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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, send Your peace into our hearts today, providing us with the contentment that comes from Your abiding presence. Bless our lawmakers. Use them to give hope to the hopeless, help to the helpless, and freedom to the captives. Remind our Senators that evil will triumph when good people do nothing. Give them the courage to stand for right though the heavens fall. May they totally depend on You, acknowledging You as the Author and Finisher of their faith.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

THE IRS AND THE FIRST AMENDMENT

Mr. McCONNELL. Madam President, last night the Internal Revenue Service made an important announcement. It

is particularly welcome news to those of us who are intently focused on defending the First Amendment, for those of us who, over the years, have raised concerns during the last administration about activist regulators punishing free speech and free association.

It is a straightforward, commonsense policy decision. The Internal Revenue Service is cutting back on the amount of nonpublic information it collects and stockpiles about Americans who donate to nonprofit causes. The IRS will no longer pointlessly demand private contributor lists from whole categories of tax-exempt organizations. I say "pointlessly" because the identity of nonprofit donors serves no compelling purpose under sections 501(c)4, and 501(c)6 of our Tax Code.

Contributions to these organizations are not tax deductible—not tax deductible—so the IRS does not need to see this data for accounting purposes. These organizations are not required to release that information under the public inspection and availability requirements.

Let me repeat. The identity of the donors to these organizations is not necessary for accounting and is not required for public inspection by the Internal Revenue Code.

It raises the question that if the IRS isn't permitted to do anything with this set of Americans' private information, why collect it in the first place?

Unfortunately, we know exactly what happens when the government stockpiles private data about the donations through which Americans participate in the public discourse. We know exactly why many on the left are keen for bureaucrats to have this confidential information. Where it leads is Americans being bullied for exercising their First Amendment rights. This bullying is established by bureaucrats and, in some cases, by elected officials.

Sometimes the government itself does the bullying. Case in point: the Obama administration's IRS scandal.

The agency slow-walked the applications of groups that appeared conservative, including some of my own constituents. Donors and groups faced unusually aggressive questioning, unreasonable deadlines followed by unreasonable delays. These were Federal authorities using the weaponry of government to punish Americans for supporting speech they didn't like.

Other times, government simply enables the harassment. It fails to protect this private information from leaking to the army of angry leftwing activists who stand eager to harass and bully anyone who is contributing to national conversations with political views with which they disagree.

Back in 2014, the IRS had to settle a lawsuit on this very issue. An IRS worker broke the law and leaked an unredacted copy of a group's confidential tax forms which wound up in the hands of a liberal organization on the opposite side of the issue. Needless to say, private information about Americans' political speech was quickly weaponized for political purposes. In one case, the CEO of a technology organization was hounded from his job by liberal activists for daring to see this subject differently than they did.

Some State governments began demanding their own copies of the information the IRS was gathering. There were similarly troubling results. In 2012, California, which had promised nonprofits that donor lists would only be seen by the State's Registry of Charitable Trusts, accidentally—published the donor lists of hundreds of nonprofits from across the political spectrum. More States, like New York, have sought to copy California, allowing more activist regulators to access this information.

So the pattern is unmistakable. This particular political movement wants to erase our age-old tradition that citizens should be able to keep their private views and the causes they privately support private.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Back in the 1950s, it was the NAACP who took on the State of Alabama over precisely this issue. The State government tried to get their hands on the NAACP's donor list. The issue went all the way to the U.S. Supreme Court, where the NAACP won a big victory for the First Amendment.

Here is what Justice Harlan wrote in that opinion: "Inviolability of privacy and group association may in many circumstances be indispensable to preservation of freedom of association, particularly where a group espouses dissident beliefs."

He said that forcing private organizations to disclose their donors was not so different from forcing people with certain views to wear armbands or other clothing, advertising their beliefs to the world.

In both cases, the government's action would be inviting harassment and intimidation upon Americans—those whose beliefs were either unusual or unpopular or, in today's culture of intimidation, those whose beliefs the left disagrees with. The result is, more speakers stay silent, fewer Americans choose to exercise their right of free association.

It is bad enough to wield government power to chill political speech and invite harassment of citizens based on what an angry mob might assume their opinions are, based on their private financial records. It is even more egregious to pursue that nakedly political goal while calling it—believe it or not—good government.

In this country, good government means protecting citizens' First Amendment rights to participate in the competition of ideas, not trying to shut down that competition. We persuade. We don't intimidate.

So I welcome this announcement and applaud the leadership of Secretary Mnuchin and Acting IRS Commissioner David Kautter. I am glad this step will make the right of Americans to freely advocate for their strongly held beliefs less vulnerable to the malice of some in government and to the proven failures of bureaucracies. I urge continued vigilance for all of us who cherish the First Amendment.

