

important piece of historic legislation. I look forward to coming back to the floor of the Senate to continue to share the stories of this success. Letting people keep more of what they earn, having more take-home pay, improving their standard of living, and making the United States more competitive in the global economy—rather than seeing businesses and investment move overseas, let's see that come back home, which I think we will see in droves, and the American people will be better off for it.

Mr. President, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of William L. Campbell, Jr., of Tennessee, to be United States District Judge for the Middle District of Tennessee.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

##### STOP ENABLING SEX TRAFFICKERS ACT

Mr. BLUMENTHAL. Mr. President, every day in America—the greatest Nation in the history of the world—children, young women, and teenagers are sold for sex. That is not a proud fact about America, but it is the stark reality. Every day in America, young women, children, and teenagers are trafficked, in large part because they are advertised now on the internet, in the open, visibly, and obviously. Even though code words may be used and sometimes doctored photographs, they are sold for sex because the traffickers are able to do so using the internet. We are here to stop it. We are here today to stop the trafficking and, most importantly, to stop the advertising.

In support of a measure, known as the Stop Enabling Sex Traffickers Act, SESTA, we have a strong bipartisan coalition. This bill is about as bipartisan as any bill is. I have worked on this legislation together with my colleague and friend, Senator ROB PORTMAN of Ohio, from the very begin-

ning. We have been joined in this effort by two Democrats and two Republicans—Senators MCCASKILL, HEITKAMP, CORNYN, and MCCAIN. We are passionate about this effort, and so are our colleagues who have joined us, because it is about those victims—those children, teenagers, and young women—who are sold for sex, who are trafficked on the internet. We want to give those victims a voice and a day in court, a right of action, a defense against this absolutely heinous, atrocious, inhumane crime. It is a crime and it can be prosecuted, but the victims deserve a day in court and a voice as well. That is the fundamental, core purpose of this legislation. It is about the victims.

We have been joined in this effort by advocates for those victims—sex trafficking survivors themselves and a diligent, bipartisan coalition of colleagues. In fact, more than 60 of our colleagues have joined this as cosponsors. We are now at a critical milestone for this bill. We have reached a point of momentum that makes this bill unstoppable if those survivors are to be heard and heeded, and I urge my colleagues to do exactly that. SESTA is really the product of stakeholder consensus. It has the support of every major human trafficking organization, of law enforcement, and of all of the major tech companies.

In essence, SESTA would clarify that section 230 of the Communications Decency Act was never intended to protect websites that facilitate sex trafficking, and it would ensure that those survivors get their day in court. It stands in stark contrast to a measure in the House of Representatives that has been approved by the relevant committee there, which would fail in that effort. Websites that knowingly facilitate sex trafficking should be afforded no protection under the Communications Decency Act. They should be given no harbor or implicit approval, which is what the legislation now does. The House bill, unfortunately, would fail to give those survivors and victims their day in court and the voice that they so desperately need.

Senator PORTMAN and I—and I am proud to be joined with him today on the floor—have championed this cause as a result of what we have seen and heard. In fact, in going back almost a decade, when I was attorney general for the State of Connecticut, I saw firsthand the way that websites can knowingly facilitate sex trafficking. I saw firsthand how challenging it was for law enforcement to develop cases against sex traffickers and employ anti-trafficking laws given the constraints on their resources, especially when those sex traffickers were able to use the internet to reach their customers. My experience in combating sex trafficking as attorney general at the State level led me, in my working with Senator PORTMAN, to co-launch and co-chair the Senate Caucus to End Human Trafficking so as to help find

solutions to this problem and others around the world whereby children and teenagers and others are sex-trafficked and victimized.

As the State attorney general, I concluded that facilitating sex trafficking must face repercussions. I was joined by the National Center for Missing and Exploited Children, which reported and has since reported the numbers. For example, there has been an 846-percent increase in reports of suspected child sex trafficking from 2010 to 2015—a spike it found to be “directly correlated to the increased use of the internet to sell children for sex.” We have heard of some of those instances, of some of the histories and the stories of these young people.

In 2012, a 15-year-old girl ran away from home. Over the next 2 years, pimps trafficked her for sex through these ads. As a result, she was raped over 1,000 times while she was moved from one site to another with the aid of the internet. In 2010, another 15-year-old girl ran away from a residential program. A pimp began to traffic her for sex by posting online ads. As a result, she was raped 900 times over the next 2 years.

