

If you know his character, you know he is on the Senate floor because of his deep belief in this Nation, not just today but for the tomorrows to come, and that we must maintain healthy checks and balances on Executive power and within our system of government.

I am grateful for him to come in his final hours as a U.S. Senator still pushing this idea that there should be checks and balances, pushing this idea that there is a bipartisan space to try to preserve the ideals of this Republic, pushing this idea that no one—not a U.S. Senator, not a Congressperson, not even a President—is above the laws of this land because in the United States of America, we believe in the rule of law.

More than this, we talk about the Framers, but every generation of people who are in these seats in many ways are stewards of this Republic. What I respect about my colleague from Arizona is that he takes that seriously. Something from past Members in history who have understood that is that you need to not only make decisions for today but you need to plan for tomorrow. It is an axiom that I know all of my colleagues on both sides of the aisle believe: It is better to be prepared for a crisis and not have one than have a crisis and not be prepared.

I am one to believe that we are coming perilously close to the precipice of our Nation having a constitutional crisis. There is an investigation going on that is not a political attack. It is not a witch hunt—whatever may be seen. We already have seen this investigation through a consensus of our intelligence community that is investigating an attack on our Nation. It is something that people from both parties have spoken about—the importance of having an independent investigation. It is something that an appointee of the President, Jeff Sessions, has said we need to make sure the investigation is independent and beyond reproach.

That investigation has already yielded many indictments. It has yielded guilty pleas, and that investigation should be able to continue. There are some people who say: Hey, there is no threat to that investigation, but I am a big believer that if someone shows you who they are or tells you who they are, believe them.

We have a President right now who is attacking this investigation—the very legitimacy of this investigation—and he is acting like someone who believes this investigation shouldn't be going on at all. I believe that it may not happen, and we may not end up with a constitutional crisis, but if one comes, we should be prepared.

How are we to be prepared? Not by some partisan radical idea, but by a very sobered measured step that is embodied in the legislation that we are calling for right now—to have a modest check and balance on a President's power to end an investigation and dis-

miss the special counsel. That is what this is all about. It is a modest step of judicial review that could prevent not just a crisis that might happen next month or next year but 20 years from now, 30 years from now, 50 years from now. It is in line with what this body has done in the past of providing a check and balance on Executive power.

We have called yet again, for the third time, for a vote, and a third time we have not been granted a vote on the Senate floor or granted unanimous consent.

I am grateful to be standing with my colleagues for the third time. My hope is that in the fashion we have seen on this floor of recent, that we can work together to ensure we have a check and balance on Presidential power, to ensure the ideal of this Nation of equal justice for all, and to ensure that we can have a country where no one is above the law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, to conclude, I thank my colleagues for their kind words. I thank them for taking their jobs seriously and that they would continue to do this.

I say to our President: This is not a witch hunt. Russia attempted to interfere in our elections, and they will continue to make that attempt.

We are seeking truth here, and that is what the special counsel is doing, and he needs to be protected. We need to be better prepared for future elections. That is what this is about.

As the Senator from New Jersey just said, this is based on the principle that no one—no one, however high and mighty, whatever position they hold—is above the law.

With that, I yield back.

The PRESIDING OFFICER. The Democratic leader.

TRIBUTE TO CLAIRE MCCASKILL

Mr. SCHUMER. Mr. President, I return to the floor to conclude saying good-bye to Members of our caucus who will not be returning to this Chamber next year. Last, but certainly not least, to me and to so many of us, is my dear, dear friend, the Senator from Missouri—as she says it—CLAIRE MCCASKILL.

It should come as no surprise to anyone that the Senator from Missouri found her way into politics. She got her start early. Growing up in a family that was actively involved in government and politics, CLAIRE was not given the option to avoid subjects of national debate. When CLAIRE was 7 years old, she was sent door to door on Halloween, saying: Trick or treat; vote for JFK.

Soon, politics wasn't just a passion passed down but a passion of her own. In high school, CLAIRE launched a stealth campaign to become homecoming queen. In the tradition of her school, the football team picked the

winner. So CLAIRE befriended all the linemen—doing small favors, arranging dates—knowing there would be more of them than any other position. Guess what. She won, not because she skated by on popularity—although she was always popular—but because she put in the work. She was tenacious and tactical, qualities she would take from high school politics into the politics of the wider and older world.

