



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, TUESDAY, JULY 31, 2018

No. 129

Senate

The Senate met at 10 a.m. and was called to order by the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi.

PRAYER

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

Let us pray.

Sovereign Lord of the Universe, we pray today for our lawmakers. Use them for Your glory, providing them with wisdom to live with integrity through their labors. Enable them to live, trusting in the unfolding of Your providence. Lord, inspire our Senators to glorify You, doing justly, loving mercy, and walking humbly on the path You have chosen. Keep them in the circle of Your unfolding providence. May they find delight in doing Your will as You remove from their lives the barriers of fear, hatred, and strife. Help them to seek more fully to resemble the Prince of Peace.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 31, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mrs. HYDE-SMITH thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

IMMIGRATION AND CUSTOMS ENFORCEMENT

Mr. McCONNELL. Madam President, I want to take a few moments to discuss the brave men and women who serve in U.S. Immigration and Customs Enforcement.

I had the privilege of visiting the ICE office in my hometown of Louisville this past Friday and of meeting with these agents in person.

This is a Federal agency that was created following the attacks of September 11, 2001. It is responsible for several key aspects of our homeland security: enforcing our immigration laws, combating terrorism, and preventing people and goods from moving illegally throughout our country. Its record on these vital missions is staggering. In fiscal year 2017, ICE recorded more than 105,000 arrests of aliens with known criminal convictions on their records—nearly 4,600 convictions for robbery, more than 3,700 for sexual assault, and more than 1,500 for homicide.

We are talking about the men and women in law enforcement who con-

front all of this in order to keep all of us safe. This is hardly a controversial mission; it is essential. We are lucky these agents are willing to serve. The Nation is better off for it. So I wanted to pay these agents a visit in Louisville and thank them firsthand for their work.

Recently, they have fallen into the crosshairs of some extremely vocal, far-left special interest groups, groups that explicitly say—now get this; this is what they say—that our Nation would be better off with no borders and no immigration laws of any kind. That is what these people advocate. They are slandering ICE agents. They are calling the agency “an unaccountable strike force executing a campaign of ethnic cleansing” and even “a genuine threat to democracy.” That is what they are calling ICE agents. According to these leftwing groups, the threat to democracy is not the violent criminals who are illegally present in our country but, rather, the brave law enforcement officers who volunteer to take them on.

Well, fringe political movements are nothing new. You can find a few Americans who will argue almost any side of any issue. What is new—what does get my attention—is when prominent, leading Democratic politicians, including a number of our colleagues right here in the Senate, adopt some of these extremist views wholesale and let the far-left talking points form the basis of their own policy positions.

The junior Senator from New York said recently that if Democrats regain the House and Senate, the first thing they should do is “get rid of ICE.”

The senior Senator from Massachusetts pointed to “replacing ICE” as the first priority of a top-to-bottom rebuild of America’s immigration system.

The mayor of New York City calls the agency “no longer acceptable.”

A Member of the U.S. House of Representatives likened it to—get this—“the Gestapo of the United States.”

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



Printed on recycled paper.

S5463

The gestapo of the United States? I am really not sure where to begin in responding to this foaming hysteria.

It is one thing for a few protesters and Socialist hecklers who want open borders and the elimination of all immigration laws to adopt a slogan as silly and ill-considered as “abolish ICE,” but it is something else entirely when U.S. Senators are so eager to please these leftwing extremists that they join that chorus—join in denigrating the men and women of U.S. law enforcement. This is the moment we are in—that of leading Democrats’ taking cues from the open-borders Socialist crowd and proposing to eliminate the very agency that enforces Federal immigration laws within the interior of our country. Talk about a political stunt.

The American people want nothing to do with these dangerous antics. My neighbors and constituents in Kentucky certainly don’t. So my fellow Republicans and I will continue to proudly stand with ICE, stand with the rule of law, and stand with all of the American families who would rather have fewer drugs and less crime in the communities in which they are raising their children.

ECONOMIC GROWTH

Mr. MCCONNELL. Madam President, now on another matter, we learned last week that second-quarter real GDP growth exceeded 4 percent. That is the best quarterly growth rate in 4 years and one of the strongest reports since the great recession.

