameful instance of this kind of detention in our Nation's history. Unfortunately, it is not the only instance.

In 1950, in a climate of intense fear about Communist infiltration of the government, Congress enacted the McCarran Internal Security Act and did so over President Harry Truman's veto. That law contained an emergency provision that allowed the President of the United States to detain any person he thought might spy on the United States.

Think for a minute about what that means—that one person was then vested with this authority to delve most deeply into someone's due process rights without providing him with any due process at all. That is scary. That is the very kind of thing that the Constitution was designed to protect against. There is the due process clause, certainly, but the whole point

of having a Constitution in the first place is to protect the people from the dangers that are inevitably presented by the excessive accumulation of power in the hands of the few.

Then more recently, in the post-9/11 era, there has been, of course, some renewed pressure to diminish our constitutional protections—our liberty—in the name of security. Lawmakers from both parties have authorized the detention of Americans who have been suspected of terrorism—their detention indefinitely without charge, without trial, and without meeting the evidentiary standard that is required for every other crime—potentially, for the rest of their lives.

You see, this happened just a few years ago in this very Chamber. If I had not been here at the time, I might have accused whoever was describing this of engaging in some sort of paranoid fantasy, in some sort of odd hyperbole, for the purpose of making a point. No. This actually happened in the National Defense Authorization Act that President Obama signed into law for fiscal year 2012. Congress authorized the indefinite military detention of suspected terrorists, including of American citizens, who are apprehended on U.S. soil.

These episodes—the Japanese-American internment, the McCarran Internal Security Act, and the 2012 NDAA—are significant. They are teachable moments, if you will. In all three cases, the United States faced real threats from formidable foes—foes that were hostile to our very core values as a nation, foes that were not comfortable with the idea that we as Americans share in common—the belief in the fundamental, inherent dignity of the human soul. Instead of defying our foes by holding fast to those core values, we jettisoned them in a panic. Fear and secrecy won out. The Constitution lost. Liberty lost.

Thankfully, that is not the whole story. There have also been times when Americans have stood up to the Constitution even in the face of threats, especially in the face of threats, thus, sending a really strong message to the totalitarian forces arrayed against us. For instance, in 1971, Congress passed the Non-Detention Act, stating, "No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an act of Congress."

Congress can make another stand for the Constitution by allowing a vote on this amendment, by allowing a vote on the Due Process Guarantee Act amendment to the NDAA.

What, you might ask, is the Due Process Guarantee Act?

In short, this bill presented as an amendment would raise the bar that the government has to clear in order to claim and assert the right to detain indefinitely American citizens and lawful permanent residents who are apprehended on U.S. soil. It would forbid the

government from justifying such detentions by using general authorizations of military force, such as the 2001 AUMF against the 9/11 plotters.

Why, you might ask, would this even be necessary? Why would we even need to consider doing this?

That is a very good question. It is a question that should be directed toward those who inserted this language into the 2012 NDAA.

Under this legislation, under this amendment as it has been proposed, the government would have to obtain the explicit written authorization—statutory authorization—of Congress, which is the branch of government most accountable to the people at the most regular intervals, before approving the detention of Americans—without charge, that is—if they are captured in the United States.

This isn't too much to ask. Some would say this is far too little to ask. It is something that is required both by the letter and by the spirit of our Constitution, by the very concept of liberty, and by the very concept alluded to earlier that each human soul has inherent dignity that needs to be respected by our government. So the Due Process Guarantee Act is based on a very simple premise: If the government wants to take the extraordinary step of apprehending Americans on U.S. soil without charge or trial, it should get extraordinary permission from Congress.

Now, to be very clear, if my colleagues want to grant the government this power, that power over their own constituents, their own voters, the very people who elected them into office, then by all means let's have that debate and let's have that discussion. If they want to do that, let them authorize it themselves. I hope I never see the day that happens, but I hope we all agree that Congress should have to agree before any such step is taken. Members of Congress should not simply hide behind vague, broad authorizations so the voting public will not or can't know what they are doing.

