

the power of our example than the example of our power.’

We still tout our system of democracy and capitalism as a beacon of success and progress, but we have aided and abetted the failure of our system to address the climate and oceans crisis. Worst of all is the reason for it—the fossil fuel industry’s menacing climate denial apparatus. That apparatus may have won the day influencing Congress for now, but it will surely fail the test of time. History will judge harshly an American generation that let its democracy be corrupted by this industry.

The voice of the oceans is more lasting than the greed and folly of man, and it warns of consequences driven by laws of chemistry, physics, and biology. These stern natural laws cannot be repealed or vetoed. Propaganda can manipulate people, passions, and politics, but propaganda cannot change the immutable laws of nature. The data are the voice of the oceans, and if data could scream, the oceans would now be screaming.

So to paraphrase a poem, let us be the “voice the sea would have if it had not a better one: as it lifts . . . its rumbling, deep-structured roar.” Let us wake up and get to our duty.

“Slap Nature,” Pope Francis said, “and she will slap you back.” We have a hell of a slap coming if we don’t get ahead of this, and we better wake up to it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

NOMINATION OF STEVEN J. MENASHI

Mrs. MURRAY. Mr. President, I have come here before to call out Senate Republicans and their unwavering support for President Trump’s efforts to pack our courts with partisan and ideologically driven picks, but the nominee I am speaking against today is truly uniquely unfit to serve a lifetime appointment—a lifetime appointment—on a Federal court: Steven Menashi.

Mr. Menashi has a deeply disturbing history of disparaging comments against women, communities of color, immigrants, and the LGBTQI community.

He unabashedly helped to roll back protections for vulnerable communities. He defiantly refused to answer basic questions from U.S. Senators, both Democrats and Republicans, about the policies he worked on while advising the President. He has time and again put extremism and ideology ahead of the rule of law, and he has proven himself incapable of serving as a fair and impartial judge.

As if his record of extremism and partisanship wasn’t bad enough, we now know that Steven Menashi not only helped but was the key architect in Secretary DeVos’s efforts to illegally deny relief to student borrowers who were cheated by predatory for-profit colleges. These policies that Mr. Menashi provided “legal advice” for were subsequently ruled to be in violation of Federal law.

Secretary DeVos’s policy on borrower defense led to her being held in contempt of court. Whether Mr. Menashi did not understand Federal law or whether he advised the Secretary of Education to blatantly ignore it at the expense of students, the fact is that this latest revelation undoubtedly and unequivocally disqualifies him from serving a lifetime appointment on a Federal court—or, at least, it should.

Tomorrow, the Senate will take a critical vote. This is a vote on whether the Senate once again rubberstamps President Trump’s unprecedented effort to remake the Federal judiciary on a partisan ideological basis. It is a vote that shows whether Republicans are willing to support a judicial nominee whose actions—his own actions—have been found to violate the law as recently as just a few weeks ago.

I implore my Republican colleagues to consider not just Mr. Menashi’s record of bigotry and the harm he helped cause to cheated and defrauded students, but also his blatant disregard of the rule of law.

When casting their vote, I ask my colleagues not to worry about what the President might say on Twitter, but to worry about the rule of law and to worry about the idea yet another partisan nominee getting a lifetime on the Federal bench who doesn’t. It is that simple.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

SURVIVORS’ BILL OF RIGHTS IN THE STATES ACT  
OF 2019

Mrs. SHAHEEN. Mr. President, I am pleased to join Mr. GRASSLEY from Iowa on the floor today to talk about important legislation that we are cosponsoring that built upon previous efforts that both of us were engaged in to protect survivors of sexual assault in the criminal justice system. The efforts to extend rights to sexual assault survivors across the country is critically important, and I am hopeful that, once our legislation is known to our colleagues, that they will join us in passing this important bipartisan bill.

Amanda Nguyen of the Rise organization initially contacted our office in 2015. I know she also worked with Senator GRASSLEY. When she came to us and detailed her harrowing story of sexual assault, she was raped, and then she felt like she was raped again by a criminal justice system that was not responsive to the challenges of survivors of sexual assault. Amanda described the system that further traumatized survivors and provided scarce protections for their rights.