That is how, as a Democrat in a State already becoming more conservative during her youth, CLAIRE would go on to represent Missouri at nearly every level of government. As a prosecutor, in the State house, as State auditor, and, eventually, for 12 amazingly wonderful and productive years as Senator.

I was chair of the Democratic Senate Campaign Committee in 2005. CLAIRE was just coming off a difficult loss in the Governor's race, after which she "drank a lot of red wine and ate too many cookies," by her own typical frank admission. I had heard so much about her that I flew to London to meet with CLAIRE and her dear husband Joe about a possible Senate race. Almost immediately, I was struck by the force of her personality.

She is a whirlwind. As CLAIRE's mother, Betty Anne, said of her, "Integrity, independence, and guts—that's what CLAIRE MCCASKILL is made of." Everyone who meets CLAIRE can see that from the get-go. By the end of dinner, I was so eager for CLAIRE to run that I did something I almost never do. I paid for dinner. I have never been more glad that I did because CLAIRE became an exceptional Senator and one of my closest friends, not just here in the Senate but in life. A moderate at heart, CLAIRE had a knack for finding compromise between our two parties—a theme among many of our departing Members.

She worked across the aisle with Senator COLLINS to protect seniors from financial scams. She worked to fight for victims of opioid addiction, working with Republicans on taking on the big pharmaceutical companies that were funneling money to organizations to promote their own dangerous products.

In the tradition of her political idol, Harry Truman, she took a seat on the Armed Services Committee and fought fiercely for our veterans and our military.

Her hearings on the waste, fraud, and abuse of military contractors ushered in long-overdue reforms to military contracting, increasing transparency and accountability.

Almost every issue that CLAIRE got her teeth into, she never let go and always succeeded. She was amazing as a Senator.

Of course, CLAIRE wasn't just pragmatic. One of the reasons we love her is that she is both pragmatic and principled and combines those two in a unique way.

I will never forget the vote on the Dreamers. CLAIRE was seated in a seat

back there. She was a more junior Member. She knew that voting to bring the Dreamers home—a pathway to citizenship and living here in America—could mean the end of her election. She said that to me. But she said: I cannot vote against them. And we walked down the aisle together, tears streaming down her cheeks, and, of course, she voted yes.

The Senate has its fair share of dealmakers. It has its fair share of principled fighters as well. But rarely, rarely, rarely is a Senator so adept at both. That is our CLAIRE MCCASKILL.

We will miss far more, of course, than CLAIRE the Senator. So many of us will miss CLAIRE the person. When she has something to say to you, she does not hold back. Believe me—I know. I have been called just about every name in the book by CLAIRE MCCASKILL, and each time, it rang true, but I didn't mind it because I know it was done with both affection and a desire to make me better and do a better job. And I can say this: Whatever job I am doing here as leader is in significant part because of CLAIRE MCCASKILL's loving but pointed criticisms. I will miss them so much.

She is amazing. I am not the only one she criticized, and I am not the only one she criticized using the words that came right to her mouth. They say they used to keep a swear jar on her desk in the Missouri Legislature. I would be surprised if they didn't keep a few lined up along the whole desk.

But as much as CLAIRE can sometimes criticize you in a pointed way, she can also make you laugh. She said her father insisted on two things: that she learn the rules of football and how to tell a good joke. That, she did. And more than that, she can tell a good joke at her own expense. That is just one of many reasons she was so well liked in this Chamber by Democrats and Republicans.

It is rare you can find someone who speaks her mind so directly and yet be so loved. That is one of the many uniquenesses of this wonderful lady, CLAIRE MCCASKILL. And I am not the only one who felt that way. After a farewell address in this Chamber, the line of Senators to say a few words about CLAIRE was long, and it wasn't just on our side of the aisle.

I could go on about Senator MCCASKILL for quite a while, but I am sure she is already telling me that I am getting longwinded. So let me close with this: When CLAIRE was 9 years old, her father took her to the annual Jackson Day dinner in Springfield, MO, to hear the big political speeches on offer that year. After all, this was a famous venue that had hosted the giants of American politics—William Jennings Bryan, Harry Truman, JFK.