I am offering this amendment because of my faith in our law enforcement officers and our judges who have successfully apprehended and prosecuted and overseen the prosecutions of hundreds of homegrown terrorists. Their example proves that our security is not dependent upon a supercharged government and a correspondingly weakened Constitution. We can secure the homeland without using the formidable instruments of tyrants. Not only can we, but we must. This, after all, is our constitutional imperative.

Each one of us, upon taking office, was required to take an oath to uphold and defend this document, the U.S. Constitution. I hope, I think, I expect, and in fact I am quite confident that the overwhelming majority of our constituents and voters in every State in this country, regardless of where they fit on the political continuum, where they identify themselves on the polit-

ical spectrum, agree it is not too much to ask that if the government is going to arrest someone and detain them, putting them into a position of incarceration indefinitely without charge, without trial, is extraordinary. That kind of extraordinary remedy perhaps ought never be approached, but, certainly, if it is going to happen at all, it ought not ever happen without the explicit statutory authorization from Congress.

All of this relates back to section 1021 of the 2012 National Defense Authorization Act, which purports to authorize the government to just indefinitely detain without trial American citizens and lawful permanent residents—both of whom would be protected by my amendment—who are captured in the United States.

Look, it is easy to look at this and to separate yourself from this if you think this measure could apply only to bad people—maybe only to bad people who don't look like people we ordinarily associate with. Perhaps they don't look like they came from our neighborhood. Perhaps they don't look like the kinds of people who ought to have protection, but this is the very folly we should always seek to avoid. Either due process is a thing or it is not. Either due process is a constitutional imperative that we should be very reluctant to depart from ever or it is not. Section 1021 of the 2012 NDAA represented a departure from that.

Think of it this way. Your rights as an American citizen to be charged in a certain way, to have access to a speedy trial, to have access to counsel, your right to a whole host of constitutional protections generally does not, and ought not ever be, something that should be dependent upon how you are charged. If all the government has to do is alter the way in which you were charged to allege that you have been involved in some type of offense that can be characterized as terrorist activity or the aiding and abetting of those who planned the 9/11 attack, if that is all that has to happen, then you are entrusting an enormous amount of discretionary power to government, to a very small handful of decisionmakers who themselves can deprive you of everything that is dear to you—deprive you of those you love, of the place you call home, and subject you to indefinite incarceration, indefinite detention, without access to trial, without access to the ability to confront your accusers in front of a jury of your peers.

This is a problem. It is a problem that would sound extreme if it weren't true because it is, in fact, extreme.

We have gone now, for the last 6 or 7 years after this was passed into law, without it getting a whole lot of attention. I think this is unfortunate because this ought to be concerning to every single American. If you exist on U.S. soil lawfully or if you are a citizen or lawful permanent resident, this should concern you. Even if you are

not, even if you reside outside the United States or are here temporarily—perhaps on a temporary visa of some sort—this should worry you. If you believe in the American dream, if you believe in the fundamental dignity of the human soul, this should bother you. The extent to which you are bothered by this should grow even more severe by virtue of the fact that we have this discussion this afternoon in our Nation's Capitol, within the halls of what purports to be the world's greatest deliberative legislative body, not in the context of being on the precipice of casting a vote on this—no. We are having this discussion of a simple request to vote up or down, yes or no, yea or nay, on whether we should require Congress to state explicitly when it is going to invoke this kind of extraordinary remedy. It defies reason, it defies logic, it defies the rules, the customs, and traditions of this great legislative body for us to refuse to cast a vote on this.

By the way, about 5 years ago, a nearly identical version of the same amendment passed through this body with 67 votes. Not only is that more than a majority, but it is also more than the standard required to close debate, and it is also a standard that is consistent with what is required to overcome a Presidential veto. Yet somehow that measure didn't make it into the final product. Somehow it didn't survive the process of negotiation between the House and Senate. It didn't survive the final bill as produced by the conference committee. So 5 years go by, and we have been trying to get a vote on it ever since then. We have been unsuccessful in doing so.

