

A bill (H.R. 4842) to authorize the Secretary of State to provide funds for a United States pavilion at Expo 2020 Dubai, and for other purposes.

Mr. McCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Lee Philip Rudofsky, of Arkansas, to be United States District Judge for the Eastern District of Arkansas.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

S. 1699

Mr. THUNE. Mr. President, last Friday was an exciting day. I was home in Sioux Falls, SD, to mark a huge milestone for the city and for South Dakota—the unveiling of Sioux Falls' first 5G small cells. By the end of this month, Sioux Falls will have a working, albeit limited, 5G network—one of the first cities in the entire country to have one.

Most people take internet access for granted these days. We assume that anywhere we go, we will be able to access our GPS, check Facebook, or send a text message. But the truth is that there are still areas in the United States where it can be difficult to get reliable internet access. Some of those areas are in South Dakota. That is why expanding access to broadband internet in rural communities has been a priority of mine since I came to the Senate. While it can be nice to turn off our phones and take a break, in this day and age, Americans need reliable internet access.

More and more of the business of daily life is being conducted over the internet, from scheduling appointments to figuring out the shortest way from point A to point B. The internet has already become an integral part of commerce. Small businesses and farms in areas without dependable access miss out on a lot of opportunities that most businesses take for granted.

Both as chairman and as a member of the Senate Commerce, Science, and Transportation Committee, I have had the chance to draw attention to the state of broadband access in rural communities. I have conducted numerous hearings with testimony from rural broadband providers, farmers, Tribal representatives, and Federal officials both in Washington and in my home State of South Dakota.

Over the past several years, we have seen the number of Americans lacking access to broadband decrease significantly, but there is more work that needs to be done. With the advent of 5G technology, we now have to expand our efforts to make deploying 5G technology to rural communities a priority.

Most of us think today's internet is pretty fast. We get traffic updates that are basically in real time. We receive emails seconds after they have been sent. We stream our favorite shows at home or on the go. But 5G will make 4G look like dialup. It will deliver lightning-fast speeds up to 100 times faster than what today's technology delivers. That is hard to imagine. After all, as I said, today's technology seems pretty fast, but 5G will enable near-instant responsiveness from our phones and other devices.

However, 5G is about a lot more than streaming more shows on more devices or receiving emails instantly. In addition to being up to 100 times faster than current speeds, 5G will be vastly more responsive than 4G technology, and we will be able to connect 100 times the number of devices that can be connected with 4G. Because of this, 5G will enable massive breakthroughs in healthcare, transportation, agriculture, and other key industries.

5G will bring new opportunities and benefits to rural communities in particular. 5G will pave the way for the widespread adoption of precision agriculture, which uses tools like robotics and remote monitoring to help farmers manage their fields and boost their crop yields. The U.S. Department of Agriculture estimates that precision agriculture will reduce farmers' operational costs by up to \$25 per acre and increase farmers' yields by up to 70 percent by the year 2050. 5G will also make it easier for residents of rural communities to access business and educational opportunities and long-distance healthcare.

The technology for 5G is already here, and it is actually being implemented, as Friday's event in Sioux Falls demonstrates.

There is more work to be done before 5G is a reality across the United

States. In order to deploy 5G, wireless providers need access to sufficient spectrum, and they need to be able to deploy the infrastructure needed to support the technology in a reasonable and timely manner.

Last year, the President signed into law my bipartisan MOBILE NOW Act. It was legislation that I introduced to help secure adequate spectrum for 5G technology. Earlier this year, Senator SCHATZ and I reintroduced the STREAMLINE Small Cell Deployment Act to address the other part of the 5G equation, and that is infrastructure. 5G technology will require not just traditional cell phone towers but small antennas called small cells that can often be attached to existing infrastructure, like utility poles or buildings.

While the Federal Communications Commission, under Chairman Pai, has modernized its regulations on small cell siting, there is more work to be done, and that is where my bill, the STREAMLINE Act, comes in. The STREAMLINE Act will expedite the deployment of small cells while respecting the role of State and local governments in making deployment decisions.

Importantly, it will make it more affordable to bring 5G to rural areas by addressing the costs of small cell deployment. 5G has tremendous promise for rural areas, but it will only deliver on that promise if we ensure that 5G cells are actually deployed in these areas. I am proud that we have made a good start in South Dakota. Sioux Falls' mayor, Paul TenHaken, has worked aggressively to remove barriers to telecommunications investment in Sioux Falls.

Nationally, we urgently need to take action to remove the final barriers to large-scale 5G deployment. While we have made good progress in securing low- and high-band spectrum, China and South Korea are far ahead of us in opening up midband spectrum to 5G. If we don't want China or South Korea to win the race to 5G and seize the economic benefits that 5G will bring, we need to substantially increase the amount of midband spectrum available to U.S. companies, and we need to do it quickly.

We also need to take action on legislation such as my STREAMLINE Act to pave the way for the widespread deployment of 5G infrastructure. America can lead the world in the 5G revolution. The technology is here. We just need to take the final steps to bring 5G into our communities.

I look forward to continuing to work to support the nationwide deployment of 5G with all of the benefits it can bring to the American people.

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. 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.

IMPEACHMENT INQUIRY

Mr. SCHUMER. Mr. President, the House of Representatives continues to interview key witnesses as part of its impeachment inquiry. Each witness has reportedly added details and context to the central focus of the inquiry; that the President allegedly pressured a foreign leader to interfere in domestic politics and used the power of his office for personal political gain.

The House must follow the facts where they lead and continue the investigation until all the facts come out. When and if there is a potential trial in the Senate, it will be our job to impartially look at all the evidence and come to our own independent judgment.