These two young women and a third mustered the courage to tell their stories and to bring a lawsuit against backpage.com, which is the website that has profited most prominently from these online ads. These advertisements graphically emphasized the survivors' and victims' youth and other characteristics in trafficking them for sex. Yet the courts, understandably and perhaps rightly, have held that backpage.com and these internet sites generally have no legal responsibility. The First Circuit Court of Appeals found that backpage.com was immune from civil liability because of section 230 of the Communications Decency Act.

Websites that facilitate sex trafficking unconscionably and intolerably are now immune from legal action by survivors. That is unacceptable in America. No matter how terrible the harm they cause, no matter how horrific the consequences to these young people, they are protected by a shield from moral and legal responsibility. In a sense, these women were victimized as much by backpage.com and the internet as they were by the pimps who more directly sold them.

Senator PORTMAN and I, through SESTA, would implement three key reforms: No. 1, allow victims of sex trafficking to seek justice against websites that knowingly facilitate their victimization; No. 2, clarify that it is illegal to knowingly facilitate a violation of the Federal sex trafficking laws; and No. 3, enable State law enforcement officials, not just the Federal Department of Justice, to take action against individuals or businesses that violate Federal sex trafficking laws.

If websites are not knowingly facilitating sex trafficking, they should have nothing to fear from the law. If

websites are doing their best to avoid facilitating sex trafficking, they have no worry about their liability. Yet, if they knowingly facilitate, they ought to face survivors and victims in court, and they ought to acknowledge and recognize their legal and moral responsibilities.

I want to be very blunt with my colleagues here about the House bill because my feeling is that we owe it to those survivors and victims to give them not just nice words and rhetoric but real rights. Congress must not only pass an online sex trafficking law; it must pass real sex trafficking internet protection. Unfortunately, the House Judiciary Committee recently passed legislation that fails to accomplish that goal.

My colleagues should not be fooled—the House bill is in no way an adequate alternative to SESTA. It is, unfortunately, completely insufficient in protecting survivors and victims and giving them that day in court and that voice they now lack. The difference between the House and Senate bills is stark and clear, like night and day. The Senate bill gives victims of trafficking their day in court. The House bill does not give a single survivor or victim access to justice. It fails to open the courthouse doors; it leaves them shut. In fact, it may even deny victims and survivors their right to file legal action. The Senate bill has the support of every major human trafficking organization, as well as of all of the major stakeholders. The House bill is supported by none—zero—no major group. In fact, 47 organizations and more than a dozen survivors and family members recently sent a letter that calls for the House bill, as it is presently written, to be rejected.

I strongly urge my colleagues to join this bipartisan group of more than 60 of us who are supporting SESTA to help pass this essential legislation as soon as possible. We owe it to those survivors and victims. We owe it to ourselves. We owe it to America.

I am proud to yield to my friend and colleague who has joined in this effort and has been such a steadfast champion, Senator PORTMAN.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I want to thank my friend and colleague, Senator BLUMENTHAL, for his commitment to this issue. We started this caucus to end trafficking 6 years ago, and during that time period there has been some significant progress made here in the Senate and the House. We have been able to pass legislation to help crack down on trafficking.

Unbelievably, in this century in this country, sex trafficking is increasing, not decreasing, despite our good efforts. We have increased the penalties on those who purchase sex from underage children. We have changed the dynamic of how the Federal Government and HHS look at this issue and these girls who get engaged in trafficking

and get trapped into the system and to treat them like the victims they are rather than as criminals.

We have done more to increase awareness of this issue. We have required for missing kids, which are probably the most vulnerable of all, that there be a photograph or another identifier, which, unbelievably, for the most part there was not prior to that. We have made some progress.

Senator BLUMENTHAL and I have written legislation with regard to Government contractors who overseas engage in human trafficking—and our tax dollars go for that. So we have made some progress, but it is still increasing.

Why? Senator BLUMENTHAL talked about it. The experts are unified on this. The main reason we see an uptick is because of the dark side of the internet. The Senator quoted the statistic earlier about an 850-percent increase in reports of sex trafficking over the last several years prior to 2015. The reason that was true was because we saw the emergence of these companies like backpage.com, which probably has about 75 percent of the commercial sex traffic on one site, and the ruthless efficiency of the internet getting engaged on this issue. So we have to address this issue.

