

been in prison ever since. He was imprisoned for almost 19 months without any charges. For the vast majority of that time, he was in a cell designed for 8 people that had 21 in it, without charges. Earlier this year there were charges levied against him that are just absolutely absurd. I know from firsthand experience.

After the indictment was issued, I heard through channels and through his wife Norine that Pastor Brunson was afraid that the American people were going to read this indictment, believe it, and turn their backs on him. So it was important for me to go to Turkey and let him know that is the last thing we are going to do and that I was going to bring this to the American people's attention until he was released.

I went back about a month later. I sat through a court proceeding in a Turkish courtroom for about 12 hours, and I heard some of the most absurd claims you can possibly imagine. They were charges that would not keep an American citizen or a foreign national in an American jail for the afternoon. Yet they have kept him in prison for 642 days.

This afternoon I am going to be traveling to Brussels to be a part of the NATO meeting that we have. I am going to seek to speak once again with the Turkish officials to tell them that justice needs to be served. Pastor Brunson needs to come home.

Pastor Brunson has a court date next week. It could be the last hearing, and he could be subject to a 35-year sentence. He is a little over 50 years old. So that is effectively a life sentence.

The charges are basically this. He has been a missionary. He has been providing humanitarian relief to Syrian refugees, to the Turkish people, and actually just offering and preaching the Word to those who want to hear it.

So I ask President Erdogan and the Turkish officials to please let justice be served. Let Andrew Brunson come home.

The last thing we are working on—and I hope it no longer has to be a provision in the NDAA—is that if he doesn't get released, we have to rethink our relationship with this NATO ally that has been in the NATO alliance since 1952. We have to ask ourselves about ramifications if a NATO ally will hold people illegally, imprison them, sweep them up—in a legitimate effort to tamp down an illegal coup—and hold this man hostage.

I hope I come to the floor in a couple of weeks thanking the Turkish Government, the Turkish people, and the Turkish judiciary for having justice served. The only way I believe justice will be served is when Andrew Brunson comes home. Until he does, I will come back here every week to continue to bring attention to this issue. It should be important to every American.

If any American is traveling to Turkey, right now I am not sure I would

because you could have a meal, you could have a light on for a couple of hours in your hotel room. These are the types of charges that have been used as a basis for saying that this man was conspiring to plot a coup and was conspiring to support terrorist organizations—eating a meal that looks like a meal that certain terrorist organizations like, which, incidentally, is a very popular meal in the Middle East; having a light on upstairs, in a room, incidentally, that doesn't have windows that some secret witness said could only be on because they were plotting some nefarious activity.

I thank the Members of this body—some 70 Members—who signed on to a letter expressing their concern with his illegal detention. I promise Pastor Brunson and I promise any American citizen and some of those Turkish citizens who work with the State Department that as long as I am a Senator, I will be bringing attention to this injustice until justice is served.

IMMIGRATION AND CUSTOMS ENFORCEMENT

Mr. President, I wish to very quickly bring attention to something about which I think people need to speak up on the other side of the issue; that is, this movement now called End ICE, or Immigration and Customs Enforcement.

We have a gubernatorial candidate in New York who said ICE is a terrorist organization—not ISIS, which is a terrorist organization, but ICE. These men and women in uniform go out every day and put their lives on the line to protect the American people.

Let me tell my colleagues what people who are part of the End ICE movement are for. This chart represents what they are for if they are for ending ICE. These are 2017 numbers. They are for ending the arrest of some 143,000 people who have broken our laws. They are for ending the seizure of tons of fentanyl.

I will give you an idea of what that means in terms of potential risk of human life. You are talking about gangs—some 5,000 gang members who were arrested last year because they were clearly related to gang activity, with MS-13 being one of the first among them. They are for ending all of our protections and having all of these activities go unchallenged on American soil.

If you are for ending ICE, you are for ending almost 7,000 pounds of heroin seized, and that is only a fraction of what these criminal elements are bringing to this country.

If Members come to this floor and talk about fighting the opioid epidemic, I can't imagine anyone who is sincere about fighting the opioid epidemic saying that they want more poison on the streets. You can't have it both ways. You are either for solving the problem of the opioid epidemic, which means that we have to have law enforcement to specialize in seizing it, or you are against it. You are for poisoning our youth. You are for poi-

soning people who are addicted to opioids. You can't have it both ways. If you want to end ICE, you are for this.

