

our ability to get bipartisan work done is getting smaller and smaller. If the impeachment circus makes its way to this side of the Capitol, that ability may completely go away. If we stick to the timeline of the Clinton impeachment, that would mean the articles of impeachment would be voted on in late December, and then, literally, for the first 5 or 6 weeks of 2020, the Senate would be required to sit as the jury in impeachment proceedings, during which time nothing else can be done.

We need to check these critical items off of Congress's to-do list over the next few weeks—the things that we can and should get done before the Christmas holidays, and I am eager to get to work and to do my part.

Our hope is that our friends on the other side of the aisle will join us in the same commitment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 I ask unanimous consent that the order for the quorum call be rescinded.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

CYBER SECURITY

Mr. SCHUMER. Mr. President, allow me to begin on a topic that doesn't currently concern legislation or nominees on the floor but one that does concern our national security and the privacy of the American people.

Over the summer, I requested a review of the potential risks posed by FaceApp, a widely used Russian-based mobile application that requires the full and irrevocable access of its users' photos and data. Very recently, the FBI responded to my request in writing, warning that the FBI "considers any mobile application or similar product developed in Russia, such as FaceApp, to be a potential counterintelligence threat, based on the data the product collects, its privacy and terms-of-use policies, and the legal mechanisms available to the Government of Russia that permit access to data within Russia's borders."

Let me repeat this. These are the FBI's words in a letter sent to me just in the last few hours; that the FBI "considers," their words, "any mobile application or similar product developed in Russia, such as FaceApp, to be a potential counterintelligence threat."

The letter went on to say that the FBI is prepared to address foreign influence operations involving FaceApp against elected officials, candidates, political campaigns, and political parties.

In light of the FBI's warning, I strongly urge all Americans to consider deleting apps like FaceApp immediately and proceed with extreme cau-

tion when downloading apps from foreign countries that are known adversaries. The personal data that FaceApp collects from a user's device could end up in the hands of Russian intelligence services. It is simply not worth the risk.

Americans should be aware of the risks posed by certain mobile apps, particularly those developed in foreign countries that are known adversaries, before they download them. The FBI didn't name other countries, but I would certainly name not only Russia but China, Iran, and there are others.

Please, Americans, be careful, and let us let all of our intelligence agencies pursue this potential danger to America and ensure that it doesn't endanger our national security.

DEFENSE APPROPRIATIONS

Mr. President, on to the NDAA. The issue of FaceApp is a microcosm of a larger problem about cyber security and our foreign adversaries. There is no doubt that Russia and Vladimir Putin continue to meddle in our democracy and interfere in our elections. We should be doing everything in our power to stop it and prevent that from happening, from hardening our election infrastructure to ensuring that our military has the cyber authority needed to respond to attacks, to passing tough new sanctions to deter any foreign power from interfering in our elections.

So it is incomprehensible to me that at the moment, Leader McCONNELL and Senate Republicans are opposing the election security measures we wish to include in the annual Defense bill. It is amazing. There is bipartisan support for these, but Leader McCONNELL is once again saying that we are not going to do all we can to prevent Russia from interfering in our elections. That is right—the annual Defense bill, which passed the Senate months ago, remains in conference, in part, because Leader McCONNELL and Senate Republicans refuse to include important election security legislation. There is bipartisan legislation on this issue—the DETER Act and DASKA—that would trigger sanctions on any government that tried to interfere with American elections.

I don't care what your party is—Democratic, Republican, or any other, no good American wants Russia or any foreign power to be able to interfere in our elections. It is one of the things the Founding Fathers were most worried about. How can our Republican leaders sit blithely by, as the danger is real and as a bipartisan group is trying to prevent Russia from interfering and doing what we can to stop it. He is holding up the NDAA bill, in part, because of this provision.

Why the Republican leader and the Republican committee chairs are blocking this legislation is beyond me. Some have said the Trump administration is ready to act without these sanctions, even though it has failed to implement the sanctions targeted at Rus-

sia's Putin that are already on the books. Some have expressed concern about the sanctions on our allies and their partners while they know these issues can be addressed. When those arguments fail, they hide behind process complaints. No objection they have holds any water.