Here is the tragic part of this. Not only are more and more lives being ruined and there are more and more heartbreaking stories, but it is because of a Federal law that provides immunity to these websites. So it comes right back here, right to these desks, right to this Congress, right to us as legislators to fix this problem, not to try to smooth it over but to actually fix the problem, which is that some of these online trafficking sites are immune from prosecution because of a Federal law. It was a well-intended law that was written 21 years ago, I think. It is the Communications Decency Act. Ironically, it was put in place to make it a crime to send pornography to kids online, but it has been twisted and used by these trafficking sites to provide them the ability to say: You can't touch us; you can't go after us. That is so because part of what the law says in trying to promote the internet is that if you post somebody else's material on your site, you are not liable. All we are saying is that if you know this involved trafficking—and Senator BLUMENTHAL talked about his experience as a prosecutor; this is a high bar, a known standard—then you can't get away with this. The standard we use, by the way, for Federal trafficking is the Federal law. So we allow victims to have their day in court, but they can't get it now.

The stories are really sad. Let me tell you one. We spent 18 months investigating this in the Permanent Subcommittee on Investigations, and what we learned was truly tragic. You had girls who were trafficked on these sites. In one case a mom testified that her daughter had gone missing for about 10 weeks, as I recall—missing.

This is a 14-year-old girl. What would you do as a parent if your daughter was missing for 10 weeks? You would go crazy. She tried everything, and someone finally told her: There is this website called backpage.com; you might want to check it out.

She did, and she was aghast at what she saw, but she was relieved by one thing. She saw a photograph of her daughter, knowing, then, that she was still alive. So she picked up the phone and called backpage.com and said: I just saw my daughter. She has been missing for 10 weeks. I saw her on your website. Thank you for taking down that ad that is trying to sell my daughter for sex online. This is my daughter. She is underage.

Do you know what the backpage operator said at the other end of the line, according to this mom? They said: Did you pay for the ad, ma'am? She said: No, I didn't pay for the ad. This is my daughter. They said: Well, we can't take down the ad. We can't take down the ad.

What kind of evil is behind that kind of a business practice? Well, what we learned, as we increasingly dug into this issue, is that it is all about profit, and you can imagine this is a very profitable business. Profits came first, to the point that people would place ads with backpage that indicated that it was for an underage girl, and backpage would then get to the purchaser of the ad and say: You know what, we need to change your ad a little bit. You need to edit out this word "schoolgirl" or "cheerleader" or "Lolita," referring to a novel about an underage girl. So they knew these ads were being run by people who were advertising underage girls, and they not only ran the ads but they sanitized the ads first.

That just shouldn't happen in this country. It shouldn't happen anywhere in the world, but certainly not with a Federal law providing protections for organizations like that.

That is all we are saying. We want Congress to pass a law that says that if you engage knowingly in facilitating this kind of activity, you are subject to liability. You have to be held to account. Is that too much to ask?

Senator BLUMENTHAL talked about it as a former prosecutor. We allow State prosecutors to go after these sites, which they cannot now. They have to use the Federal standard. So we are not trying to create a whole new area of law. It is a Federal standard that has been passed by this body.

When these victims go to court, they are rebuffed: Sorry, ma'am. In one court last August, a Sacramento judge basically invited our legislation. He said to Congress: The way that law reads, even somebody who exploits women and children online has immunity. Congress, this is your job.

So that is all this legislation does. Senator BLUMENTHAL talked about the House legislation. There was strong House legislation that was introduced

that still bears that same H.R. number. Then it was changed in the Judiciary Committee. Look, I am glad that there is more awareness and consciousness about this issue and that both the House and Senate want to act, but let's not water this legislation down. Let's not take away this core element of our legislation that simply says that under the Communications Decency Act, we should have the opportunity to allow people to sue and allow prosecutors to go after these evil websites.

We can set up new causes of action. That is fine. We can do more things as we have done in this body. As I said, over the last 5 or 6 years, we passed a number of important bills to try to raise the consciousness and to try to help on this issue, but if we don't deal with this internet part, we will continue to see an increase, which is a stain on our national character—that at this time in our Nation's history, we are seeing an increase in people being sold for sex online, often underage.

Another story came not from testimony before the permanent subcommittee where we spent 18 months studying this, but it came before the Commerce Committee, and Senator BLUMENTHAL was there for part of this. This woman came forward. By the way, you could have heard a pin drop in that room when she talked about her 16-year-old daughter who was sold on backpage.com and was sold to a man who murdered her on Christmas Eve of 2016. This is what this mom said: My daughter never should have been on that site; that should never be allowed. She is right. It should never be allowed. How can we allow that to happen?

So Senator BLUMENTHAL and I introduced this legislation. We had 24 cosponsors almost right away, and it was bipartisan from the start. This is not a political or partisan issue. As of yesterday, I think we had 64 cosponsors. These are thoughtful Members, including the Presiding Officer today, who looked at this legislation. They have heard the arguments from both sides. The other side of the argument is from the tech community, some of whom are supporting our legislation, some of whom are not. But for the people in technology who are concerned about this, I just have to state: I don't get it. This is very narrowly crafted for this issue. We are not trying to affect the freedom of the internet—just the opposite.

