

Bill Cassidy, John Thune, Richard Burr, John Barrasso, Rob Portman, Dan Sullivan, Mitch McConnell.

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#### LEGISLATIVE SESSION

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Mr. MCCONNELL. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

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#### EXECUTIVE SESSION

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#### EXECUTIVE CALENDAR

Mr. MCCONNELL. I move to proceed to executive session to consider Calendar No. 394.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination David L. Norquist, of Virginia, to be Deputy Secretary of Defense.

#### CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of David L. Norquist, of Virginia, to be Deputy Secretary of Defense.

Lamar Alexander, Thom Tillis, Martha McSally, John Cornyn, Pat Roberts, Mike Rounds, Susan M. Collins, Tom Cotton, Roy Blunt, Roger F. Wicker, Bill Cassidy, John Thune, Richard Burr, John Barrasso, Rob Portman, Dan Sullivan, Mitch McConnell.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

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

Mr. MCCONNELL. I ask unanimous consent that the Senate resume legislative session and consideration of the veto messages as under the previous order.

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

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#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

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#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### LEGISLATIVE SESSION

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PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE PROPOSED TRANSFER TO THE KINGDOM OF SAUDI ARABIA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE KINGDOM OF SPAIN, AND THE ITALIAN REPUBLIC OF CERTAIN DEFENSE ARTICLES AND SERVICES—VETO

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE PROPOSED EXPORT TO THE UNITED ARAB EMIRATES, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, AND THE REPUBLIC OF FRANCE OF CERTAIN DEFENSE ARTICLES AND SERVICES—VETO

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE PROPOSED EXPORT TO THE KINGDOM OF SAUDI ARABIA AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND OF CERTAIN DEFENSE ARTICLES AND SERVICES—VETO

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the veto messages to accompany S.J. Res. 36, 37, and 38, which the clerk will report.

The legislative clerk read as follows:

Veto message to accompany S.J. Res. 36, a joint resolution providing for congressional disapproval of the proposed transfer to the Kingdom of Saudi Arabia, the United Kingdom of Great Britain and Northern Ireland, the Kingdom of Spain, and the Italian Republic of certain defense articles and services.

Veto message to accompany S.J. Res. 37, a joint resolution providing for congressional disapproval of the proposed export to the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, and the Republic of France of certain defense articles and services.

Veto message to accompany S.J. Res. 38, a joint resolution providing for congressional disapproval of the proposed export to the Kingdom of Saudi Arabia and the United Kingdom of Great Britain and Northern Ireland of certain defense articles and services.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I just listened with interest to the remarks of the majority leader and his accounting of history—his very defensive remarks, based on an attack from, I guess, some journalist. The majority leader, I would say, was liberally using words like “McCarthy” and “McCarthyism” and “liar” and how he proudly stood up to the Soviet Union in the wake of Brezhnev and Chernenko and Andropov. They are fascinating words, but you don’t need x-ray vision to notice a few things about the discussion the majority leader launched. First of all, this weekend, the Director of National Security resigned in frustration that

his boss, the President of the United States, has chosen to believe Russia instead of his own intelligence officials.

One of most embarrassing moments in my lifetime was when the President of the United States stood next to the dictator of Russia and said that he believed Putin and not his own intelligence officials and the consensus of his intelligence officials when it comes to influencing our 2016 elections.

So I hear that the majority leader always has an acute sense of history and his place in it. I am hopeful the majority leader, using his knowledge of history, understands the influence Russia continues to have in our country and on our elections and that this body will actually address that instead of denying the obvious.

#### OPIOIDS

Mr. President, America is in the middle of a public health crisis. In my State, 14 people die, on average, every single day of a drug overdose. The numbers are not much better in most of the other 49 States. We have known for a long time that addiction so often starts in the family medicine cabinet and that drug companies were all too eager to push these addictive drugs on the American people, but the evidence we have seen in the past couple of weeks is staggering.

New data from the DEA released this month reveals that drug companies flooded the country with 76 billion oxycodone and hydrocodone pills from 2006 to 2012—76 billion pills in a nation of slightly more than 323 million people. Seventy-six billion pills is enough to supply every person in the United States with 36 pills every one of those years from 2006 to 2012. This evidence makes clear these companies, these corporations knew exactly what they were doing.

One wholesale drug distributor in Ohio wrote an email that the opioid pills were “flyin’ out of there. It is like people are addicted to these things or something. Oh wait, people are.”

Can you believe that? He acknowledged they are addicted, and he joked about it. If that is not bad enough, then the drug company representative responded: “Just like Doritos, [people] keep eating. We’ll make more.”

They certainly did make more. That is what Big Pharma does. They push their drugs on the American people to line their own pockets and the cost in empty bank accounts and ruined lives be damned.

If that isn’t bad enough, these corporations can actually write off the cost of advertising these drugs on their taxes. In other words, all of us as taxpayers subsidize this drug company advertising. All those years that Big Pharma was pushing more and more opioids on the country, selling them ad after ad, they were getting a tax break to do it. Yet does this body do anything about that? Of course not.

For years, I tried to track down drug company ads. It is why I introduced an amendment at our Finance Committee

markup last week based on my legislation with Senator SHAHEEN to end taxpayer subsidies for Big Pharma's drug ads. We shouldn't be giving tax breaks to Big Pharma to sell its drugs, period.

There are a lot of other ideas many of us have to crack down on these companies and limit their power to push potentially addictive drugs on people.

Senator HASSAN filed an amendment during that same committee drug pricing markup to increase transparency on these drug companies. Big Pharma has a history of creating false grassroots organizations to do their lobbying for them. Groups supposedly made up of ordinary citizens but in reality are bought and paid for by drug companies. People have the right to know if the groups pushing drugs on them are actually bought and paid for by those pharmaceutical companies. The opioid addiction crisis is one of the greatest public health emergencies of our lifetime, and it is crystal clear Big Pharma purposefully and deliberately helped to cause it, and the Federal Government gave them tax breaks and continues to give them tax breaks to do it. We need to hold these corporations accountable, and we need to make sure they never again have the unchecked power to push addictive drugs or any other drugs on the American people just to line their executives' pockets.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### ELECTION SECURITY

Mr. CORNYN. Mr. President, yesterday President Trump announced that after nearly 2½ years of dedicated service, our former Senate colleague Dan Coats would be stepping down from his post as Director of National Intelligence.

Director Coats has led the intelligence community during a turbulent time for our country, and with our country continuing to face persistent threats from rogue and hostile states, as well as the ongoing war against terror, he has done a magnificent job and one that deserves all the accolades we can possibly bestow upon him. We know he entered the job on the tail of a blatant attempt by the Russian Government to interfere with our Nation's elections, and he made it a top priority to ensure that the American people could cast a vote with confidence in 2018 and beyond.

I just happened to come in the Chamber, when the Senator from Ohio was continuing to question the majority leader's commitment to election integrity, and I must say that it is ironic to me that the Russian interference with the 2016 election was, by and large, met with inaction, really nothing that the Obama administration did, even though they knew it was ongoing as early as the summer of 2016.