Earlier this month, we learned that new claims for unemployment insurance recently reached the lowest level since—listen to this—1969 and that the number of continuing claims, week to week, is lower than it has been at any point since 1973. Let me say that another way. Notwithstanding almost half a century of population growth, fewer Americans are applying for new unemployment benefits today than has ever been the case since just a few months after Apollo 11 landed on the Moon. The last time this few number of Americans continued to receive unemployment week to week was when Richard Nixon was President. No wonder analysts are heaping praise on this economy. The Wall Street Journal noted last week that recent reports indicate “underlying strength that could tee up one of the best years in the current expansion.”

Back in March, my home State of Kentucky joined a list of 14 States that have reached the lowest unemployment rates in recorded history since this united Republican government has been in office. Never before on record has Kentucky’s unemployment rate dropped as low as 4 percent.

Already in 2018, an estimated 14,000 Kentuckians have found jobs at businesses of all shapes and sizes.

Glier’s Meats, in Covington, announced that the company was plan-

ning to add new positions and invest in new equipment to meet growing demand. In the words of the company’s president, “We had a number of projects that were seen as something we could consider doing down the road, but because of tax reform, it’s possible to reinvest in the plant and in new equipment now.”

In Ashland, Braidy Industries expects to support 1,000 construction jobs as it constructs a new state-of-the-art manufacturing facility and then 600 permanent jobs. It broke ground in June.

Not a single one of our colleagues across the aisle voted in support of this historic tax reform that is helping to make these developments possible. For them, these data are telling an inconvenient truth, and the inconvenient truth is this: The rest of America is not hiding from these numbers. Americans are benefiting from these numbers. We are celebrating them and all of the life-changing job opportunities, wage growth, and small business expansions they represent.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Madam President, the Senate has a duty and a responsibility to methodically review a Supreme Court nominee’s record. That is why, in past years, the Senate has sent bipartisan letters—bipartisan—to the National Archives and Presidential libraries requesting the necessary information on a nominee. Democrats and Republicans agreed that however we would ultimately vote, transparency and openness were principles we all shared.

It appears that bipartisan tradition has been tossed aside. It was fine for our Republican friends when they were in the minority and President Obama nominated candidates to the Supreme Court. But the double standard is glaring, enormous, and detrimental to America.

Now the Republican majority has cast aside Democratic wishes for openness and transparency and has made a partisan request for only a small subset of Judge Kavanaugh’s records. It is such a break from precedent that we have to wonder: What are the Republicans hiding about Judge Kavanaugh’s

record? What are they so afraid of that they tie themselves in knots—into a pretzel—to contradict everything they stood for when they were in the minority?

Today, every Democrat on the Judiciary Committee has joined Ranking Member FEINSTEIN in making a formal request of the National Archives to provide the exact same universe of documents provided during the confirmation of Justice Kagan. When I say the same request, I mean the exact same request.

The Judiciary Committee has updated the letter to refer to Judge Kavanaugh, but in every other way it is identical to the request that Democrats and Republicans made for Justice Kagan that Republicans insisted on when she was nominated by President Obama.

By the way, it was Senate Republicans who insisted on this standard during previous confirmations. Democrats, even though our nominee might be exposed, agreed because we believed in openness, and we are not hypocritical in saying that it is only good when we are in charge, not when you are in charge. We believe it works both ways.

Ranking Member FEINSTEIN has made it clear that we don’t need or want every single scrap of paper from Judge Kavanaugh’s time as Staff Secretary, but to review none—none—of the nominee’s records for most of his senior role in the White House is an act of what might be called willful opacity. That is why we are not following very sensible, bipartisan precedent now.

Judge Kavanaugh himself has said that his time as Staff Secretary was especially useful to him as a judge and that his time in the White House made him a better interpreter of statutes. I hope that the National Archives will understand the dilemma we are in and the unusual circumstance we are in, and, ultimately, I hope my Republican colleagues will understand and that both the Archives, either on its own or with Republican acquiescence, will make the right decision in the interests of transparency, consistency, and fairness. To do otherwise is to forsake the Senate’s constitutional duty to provide advice and consent on this surpassingly important nomination.

REPUBLICAN TAX BILL

Mr. SCHUMER. Madam President, on another subject, taxes, President Trump and congressional Republicans promised working America the Moon and the stars with their tax bill. President Trump said that it would create “a middle-class miracle” and that everyone would get a \$4,000 raise. Remember that? President Trump promised the American people that these tax cuts for the wealthy would trickle down—or torrent down—and everyone would get a \$4,000 raise. If we asked Americans from one end of the country to the other to tell us by raising their