

marking up an enormous package of sanctions on Turkey.

The horse has left the barn. There is no good reason for the administration to object to this resolution, and the effect of doing so is to deny recognition of this chilling moment of history.

Let me close by echoing the optimism the Senator from New Jersey expressed. We may well see an objection here today, as we did when Senator MENENDEZ and I previously came to the Senate floor and sought to pass this just a couple of weeks ago, but I believe that in the coming days and weeks, we will get this passed and that this objection, I hope, will be only temporary. I look forward to the day—hopefully very, very soon—when all 100 Senators, Democrats and Republicans, are united in simply speaking the truth, recognizing the genocide that occurred, and making perfectly clear that America stands against genocide.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I thank my colleague from Texas for his eloquent statement and for his forthrightness on this issue.

As in legislative session, I ask unanimous consent that the Senate Foreign Relations Committee be discharged from further consideration of S. Res. 150 and the Senate proceed to its immediate consideration. I further ask that the resolution be agreed to, that the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. CRAMER. Mr. President.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CRAMER. Mr. President, reserving the right to object, I don't think there is a single Member of the U.S. Senate who doesn't have serious concerns about Turkey's behavior both historically and currently. In fact, I support the spirit of this resolution. I suspect 99 of my colleagues do. At the right time, we may pass it, as Senator CRUZ has stated; however, I don't think this is the right time. If there is a right time, this certainly isn't it. It is largely because just hours ago, our President returned from the NATO summit in London with NATO leaders, where this was a topic of discussion with the leadership from Turkey—this being the acknowledgement of genocide, as well as the purchase of the S-400.

I want to have a clear readout of the President's interaction and discussion with President Erdogan and our delegation's negotiations with Turkey before adopting this resolution. I don't think we can take the risk of undermining the complex and ongoing diplomatic efforts which are in our national security interests as a country.

I, too, want to be on the right side of history. I believe we will be on the right side of history, but these negotia-

tions that the President is currently in are a part of getting on the right side of history.

I appreciate the ongoing conversations and still hope we will be able to overcome the challenges in the bilateral relationship with Turkey. We know what these challenges are, and we all share the goal of seeing them appropriately addressed, but there is no good alternative right now. In my view, adoption of this resolution today is unnecessary and might very well undermine that diplomatic effort at a key time.

I do not intend to continuously object to this resolution, but I believe it is appropriate for me to do so at this time, so I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, once again, I am deeply disappointed. This is the third time a Republican Senator has come to the floor to object to the genocide resolution—the recognition of the genocide resolution. There is never a good time. There is never a good time. In my view, there is always the right time, however, to recognize genocide as genocide.

My colleague from North Dakota actually sponsored H. Res. 220, the Armenian genocide resolution, affirming “the proper commemoration and consistent condemnation of the Armenian Genocide will strengthen our international standing in preventing modern-day genocides” when he was a Member of the House of Representatives. He was right then. He was right then. The time was right then, and the time is right now.

President Erdogan was here in the United States a couple of weeks ago. There was a meeting at the White House. A few of my colleagues had the privilege of joining the President expressing their discontent. Erdogan was given options—a way out of the dilemma that Turkey has put themselves in with the S-400. Basically, they were told either return to Russia and destroy them in our presence and/or give them to us, which, of course, Russia will never allow that to happen, for us to have their technology.

There was a deadline. It was yesterday. I waited until today to make sure that in fact we wouldn't intercede in any way with that possibility. Turkey, in the interim, while this is going on, they used the S-400 to fire at an F-16 to see if they could take it down. Really? Really?

So this premise that there was a meeting in NATO—well, there was a meeting in Washington, and then there was a meeting in NATO. They still haven't done anything on the S-400. They still haven't exercised any of the options that have been given to them.