The truth is, as a result of this administration's and this Congress's efforts, the 2018 election was essentially interference free, and that is because of

tremendous actions being taken by the Department of Homeland Security to work with our partners in the State election systems to provide sensors that can identify attempts to hack into their system as well as the movement of State election officials to move to paper ballots and the like.

We also know we have been much more aggressive attacking the cyber threats at their source, and while much of that is classified and can't be discussed in a public forum, suffice it to say that if we can just repeat the successes of 2018 during the Trump administration in 2020, Americans can be confident their vote will be cast and be counted as it should be.

That is not to suggest for a moment that we shouldn't remain vigilant because we know the Russian Federation is going to continue to try to sow discord and cause us to question our own institutions. They are very good at it. They have been doing it a long time, but now they have additional tools like social media and propaganda as well as the complicity sometimes of the mainstream media in writing unverified and unsourced stories that create more and more and contribute more and more to this atmosphere in which we currently live.

Let me talk again about Director Coats because his remarkable career as a public servant included, at times, a Congressman, an ambassador to Germany, a U.S. Senator twice, and Director of National Intelligence.

I know I speak for others in this Chamber in saying that we are grateful for Dan Coats' dedicated service to our country, and I am honored to be one of those who can call him a friend. I wish him and Marsha the best in whatever the next chapter brings, hopefully starting with a well-deserved vacation.

I was also glad to see that the President has chosen a worthy successor to that position, my friend JOHN RATCLIFFE. For 4½ years, JOHN has faithfully and diligently served Texas's Fourth District in Congress for the people of Texas.

Prior to that, he served with distinction as U.S. attorney, prosecuting cases that spanned a wide spectrum of issues, including counterterrorism and national security.

Mr. RATCLIFFE is a Member of the House Intelligence, Homeland Security, and Judiciary Committees, a pretty good portfolio for somebody who would be the next Director of National Intelligence. So he already has an understanding of the threats facing our country and the challenges that lie ahead. I am confident he will continue Dan Coats' strong leadership as a nonpartisan strong leader for the intelligence community.

Sadly, though, we can already begin to see our Democratic colleagues beginning to play their partisan games, threatening to defeat this nomination at the expense of the American people. This position is simply too important to the security of our Nation to be

bogged down in partisan politics. Since this job was created, every single Director has been confirmed by an overwhelming bipartisan vote. In fact, none of these men received the support of fewer than 85 Senators. This one should be no different.

I look forward to the President formally nominating JOHN RATCLIFFE to be the next Director of National Intelligence.

#### JUDICIAL NOMINATIONS

Mr. President, on another matter, during the first 2 years of the Trump administration, the list of vacancies across the Federal Government was a long one, particularly on the Federal bench. The administration worked swiftly to find well-qualified nominees who were eager to serve our country and our Federal judiciary. Once those nominees were submitted to the Senate, the chairman quickly held confirmation hearings and advanced the vast majority of these nominees to the floor, but from there the process came to a screeching halt. But from there, the process came to a screeching halt. Our colleagues on the other side pulled every trick in the book to bog down and slow down the nominations process. For no other purpose than delay, they forced cloture votes on nominees with broad bipartisan support. Many were confirmed without a single Senator voting against them. Our Democratic colleagues didn't do this because these men and women were unqualified or otherwise controversial, but they did so because they were willing to do whatever it took to stymie President Trump and his administration and bring the work of this body to a crawl.

The list of vacancies kept growing longer and longer until, earlier this year, we were forced to pass a modest rules change that has fortunately broken the logjam and allowed us to fill these critical positions. As the majority leader likes to say, we are now making serious headway in the personnel business. The number of vacancies has gotten smaller, and the list of public servants who are now on the job keeps getting longer.

Last week, we added more names to that impressive list. We confirmed two district judges, inspector general for the Department of Homeland Security, and both the Administrator and Deputy Administrator of the Federal Aviation Administration. In addition, we approved two leaders whose experience will provide needed stability and leadership at the Pentagon.

After nearly 7 months with an Acting Secretary of Defense, Mark Esper has finally been confirmed for the position of Secretary of Defense on a permanent basis. Throughout his career, Secretary Esper has demonstrated integrity, sound judgment, and unabashed patriotism. I saw those qualities when I met with him most recently a few weeks ago and we had the chance to speak about some of the most pressing global threats we were facing as a nation today. Secretary Esper received broad

bipartisan support, with 90 Senators voting for him. I am glad he is now on the job, leading America's national security.

We also confirmed another important senior Department of Defense official last week. GEN Mark Milley was resoundingly confirmed to be Chairman of the Joint Chiefs of Staff, with only one Senator voting against him. I can't think of anyone more prepared for the job than General Milley, a former Army Ranger and Green Beret. He has a remarkable military resume, including commander officer of the III Corps in Fort Hood, TX, where I first got to know him years ago. I know he and Secretary Esper will continue to have a strong working relationship, and I look forward to continuing to work with both of them in their new roles.

This week, we intend to keep our progress on nominations going strong, and we have seven Texas district court judge nominees on the docket. Among those well-qualified nominees is a former Army paratrooper and Marine JAG officer, former and current intermediate court judges, former and current Federal and State prosecutors, and a Texas Supreme Court justice—a job I once held. They have all proudly served the Lone Star State in a variety of capacities.

I am, again, impressed by the outstanding nominees that the President has recruited to fill these important judicial vacancies. When these nominees are confirmed, we will finally break down two barriers in the Texas district courts. Ada Brown will be the first African-American woman to sit in the Northern District of Texas, and Jason Pullman will be the first African American in the Western District of Texas. Each of these nominees has shown their legal acumen, clear judgment, and unwavering commitment to the rule of law. I look forward to voting for their nominations later this week.

In addition to confirming these Texans and a dozen other district court judges, the Senate will confirm a critical Cabinet-level position in the administration. When Nikki Haley announced that after 2 years of dedicated service, she would leave her post as Ambassador to the United Nations at the end of last year, we knew it would leave a major hole in that organization. But the President didn't have far to look to find a well-qualified nominee. Two years ago, the Senate unanimously confirmed Kelly Knight Craft to serve as the U.S. Ambassador to Canada. Looking back on that 2 years now, it is safe to say it has been a dynamic time during our relationship with our neighbor to the north, a fact that made Ambassador Craft's job all that much more important.

Through each challenge and difference between our leaders, Ambassador Craft has demonstrated her tact and diplomatic skills. In addition to the usual duties of the office, Ambassador Craft facilitated the renegotiation of NAFTA—the North American

Free Trade Agreement—and helped broker the U.S.-Mexico-Canada Agreement—the USMCA. She helped build consensus on this agreement, which will benefit North American workers, farmers, and businesses, and won friends from both countries in the process.

Once Trump nominated Ambassador Craft to represent the United States in the U.N., we heard glowing endorsements from many of those people. Canadian officials praised her role in NAFTA negotiations and border conditions, and U.S. diplomats who served under Republican and Democratic administrations spoke of their confidence in Ambassador Craft and her ability to represent our country on the world stage.