We are not asking for every Member to agree right now to support this. What we are asking for is for them to weigh in and allow us to cast a vote on this. You see, we have this quaint idea in this country that being governed requires a certain amount of consent from those being governed; that when the government does something, especially something that could so deeply impact the lives of individual Americans, it ought to be done with the consent of the governed through their elected Senators and Representatives.

We have two people here from every State in the Union. I could say, with a high degree of confidence, that if you polled not just the American people at large, not just people within every State, but I would add to that people within every demographic, people within every political party, at least every political party that I know anything about, people, regardless of race, sex, national origin, religious affiliation, belief, or unbelief—I would bet an overwhelming majority of people in every single category in every State of the Union would say this is really troubling.

The fact that you would have a government that would be so bold in the first instance as to claim the right,

which it did in the 2012 National Defense Authorization Act, to detain indefinitely citizens of this country apprehended on U.S. soil without charge, without trial, without access to counsel—and after having done that a few years ago, this same body would refuse even to allow a vote on whether future votes should be cast on whether this is appropriate.

The Senate, I am told, used to be a place—in fact, the history books made clear it was, in fact, a place where extended debate and discussion could be heard because we as a people tend to believe more debate is preferable to less, more input is preferable to less input, and that whenever government makes a decision, especially a profound decision like the one we are talking about, that the people's elected representatives ought to have some say in it.

It is an act of cowardice that we as a body would refuse to have votes on something like this. So I say to my colleagues who object to us even being able to cast a vote on this, what are you afraid of? What is it that you fear so much about the American people that you are unwilling to have a provision like this explored, examined, and get voted on by the U.S. Senate? This doesn't have to take a long time. We could easily have done it today. We could have done it in a matter of hours, perhaps a matter of minutes. Is that really too much of a sacrifice to ask for a few hours or a few minutes of our precious time to vote on whether the U.S. Government should have the power to indefinitely detain without charge, without trial, without counsel American citizens on U.S. soil? I think not.

I inform my colleagues, with all the energy I am capable of communicating, to please reconsider. Look in the mirror. Examine your conscience. You decide whether you want to stand accountable to God and the American people one day if and when this power is abused.

One thing we know about power is that when excessively accumulated in the hands of a few, bad things happen. Human beings are flawed. They are redeemable, but they are also flawed. That is why we have a Constitution. That is why we are here. We are here to cast votes and to stand accountable to the American people. I urge my colleagues to allow a vote on this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

TRADE

Mr. PERDUE. Mr. President, one of the great honors in this body is to bring a contrasting point of view to the topic of the day. I hope to do that today.

Many colleagues in this body have voiced concerns on both sides of the aisle, frankly, about President Trump—what President Trump is doing to try to create a more level playing

field for our workers and businesses. They are nervous about his negotiating style, about things he says, what he is trying to do with our allies, our adversaries, and all around the world. People in this body worry sometimes it is going to create a trade war.

Colleagues, I have worked in the trade environment internationally most of my career. I have sourced products all over the world. I shipped products all over the world. I can tell you, for a fact, that for the last 40 years we have been in a trade war.

In that time, America has helped develop the Third World and reduce poverty largely because of an imbalanced trade agreement that we made with pretty much each country around the world, and we did that intentionally, not by accident. It was out of our good will that we set up trade deals that granted access to our markets while denying access to other markets around the world.

Why did we do that? When China was a \$1 trillion economy, that made sense. We wanted to help them develop economically. Now that they are a \$12 trillion economy, it no longer makes sense. When Japan was rebuilding after World War II, of course we wanted to help them rebuild. We spent billions of dollars behind the Marshall Plan to do just that with Japan and all of East Asia. We set up trade deals that we knew would help their economy grow, and that made sense then.

