

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?

I understand why the President and Leader MCCONNELL try to celebrate judicial nominees. They hardly have a legislative accomplishment to name. The truth is, when it comes to judicial picks, the President and Senate Republicans should be downright ashamed of their record.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

UNANIMOUS CONSENT REQUEST—S. 2603

Mr. DURBIN. Mr. President, when I first came to the Senate, I was asked to serve on the Senate Judiciary Committee, and I considered it quite an honor. It is an extraordinary committee with a rich history of involvement in some of the most important issues of our time, and that has been the case for generations.

Recently, when it was reformed, I was asked on which subcommittee I wanted to serve. I chose the Immigration Subcommittee. I took it for two reasons. First, I am a lucky American. My mother was an immigrant to this country. She was brought here at the age of 2 from Lithuania. Her mother, who brought her, didn't speak English, but my mom was a pretty smart little girl. She spoke English and Lithuanian, and she was the translator for the family. They even called her into a courtroom as a little girl to translate for a person who was being charged so that they understood the law. My mother was an extraordinary woman. She had an eighth grade education, but was one of the smartest people I have ever known. I guess that is a son talking, but you might expect it.

I often thought I was lucky that she lived long enough to see me sworn into the U.S. Senate. This immigrant girl, who became an American citizen, saw her son become the 47th Senator from the State of Illinois. That is my story. That is my family's story. That is America's story. That is who we are.

We are a Nation of immigrants. But for those blessed to be able to trace back their roots to indigenous people and Native Americans, all of us have come to this country—either ourselves personally, our parents, or grandparents.

Immigration means a lot to me because I think the diversity of this country is its strength. The fact that people were willing to sacrifice so much to come to the United States of America tells me something about them. Many of them risked everything. They left everything behind—left behind their families, their places of worship, their language, their culture, their food—and came to a place they had never seen before because they heard what America was all about—a land of opportunity. So I wanted to be on that subcommittee.

The second reason I wanted to be on the subcommittee is that the immigration laws of the United States are a disaster. They are terribly broken. They do not serve our Nation, either in terms of security or bringing the diver-

sity we need for our future. I have known this for a long time.

It was 6 or 7 years ago that we put together a group of Senators, four Democrats, four Republicans. John McCain was leading the Republicans with LINDSEY GRAHAM, MARCO RUBIO, Jeff Flake. On the Democratic side was Senator SCHUMER, who just spoke on the floor; Senator MENENDEZ of New Jersey; Senator BENNET of Colorado; and I. We sat down for months, night after night, looking at every section of the immigration law—this broken law—to say: How will we change this? How can we reach political compromises and serve the best needs of this Nation? And we came up with it.

We came up with this comprehensive bill and brought it to the floor of the Senate, and it passed with 68 votes. We finally found a bipartisan answer—just exactly what the American people sent us to do.

We sent our work product over to the House of Representatives, and they refused to even consider it. They wouldn't bring our bill up for a vote. They wouldn't debate it, wouldn't offer an amendment, an alternative substitute—nothing. And here we sit with this broken immigration system.

I want to describe to my colleagues—or at least those listening in the Senate—one of the issues that came up recently. Here is what it comes down to. There are people who come to the United States to work. Many of them come on what is known as an H-1B visa. It is a specialty visa, and it says that in this situation, this company cannot find an American to fill the job and wants to bring a talented person from another company on a temporary visa to work. Thousands come under this program each year. Many of them come from the country of India. They are trained engineers, by and large, but they are also doctors, and they are professionals who are needed in communities all across our country.

Well, we have run into a problem because once they are here and have been here for some time, many of them want to stay. That in and of itself is a good thing, as far as I am concerned. If they are productive employees making a business profitable, creating new jobs in the process, I want them to stay. Some of them were actually educated in the United States and are using that education, working here, but now they want to be permanent residents in this country.

There is a difficulty in the problem because we limit the number of people who can apply for what is known as green cards—employment-based visas—each year. The limitation is 140,000. It may sound like a lot, but believe me, there are hundreds of thousands more who are seeking these visas.

We have a problem particularly when it comes to those of Indian descent. The problem is the fact that so many of them have come to fill these temporary work jobs and are applying for green cards that there are many more

applications for green cards than there are actual cards to be issued. There are only 140,000 total each year for the entire world. There are over 500,000 Indians who have come to this country and are asking for green card status. The law also says that no more than 7 percent can come from any 1 country of the 140,000. If you do the simple math of about 10,000 each year and with there being over 500,000 Indians waiting, imagine what that means. It means that many of them will never live long enough to qualify for a green card. So this has become very controversial. Many of them are desperate, and they should be, for their plights are now so uncertain.

It is complicated by the fact that if you come here in an employment-based situation—on a temporary visa, an H-1B—you can bring your family with you, meaning your spouse and your children. Yet, if you stay here for a period of time and if your children reach the age of 21, they can no longer stay based on their parent's visa. Frankly, they are subject to deportation, and some are deported.

The other night, I met a large group of these Indians in the State of Illinois who came to me pleading for help. I want to help them. I hope they understand and those who are listening understand as well that when it comes to immigration, I am in favor of border security and of orderly immigration, but I am in favor of immigration and the diversity it brings to this country and the talent it brings to this country.

I have a bill before us, known as the RELIEF Act. It would lift that cap of 140,000 so we could absorb more people each year into our country who have been here already or who have been working here already and whose families have been established here already but who just want a chance to, ultimately, apply for citizenship. That is what my bill would do.

It would do two other things, and I want to bring these points up for those who are considering my unanimous consent request that I am about to make. I want them to understand how personal and important this is to the people I am talking about.

One of the provisions I mentioned relates to the fact that if you bring children to the United States while you are working on those temporary visas, those children are protected until they reach the age of 21, but they are then subject to deportation. I cannot tell you the emotional scenes I have witnessed in the last few weeks as these parents have introduced me to their children and have said to me: Senator, I am in this long line waiting for a green card. My 12-year-old daughter could end up being 21 years old and deported while I am still waiting. I want to take care of her. I want her to have a chance to go to school, and I want her to have a bright future. Yet her fate is tied to the fact that there are not enough green cards for me to stay in this country.