For the last 2 years, Ambassador Craft has made our country proud as the U.S. Ambassador to Canada, and I am confident her outstanding record will continue at the United Nations. I appreciate her willingness to serve in this important role and look forward to voting for her nomination later this week.

As we prepare to head home for the August recess to spend time with our constituents, I am glad to know these important positions throughout the Federal Government will not be left vacant for much longer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

(The remarks of Mr. BARRASSO pertaining to the introduction of S. 2302 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

(Mr. DAINES assumed the chair.)

Mr. BARRASSO. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

ELECTION SECURITY

Mr. SCHUMER. Mr. President, a few minutes ago, the majority leader came to the floor to express his frustration at being accused of blocking election security legislation. I would make three factual points.

First, Russia did interfere in our 2016 elections. Every intelligence agency, everyone who has looked at this is 100 percent clear Russia interfered.

Two, Russia will attempt to interfere in the 2020 elections and is already doing it. That is not only what Special Counsel Mueller said but FBI Director Wray and many other appointees in the intelligence and counterintelligence agencies appointed by President Trump.

Three, the Republican majority has done nothing—absolutely nothing—to deal with this problem.

So here is an easy way for Leader McCONNELL to silence the critics who accuse him of blocking election security: Stop blocking.

Leader McCONNELL doesn't have to put the bills that we Democrats have proposed or the bill the House has passed—they were bipartisan bills—and we can debate the issue.

America's democracy is at risk when a foreign power interferes. So if Leader McCONNELL doesn't like being criticized on election security, I challenge him: Let's debate it on the floor with amendments. I challenge him: Support additional appropriations for States to harden their election systems. In both cases, Leader McCONNELL has not done that. In fact, he has said he opposes more money to the States even though they say—I believe there are 21 attorneys general who have said they need more money.

Despite our requests, Leader McCONNELL has not only blocked unanimous consent requests but has not put any other legislation on the floor to deal with this.

Again, I repeat, this should not be a political issue. This should not be a political issue. Whether you are a Democrat, Republican, Independent, whether you are a liberal, a conservative, in between, you should despise the fact—any American should despise the fact—that Russia has interfered in our elections and is attempting to do so again. Putin wants to disrupt our democracy. He resents that we are a free and open and wonderful democratic society. And for us to sit here with our arms folded and do nothing? Unheard of in previous years.

I still don't have a really clear idea why Leader McCONNELL is so adamantly opposed to doing anything on election security. Maybe it is because President Trump, in his childlike way, resents the fact that people point out that Russia interfered. He thinks it delegitimizes his Presidential election. But that is not a good enough reason, if that is the case. We have an obligation. Do you know whom we have an obligation to, Mr. President? We have an obligation to the hundreds of thousands of Americans—the millions of Americans who laid down their lives to defend our right to vote in our free and open democracy throughout the centuries.

If we are going to let a foreign power interfere and not do anything about it for some kind of political reason, shame on us. Shame on this body. And it is Leader McCONNELL who, as the majority leader, can determine what is put on the floor, and he has put nothing on the floor on elections.

When last year we attempted in the appropriations bill to add more money to help the States harden their systems against cyber attack, to make sure they have paper ballots in case someone tampers with the ballots, Leader McCONNELL opposed it. He said it is not needed. Just recently, I heard him say it is not needed. That is not true. That

is absolutely not true. Twenty-one attorneys general say they need it. Nine States don't have backup systems with complete paper balloting.

So if Leader MCCONNELL takes umbrage at his election security critics, I challenge him: Prove them wrong. Support our amendment to the appropriations bill. Bring election security legislation to the floor because, as the Senate Intelligence Committee, which is chaired by a Republican, the FBI Director, who was appointed by President Trump, and former Special Counsel Mueller, who did an extensive investigation, have all made clear, when it comes to Russian interference in our elections, the case is certainly not closed.

DIRECTOR OF NATIONAL INTELLIGENCE

Mr. President, yesterday the Director of National Intelligence, Dan Coats—a former Member of this Chamber who is renowned for his integrity and his bipartisanship—announced his resignation. With his departure, the circle of advisers who are unafraid to speak truth to President Trump continues to shrink. It seems that if you are going to speak truth and tell the President something he doesn't want to hear, you are fired or at least frozen out so that you quit. Coats is one of many in a long line to whom this has been done. Now, making matters worse, the President proposed replacing this longtime, fair, decent, and honorable public servant with a partisan shill—Representative JOHN RATCLIFFE of Texas.

The DNI—Director of National Intelligence—handles some of the most sensitive responsibilities in the Federal Government. It requires a high level of expertise. It requires trust from the intelligence community. And it requires a track record of independence, an ability in the closed confines of the White House to speak truth to power and tell the President what is happening, not just what the President wants to hear. On all these measures, it seems Representative RATCLIFFE falls far short of that high bar.

John Negroponte became the DNI after decades of working in the Foreign Service. Dennis Blair, James Clapper, and Mike McConnell all had decades of military experience. Dan Coats served as a diplomat, Senator, and sergeant in the Army before assuming the post. Representative RATCLIFFE, on the other hand, is a three-term tea party Congressman who, when he goes on TV, sort of appeals to the President's sense of stridency and partisanship.

Representative RATCLIFFE lacks the experience required to lead an intelligence agency, much less the entire intelligence community. His time in Congress—particularly over the past several weeks since it was rumored he might be picked for the post—has been alarmingly partisan. He has been a fierce critic of the Russia investigation. He has earned praise from deep state conspiracy theorists.

During the Mueller hearings, Representative RATCLIFFE badgered and

harassed the former special counsel with a baseless line of questioning and repeatedly interrupted him when he was trying to respond. He showed little regard for the seriousness of Putin's interference in our election and the need for election security in the future.

Watching Representative RATCLIFFE's performance in the Mueller hearing, I was reminded of how I felt watching General Flynn. In the summer of 2016, I saw this three-star general leading chants of people—"Lock her up"—at the Republican convention and at rallies. I said: Who is this guy? How does someone become a three-star and do something like this? At the time I thought: There is something seriously wrong with General Flynn here.

Well, I had the same feeling watching Mr. RATCLIFFE at the Mueller hearing. The same twisting and subversion and flatout ignorance, the same partisan demagoguery to appeal to the worst instincts of Americans all seem to be his MO. There is something wrong here. The DNI is supposed to be the least partisan member of the President's Cabinet. It would be a grave mistake for the Senate to elevate this partisan warrior to that position.

I have to wonder, are my Republican colleagues comfortable with their party's direction on national security? Are they comfortable going along with Leader MCCONNELL as he blocks legislation to protect our elections and deter foreign adversaries from interfering? Are they comfortable with a polarizing, partisan candidate taking charge of our national intelligence community? Are they comfortable knowing that this nominee may well not tell the President the truth when there is evidence from our brave intelligence operatives around the world that something we are doing is wrong?