It no longer makes sense to have an unlevel playing field with the rest of the world just so they can develop. Let me give you a reason why. One of the reasons is, because of the American consumer and taxpayer, global poverty over the last 50 years has been reduced dramatically; by some estimates, over 60 percent. Let me say that again. Global poverty, because of the American taxpayer and the American worker, has been reduced over 60 percent. Unfortunately, during that same period of time, American poverty since 1965, when the Great Society was signed into law and when the great War on Poverty was initiated, we spent \$67 trillion trying to eradicate poverty in America.

Unfortunately, today we know poverty is basically the same as it was in 1965. So this imbalance we have lived with for the last half decade that partially helped the development of the Third World, pulling hundreds of millions of people out of poverty, begins to not make sense when it damages our well-being here at home.

Like me, President Trump is an outsider to this political process. He is just a business guy who spent his career successfully negotiating deals all over the world. For years, he has seen how America has often been treated unfairly when it comes to trade. He has also seen how previous administrations repeatedly failed to contain the growing threat of rogue regimes with nuclear ambitions, like North Korea and Iran.

Since taking office, President Trump has put America back in a position of

power and strength when it comes to our standing with the rest of the world. This comes after a decade where America withdrew. We had redlines drawn. We had a Russia reset. The world was questioning what our position was. Were we going to be the leader of the free world? Were we going to stand up for individual sovereignty, for individual liberty, self-determination? I think he has made that very clear and that we have turned a corner.

President Trump has, no doubt, an unconventional negotiating style—an outsider style, if you will. Do you know what? As we have seen in his Presidential career just in the last 15 months—NATO, South Korea, and just last night, a historic summit in North Korea—President Trump's methodology, indeed, works.

Remember when he was running for office? He said: Well, if NATO doesn't increase their military spending, we just might back out. Everybody panicked: Oh my goodness, it will upset the balance with our allies over there. This is not the time to be doing that.

Guess what. NATO stepped up. I just met with a major ambassador from one of the countries in that region, and I am delighted to tell my colleagues tonight that we all know, basically, NATO is doubling the amount of money they are spending for their own national security, which is exactly what the President wanted.

President Trump is working to fix problems that others would not address. He is moving with a sense of urgency to deliver those results. I am tired of Members of this body trying to undercut him at every turn, especially in the middle of the negotiation process.

One of the things you learn when you deal internationally is that you have to have the respect of the person you are negotiating with across the table. President Trump has earned that. What we are beginning to do in this body is undercut that. I understand the article II, article I debate. I get that. But we are in the middle of processes now that are so critical. You cannot deal with trade in a one-dimensional fashion. It is part of the bigger geopolitical complex calculus that President Trump is trying to negotiate. We need a unified voice, there is no doubt. Right now, this body is sending mixed signals. It is time to put aside political self-interests and focus on what is best for the United States of America. As a business guy, I would think this is something my colleagues—especially those who come from the business community—would understand. That is what we have to do all the time in the real world.

Last year, President Trump said that job 1 was to grow the economy. As a body, we all focused on regulations, energy, and taxes. As a result, the economy has begun to turn a corner.

Just this year, we passed a moderate bill that modifies Dodd-Frank and frees up onerous regulations on small and

community banks and regional banks—freeing up some \$6 trillion all in between regulations and taxes and the work in Dodd-Frank. That \$6 trillion is potentially coming back into the economy. That affects people who work for a living, not just the people who own the businesses.

Today, small business optimism hit a 30-year high. Some 31½ million jobs have been created, and 870 regulations have been reversed. Over 1,500 people in the Veterans' Administration have been let go because they were not concerned and did not perform their jobs properly.

This year, it is all about continuing to grow the economy by focusing on immigration, infrastructure, and trade. Trade is a very complex matrix of countries and industries; it is not just a very simple thing of back-and-forth. I understand that the President is trying to do it in a bilateral way. I personally would prefer the TPP approach. But that is just two individuals. We are committed to this bilateral path, and I fully support that now. Of course, how we deal with each one should be thoughtful and strategic, and we need to be in a hurry to get that done. We need a holistic approach to trade, not the ad hoc approach we have seen in the past.