If you want to end ICE, you are for people who have tattoos that clearly indicate that they are part of a gang on the streets. We have gangs that, actually, as a part of getting initiated, want you to kill or harm somebody to prove that you will when you are asked to. If you want to end ICE, you are for more of these folks on the streets—some 4,800 of them.

Again, if you want to end ICE, then you want to end the careers of people who have such a dangerous job that, oftentimes, when they do drug seizures, they have to wear HAZMAT suits because if they touch the fentanyl, they could die or go into an overdose. If you want to end ICE, you want that poison to be in the hands of a child or someone else who, if they touch it, is going to die or have a profound overdose.

That is what ending ICE means. Just to sum up, if you want to end ICE, you want that seizure of a ton of fentanyl coming across our border, mainly from Mexico, that has enough potency to kill 500 million people.

Now, I honestly believe that nobody in this body really means that they want to end ICE, that they want to cause human traffickers, gun traffickers, drug traffickers—more of them. But you can't have it both ways. If you want to go on the stump and say you want to end ICE, then add this to your stump speech. Add this to the logical consequence of what happens when you insult the men and women in uniform in ICE and you say you want to end what they are doing, because if you do, the negative consequences are clear. All you have to do is look at what ICE has done over the last year, and what they would not do this year, if you really believe what they say about ending ICE.

So I think they need to ice the “end ICE” narrative and start getting smart about making sure that we maybe make changes that we need to in any organization. But for people to go to such an extreme, to say that they want to end one of the most important law enforcement agencies combating illegal immigration and illegal trafficking across our border, you had better be honest on the stump. You had better let them know what you mean because that is what they mean.

I think it is important for our Members to step up and let people know the consequences of this ridiculous rhetoric and to show the men and women in uniform—police officers, ICE agents, and everybody else—that people like me care about them. People like me respect them for what they do.

We know that their assaults were up by three times last year. It is a dangerous job. Many of them don't even know if they are going to come home when they leave in the morning.

It is an insult for anybody in this body to come into this Chamber and say that they need to be ended. They

need to be thanked. They need to be revered. Agencies always need to be improved, but if you believe we should end ICE, you had better own the consequences.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, today the Senate is considering one of the most troubling executive branch nominations that this President has made to date—the nomination of Brian Benczkowski to lead the Criminal Division of the Justice Department.

For years, I have studied and have been aware of the Criminal Division. This is an amazing nomination. I think it is enough to oppose Mr. Benczkowski's nomination because he is objectively unqualified for this important position, but there are also compelling reasons to believe that it would be uniquely reckless to confirm him to this position.

Now, speaking about Mr. Benczkowski's lack of qualifications for this role is not meant to denigrate. Many of us know him, as I did, from his service in the Judiciary Committee as the staff director for the then Ranking Member Jeff Sessions. The fact is, this nominee to head the Criminal Division has virtually no criminal law experience. Even at this age, he has never tried a case. He has never served as a prosecutor. He has almost zero courtroom experience. Instead, his experience has been to serve as a political aide to various officials.

As a former prosecutor, I know there is no substitute for actual courtroom experience, actually going into a courtroom and trying a criminal case, arguing criminal cases on appeal, determining whether you bring a charge or don't bring a charge. These are things an experienced prosecutor has to do. For the last several decades, under Republican and Democratic administrations, every head of a criminal division—which is probably the most important litigating arm of the Justice Department—has had substantial prosecutorial experience, with the exception of one individual whose nomination I simply could not support. This shouldn't be a partisan issue. I voted for nominees in Republican administrations and in Democratic administrations because they were qualified, and there are countless qualified prosecutors the President could select.

For this reason alone, the Senate should not consent to Mr. Benczkowski's nomination. But there are two other reasons, aside from the fact that he has absolutely zero qualifications for this important position. It is sort of like sending somebody in to

do brain surgery when their main experience has been clipping hedges. You have to have some experience in there, but aside from the fact that he has no experience, there are two other reasons he shouldn't be confirmed.