If you don't start cracking down on this obvious crime against humanity, which is what I believe trafficking is, I think we are going to see much broader legislation to deal with the internet. This just says: If you are violating a Federal law on trafficking and you are doing it knowingly, you are facilitating it, you are assisting it, then you have to be held liable and held to account.

In fact, we keep in the law a Good Samaritan provision that says if a website wants to clean up its site, it is

protected. The good guys should be protected. We want them to clean up their site. We want to be sure that we continue to have freedom of the internet, but we don't want to allow—nor do I think it was ever intended in this law to allow—criminal activity to occur that affects our children and our constituents over the internet without any sense of accountability or responsibility. It is narrowly crafted. It is focused on a real issue that affects real people.

On Friday I was back home in Ohio, and I was at a drug treatment center. I had an opportunity to meet some of those who are recovering addicts. As often happens when I am in those kinds of settings, it turns to what kind of treatment options are out there for trauma. Why? Because there is a link between opioids—particularly heroin and fentanyl—and trafficking. This is what has been told to me many times by some of these women, sometimes underage: Senator, trafficking has moved from the street corner to the iPhone, from the street corner to the cell phone. That is a reality.

I met a woman on Friday who was going through treatment, and part of it is to treat the trauma that is associated with this. Drug treatment is one thing, but the trauma associated with sex trafficking, repeated rapes is a course that is a deeper and even more difficult road to recovery. I believe she will recover. She has a great attitude. She gets it. She is going to have to focus on it and dedicate herself to it.

I will just tell you that this is a real issue in our communities today. It is affecting every single State in this body, and we cannot continue to ignore the reality that while the internet has brought a lot of good things to us and the internet has helped our economy to grow, there is a dark side and this dark side of the internet is why we think it is so important for us to address this issue and address it now so that the next mom who is out there right now wondering, "Where is my daughter? She has gone missing," will not find that she has been advertised online to multiple men, that her life is forever changed, and that she will never achieve her God-given potential in life because of the trauma she has experienced. That is happening right now today.

We have to pass this legislation. It will help. I am convinced it will help. It will help to avoid the reality today, which is that these websites in your communities don't care and they are not going to care until we make them accountable.

This month is National Slavery and Human Trafficking Prevention Month—January. President Trump just wrote a beautiful proclamation about it. It was a call to action. President Obama did previously. Thursday is the day in which a lot of the advocates will be here in town talking about this issue. I just urge my colleagues and their staff, if they are listening today,

please sign up on this legislation if you haven't already. To our leadership, let's get this to the floor for a vote. This should not be an issue that we drag out. Let's deal with it. We spent years studying this. We know what the issue is. We know what the problem is. Then, to my House colleagues, let's work together to actually solve this problem.

For those in the tech community who continue to oppose this legislation, I ask you to look into your hearts and think about the impact this is having on families all across the country. Yes, we all want a better world, and that is part of what many of these internet companies are professing to want, and many of them, by the way, have spent considerable resources in fighting trafficking. But if you don't get at this issue—it has moved from the street corner to the smartphone. If you don't get at this issue, I don't believe we will see the progress that all of us desire.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE).  
The Senator from South Dakota.

#### NATIONAL SECURITY

Mr. THUNE. Mr. President, the beginning of a new session of Congress provides a good moment to look back at the previous year and take stock of the challenges ahead, and today what I would like to do is just take a few minutes to talk about the national security challenges facing our country and the importance of equipping our military to meet them.

By the end of the Obama administration, our military was facing a serious readiness shortfall. The Obama administration's failure to prioritize defense had left our armed services with manpower deficits and delayed the acquisition of 21st century weapons and equipment. Military effectiveness had been compromised by a culture of micro-management in the Obama administration that seriously hampered the ability of troops and commanders to respond to conditions on the ground in a timely fashion, but within days of his inauguration, President Trump made clear that all this was going to change.

You can look at the situation we faced in the Middle East. The timeframe I am referring to right here, the mound of ground that is held by ISIS, that is in January of 2017.

Well, just a week after his inauguration, President Trump issued a Presidential memorandum on rebuilding the military. He directed a review of our military's readiness, and he set out an action plan to address manpower shortfalls, maintenance backlogs, acquisition costs and delays, and other drains on our military capabilities. President Trump also acted to free up military commanders to make decisions and to respond to conditions on the ground.

The fruits of his commitment to rebuilding our military and trusting our military leaders are already evident, most notably in the significant gains made against ISIS in 2017.