Do you know what. If you want meaningful results in trade, you have to have the courage to have serious, tough conversations with other countries, regardless of how many headaches it may cause for some folks here in Washington. That includes some of our allies, by the way.

The imbalance we have in trade is not just with China; it is with pretty much every one of our allies. The solutions are not controversial. They can be dealt with the right way.

When it comes to trade, including trade with some of our closest allies, America isn't being treated fairly. We covered that already. We have been in this position for some time. It is really by our own making. We did this intentionally.

President Trump is working to begin to fix this by negotiating better trade deals for American businesses, products, and workers. Make no mistake—the beneficiaries of these trade negotiations are American consumers and American workers. Trump is doing this from a position of strength, I believe. He is leveraging that strength to get a better deal. It is not about pending alliances; it is about telling other countries: We aren't going to stand for anything less than a level playing field. I think that is only fair when we are dealing with our allies or our adversaries.

President Trump has the attention of the world and momentum to pull off better trade deals, so why are Members of this body trying to confuse and complicate the process by undermining the President's efforts?

Furthermore, we cannot discuss trade in a vacuum. The credibility of

the negotiator is all-important when dealing with certain parts of the world. We need to take that into consideration when we are considering things that we have been debating here in the last 24 hours on this floor. We need to talk about trade from an economic and national security standpoint. It is, in fact, a full-blown, complex geopolitical issue.

To that point, we should all share the priority of denuclearization in the Korean Peninsula. President Trump is also working from a position of strength on that topic. This President and his team have the momentum to denuclearize the Korean Peninsula. Imagine what progress would be achieved compared to just 6 months ago when the worst was being contemplated.

Just as President Trump has brought China to the trade table, he has secured their cooperation on North Korea. I can tell you personally, having just visited there recently, we would not be in these negotiations with North Korea without the help of President Xi Jinping and the Chinese people. President Trump's leadership on this maximum-pressure campaign led to China's cooperation on tough sanctions, which helped bring North Korea to the table in the first place.

The President made a personal commitment to another foreign leader about how to deal with ZTE. He should be able to follow through on his word. This agreement may be tied to other elements of this administration's national security agenda that we don't know about in full detail, and we need to give them the benefit of the doubt and stop undercutting the negotiating power of our Commander in Chief.

This ZTE amendment, which has been thrown into the NDAA at the last minute and before the Commerce Department made its full ruling, could threaten China's cooperation in dealing with North Korea. It is remarkably shortsighted for politicians in this body to complicate the situation with the ZTE amendment, in my opinion. I believe it will undercut our ability to negotiate, and I think it jeopardizes our negotiator's credibility.

Of course, Congress has an important role to play on all free trade agreements and certainly treaties. The advice-and-consent principle that is built into our format is absolutely critical. I am not trying to undermine that in the least. However, we should not be trying to undercut our chief negotiator in the middle of a negotiating process.

I personally have survived some of those in my career. I understand that the credibility of the person doing the negotiating is absolutely critical. However, in our situation, in dealing with any foreign leader, the full breadth of the responsibility of the legislative branch has to be explained up front. I am fully supportive of that.

To those who say this President is picking winners and losers, going back to the ZTE issue, let me say that the

only winner President Trump is trying to pick today is America. I think it is refreshing that we have somebody finally standing up and fighting for us for a change, after decades of making sure that the Third World was developed.

This is about making sure that America is treated fairly and that it is the best place to do business in the world. It is about making America more competitive and secure. It is about making sure that the people who take showers after work and not before work get treated fairly in dealing with the rest of the world. This is about making America more competitive. It is about making America more secure. It is about ensuring our economic and national security for the next 100 years.

This body should put aside self-interest and focus on the national interest and give this President the room he needs to negotiate on everything from better trade to denuclearization in the Korean Peninsula. Stop the hysteria, in my opinion. This is about a much bigger picture. In the much bigger picture, we talk about the rise of China and the impact on the world.