I just want my colleagues to know that I intend to come once a week to the Senate floor, and all those who want to be listed on the wrong side of history, they have the option of doing

so. I am not going to cease until we do what is morally and principally right, and that is to recognize the Armenian genocide as a host of other nations have done as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

JUDICIAL NOMINATIONS

Mr. COONS. Mr. President, I serve on the Senate Judiciary Committee, as a member of the Bar Association of Delaware, and a Member of the U.S. Senate. I am concerned about the transformation of our Federal judiciary under this current administration. I am particularly concerned about rising issues around qualification and competency. Let me speak to that, if I might, for a few minutes.

This Senate is doing precious little in terms of legislating, but we are moving at a breakneck pace to confirm President Trump's judicial nominees—roughly, 150 so far. During the entire 8 years of the previous administration, 55 circuit court judges were confirmed. Nearly that same number have been confirmed in just 3 years of the Trump administration—48. Nearly one in seven of all U.S. district court judges currently serving have been appointed by President Trump.

I am deeply concerned about the quality of some of these nominations. Some have never taken a deposition, argued a motion, let alone tried a case in court. The American Bar Association, the professional association of lawyers, has ranked nine of President Trump's nominees as “not qualified,” which is an exceptionally unusual and striking step for them to take.

This isn't about whether the President's nominees are conservative or not. I understand that elections have consequences and that a Republican President will more often than not nominate conservative judges. I have, in some cases, joined my Democratic colleagues in supporting qualified nominees put forward by the administration who have won support from their home State Senators and advanced through a bipartisan judicial nomination and confirmation process in our committee, but let's be clear. I will not stand by while this administration rams through nominees who are not just Republican and not just conservative but demonstrably unqualified.

I can't support nominees with deeply concerning records about their commitment to justice and to advancing a commonsense jurisprudence. I am not going to set a standard any lower than what has been required in previous administrations to serve on the Federal bench for many, many years.

We have heard in this Chamber and around this country that the quality of the Federal bench and the capabilities and the experience and the values and the judgment of those who serve on Federal benches across this country is an absolutely essential piece of our Constitution and our ordered liberty.

The cases that come before Federal courts are too important to tolerate incompetence, inexperience, or bias in the Federal judiciary.

Why does this matter both in terms of the process and the substance? The President has put forward nominees who, in my view, would take us backward on civil rights and voting rights, on women's access to healthcare, on laws that protect consumers and workers, and on the environment. Their decisions impact every American. Equally concerning is that Trump's nominees don't reflect the diversity of our Nation. We want litigants to go into a court and be able to have their day in court and be confident that the judge before them represents the breadth and range of America.

So far, of the 55 circuit court nominees confirmed, only 11 have been women, and they have been even less racially diverse. Of all of President Trump's nominees, 87 percent are White and 78 percent are men. I think the judiciary should reflect the diversity of the American people and have strong records and a wealth of experience. Sadly, that is not the case for several we have considered, and let me briefly speak to two.

President Trump's nominee to serve on the Ninth Circuit Court of Appeals, who was recently confirmed, Lawrence VanDyke, raised serious concerns about his work ethic and his temperament. He was rated "not qualified" by the ABA based on concerns about his lack of knowledge of basic procedural rules and his commitment to being truthful. Six retired justices of the Montana Supreme Court questioned his fitness when he ran for the Supreme Court in Montana and expressed concerns about his partisanship and the possibility of corporate influence. He is opposed to basic civil rights and civil liberties for the LGBTQ community and made a range of statements that I think would be disqualifying under any circumstance.

Sarah Pitlyk, who this Senate just confirmed this week to a lifetime seat on the U.S. District Court for the Eastern District of Missouri, has never tried a case, either criminal or civil, has never taken a deposition, has never examined a witness, and has never argued a motion in Federal or State court. The ABA unanimously rated her as "unqualified" for a lifetime seat in the Federal judiciary.

We can and we should do better than this. Of the entire bar of the State of Missouri, I am certain there are qualified, capable, and seasoned conservatives who could have been nominated for that seat in the entire Ninth Circuit. In particular, the State for which Mr. VanDyke was nominated, there are certainly abundant opportunities to choose qualified nominees. We can and we should do better than this.