Evidence of assault was being destroyed without survivors’ consent, and survivors were forced to periodically follow up with law enforcement to preserve that evidence. The broken process that survivors were forced to endure resulted in a system where they were often re-victimized. Instead of a process that helped them move forward

with their lives as they pursued justice, survivors were confronted with the trauma of reliving their attack each time they sought to preserve evidence or gather information about their case.

Well, because of Amanda’s efforts, the Sexual Assault Survivors’ Rights Act was created. It was legislation that provided for the first legally recognized set of rights for survivors that could be enforced in a court of law. Senator GRASSLEY took that legislation, he included it in the Adam Walsh Reauthorization Act, and it was signed into law. It has provided survivors with greater protections in Federal cases because of focus on notice, on access to evidence, and on the preservation of sexual assault evidence collection kits.

By creating this set of court enforceable rights at the Federal level, Congress established a model for the States to adopt similar legislation to protect the rights of survivors. So far, 21 States, including my home State of New Hampshire, have adopted that legislation to guarantee survivors certain basic rights in the criminal justice system.

Now, unfortunately, we are trying to figure out how to encourage other States to follow the lead of Congress, States that have not yet adopted legislation protecting survivors. That is why the bill that Senator GRASSLEY and I are here to discuss today is so critically important. The Survivors’ Bill of Rights in the States Act, the legislation we are cosponsoring, would establish a grant program accessible to States that have in place a law which guarantees the rights contained in the Sexual Assault Survivors’ Rights Act.

The grand amount would be a percentage of the funding that the State receives under the Stop Violence Against Women Formula Grant Program. States could then use the funds to implement survivor rights, preserve sexual assault evidence collection kits, reduce the backlog of kits, and provide support for victim services.

Congress has previously passed legislation using the Stop Formula Grants to incentivize States to adopt legislation, and this is the perfect example of why that kind of an approach would be successful. No survivor should be compelled to bear the indignity of petitioning law enforcement merely to ensure that they are given a fair shake in the criminal justice process. It is my hope that this legislation will lead to an increase in States passing bills to protect survivors’ rights.

I think it is important that Congress again show survivors that we are behind them, that we will stand up with them for their rights. The Survivors’ Bill of Rights in the States Act would do just that.

I am so pleased to be joining Senator GRASSLEY in this effort. I think, with this bipartisan support, we can get support from all of our colleagues to enact this follow-on legislation into law and provide the additional support that survivors need.

Thank you, Mr. President.

I yield to my colleague, Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, first of all, it is a pleasure to work with Senator SHAHEEN on this bill. I am very happy to work together. We have the same goals in mind. For the cynical people outside of Washington, DC, that say there is never any Republican or Democratic cooperation, there is kind of a rule around here that Senator SHAHEEN and I are examples of, but it applies to all 100 Senators.

If you really want to get something done, you have to seek bipartisanship in this body. I can quantify that in this way. There are 53 Republicans. There are 47 Democrats. But if there were 53 Democrats and 47 Republicans, the same rule would apply.

About 99 percent of the legislation that gets done around here has to have 60 votes to stop debate before you can even vote on the bill. So obviously, even if all 53 Republicans were voting together—and that doesn't happen very often—you still wouldn't get the 60 votes to pass a piece of legislation. So that is why almost every major piece of legislation that gets through here—and this example of Shaheen-Grassley is just another example—it is because you seek bipartisanship, and it is just nice that it has to be that way.

So addressing this issue, I can say I associate myself with the remarks of Senator SHAHEEN and sit down, but there is kind of a rule around the Senate. Everything that has been said on this bill has been said, but I haven't said it yet, and I am going to say it.

I recently introduced S. 2770, known as the Survivors' Bill of Rights in the States Act of 2019, with Senator SHAHEEN and Senator TILLIS. This measure is a companion to what Congresswoman SPEIER developed and introduced in the other Chamber. It builds on legislation entitled the Survivors' Bill of Rights Act that we adopted in 2016.

As chairman of the Senate Judiciary Committee in the last Congress, I worked closely with a young woman, Amanda Nguyen, on the development of that 2016 measure prior to its introduction. Amanda, a survivor of sexual assault, found and leads the nonprofit organization known as Rise, R-I-S-E.

She also worked with Senator SHAHEEN on the same legislation, introducing the final version in this Chamber. We incorporated that 2016 package of rights into an amendment that I offered to another measure before the Senate Judiciary Committee. In May 2016, that legislation passed this Chamber 89 to 0. In October 2016, the House version, which was introduced later, was signed by the President.