First, he has demonstrated, at a minimum, exceptionally poor judgment when it comes to perhaps our Nation's most critical ongoing national security investigation—the Russian Government's attack on our democracy. We all know, if we have read the intelligence reports, Russia attacked the U.S. democracy and vote in the last election.

After serving on Mr. Trump's transition team, Mr. Benczkowski represented a Putin-connected Russian bank, Alfa-Bank, regarding its bizarre server communications with the Trump organization during the height of the Presidential campaign. Alfa-Bank was at the very center of scrutiny into ties between the Trump campaign and Russia, even making an appearance in the Steele dossier. Yet Mr. Benczkowski took on Alfa-Bank as a client on an issue related to the Russia investigation at the same time he was being considered for a senior position in the Trump Justice Department, totally blinded to the obvious conflict of interest. In fact, he continued to represent Vladimir Putin's connected bank until the day he was formally nominated to lead the criminal division.

Now, some have said we should give Mr. Benczkowski the benefit of the doubt. Giving him the benefit of the doubt, you have to admit, at least demonstrates an embarrassingly poor sense of judgment for someone who is nominated to lead the Criminal Division to look into the criminal activities of places like Alfa-Bank. Now, we find Mr. Benczkowski has refused to recuse himself from matters related to the Russia investigation or the Steele dossier.

You can't make these things up. It is just conflict of interest 101. As Senator DURBIN and Senator WHITEHOUSE have warned, as head of the Criminal Division, Mr. Benczkowski would therefore have visibility and be able to look into investigations of individuals related to the Trump campaign. He could serve as a conduit of information to the Attorney General about these sensitive matters.

According to the Department of Justice, it is possible Special Counsel Mueller's office "will seek approvals from the Criminal Division as required . . . or may simply want to consult with subject-matter experts in the Criminal Division as appropriate in the normal course of department investigations," and who would have availability to that? Mr. Benczkowski. He could even be in a position to share secret grand jury information directly with the President.

What is also concerning is that if Mr. Benczkowski were to be confirmed and Deputy Attorney General Rosenstein

were then to be removed, the President, under the Federal Vacancies Reform Act, could simply install Mr. Benczkowski as the Acting Attorney General, with respect to the Russia investigation.

So what do we have? We have Mr. Benczkowski, under those circumstances, gaining direct control over the special counsel's investigation. He would even have the power to stop the special counsel's probe. Gosh, we wonder, could that ever occur to someone at the White House; that he could suddenly stop Mr. Mueller from his investigations?

On qualifications, the man who is going to be head of the Criminal Division has never tried a case, never handled any criminal matter, never had anything to do with criminal matters. He is really unqualified for this role by any objective measure. The only apparent qualification that Mr. Benczkowski has is his close relationship with, and political loyalty to, the Attorney General and the President. In fact, that is likely the very reason he was nominated to this critical position. That is all the more troubling given his terrible judgment with respect to the Russia investigation. We are putting someone in who has been involved as an attorney for a bank involved in this Russia investigation.

Many of my fellow Republican Senators, to their credit, have stated their commitment to ensuring that Special Counsel Mueller be allowed to carry out his investigation independently and without political interference. I hope they keep this commitment in mind when considering Mr. Benczkowski's nomination. I hope they join me in voting no. Apparently, his only qualification is he is going to be put in a position where he could stymie Mueller's investigation of Russia.

I have voted for a lot of nominees, both Republicans and Democrats, in this position because of their qualifications—not because of their ideology but their qualifications. No President of either party has ever nominated somebody for this critical position who is less qualified. In fact, it is pretty hard to find anybody in this country less qualified.

Mr. President, I see other Senators on the floor, so I yield to them.

The PRESIDING OFFICER. The Senator from Georgia.

SECTION 232

Mr. PERDUE. Mr. President, I rise to talk about my opposition to the section 232 motion which will be voted on later today.

I have utmost respect for my colleagues who are bringing this motion. I totally understand their logic, and I respect their point of view on this and many other issues. One of the great things about this deliberative body is that we deliberate. Unfortunately, I just don't understand why this body continues to try to tie the hands of this President at every turn.

We all know that enacting tariffs on imports is not the goal here. This