TAX REFORM

Mr. MCCONNELL. Madam President, on a different matter, it is becoming a historic year for favorable economic news. There are plenty of ways to measure how American workers, job creators, and entrepreneurs are writing a new chapter.

After nearly a decade of stagnating pay and vanishing opportunities, recent months have brought remarkable milestones. Optimism among American small businesses has reached its highest level since President Reagan's first term. Sixty-seven percent of Americans believe that now is a good time to find a quality job in the United States—the highest percentage in 17 years of Gallup polling. Just last

month, a manufacturing industry measure reported growth in 17 out of 18 sectors, from textiles to precision technologies.

It is no surprise, then, that the National Association of Manufacturers found last month that a record-high 95.1 percent of American manufacturers have a positive view of their company's outlook.

What do these numbers mean to real workers on the floor of American factories? At Mack Molding, an injection molder and contract manufacturer, with locations in Statesville, NC, and Arlington, VT, it means a \$5.4 million investment in facilities with preparations to hire 100 new workers. At Sabel Steel, based in Montgomery, AL, it means large pay raises for most of the company's 230 employees and new, more efficient equipment at facilities across the South. Both companies credit last year's historic tax reform law with helping make their 2018 success possible.

Our Democratic colleagues can talk all they like about repealing middle-class families' and job creators' historic tax cuts and sending that money back to Washington instead, but this united Republican government is proud of the new prosperity they are building. We will not let the Democrats take away their tax cut.

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

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

TRUMP-PUTIN SUMMIT

Mr. DURBIN. Madam President, I am at a loss for words to describe what happened yesterday in Helsinki, Finland. I am disappointed, as well, by the stunning silence of some of my colleagues on the other side of the aisle in response to it.

When each of us is elected to serve in Congress—the House and the Senate—we are asked to take an oath, a very serious oath. In it, we swear to support and defend the Constitution of the United States against all enemies, foreign and domestic. The President of the United States similarly swears to preserve, protect, and defend the Constitution of the United States.

Yesterday in Helsinki, Finland, the President of the United States was engaged in an appalling display. What we saw at that press conference—standing just several feet away from Vladimir Putin, the leader of Russia—was the President's decision to turn his back on the organizations and agencies of the U.S. Government, to question their credibility, and to affirm, incredibly, that Mr. Putin had given a powerful denial to what they have found when it comes to the Russian interference in our last election.

Just days after bullying our key NATO allies and failing to publicly accept that Russia attacked our country, attacked our democracy, this administration and its enablers here in Congress are failing that oath.

President Trump refuses to accept the findings of American intelligence professionals, the Department of Justice, the Department of Defense, and virtually every agency of our government that is tasked with keeping us safe and instead accepts Vladimir Putin's absurd, self-serving denials. Many of my colleagues here in Congress refuse to even speak up to denounce the President's actions.

Consider what happened months before the 2016 election when our Nation's top intelligence officials came and told key congressional leaders about the Russian cyber attack on the United States. The administration at that time, under President Obama, was deeply concerned. President Obama was looking for a bipartisan response condemning Putin's efforts in the closing days of the elections so as to avoid any hint of partisanship in the public announcement and to present a unified deterrent.

What was the response of Majority Leader MITCH MCCONNELL after hearing this alarming revelation that Vladimir Putin was actively interfering in our elections and trying to undermine our democracy? Senator MCCONNELL's response: No thanks. We are not going to help. And incredibly, neither the Senator nor his party did.

Is there anyone in the Senate—anyone who took the oath to protect our Nation against enemies, foreign and domestic—who thinks any of us, regardless of political party, should receive help from a foreign adversary to get elected? I hope we all agree that country must come before party. So then why do so many of my Republican colleagues remain silent in light of President Trump's open denial of the reality of Russia's involvement in our election?

Yesterday, we watched in disbelief as the President not only refused to even acknowledge the act of cyber war against the United States but, incredibly, blamed America first for our poor relationship with Russia. We watched our American President refuse to stand up to Vladimir Putin, a former KGB official, who executed one of the most breathtaking cyber attacks in history aimed at the United States and aimed at undermining the Western security alliance and our country's democracy. An American President stood on the world stage next to a tyrant—a tyrant who denies that he attacked us—and then the President of the United States repeatedly agreed with that adversary and dismissed criminal indictments of Russian Government officials responsible for the attack. The President closed with a rambling preening about his great election victory.

We have an American President who seems to be utterly incapable of saying