I would hope my Republican colleagues would be deeply uncomfortable with these developments. Ten years ago, I have no doubt, Mr. RATCLIFFE wouldn't have even been nominated, let alone approved by this body. So I hope that is the case today. I hope we haven't gone so far away and in such obeisance to a President who only likes to hear what he wants to hear that we would nominate someone like this. It would be a shame and it would weaken America because if we don't know the truth, we can't act on the truth.

Will our Republican colleagues start speaking up and doing something about this? When Mr. RATCLIFFE comes before the Senate, he will have to answer for his long history of partisan statements and blind fealty to President Trump. Mr. RATCLIFFE will have to answer tough questions about Russia's meddling in our election, about his apparent disinterest in election security, and about his inability or unwillingness to show independence from the President. If he sounds anything like he did while questioning Mueller, Senate Republicans would be making a grave mistake by advancing his nomi-

nation—a mistake for the country we love.

CHINA

Mr. President, finally, on China, starting today, the United States will resume trade negotiations with China, which have recently stalled over Chinese equivocation on a number of issues.

Anyone who has viewed China's behavior over the past year of negotiations—or for that matter, the past decade of its behavior—knows China is always reluctant to make concessions that would put its businesses on a level playing field. China will resist, delay, and offer bare-bones concessions and then retract them in hopes that it can avoid meaningfully reforming its economy and playing fair on trade.

So, as negotiations begin again, I urge President Trump and his team not to back down but to put unrelenting pressure on China to make significant, concrete, and enduring commitments to trade fairly.

I don't agree with President Trump on much, but he has been tougher on China than any of the previous administrations, and that is needed. But to be tough on China and then surrender our leverage at the last minute for nothing in return would be terrible.

One of our greatest leverage points against China is Huawei, a state-supported Chinese telecom giant that our intelligence agencies have labeled nothing less than a national security threat. The Trump administration has correctly sought restrictions on Huawei, even while they have sometimes waved on their severity.

Now, as negotiations are set to resume, the President must not give up leverage on Huawei in exchange for anything less than concrete commitments on market access, intellectual property theft, and forced technology transfers.

These are issues paramount to the competitiveness of American business and will cause us to lose millions of jobs and trillions of dollars in the future, as we have lost in the past and as the President correctly points out, to China's rapaciousness.

I am concerned enough now about the possibility the administration will sell out, particularly in the wake of reports that President Trump has agreed to soft pedal criticism of China over its Hong Kong policy, hoping for smoother trade talks.

The administration is wrong on two fronts. First, it is always crucial for the United States to stand up for democracy, human rights, and civil liberties everywhere. The idea that the President of the United States would sell the democratic aspirations of the brave people of Hong Kong down the river in exchange for possible progress on trade is shocking. But, second, the idea that going easy on China's human rights record will ease trade talks is backward. China responds to strength, not flattery or capitulation.

The best way to get China to do something fair is to stand tough on

Huawei. Don't sell out. Don't give Huawei half or three-quarters of what it wants. Hold tough, and the Chinese in a few months will come to us with real concessions. It is a game of who is stronger and who can last longer. I hope it is us. If it is not, all of the President's previous actions on China will be wasted and go down the drain.

## 9/11 VICTIM COMPENSATION FUND

There are two more things, including the VCF bill signing. There are some good things that happened in the last week in Washington. People think nothing good comes out of Washington. Once in a while, we do something good. Once in a while, our Republican colleagues will go along with something that needs to be done, instead of blocking everything and putting it in a graveyard, which they usually do. That happened last week when this body finally passed the bipartisan 9/11 Victim Compensation Fund bill, and today the President signed it into law, closing the book on nearly two decades of advocacy to provide the care and compensation that 9/11 first responders deserve.

Nothing, nothing should or can get in the way of our first responders getting their due. Finally, at last, these brave first responders had to spend too much time here in Washington, often in their wheelchairs, often dying of cancer, begging Senators to give them the help they need—the same help we give to veterans who, like our first responders after 9/11, in a time of war, rushed to danger and suffered injury. We help them. We help our veterans, our soldiers, and our Armed Forces, in the same way we should be helping 9/11 first responders. At long last, we are doing that. It has been a long struggle, but because of the courage of many who joined the cause, the memory of people like James Zadroga, Ray Pfeifer, Luis Alvarez, and so many others will live on in this law. Their parents—and I know Mrs. Pfeifer and I know some of the Alvarez family; I have met them—can know, despite the pain in their hearts at their grave losses, that the deaths of their loved ones will not be in vain.

## BIPARTISAN BACKGROUND CHECKS

Finally, my heart is filled with sadness and anger today after reports of deadly shootings at festivals on opposite coastlines, one in my hometown of Brooklyn and another across the country, in Gilroy, CA. There are no words for the senselessness of these tragedies, which continue unabated while the majority leader once again refuses to even debate commonsense gun laws.

Put the bill the House passed on the floor. We have had bipartisan efforts in this body to close the gun show loophole. Let's close the loopholes and have universal background checks. Almost no Americans object to preventing felons or spousal abusers or those adjudicated mentally incompetent from getting guns, but Leader McCONNELL and the Republican majority do, and we have made no progress and these awful events continue.

I yield the floor.

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

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

(The remarks of Mr. CARPER pertaining to the introduction of S. 2302 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

**MR. CARPER.** I yield the floor.

**THE PRESIDING OFFICER (Mr. BOOZMAN).** The Senator from Montana.

(The remarks of Mr. DAINES pertaining to the submission of S. Res. 289 are printed in today's RECORD under "Submitted Resolutions.")

**MR. DAINES.** I yield the floor.

**THE PRESIDING OFFICER.** Your resolution will be received and appropriately referred.

The Senator from New Jersey.

## VETO OVERRIDE

**MR. MENENDEZ.** Mr. President, I rise to urge my colleagues to join me in voting to override the President's veto of three resolutions of disapproval on arms sales to Saudi Arabia and the United Arab Emirates.

As we all know, several weeks ago, the Secretary of State attempted to bypass this body and the entire Congress on 22 separate arms sales to Saudi Arabia and the United Arab Emirates—all on the pretext of an urgent physical threat from Iran that was, at best, ill-defined and, at worst, completely false.

Let me be clear. Iran has and will continue to pose a threat to U.S. interests and allies in the region, and I have and will continue to approve arms sales to partners and allies that address legitimate security threats and advance American interests.

From the start, this administration has failed to demonstrate what kind of national security threat or "emergency" from Iran warranted fast-tracking the sale of these weapons to Saudi Arabia and the UAE.

Indeed, Secretary Pompeo's own May 24 justification for the sales lacked any persuasive information explaining how these sales would address an Iranian threat so serious that it justified bypassing Congress on an "emergency" basis.

That is why I introduced resolutions to disapprove these sales, and that is why 6 weeks ago, this body came together in a bipartisan way to reassert the role of Congress in reviewing arms sales and passed 22 separate resolutions of disapproval.

Today I ask that we come together again. In fact, not even President Trump's own veto messages mention the word "emergency." It is clear this administration has had other motives from the start. We continue to hear officials invent new reasons for pushing

through these sales. We heard these sales are necessary for "sustaining the global supply chain," for preventing "loss of sale to peer competitors," for maintaining U.S. "credibility as an arms supplier," and so on.