In my State of Delaware, my senior Senator, TOM CARPER, and I worked together to help form a bipartisan judicial nominating committee to fill two

vacancies on our district court. We felt strongly we had to reach out to the White House and work with them to identify consensus nominees who would be the best candidates we could best support and whom the President could nominate. Ultimately, we had a very productive process, and the President nominated Maryellen Noreika and Colm Connolly, whom we both returned positive blue slips for. They ultimately have been confirmed by this Senate, seated, and now serve in our district court. This is how the process should work.

We should be able to consult back and forth between the executive and legislative until we find competent, capable, and qualified judges of whom we can all be proud of. The Senate should not be a rubberstamp for this administration, regardless of the quality of nominees that get sent forward.

I will continue to oppose President Trump's nominees who are undeserving of a seat on the Federal bench and unqualified to serve. It is, in my view, our responsibility to guard against the politicization of the Federal judiciary, and we should work together, not to tear down and destroy the traditions and rules of this Senate but to find ways to strengthen and sustain them. That is how we will move qualified and consensus nominees forward and protect the independent judiciary on which our very democracy rests.

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

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

TRIBUTE TO JOHNNY ISAKSON

Mr. WHITEHOUSE. Mr. President, I come to the floor today because I missed an important occasion in the Senate. We had a celebration recently of one of our more beloved Members, Senator JOHNNY ISAKSON of Georgia.

There wasn't much that could keep me away from that, but there was no Senator going to Madrid to the conference of the parties to consider the Paris Climate Agreement. Speaker PELOSI asked me to come on her House delegation so that it was bicameral. As I think most people in this body know, I am pretty animated on that subject and couldn't say no. There are not many other things that could have kept me away.

I want to come now and make up a little bit for being absent that day and express my gratitude for JOHNNY's friendship to me over the years. I had the pleasure of going with him to the D-day anniversary on a codel that he led with his usual graciousness and patriotism. He was kind enough to join quite early on the bipartisan Senate Oceans Caucus I started and has been a very helpful part of that endeavor.

We have worked together on ways to improve healthcare planning for people who are in the late stage of illness to make sure that they get the care that they want and don't get a lot of care that they don't want and so that they have a chance to have their dignity and desire to be at home respected.

We have long been adherent of a biennial budget, and I am delighted that the bipartisan bill that Senator ENZI and I have put together will create a biennial budget. I am not sure we will be able to get that done before Senator ISAKSON leaves, but one way or the other, his interest in biennial budgeting will live on, I hope, successfully when we pass that.

We had a parity question about children's mental health hospitals that weren't getting counted and, therefore, weren't getting access to funding for the medical interns who come, and JOHNNY helped me fix that. It helped, I am sure, hospitals in Georgia, but it was particularly helpful to me for our Children's Hospital in Rhode Island.

We have a lot of Rhode Islanders who were killed in the Lebanon Marine barracks bombing, and there has been litigation against Iran for its responsibility for those deaths. It is not easy to collect a judgment on a foreign government, and JOHNNY has been very helpful to me in our joint efforts on Iran terror victims' judgments, helping us let the lawyers collect against assets of the Government of Iran.

Then, we regularly have done National Mentoring Month resolutions together.

But for all the things we have done together, that is not what I am going to miss about Senator JOHNNY ISAKSON. He is just one of the most decent, kind, good people who I have come across anywhere in my life and, certainly, one of the most decent and kind Members of the Senate.

With my very sincere apologies, JOHNNY, for missing the correct day, I hope you will understand how much it mattered to me to be elsewhere and why I had to be there. I come to the floor now, belatedly, to wish you all my very best with great affection and great respect.

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

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the vote on the soon-to-be-pending nomination be called up.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Duncan nomination?

Mr. WHITEHOUSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?