Let me highlight a couple of things from this past weekend. President Trump issued a statement that offered an olive branch to Russia on the G7. He felt he would support their reentering the G7. What did Putin say? He said: Well, no, thank you. I am more interested in other things, like the SCO.

Most people in this body aren't familiar with the SCO. It is the Shanghai Cooperation Organisation. It is basically China, Russia, Uzbekistan, and a few countries in that area. But India and Pakistan just attended their first meeting. I think this is an extremely dangerous development for the future of self-determining people.

I think it is time for this body to get behind a unified approach with regard to what we are trying to do with trade and North Korea and tell the rest of the world: We want to be the strongest ally you have ever seen, just like we have been for the last 200 years. It is time, as the President said in Davos, to take care of our business so we can help you take care of your business.

Thank you, Mr. President.

I yield my time.

Mr. MENENDEZ. Mr. President, at the G-7 Summit in Charlevoix, Canada, on June 9, 2018, President Trump stated the following in regard to the Russian Federation rejoining this group of the world's seven most industrialized and powerful nations: "It would be an asset to have Russia back in. I think it would be good for the world. I think it would be good for Russia. I think it would be good for the United States. I think it would be good for all of the countries of the current G-7. I think the G8 would be better."

Such a statement, even for this President, is stunning.

On March 24, 2014, the current group of G-7 states suspended the Russian

Federation, in response to its illegal invasion and occupation of the Ukrainian territory of Crimea. Since then, the Government of the Russian Federation continues to illegally occupy Crimea and has utterly failed to fulfill its obligations under the Minsk Agreements to end its violent aggression in eastern Ukraine. Russia has failed to respect a full ceasefire; it has failed to pull back its heavy weaponry; it has failed to permit the monitoring and verification of a ceasefire regime; and it has failed to ensure access for humanitarian aid to conflict-affected individuals.

The story does not stop with Ukraine. Since 2014, the Government of the Russian Federation has greatly expanded its aggression around the world, including against the United States with the attack on our 2016 election. The Kremlin continues to interfere in elections, wage cyber attacks, engage in corruption and political meddling, and spread lies and disinformation—all with the goal to divide societies, undermine the rules-based international order, and break up longstanding transatlantic alliances. Our intelligence community has repeatedly asserted that the Kremlin will likely target our elections again this fall. The very ideal of democracy as a system of government is under constant assault from a Kremlin bent on destroying the international rules-based order.

Upon considering these facts, no observer could seriously think Russia deserves to be welcomed back into the G-7 club. Any such suggestion is ludicrous and must be dismissed out of hand.

The United States is a country long governed by the rule of law, where breaking the rules has consequences. More broadly, the United States has helped to create the rules-based order in the international community that has undoubtedly served the interests of the American people and benefited the world since the end of WWII by fostering peace and prosperity. The United States is bound with other G-7 nations not just because of the size of our economies, but because of our shared values and common cause to foster societies in which our citizens can live freely, peacefully, and prosperously. Inviting the current Government of the Russian Federation to rejoin the circle of G-7 world leaders when President Vladimir Putin's regime poses an ongoing threat to our freedom, peace, and prosperity serves his interests, not ours.

President Trump's suggestion to readmit Russia to the G-7 and his subsequent disavowal of the joint communique which the United States and other G-7 nations successfully negotiated in Charlevoix defy logic. More outrageously, they reflect his propensity to praise autocrats while attacking our allies and the democratic values and rules-based system they defend. Does it put America first to side with autocrats? This President seems to think so.

I have submitted an amendment to the defense authorization bill calling on President Trump to retract his comments on readmitting Russia to the G-7. Absent any change in the Kremlin's efforts to undermine the rules-based international order or its illegal occupation of Crimea, the G-7 should not even consider welcoming the Russian Federation back into its fold, let alone with open arms. This amendment sends a necessary and strong message that the United States stands by our friends and the international rules-based order that benefits American workers and American national security. I am committed to working with my Senate colleagues on both sides of the aisle to shore up our closest alliances and to hold the Russian government accountable for its aggression in Ukraine, the United States, and beyond. I urge adoption of this amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

MORNING BUSINESS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for as long as I may require.