So, look, many of us expected the President to use his veto powers. That is his right, but the constitutional, strategic, and moral imperatives that led the Senate to reject the sale of these arms 6 weeks ago still stand today.

Let me review three main reasons I hope we can unite today to override the President's veto.

First is how these weapons are being used. By now, we are well acquainted with what has been, at best, the incompetent, and, at worst, criminal actions of Saudi Arabia's airstrikes in Yemen. All evidence suggests that the Saudis have intentionally targeted hospitals, bridges, power stations, apartment buildings, weddings, schools, and, yes, even a schoolbus filled with children, leaving thousands of Yemeni civilians killed or maimed.

Over the years, Congress has received many assurances about how U.S. arms sales, advice, and assistance would supposedly help the Saudi Air Force and command authority better identify military targets and thereby reduce the risk to civilians. Those assurances no longer stand. We cannot brand the sale of precision-guided munitions as humanitarian weapons if the Saudis are intentionally targeting civilians in the first place.

That is why, last year, I placed an informal hold on the sale of 60,000 precision-guided munitions, or PGMs, to Saudi Arabia, requesting the administration explain how they would enhance efforts to reduce civilian casualties. They failed to do so in a fulsome and convincing way, and, believe me, I would like to be convinced.

After the slaughter of Washington Post journalist Jamal Khashoggi in October of last year, the Trump administration apparently flatout gave up trying to convince anyone that the Saudis have any regard whatsoever for human rights at home, in Yemen, or at their diplomatic consulates abroad.

Last week, recognizing the abject failures of the Yemeni campaign, the United Arab Emirates announced it was ceasing its support and largely withdrawing from Yemen. I commend that as the right decision.

I do not doubt that Saudi Arabia and the United Arab Emirates are concerned about Iranian threats, but the indisputable reality is that these precision-guided weapon kits were always headed for this disastrous air war in Yemen. So, again, let's not delude ourselves. These sales will in no way support Saudi Arabia or the United Arab Emirates or the United States from an imminent Iranian threat. Full stop.

Second, if we fail to override the President's veto, we will allow this administration to transfer American jobs and sensitive military technology to

the Saudis. That is right. With this sale, the Trump administration has authorized Raytheon to allow the Saudis to begin manufacturing part of the electronic guidance system for these precision-guided munitions. In other words, the administration is not only selling the Saudis these weapons but also portions of the blueprints for building these weapons.

This work has always and always should be done by American workers right here in the United States. America's defense industry produces the most sophisticated systems in the world. Yet the Trump administration is opening the door for the Saudis to manufacture their own similar weapons in the future or transfer our American-made technical know-how to other countries.

Disturbingly, we also know that if the Trump administration gets its way, this transfer will not be a one-time thing. State Department officials have actually admitted to the Foreign Relations Committee staff that this will be the first of many sales authorizing the Saudis to manufacture even larger, more sensitive portions of these highly advanced weapons.

My colleagues, that is simply madness. Not only is this sale a Saudi jobs program, but it is also a giveaway of sensitive U.S. military technology. The President's own veto message claims that not giving away American jobs and sensitive military technology to Saudi Arabia would "abandon" them. I am guessing by "them," he means the royal family the President is intent on praising and courting.

I ask my colleagues who oppose stopping this sale or are thinking of allowing the President's veto to stand: Do you want to be on record supporting a Saudi jobs program? Do you want to be on the record as aiding and abetting the transfer of sensitive U.S. military technology to Saudi Arabia, a source of extremism and bloodshed in the world?

S.J. Res. 37 disapproves a sale of precision-guided munitions to the UAE at a time when the UAE is pulling its military forces out of Yemen. Yet the President's veto message says that stopping this sale would somehow prolong the suffering in Yemen, which goes against any logic with which I am familiar.

S.J. Res. 38 disapproves a sale of fuzes for Saudi bombs. Yet the President argues that stopping this sale will again prolong the suffering of the innocent in Yemen, presumably by denying the Saudis the ability to target them indiscriminately. It doesn't make sense.

Finally, I think all of my colleagues can agree that the United States and Saudi Arabia need a course correction. The brutal murder of Jamal Khashoggi, an American resident and journalist in a Saudi consulate, may have been the final, violent straw that broke the camel's back, but we must reexamine this relationship. Beyond the Khashoggi killing and the atrocities in

Yemen, the Saudi-led blockade of Qatar and the ongoing rift within the GCC are not in the interests of the United States. The Saudis kidnapping of the Lebanese Prime Minister is not in the interest of the United States.

Finally, Saudi Arabia's detention and torture of human rights activists calling for the same exact rights the Crown Prince himself pretends to support—its suppression of dissent and speech—this behavior does not reflect American values or our long-term interests.

My colleagues, America is better than this. This Senate and this Congress must continue to stand up for reason, for decency, and for the actual foreign policy and national security interests of the United States—not the personal interests of the Trump family and their misguided willingness to put profit over principle and profit over people.

This administration's willingness to turn a blind eye to the wholesale slaughter of civilians and the murder of journalists and move forward with the sale of these weapons will have a lasting implication for America's moral leadership on the world stage.

That is why, 6 weeks ago, in a bipartisan fashion, the Senate came together to approve an unprecedented 22 separate bipartisan resolutions of disapproval. That is why 5 weeks ago, the Committee on Foreign Relations approved my bipartisan bill—the Saudi Arabia False Emergencies, or SAFE Act—to prevent similar abuses of emergency authority in the future.

That is why, 3 weeks ago, the House passed several amendments to their National Defense Authorization Act to stop these same arms sales, and, 2 weeks ago, the House passed three of the Senate joint resolutions of disapproval and sent them to the President. It is the first time, since 1988, that any such resolution has passed the Congress, and it is the first time multiple resolutions of disapproval had done so.

Finally, just last week, the Foreign Relations Committee approved on a bipartisan vote the Saudi Arabia Accountability and Yemen Act, legislation I introduced with Senators YOUNG, MURPHY, GRAHAM, REED, COLLINS, and SHAHEEN that would finally impose real sanctions, including on arms sales, on Saudi Arabia for its atrocities—legislation I hope Senator MCCONNELL will swiftly bring to the floor.

I hope this administration appreciates the gravity of these actions and those to come.

Today we have an opportunity to again demonstrate to the President, the Secretary of State, and to the butchers of Saudi Arabia that the U.S. Senate will stand up for our values, will stand up for our long-term national security interests, and will put country over short-term business interests.

I urge my colleagues to take this stand today, override these vetoes, and stop the Saudi arms sales.

There are few days in this body where we can say that our votes will save lives. Today is such a day.

Mr. MENENDEZ. Mr. President, I rise today to address an important issue, that the Secretary of State did not comply with the law when he made an emergency declaration on May 24 to bypass the Congress and issue export permission for 22 separate arms sales to Saudi Arabia and the United Arab Emirates. Because of this, a case can be made that some or all of the export licenses and the letters of offer are not valid because they did not comply with the Arms Export Control Act.