The bills that we introduced this month on the 2016 Survivors' Bill of Rights, it makes each State eligible to receive a Federal grant to implement a similar package of rights for victims of

sex crimes at the State level. Such rights include, for example, the right to know the results of your forensic exam, the right to have evidence preserved for a certain period, and the right to notice before your forensic kit is destroyed.

A State also may use its Justice Department grants to preserve sexual assault evidence kits, reduce the number of kits awaiting testing, and extend additional assistance to crime victims under our legislation. Finally, the measure we introduced authorizes 20 million annually for each of the fiscal years 2021 through 2024 to support the implementation of the new grant program established by this bill. I urge my colleagues to join us in cosponsoring the Survivors' Bill of Rights in the States Act of 2019.

I thank Senator SHAHEEN for joining in this effort and leading this bill and, most importantly, to compliment her over a long period of time in the Senate—and probably even before she came to the Senate—her commitment to working with me and with people generally on the issue of increased protection for victims of sexual assault.

Again, I thank Congresswoman SPEIER and her staff for initiating this measure in the House and for working so hard to develop a bicameral, bipartisan measure, and I thank Senator SHAHEEN once again.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

### SAFESPORT ACT OF 2019

Mr. GRASSLEY. Mr. President, this week I introduced S. 2838 with Senators ERNST, BLACKBURN, SULLIVAN, MURKOWSKI, and PERDUE. This legislation, which we have titled the SAFESPORT Act of 2019, includes funding accountability, antiretaliation protection, child abuse reporting, and other reform measures.

I want to take this opportunity to thank the Commerce Committee members who lead the Senate subcommittee with jurisdiction over the Ted Stevens Act, along with Commerce Committee Chairman WICKER, for including so much of my SAFESPORT Act as an amendment to a larger package that they developed. That measure is S. 2330, the Empowering Olympic and Amateur Athletes Act of 2019, sponsored by Senators MORAN and BLUMENTHAL.

Senators MORAN and BLUMENTHAL worked closely with me to secure the inclusion of multiple provisions of my SAFESPORT Act in their bill, which cleared the Commerce Committee this morning with unanimous bipartisan support. Every one of these provisions is designed to ensure that the U.S. Center for SafeSport, which is tasked by Congress with investigating abuse of athletes in amateur sports, continues on its current track of excellence. I extend my sincere appreciation to both subcommittee leaders for their hard work on S. 2330 and for collaborating with me to improve their bipartisan bill.

First, the SAFESPORT Act would enhance child abuse reporting, by ensuring that the Center for SafeSport is subject to the same mandatory reporting requirements as other professionals who work with children, under the Federal Victims of Child Abuse Act. By law, this center is tasked with receiving and investigating complaints of sexual abuse in amateur sports, which is why its personnel should have to report suspected crimes against children to the authorities.

Second, this bill ensures that the Center for SafeSport, a private organization that already receives millions annually in revenue from the Olympic community—and which would receive \$20 million annually, at the direction of Congress, if the Moran-Bhimenthal bill is enacted—is subject to an annual audit by an independent auditor. Such an audit is highly recommended by charity watchdog groups for the highest functioning nonprofit organizations. It is also a standard requirement for almost any nonprofit charitable organization receiving Federal grant awards of more than \$750,000 annually. My legislation also calls for the Center for SafeSport to implement any corrective actions recommended by the auditor each year or explain why it disagrees with the recommendations.

Third, this legislation subjects the Center for SafeSport to certain transparency requirements, ensuring, for example, that this organization reports to Congress annually with a detailed account of its activities, any changes in its financial standing, and a corrective action plan to implement auditor recommendations, if any. We are entitled to know how many complaints the organization investigates and resolves using the millions of dollars it receives from the U.S. Olympic community each year. Such information would be made available to the public, under the SAFESPORT Act.

The Commerce Committee included all of these accountability, transparency, and child abuse reporting provisions, as well as the antiretaliation language of my SAFESPORT Act in the package it approved today. That antiretaliation language, on which I collaborated with Senator PETERS, protects whistleblowers who come forward and report abuses in amateur sports. I thank Senator PETERS for his collaboration on that language. I am delighted