I remind my colleagues of this fact because in recent days a few of my colleagues seem to be jumping to conclusions. We all know about our colleagues in the House Republican caucus who have made a show of storming classified hearings, even though many of them could participate in those hearings, who have shifted their defenses of the President on a nearly daily basis, who only weeks ago made the idea of no quid pro quo the linchpin of their argument in support of the President but now admit that the President might have engaged in a quid pro quo, but there is nothing wrong with that.

In the House, the shifting sands of argument to embrace, to almost kneel at the feet of the President is appalling. They contradict themselves. They turn themselves into pretzels before all of the facts come out because they just blindly want to say that the President is right. That is not how the Constitution asks us to conduct ourselves as legislators.

In the Senate, we are beginning to get that germ of coming to conclusions before we hear all the facts, before a trial occurs. That nasty germ is spreading. Senior Members said yesterday that they will refuse to read any transcript from the House investigation because they have written the whole process off as a bunch of BS. If they were using taxpayer dollars, much needed foreign aid—an important part of our foreign policy tool—to gain an advantage on a political rival, if that is true, that is BS? Our Senate Judiciary chairman knows better, but his blind loyalties, his abject following of whatever President Trump wants, it seems, make him say things like that.

Yesterday, Leader McConnell stepped over the line, in my judgment, when he said that if an impeachment vote were held today, the President would be acquitted. Instead of speculating about the hypothetical trial or writing off the entire process before it has even concluded, how about we all wait for the facts to come out? That is our job.

Facts can be stubborn things. Just yesterday we learned that a key figure provided supplementary testimony that he told a top Ukraine official that U.S. military assistance was conditioned on an announcement by Ukraine that it was opening the investigations President Trump requested. Instead of leaping to the President's defense to declare no quid pro quo as many House Republicans did—a claim now contradicted by several witnesses—everyone should wait for the facts to come out. Fairness demands that of us.

Before I move on to another topic, there is another troubling development in this area—efforts by the White House and a Member of this Chamber to disclose the identity of the whistleblower. Let me repeat that. The White House and even a Member of this Chamber are openly advocating that Federal whistleblower protections be violated, that laws be broken, and the health and safety of the whistleblower and their family be put at risk. Shame, shame—it is just outrageous.

We are in an extraordinary moment of history when Republicans over only a few weeks have shifted from saying that no laws were broken to saying that laws were broken but it is not impeachable to outright advocating that laws be broken. This is wrong. This is against democracy. This is against the grain of this country that we have been so proud of for 200-some-odd years. Whistleblowers who stand up for the Constitution should not be targeted by the President or powerful Members of the legislative branch, for sure. And even if you don't agree with that, you have to agree that it is the law and you shouldn't break it. We are a nation of laws. President Trump should hear that. So should the junior Senator from Kentucky—please.

On a good note, I was pleased to hear that several of my Republican colleagues stood up yesterday and did the right thing. They defended the whistleblower's legal protections, including a Member of the Republican Senate leadership. Later today, I hope these Senators—and, indeed, all Senators—join Democrats in approving a resolution offered by my colleague Senator HIRONO that supports the whistleblower protections. Senator HIRONO will be asking unanimous consent to pass it, and we should, for the sake of the safety of this whistleblower, whether you like what he or she did or you don't, for the sake of rule of law, and for the sake of what balance of power is all about.

JUDICIAL NOMINATIONS

Mr. President, later today President Trump will give remarks from the White House on the Judiciary, presumably to give himself one big pat on the back for the Federal bench. He is good at that. He likes doing that. He does that almost more than governing.

As a Senator, I have now worked with four separate administrations, Democrat and Republican, on the appointment of Federal judges. I can say

with perfect confidence that over the last 3 years, President Trump has nominated and Senate Republicans have approved the most unqualified and radical nominees in my time in this body.

The list of unqualified nominees is so long that for the sake of time, let's only consider nominees for the past 3 weeks. Justin Walker, confirmed last week to the Western District of Kentucky, has never tried a case and was deemed “unqualified” to serve as a judge by the American Bar Association. Sarah Pitlyk, under consideration for a seat in the Eastern District of Missouri, has never tried a case, examined a witness, or picked a jury. Lawrence VanDyke is up after that. The ABA found that their interviewees with experience with Mr. VanDyke said he was “arrogant, lazy, an ideologue, and lacking knowledge of the day-to-day practice including procedural rules.”

How the heck do we put these people on the bench? Forget ideology for a moment. I understand that the President is not going to nominate people who might ideologically agree with me, but these people are abjectly unqualified based on their persons—who they are, how they behave in the courtroom, their knowledge, their experience. This is a lifetime appointment and one of the most important appointments we have, and when the ABA finds that a nominee was “arrogant, lazy, an ideologue, and lacking in knowledge of the day-to-day practice including procedural rules” and we go ahead and nominate him, what is the matter here?

Even more damaging, President Trump has nominated judges who are way out on the very extremes of jurisprudence. They are rightwing ideologues with views cut against the majority of Americans on nearly every issue. The judges he is nominating disagree with the vast majority of Americans on issue after issue after issue. Whether it is women's health and the right of a woman to make her own medical decisions, whether it is legal protections for LGBTQ Americans, whether it is the right of workers and collective bargaining, whether it is fair access to the ballot box and voting rights, whether it is the most common-sense gun laws and environmental protections, these nominees have views way to the right of even the average Republican, let alone the average American.

President Trump has nominated several judges who have been so extreme and overtly racist that my Republican colleagues who are loathe to oppose President Trump on anything have actually opposed him so that those few nominees didn't get on the bench. The nominations of these hard-right people are way over—hurting the average American, siding with big special interests over working Americans over and over again, finding every excuse to side with the rich and the powerful over the working class people. This is what President Trump calls an accomplishment?