We have made clear in this body that there is strong bipartisan opposition to the President and Secretary of State's reckless disregard for the law, for common sense, for human rights, for basic human decency, and even for our national security, when it comes to matters involving Saudi Arabia. We voted to disapprove each and every one of these 22 "emergency" sales, and I have no doubt, we will continue to attempt to correct the President's self-serving myopia on Saudi Arabia and its murderous leadership.

But the Secretary of State's failure to comply with statutory obligations is a serious matter that we cannot allow to get lost in the bipartisan outcry over the Secretary's incredible contentions that these sales respond to an Iranian emergency. At the risk of losing some in the minutia, let me briefly lay out how the Secretary's "emergency" declaration fails to comply with the basic requirements of the emergency provisions in Arms Export Control Act and degrades congressional prerogatives.

The Secretary's failure to comply with the statute materially and adversely impacts the Senate's institutional interests. It undermines the clear and intentional statutory balance between Congress and the executive branch designed to govern individual arms sales, and it impedes the Senate's ability to understand, conduct oversight, and respond to each sale. As laid out below, in this instance, the blanket approach taken with regard to these 22 sales demonstrates precisely why a generalized determination and certification is insufficient to protect the Senate's role in arms sales.

Mr. President, allow me to explain further. The Secretary indicated that he determined that, pursuant to sections 36(b)(1), (c)(2), and (d)(2), an emergency exists that requires the immediate sale of defense articles and services to Saudi Arabia and UAE and thereby purported to waive the congressional review requirements for the 22 certifications. In support of this action, the Secretary submitted only one determination and one memorandum of justification. The emergency authorities cited above and upon which the Secretary relies, however, do not allow

for a blanket determination and justification covering multiple certifications. Rather, these provisions require submission of a separate determination and justification for each individual emergency certification.

This requirement is clear from both the structure and text of sections 36 (b), (c), and (d). For example, subsection (b)(1) mandates that the President submit an individual certification for each letter of offer—“before such letter of offer is issued, the President shall submit . . . a numbered certification with respect to such offer . . .”. The emergency authority available to the President in (b)(1) is similarly limited and may be exercised only in relation to a specific letter of offer covering a specific sale, with a justification and determination required in each instance such authority is exercised. The relevant statutory references are only in the singular, and not in the plural, leaving no doubt as to what the law requires.

“If the President states in his certification that an emergency exists which requires the proposed sale in the national security interest of the United States, thus waiving the congressional review requirements of this subsection, he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate the immediate issuance of the letter of offer and a discussion of the national security interests involved.”

The structure and text of 36(c)(2) and (d)(1) are analogous in requiring a specific determination and justification to accompany each emergency certification.

Mr. President, given the extraordinary nature of the emergency authority and the national security sensitivities involved in arms sales, it is not surprising that Congress did not give the President blanket authority to invoke an emergency and bypass Congress. The requirement for a case-by-case exercise of such authority protects congressional interests by ensuring that the Senate has sufficient information on each sale to understand the sale, conduct oversight, assess whether use of the emergency authority is consistent with the AECA, and determine whether a resolution of disapproval is warranted.

The case-by-case approach set out in the statute was designed to protect against the very situation the Senate faced as a result of the Secretary’s blanket use of the emergency authority to cover 22 sales at once. The Secretary was abusing the emergency authority by invoking it to cover sales for which there is no actual emergency need, *e.g.*, the manufacture of F-18 fighter aircraft side panels in Saudi Arabia for export outside the region, when Saudi Arabia doesn’t even own the F-18. Further, the senior State Department official responsible for arms sales, Assistant Secretary of State R.

Clarke Cooper, reinforced this concern in a briefings to Senate staff when he cited justifications other than Iran for the 22 sales, including the possible loss of arms sales to China and Russia, the need for “interoperability” of weapons systems, maintaining credibility as a reliable arms supplier, and supporting the global supply chain for weapons sales.

By lumping all 22 certifications together with only one determination and justification, the Secretary sought to mask obvious deficiencies in his position that there is an actual and articulable emergency applicable to each of the 22 sales. This tactic runs directly counter to senators’ ability to conduct oversight and the body’s ability to consider resolutions of disapproval in an informed manner. Unfortunately, we must conclude that the Secretary intentionally took this approach, given that he and the Department were not forthcoming with the Senate as a general matter in relation to the 22 sales. For example, just 2 days prior to the submission of the certifications, the Secretary briefed all Senators on the enhanced threat from Iran and the steps the United States is taking to counter that threat, yet did not mention the arms sales or pending emergency certifications, which he now justifies as necessary due to the Iran threat. Other Iran briefings by the administration similarly omitted this issue. The view that the omissions were purposeful is bolstered by official confirmation from State that the decision to bypass Congress had been in the works for months.

The Secretary’s failure to comply with the statutory requirement for individualized justifications materially and adversely impacted the Senate’s institutional interests. It undermined the clear and intentional statutory balance between Congress and the executive branch designed to govern individual arms sales, and it impedes the Senate’s ability to understand, conduct oversight, and respond to each sale.

Second, Mr. President, one of the statutory provisions that the Secretary purports to use for these “emergency” sales does not provide the Secretary the very emergency authority he claims. Article 36(c) of the Arms Export Control Act, which covers the direct commercial sales at issue in 13 of the 22 sales, allows for emergency sales in very limited situations that do not include sales to Saudi Arabia or the UAE.

So let me be clear: To proceed under an emergency basis for 13 of the 22 sales, the Secretary had to ignore the plain language of the Arms Export Control Act and simply assume he had the power to do so. I have asked the State Department on multiple occasions their legal analysis of this provision—any legal analysis at all that would support the Secretary’s authority. To date, I have received none, not even verbally. They simply do not want to talk about it. It therefore seems

clear that they know that the Secretary did not have the authority that he claimed to use.

Mr. President, let me explain in further detail. Section 36(c)(2) does not provide statutory authority for emergency certifications to Saudi Arabia and the UAE. As a result, in each instance in which the Secretary relies solely on that subsection as the legal basis for waiving congressional review, the certification in question is invalid.

The Department has notified several of the arms sales at issue pursuant to section 36(c)(2). That subsection clearly allows the President to bypass Congress upon certification of an emergency if the sale is to a NATO or other close ally—NATO + 5: Australia, New Zealand, Israel, Japan, and South Korea, section 36(c)(2)(A)—or in relation to certain launches of commercial communication satellites, section 36(c)(2)(B). That authority does not extend to 36(c)(2)(C), a “catch-all” provision that covers sales to all other countries including Saudi Arabia and UAE. In fact, while the statute explicitly references the NATO + 5 and satellite launch emergency authority, it omits (c)(2)(C), the catchall from the scope of the emergency authority.

“If the President states in his certification that an emergency exists which requires the proposed export in the national security interests of the United States, thus waiving the requirements of subparagraphs (A) and (B) of this paragraph, he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate the immediate issuance of the export license and a discussion of the national security interests involved.”