The NDAA, the Defense authorization act, might be one of the last chances to enact election security legislation before the upcoming Presidential election next year, including Senator VAN HOLLEN's proposal and other targeted sanctions offered by Senator MENENDEZ—both of which enjoy bipartisan support—is paramount. Inexplicably, Leader McCONNELL has yet again refused to allow these kinds of measures to go forward, refused to allow nearly any election security legislation from being considered in the Senate at all, and has repeatedly downplayed the threat of foreign interference in our elections.

Our country's top national security officials have warned repeatedly that our adversaries—North Korea, Iran, China, and, of course, Russia—are considering or working on new ways to meddle in our elections and that we have not done enough to prepare ourselves. We need now—not later, now—to take commonsense steps to protect the vital wellspring of our democracy: free and fair elections unimpeded by outside interference.

I urge Leader McCONNELL, I urge Senate Republicans to stand down and work with Democrats to secure our democracy. If there are Republican Senators who agree with us and don't want to say anything publicly, please go over to Leader McCONNELL privately and urge him to stand down.

IMPEACHMENT INQUIRY

Mr. President, on Wednesday, the House Judiciary Committee will hold its first hearing as a part of the impeachment inquiry, during which the constitutional history of impeachment will be examined and discussed with legal scholars. It is another example of how the House impeachment inquiry is proceeding in a deliberate, studious, and sober-minded manner, and it stands in stark contrast to some of the recent statements by Republicans on this side of the Capitol.

While the House investigation continues in search of the facts, certain Senate Republicans have made increasingly outlandish claims, including the assertion that Ukraine might have been involved in interfering with the 2016 election.

Let me be clear. The charge that Ukraine had something to do with election meddling in 2016 is a lie spread by Vladimir Putin to get things off his back. Putin and Russian intelligence services invented that lie to muddy the waters and distract from the fact that Russia, not Ukraine, interfered in our elections.

Now, disgracefully, we have sitting U.S. Senators helping spread that Russian propaganda in an effort to defend

the President. Republicans must stop claiming that Ukraine had anything to do with election interference in 2016. Repeating these claims, even speculating about them, is doing Putin's job for him. I urge my Republican colleagues—they know who they are—to stop spreading these lies which hurts our democracy.

APPROPRIATIONS

Mr. President, finally on appropriations, while the Senate was away for the Thanksgiving holiday, there was an important bit of progress in the appropriations process. House and Senate appropriators have agreed to the allocations to the various committees—known as 302(b)s—and are now working to finalize the 12 appropriations bills.

I applaud the appropriators on both sides of the aisle and on both sides of the Capitol for clearing this major hurdle and potentially paving the way to finish appropriations by the end of this year, 2019.

Now that we have an agreement on allocations in place, Senate Democrats want to ensure that the final appropriations bills include several of our policies and priorities. These are what we Senate Democrats want to make sure are in these bills: significant resources to combat the opioid and gun violence epidemics; significant investment in infrastructure; significant investment in childcare; funding for the Violence Against Women Act needs to be maintained or, ideally, increased, which is a Democratic priority; and there must be—must be—funding to secure our elections in advance of next year's Presidential election.

Of course, there is still the impediment of President Trump's insistence on funding an expensive and ineffective border wall. Senate Democrats strongly oppose the President's stealing money from our military families to pay for this border wall. We have fought for provisions to stop this theft, and we will continue to do so. I hope my Republican colleagues muster the courage to stand with the military families in their States whose funds have been robbed to build this vanity project of President Trump.

Again, I am very pleased we have an agreement on 302(b)s. We must now build on that momentum to make sure the final appropriations bills help the American people as much as possible.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. ERNST). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NOMINATION OF DAN R. BROUILLETTE

Mr. WYDEN. Madam President, here is what the Senate and the American people need to know before the next vote coming up on the nominee to be the Secretary of Energy.

First, Mr. Rick Perry—who until yesterday was the Energy Secretary—has refused to comply with the subpoena to testify about his involvement in the Trump-Ukraine scheme.

Second, Acting Secretary Dan Brouillette—nominated to replace Mr. Perry—has failed to provide substantive answers to key questions about Mr. Perry's dealings with the Ukrainian state-owned energy company Naftogaz.