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

CONGRATULATING MITCH MCCONNELL AS THE LONGEST SERVING SENATE REPUBLICAN LEADER

Mr. ALEXANDER. Mr. President, the Senate majority leader, Senator MITCH MCCONNELL of Kentucky, will become the longest serving Senate Republican leader in history, surpassing former Senator Bob Dole of Kansas. This is according to the Senate historical office. Today is Senator MCCONNELL's 4,179th day as Senate Republican leader—a position he assumed on January 3, 2007, after Republicans lost control of both Chambers of Congress.

I would like to take a few minutes to put Senator MCCONNELL's leadership in perspective. That perspective begins in the year 1969. I was 29 years old and working in the Nixon White House. Senator Howard Baker, Jr., of Tennessee, said to me: "You might want to get to know that smart, young legislative assistant for Marlow Cook." Marlow Cook was Kentucky's newly elected Republican Senator. That smart, young legislative assistant was 27-year-old MITCH MCCONNELL.

If one has known him for a long time, the evolution of MITCH MCCONNELL's Senate leadership isn't hard to trace. To begin with, when he was 2 years old, the doctor said: "Mitch has polio." It is hard to imagine today how terrifying those words were for parents then. McConnell remembers:

It was 1944. There was a serious epidemic that year all over the country. And the disease was very unpredictable. First, you'd think you had the flu, and a couple of weeks later, some people would be completely normal and some of them would be in an iron lung or dead.

He continued:

In my case, it affected my left quadriceps, the muscle between the knee and your thigh. And in one of the great good fortunes of my life, my mother was living with her sister in this little crossroads of Five Points, Alabama, where there was not even a stoplight—while my dad was overseas fighting the Germans—and it happened to be 60 miles from Warm Springs, where President Roosevelt had gone [to treat his own polio]. My mother took me to Warm Springs. They taught her a physical therapy regimen, and said to do it four times a day and to keep me off my feet. She watched me every minute and prevented me from really walking.

My first memory in life is when they told my mother I was going to be okay, that I'd be able to walk without a limp, and we stopped at a shoe store in LaGrange, Georgia, on the way back to Alabama to get a pair of low top shoes, which were a kind of symbol I was going to have a normal childhood.

If one knows about the determination of MITCH MCCONNELL's mother, it is not hard to imagine how her son determined as a college student to be a U.S. Senator, and did; determined to be his party's Senate leader, and did; and then determined to hold that leadership position longer than anyone in U.S. history, and has. This was an arduous, two-decade leadership journey: chairman of the National Republican Senatorial Committee, counselor to Majority Leader Trent Lott, majority whip, minority leader, and finally, majority leader.

As for his mother's example, this is what MITCH MCCONNELL said: "It sure had to have an effect on me, which was that if you stick to something, you keep working at it and giving it your best, the chances are you may actually overcome whatever problem you're currently confronting."

A second leadership quality that MITCH MCCONNELL learned early—in a fistfight—was to not be pushed around. According to MCCONNELL, "I was about 7. We lived in Athens, Alabama, and I had a friend across the street named Dicky McGrew who was a year older than I was and considerably bigger. He was also a bully and he kept kind of pushing me around. And my dad called me over and said, 'Son, I've been watching the way he's been pushing you around and I want you to go over there and I want you beat him up.'"

So, MCCONNELL says, "I went across the street and started swinging and I beat him up and bent his glasses, and it was an incredible lesson in standing up to bullies and I've thought about that throughout my life at critical moments when people are trying to push you around."

As a junior Senator on the Foreign Relations Committee, MITCH MCCONNELL surprised colleagues when he sponsored sanctions against the apartheid regime in South Africa, and then