Interpretation and application of section 36(c)(2) should hew closely to the plain text of the statute and give effect to the omission of subsection (c)(2)(C). Doing otherwise would entail reading an extraordinary emergency power into the text for subsection (c)(2)(C) where none exists, which would be a departure from traditional canons of statutory construction and would significantly expand the President’s authority under the AECA at the expense of Congress. The statute should be interpreted and applied to afford extraordinary emergency powers to the President only where the text clearly provides for such authority, and subsection (c)(2)(C) does not do so.

We note that, prior to a 2000 amendment, section 36(c)(2) previously allowed for emergency certifications in relation to NATO + 5 and the catchall/any other country category. The 2000 amendment added the provision dealing with commercial satellites, new 36(c)(2)(B) and, at the same time, removed the emergency authority from the catchall, (formerly subsection (c)(2)(B) and, post-2000, renumbered as (c)(2)(C)).

There is a strong policy rationale for Congress to have acted in this manner.

Section 36(c) governs direct commercial sales, e.g., Raytheon to Saudi Arabia, as opposed to government to government sales under 36(b)(1). In the case of direct commercial sales, the executive branch has less insight and control over the transaction than it would if the U.S. Government were the seller and engaged directly with a foreign government. It follows, then, that Congress would be willing to allow extraordinary emergency authority with regard to NATO and a small set of our closest allies and partners, as well as in certain highly limited situations where there is a direct commercial need—satellite launches. Given that level of control does not exist for direct commercial sales, however, it also follows that Congress had a powerful incentive to narrow the scope of the emergency authority so that it no longer authorized the President to bypass congressional review via a catchall applicable to almost every country in the world.

We have heard through the grapevine that the Secretary's position may be that Congress screwed up in the 2000 amendment and neglected to clarify that the emergency authorities continued to apply to the catch 11 category. This counterargument is problematic for several reasons. It ignores the plain language of the statute; it presumes congressional error where the presumption should be that Congress knew what it was doing and intended the result absent clear evidence of an error; there is no contemporaneous documentation or statements of intent of which we are aware that would corroborate this counterargument; and it serves only the interest of the executive branch at the expense and diminishment of Congress' role in arms sales. Furthermore, the Secretary has never even made this argument to us, indicating that even he does not believe it.

We are in dangerous territory, my friends. The Secretary has moved forward, seeking to eliminate Congress's role in arms sales, based on an extraordinary emergency power that arguably does not exist in statute and for which he and his team have been unable or unwilling to provide a serious legal rationale or any legal justification whatsoever. While his position may pass muster with or even have been blessed by the self-serving opinions we have seen from the current Justice Department, it is nothing more than an executive power grab at the expense of Congress and unmoored from the law. It is our responsibility, through these resolutions, to send the clear message that the United States Senate rejects this lawless approach.

Mr. RISCH. Mr. President, tonight we will consider overriding Presidential vetoes to S.J. Res. 28 through 48, resolutions regarding arms sales that were the subject of a May 24 emergency declaration from the Secretary of State. I urge my colleagues to sustain these vetoes, and to consider these sales on their own merits.

I noted several key points when addressing these sales last month, and

those points remain valid today. This emergency declaration was legal, and the sales are necessary for the legitimate security interests of our partners. Rejecting these sales at this time will reward recent Iranian aggression and risk Iranian miscalculation, which will lead to disaster if Iran continues down its current path. These sales are unrelated to Jamal Khashoggi, and these resolutions will do nothing to achieve much-needed accountability for his murder or to otherwise change Saudi behavior.

We have discussed at length in recent weeks the history of Presidential emergency authorities and the fact that Presidents of both parties have used such authorities on four previous occasions. I won't repeat that discussion other than to note that this use of the authority is consistent with historical precedent. I will also emphasize that the administration has since returned to standard practice for arms sales, has stated that this declaration was a one-time event, and has committed to respecting the law and the role of Congress in this process. I expect them to honor that commitment.

We have also talked about the reasons our partners need the capabilities in these sales. Our partners have an obligation to protect the lives of their citizens and their own national interests. These sales provide critical capabilities for such protection. Their need for these capabilities has only grown in the last month, as Iran and its proxies have grown even more aggressive.

As it has escalated its use of force, Iran has so far avoided the type of provocation that would demand a U.S. response. Neither the President, nor Congress, nor the American people want war, but Iran's actions and public statements remain separated from reality. Iran appears eager to continue to test American resolve. Iran should not mistake President Trump's reasonable restraint as an indicator of any hesitation on his part to protect U.S. lives and interests. We, as the Senate, should not add to any possible confusion. If we adopt these resolutions, we risk inadvertently encouraging Iranian miscalculation.

I remain highly concerned with the humanitarian crisis in Yemen, the devastating impact of the war on Yemeni civilians, and the terrible human rights record of the Saudi Government. I am encouraged by the recent Emirati decision to end their involvement in the war in Yemen, and I encourage others to see this as an opportunity to pursue a political solution for a peaceful settlement.

I know many of my colleagues see these resolutions and similar legislation as a means to send a message to the Saudi Government. I fear, however, that the message the Saudis receive will not be the one intended. So let me take this opportunity to say to our Saudi partners that they must change their policies on human rights.

I will close by reemphasizing my key points. The emergency declaration was

legal, and the sales are needed for the legitimate defense requirements of our partners. This vote also invites Iranian miscalculation. I urge my colleagues to sustain the President's veto.

Mr. MENENDEZ. I yield the floor.

VOTE ON S.J. RES. 36—VETO

The PRESIDING OFFICER. The question is, Shall the joint resolution, S.J. Res. 36, pass, the objections of the President of the United States to the contrary notwithstanding?

The yeas and nays are required.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisiana (Mr. CASSIDY), the Senator from Texas (Mr. CRUZ), the Senator from Colorado (Mr. GARDNER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), the Senator from Nebraska (Mr. SASSE), and the Senator from Alaska (Mr. SULLIVAN).

Further, if present and voting, the Senator from Texas (Mr. CRUZ) would have voted "Nay".

Mr. DURBIN. I announce that Senator from Colorado (Mr. BENNET), the Senator from Illinois (Ms. DUCKWORTH), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 45, nays 40, as follows:

[Rollcall Vote No. 231 Leg.]

YEAS—45

Baldwin	Hirono	Reed
Blumenthal	Jones	Rosen
Booker	Kaine	Schatz
Brown	King	Schumer
Cantwell	Leahy	Shaheen
Cardin	Lee	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	Menendez	Tester
Coons	Merkley	Udall
Cortez Masto	Moran	Van Hollen
Durbin	Murkowski	Warner
Feinstein	Murphy	Whitehouse
Hassan	Murray	Wyden
Heinrich	Peters	Young

NAYS—40

Alexander	Enzi	Risch
Barrasso	Ernst	Roberts
Blackburn	Fischer	Romney
Blunt	Grassley	Rounds
Boozman	Hawley	Rubio
Braun	Hoover	Scott (FL)
Burr	Hyde-Smith	Scott (SC)
Capito	Inhofe	Shelby
Cassidy	Johnson	Thune
Cornyn	Kennedy	Tillis
Cotton	Lankford	Toomey
Cramer	McConnell	Wicker
Crapo	McSally	
Daines	Portman	

NOT VOTING—15

Bennet	Graham	Perdue
Cruz	Harris	Sanders
Duckworth	Isakson	Sasse
Gardner	Klobuchar	Sullivan
Gillibrand	Paul	Warren

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 40.