Third, since I have been raising questions on this matter, Naftogaz executives have reportedly been coming forward to cooperate in a Federal investigation into the Ukraine scheme.

Mr. Perry has virtually skipped town, leaving his job after insisting for months that he was determined to stay while the Ukraine scheme is front and center in the House impeachment inquiry.

Now, with the vote on Mr. Perry's replacement just minutes away, the Senate is truly in the dark, lacking answers to important questions. Those questions include issues pertaining to Mr. Perry's role in a campaign to change the leadership of Naftogaz; questions about what Mr. Perry, his donors, and certain crooked associates of Rudy Giuliani's stood to gain from those changes; questions about Mr. Perry's role in the Ukraine scheme, which Trump administration officials have admitted was about withholding critical military aid in a face-to-face meeting until the Ukrainian President agreed to do for Donald Trump what he described as a political favor.

These are serious issues closely tied to ongoing investigations. This goes way, way beyond the well-documented waste we often see in the Trump Cabinet—private jets, soundproof booths, \$30,000 desks; this is about the administration using its full might to push a foreign leader into helping Donald Trump's reelection campaign. The Senate ought to know about Rick Perry's involvement, especially since he was described by Mr. Holmes and others as one of the "three amigos" who were right in the center of all this.

What exactly is the rush on confirming his replacement? This isn't the first week of a new administration. Nothing is going to happen to the powerplants or nuclear facilities if the Senate takes the time to get answers to these central questions. Dan Brouillette is already the Acting Secretary. No American interest suffers if the Senate insists on getting answers that go right to the heart of the Senate's oversight responsibilities.

I briefly want to recall what this is all about.

The "three amigos" basically seized control of our country's ties with Ukraine under the direction of the President and his personal lawyer, Rudy Giuliani. Secretary Perry led the American delegation that attended President Zelensky's inauguration in May after the Vice President was told to stay home. The Vice President and

President Zelensky held private meetings.

It has been reported that Perry pushed President Zelensky to fire members of the board of Naftogaz and replace them with Mr. Perry's own political donors. At a subsequent meeting with the Ukraine Government and energy sector officials, Perry reportedly said that the entire board ought to be replaced.

The Associated Press reported that at that meeting—and I am going to quote here—the Associated Press said that one of those people who attended that meeting where Perry was in attendance "said he was floored by the American requests because the person had always viewed the U.S. government 'as having a higher ethical standard.'"

The changes Mr. Perry was seeking lined up with changes sought by a pair of now-indicted men, Lev Parnas and Igor Fruman, who were apparently friends of Mr. Giuliani's. They, too, wanted different leadership at Naftogaz. Here is what the Associated Press had to say about that:

As Rudy Giuliani was pushing Ukraine officials last spring to investigate Donald Trump's main political rivals, a group of individuals with ties to the president and his personal lawyer were also active in the former Soviet republic. Their aims were profit, not politics. This circle of businessmen and Republican donors touted connections to Mr. Giuliani and Trump while trying to install new management at the top of Ukraine's massive state-owned gas company. Their plan was to then steer lucrative contracts to companies controlled by Trump allies, according to two people with knowledge of their plans.

Federal prosecutors are investigating the role of Mr. Giuliani. At least one Naftogaz official is reportedly cooperating in the investigation.

Some of Mr. Perry's political donors did score a lucrative energy deal in Ukraine after Perry got involved there. Perry admits he was in contact with Giuliani about Ukraine.

It was also revealed in impeachment testimony that Perry was seemingly made aware in July of the Trump scheme and Ukraine.

Unlike Fiona Hill, unlike David Holmes, unlike Lieutenant Colonel Vindman, Rick Perry has refused to testify and share what he knows with the public.

For nearly 3 weeks, I have been trying to get answers. At Mr. Brouillette's nomination hearing on November 14, I asked him really basic questions. I had plenty of time—to a great extent, courtesy of my good friend the ranking minority member, who is always fair. I had plenty of time. I asked basic questions. It came down to this:

Who did Secretary Perry meet with regarding Ukraine and Naftogaz? He was the head of a powerful department. He was one of the self-styled "three amigos." Who else was in the loop? What did they talk about?

Acting Secretary Brouillette only acknowledged—he wasn't willing to say