Well, guess who delivered the closing address at the Jackson Day dinner this year. CLAIRE MCCASKILL, whose impact on her State and her country, as well as on the Senate and on so many of us, belongs in the same category as those

distinguished names and will live on just as long.

CLAIRE, we are going to miss you so. I will, the Senate will, Missouri will, and America will. I wish you and Joe and your wonderful family all the happiness in your next endeavors.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

LETTER OF RESIGNATION

Mr. KYL. Mr. President, I am informed that it is necessary for me to insert into the RECORD of the proceedings the resignation letter that I sent to Governor Doug Ducey of Arizona on December 12, 2018; therefore, I ask unanimous consent that this letter be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
December 12, 2018.

Hon. DOUG DUCEY,
Governor of the State of Arizona,
Phoenix, Arizona.

DEAR GOVERNOR DUCEY: Thank you again for appointing me to the U.S. Senate to fill the vacancy created by John McCain's death. It has been an honor and a privilege to again serve the people of Arizona.

When I accepted your appointment, I agreed to complete the work of the 115th Congress and then reevaluate continuing to serve. I have concluded that it would be best if I resign so that your new appointee can begin the new term with all other Senators in January 2019 and can serve a full two (potentially four) years.

Therefore, I will resign from the U.S. Senate effective 11:59 pm EST December 31, 2018.

Respectfully,

JON KYL,
United States Senator.

REMEMBERING JOHN MCCAIN

Mr. KYL. Mr. President, the other thing I would like to do this afternoon is to very briefly report to my colleagues and to constituents back home on some things which my predecessor, Senator McCain, was working on at the time of his untimely death and which his staff and I have continued to work on and, in several cases, have brought to successful conclusion. I want people to know about these items and what we have been able to accomplish.

I first want to thank the members of his staff who wanted to stay in the service of the government and the State of Arizona and were willing to take a position in my office, as a result of which, we were able to really have a seamless transition from some of the things Senator McCain was working on and my ability to continue to do so.

One of the first things of which I was aware but not really aware of the depth that he had taken it is a new relationship in the State of Arizona among the three pillars representing the defense establishment in our country and specifically in the State of Arizona. These are, first of all, our military installations—Arizona is blessed to have a lot

of military installations; secondly, the defense industries—again, Arizona is the home to many important defense industries serving all of our branches of the military; and finally, the communities that support both of those elements of our establishment.

As a result, I had the opportunity to meet throughout the State with the groups that Senator McCain had helped to nurture and to create—in particular, a group in Tucson and Southern Arizona, including Yuma, called the Southern Arizona Defense Alliance; in Flagstaff and Northern Arizona, the Northern Arizona Military Affairs Council; and in Central Arizona, Maricopa County and the Phoenix environs, the Mesa Industry and Defense Council.

Meeting with the representatives of all three components of our military society and hearing about the successes they had in working with each other and in providing a real synergy that benefited them all just reminded me again of how important Senator McCain's leadership was to the State of Arizona and to our national security.

I wanted to mention that today and to let everyone know that I will be passing on to my successor the advice that these councils continue to need to be supported and nurtured by the Senators from the State of Arizona, as well as the Members of the House of Representatives.

A second thing that John McCain was involved in as part of his activities as chairman of the Senate Armed Services Committee was the creation—a couple years ago—in the Defense authorization bill of a national commission to advise the Secretary of Defense on the strategy for the United States and to report back to Congress—and specifically the Armed Services Committee—on their conclusions.

This bill created the National Defense Strategy Commission, comprised of 12 members, 3 of whom were appointed by the chairman and the ranking member—each—of the Senate Armed Services Committee and the House Armed Services Committee.

I was privileged to have been appointed by Senator McCain to serve on that Commission, and I did for approximately a year. My service there ended as we finished our report. Before it was signed, while it was still being edited, he passed away, and I was appointed to serve in his stead. So I have had the unique opportunity to both help write the report and then be a member of the Armed Services Committee, on which he sat, to receive the report and to question the cochairmen of that Commission, Ambassador Eric Edelman and ADM Gary Roughead, Retired.

I think the importance of this Commission report reflects what Senator McCain hoped to achieve, and that is a bipartisan consensus, a unanimous report which provides advice to the Secretary of Defense and will provide advice to both the House and the Senate.

As I said, there has already been a hearing before the Senate Armed Services Committee, and I know the House