Two-thirds of the Senators voting or voting present not having voted in the affirmative, the joint resolution on reconsideration fails to pass over the veto of the President of the United States.

The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, following the closure vote on the Liburdi nomination, the Senate vote on the cloture motion on the Welte nomination; I further ask consent that if cloture is invoked, the Senate vote on the confirmations of these nominations in the order listed at 11:30 a.m., on Tuesday, July 30, and that if confirmed, the motions to reconsider be considered made and laid on the table and the President be immediately notified of the Senate's actions.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the remaining votes in this series be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON VETO OF S.J. RES. 37

The PRESIDING OFFICER. The question is, Shall S.J. Res. 37 pass, the objections of the President of the United States to the contrary notwithstanding?

The yeas and nays are required.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Texas (Mr. CRUZ), the Senator from Colorado (Mr. GARDNER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), the Senator from Nebraska (Mr. SASSE), and the Senator from Alaska (Mr. SULLIVAN).

Further, if present and voting, the Senator from Texas (Mr. CRUZ) would have voted "nay," the Senator from Colorado (Mr. GARDNER) would have voted "nay," the Senator from South Carolina (Mr. GRAHAM) would have voted "yea," the Senator from Nebraska (Mr. SASSE) would have voted "nay."

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNETT), the Senator from Illinois (Ms. DUCKWORTH), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 45, nays 39, as follows:

[Rollcall Vote No. 232 Leg.]			[Rollcall Vote No. 233 Leg.]		
YEAS—45			YEAS—46		
Baldwin	Hirono	Reed	Baldwin	Hirono	Rosen
Blumenthal	Jones	Rosen	Blumenthal	Jones	Schatz
Booker	Kaine	Schatz	Booker	Kaine	Schumer
Brown	King	Schumer	Brown	King	Shaheen
Cantwell	Leahy	Shaheen	Cantwell	Leahy	Sinema
Cardin	Lee	Sinema	Cardin	Lee	Smith
Carper	Manchin	Smith	Carper	Manchin	Stabenow
Casey	Markey	Stabenow	Casey	Markey	Tester
Collins	Menendez	Tester	Collins	Menendez	Udall
Coons	Merkley	Udall	Coons	Merkley	Van Hollen
Cortez Masto	Moran	Van Hollen	Cortez Masto	Moran	Warner
Durbin	Murkowski	Warner	Durbin	Murkowski	Whitehouse
Feinstein	Murphy	Whitehouse	Feinstein	Murphy	Wyden
Hassan	Murray	Wyden	Hassan	Peters	Young
Heinrich	Peters	Young	Heinrich	Reed	
NAYS—39			NAYS—41		
Alexander	Enzi	Portman	Alexander	Ernst	Risch
Barrasso	Ernst	Blackburn	Barrasso	Fischer	Roberts
Blackburn	Fischer	Blunt	Blackburn	Gardner	Romney
Blunt	Grassley	Boozman	Blunt	Grassley	Rounds
Boozman	Hawley	Braun	Boozman	Hawley	Rubio
Braun	Hoeven	Rounds	Braun	Hoeven	Sasse
Burr	Hyde-Smith	Capito	Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (FL)	Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Scott (SC)	Cassidy	Johnson	Shelby
Cornyn	Kennedy	Shelby	Cornyn	Shelby	Thune
Cotton	Lankford	Thune	Cotton	McConnell	Toomey
Cramer	McConnell	Tillis	Cramer	McSally	Wicker
Daines	McSally	Toomey	Daines	Portman	
		Wicker	Gillibrand	Perdue	
NOT VOTING—16			NOT VOTING—13		
Bennet	Graham	Sanders	Bennet	Harris	Sanders
Crapo	Harris	Sasse	Crapo	Isakson	Sullivan
Cruz	Isakson	Sullivan	Cruz	Klobuchar	Warren
Duckworth	Klobuchar	Warren	Duckworth	Paul	
Gardner	Paul		Gillibrand	Perdue	

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 39.

Two-thirds of the Senators voting, a quorum being present, not having voted in the affirmative, the bill on reconsideration fails to pass over the veto of the President of the United States.

VOTE ON S.J. RES. 38—VETO

The question is, Shall S.J. Res. 38 pass, the objections of the President of the United States to the contrary notwithstanding?

The yeas and nays are required.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisiana (Mr. CASSIDY), the Senator from Idaho (Mr. CRAPO), the Senator from Georgia (Mr. ISAKSON), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), and the Senator from Alaska (Mr. SULLIVAN).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNETT), the Senator from Illinois (Ms. DUCKWORTH), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER (Mr. BRAUN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 46, nays 41, as follows:

[Rollcall Vote No. 233 Leg.]  
YEAS—46

Baldwin	Hirono	Rosen
Blumenthal	Jones	Schatz
Booker	Kaine	Schumer
Brown	King	Shaheen
Cantwell	Leahy	Sinema
Cardin	Lee	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Collins	Menendez	Udall
Coons	Merkley	Van Hollen
Cortez Masto	Moran	Warner
Durbin	Murkowski	Whitehouse
Feinstein	Murphy	Wyden
Hassan	Murray	Young
Heinrich	Peters	
NAYS—41		
Alexander	Ernst	Risch
Barrasso	Fischer	Roberts
Blackburn	Blackburn	Romney
Blunt	Blunt	Rounds
Boozman	Boozman	Rubio
Braun	Braun	Sasse
Burr	Burr	Scott (FL)
Capito	Capito	Scott (SC)
Cassidy	Cassidy	Shelby
Cornyn	Cornyn	Thune
Cotton	Cotton	Tillis
Cramer	Cramer	Toomey
Daines	Daines	Wicker
Gillibrand	Gillibrand	
NOT VOTING—13		
Bennet	Harris	Sanders
Cassidy	Isakson	Sullivan
Crapo	Klobuchar	Warren
Cruz	Paul	
Duckworth	Perdue	

The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 41.

Two-thirds of the Senators voting not having voted in the affirmative, the bill on reconsideration fails to pass over the veto of the President of the United States.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Michael T. Liburdi, of Arizona, to be United States District Judge for the District of Arizona.

James Inhofe, John Hoeven, Mike Rounds, Joni Ernst, Kevin Cramer, Ben Sasse, Pat Roberts, John Boozman, Mike Crapo, Steve Daines, John Cornyn, James E. Risch, Roger F. Wicker, Richard Burr, Thom Tillis, Roy Blunt, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Michael T. Liburdi, of Arizona, to be United States District Judge for the District of Arizona, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator