

healthcare, or law enforcement without access to high-speed internet. Continuing to close that digital divide is a priority, and I thank my colleagues for the good progress we have made this year.

Of course, that connectivity comes with a price. Opening ourselves up to the online world means opening ourselves up to the possibilities of cyber attacks. This is a problem we have to approach as a matter of national security, as well as on the corporate side and in our homes.

In addition to funding for military pay raises and upgraded equipment, this year's NDAA, or the National Defense Authorization Act, includes support for the assessment and expansion of our cyber warfighting capabilities. As I said, that is only one very important part of the equation. While I was serving in the House and before I came to the Senate, I worked on legislation that will get consumers all the information they need in order to make a decision about how they want to share their private information and to whom they want to give access to that information.

Once passed, my bipartisan BROWSER Act will give consumers more control over how big tech uses their personal data. You, the consumer, should be able to own your virtual you. You should be able to protect your presence online, just as you are able to protect your being yourself in the physical space.

In return, tech companies will be free to innovate and use that data to build their platforms, and that is what helps make them profitable—new innovations. They can do that as long as they respect your wishes on how you want them to use your data.

As head of the Judiciary Committee's tech task force—and I do thank Senator FEINSTEIN for her leadership in leading this group at the Judiciary Committee—I have had the privilege of bringing both sides together on this debate and to the table to have productive discussions on how to responsibly regulate big tech. I look forward to continuing that in the New Year.

As we draw to a close, I remind my colleagues that in Tennessee people remind me regularly that we are a government of the people, by the people, and for the people. As we talk about things that have been done this year and things that we need to do before the end of the year—things like getting VAWA passed—we need to remember that for all of the shiny-object stories that circulate around here every single day, the people back home are saying: Your responsibility is to care for the issues that are important to me. That is where they would like to see us spending our time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I have one very short remark that I want to make and then longer remarks to my colleagues.

IMPEACHMENT

Madam President, House Democrats announced that they are moving to impeach President Trump for—in their words—abuse of power. When all of this started, Democrats said the President committed a quid pro quo, but that didn't poll very well among the American people. At that point, the House Democrats switched to an accusation of bribery against the President. Maybe that didn't poll well either or maybe they discovered that history doesn't support their definition. Finally, they settled on abuse of power.

It is kind of like a Goldilocks impeachment. The “quid pro quo” bowl was too cold, and the bribery bowl was too hot. But, apparently, abuse of power tastes just right, while the American people are increasingly getting a bad taste in their mouth about the Democrats' partisan impeachment story.

RUSSIA INVESTIGATION

Madam President, I want to comment on the Horowitz report, out yesterday. On Monday of this week, the Justice Department inspector general released his report on the Justice Department and the FBI investigation into the debunked theory that the Trump campaign colluded with the Russian Government. I have pushed to shine a light on the origins of the FBI Russia investigation for more than 2½ years. You can see that it has been a long road.

When information is embarrassing, the FBI has a way of fighting tooth and nail to keep it all secret, to keep it heavily classified. The FBI is hiding behind vague procedural excuses about protecting the integrity of ongoing investigations and all kinds of excuses not to come forth and not to let public information come forward that might embarrass them.

In this case, they put up a wall. You have to keep swinging in order to crack that wall. I started looking into the origins of the FBI's corrupt Russia investigation way back in March of 2017. At that time, it became clear that the FBI had used Christopher Steele's work to investigate then-Candidate Donald Trump. This was all done even though the FBI knew that Steele was working for an organization called Fusion GPS. Fusion GPS is an opposition research firm paid for by the Democratic National Committee and the Clinton campaign. The FBI knew that.

When the FBI didn't answer my questions, I used my authority as chairman of the Senate Judiciary Committee to hold up the nomination of Deputy Attorney General Rosenstein. That got the Judiciary Committee a briefing from the FBI. It consisted of a lot of veiled half answers and assertions that somehow Christopher Steele was reliable. We all know that he wasn't reliable. I will give details on that shortly.

In June of 2017, I asked the FBI to produce all the FISA applications related to its Russia investigation. After 6 months of wrangling, in December

2017, Senator GRAHAM, Senator FEINSTEIN, and I were permitted to review the four FISA applications in which the FBI sought authority to surveil former Trump campaign staffer Carter Page, as well as a number of classified documents relating to Mr. Steele.

I also directed my staff to look in public places that others were ignoring. That led us to Mr. Steele's court filings in London. What my staff found was that Mr. Steele had admitted to passing some of the contents of his dossier far and wide to media organizations. That raised a very important question about whether information Steele gathered was open to manipulation or just part of one big feedback loop.

We also learned that, according to the FBI, Steele had told the FBI he had not spoken to the media about his findings, and that was in direct contradiction to what he said in court in London.

After reviewing all of this information, Senator GRAHAM and I wrote a letter referring Mr. Steele to the FBI for potential violation of 18 USC 1001. That section of the code makes charges of lying to the FBI. At the heart of our referral was an 8-page memorandum that laid out much of what we had learned from my investigative efforts at that point.

We now know from the IG report that the FBI top brass was aware of Mr. Steele's statements to the British court in spring 2017, but the FBI never accessed those filings and never considered telling the Foreign Intelligence Surveillance Court that its assurances about Steele's third party contacts were in fact wrong.

As soon as the referral went out, I began pushing the FBI to declassify as much of those referrals as possible. The FBI resisted my efforts every step of the way because this is probably going to be very embarrassing to them.

My fight to make information in the referral memo public was helped along very directly by President Trump, who declassified a memo prepared by the House Intelligence Committee that touched a number of the same topics.

In February 2018, Senator GRAHAM and I also wrote Inspector General Horowitz to call his attention to everything we had learned and request that he conduct a comprehensive review of improper political influence, misconduct, and mismanagement of the FBI's Russia investigation.

My efforts have been based on my investigative activity and also the overriding need for more transparency from the American Government because transparency brings accountability.

After the release of the Russia report, there had better be accountability. The inspector general's findings ought to concern every single Member of this Chamber because it concerns the American people. We the people have a profound, deep, and abiding respect for fundamental constitutional rights. These fundamental rights

have not been granted or created by the government. Our rights are God-given. Our rights are inalienable, and our rights are self-evident. The inspector general's report shows that despite all the checks we put in place to ensure the government will not infringe on those rights without proper cause, it is still possible for bad actors to lie, for bad actors to withhold information, and for bad actors to doctor documents in order to get around those safeguards to achieve their own goals.

The inspector general's report has finally let some light shine on the wrongdoing that occurred with the Justice Department and the FBI during this infamous Russia investigation. Let's start then with that Steele dossier. The Steele dossier played a very "central" and "essential" role in the Russia investigation, according to the inspector general's report. Those words, "central" and "essential," come from the report.

Before the FBI got it, they tried to open a FISA on Carter Page, and there wasn't enough evidence, but once the dossier was acquired, that was the tipping point for the FBI to tell the FISA Court that it had probable cause that an American citizen was an agent of a foreign government.

We now know that this central and essential document was not even a finished product. The dossier was based on single-source reporting, and Steele wasn't even the original source. He had a primary subsource who used multiple sources who, we now know, didn't even have direct access to the people they were reporting on. Some of these sources were Russian Government officials. We are talking about many, many levels of hearsay.

Well, the FBI got around to interviewing that primary subsource but only after the FBI opened a FISA warrant on Carter Page. Think about that, will you? The FBI used one of the most powerful and invasive investigative tools without first verifying the information it provided the court. The primary subsource raised the following issues: One, Steele had reliability issues; two, the primary subsource had not seen the dossier until it was made public; three, Steele misstated and exaggerated claims; four, the primary subsource didn't think his or her material would be in the report; five, much of the information in the dossier was based on rumors, including conversations over beers, we are told, or some of those conversations were made in jest; and lastly, six, none of this material in the dossier had been corroborated.

After the FBI acquired this information, subsequent FISA renewals continued to rely on this same document that had lost all credibility, and everybody knew it. They had relied on the Steele information with no revision or notice to the court that the primary subsource contradicted Steele. Simply said, that is a fraud on the court. So the FBI couldn't get a FISA warrant

until they got the dossier, and then they kept renewing the warrant despite very clear evidence that the dossier was faulty.

It looks to me as though the FBI couldn't get their way, so they used whatever information they could, whether it was false or not, all to accomplish their goal. Their goal was pursuing an inquiry into the Trump campaign.

We all know about one of Strzok's infamous text exchanges. Page said this in the text: "[Trump's] not ever going to become President, right? Right?"

Strzok said: "No. No he's not. We'll stop it."

These are people involved with the FBI with a very anti-Trump agenda.

So we go back. The FBI had a plan, and they would do anything. The FBI would do anything to keep that plan going. The information loop was contaminated from the start, and nobody at the FBI seemed to give a rip about it. They just wanted to continue the investigation into Trump. A part of that investigation included using defensive briefings for the Trump campaign—Can you believe this?—as a means to collect information relative to the Russia investigation and the General Flynn investigation. Would you believe that the FBI decided not to defensively brief the Trump campaign on alleged Russian attempts to interfere with the election—information that served as a predicate to opening this inquiry? But the FBI did decide to use the briefings as an intelligence-gathering operation.

Why wouldn't the FBI simply give the Trump campaign a heads-up on any and all threats? They were looking out for his safety. Why would they hide the ball? We know that they did so for prior Presidential campaigns, so if they did it for every Presidential campaign, why wouldn't they do it for Trump? Again, the FBI had a plan, and they would do anything to keep that plan going.

Another disturbing finding in the report is that the FBI recorded Page and Papadopoulos before the FISA warrant was issued. But it is unclear who the FBI used to record them. Did they work for another government? Was it a spy?

Both of these recordings offered exculpatory evidence that was withheld from the FISA Court. The FISA Court should have known this information, but it didn't. Included were denials that anyone associated with the Trump campaign was collaborating with Russia or with outside groups like WikiLeaks in the release of emails and, No. 2, that Page had never met or said one word to Paul Manafort and that Manafort never responded to Page's emails. To that second point, the dossier said that Page participated in a conspiracy with Russia to act as an intermediary for Manafort on behalf of the Trump campaign. None of that information is accurate.

The Steele dossier served as a—again, these words—"central and essential

role" in the FBI's investigation, yet it was filled with inaccurate and very false statements. It is important to remember that the FBI knew all of this. They knew about those faults all the time, and they did nothing to apprise the FISA Court, and they had a responsibility to do that. In fact, as it turns out, the FBI actively altered documents to make a better case for themselves.

The FBI altered documents. One FBI official altered an email from another government agency to say that Page "was not a source" for that agency, when, in fact, Page was with that agency.

The FBI relied on the false statements to renew the FISA warrant. That means that the FBI used Page's work, apparently, for the American Government as evidence that he was a Russian agent. The FBI couldn't get their way unless they literally falsified documents to the court to spy on an American citizen working for the Trump campaign. That ought to shock everybody in this country. The conscience of every citizen ought to be bothered that the FBI can do that. If it can happen to Carter Page, it can happen to any one of us.

The inspector general report also specifically identified 17 errors and omissions during the Carter Page FISA process and additional errors in the Woods procedures. Wrong and incomplete information was passed through the chain of command for those approving the FISA warrants. After the inspector general interviewed within the FBI chain of command, the inspector general had this to say:

In most instances, the agents and supervisors told us that they either did not know or recall why the information was not shared with the [Office of Intelligence], that the failure to do so may have been an oversight, that they did not recognize at the time the relevance of the information to the FISA application, or that they did not believe the missing information to be significant.

Regarding that last point, that they did not believe the missing information to be significant, the inspector general noted that "we believe that case agents may have improperly substituted their own judgments in place of the judgment of [the Office of Intelligence] . . . or in place of the court to weigh the probative value of the information."

That is a very extraordinary finding. We all know about the politically charged anti-Trump texts that were exchanged among FBI officials who didn't want Trump elected, and they probably hate him to this very day, including an FBI lawyer who altered documents—an FBI agent did this—to support the FISA application. Clearly, that bias affected the decision-making process. Indeed, the inspector general noted that in light of the substantial and fundamental errors in the FISA process, there are "significant questions regarding the FBI's chain of command management and supervision of the FISA process."

Really, it is quite obvious that something was terribly wrong. For example,

Stu Evans, the DOJ National Security Division official with oversight of the FISA process, did not even know that Bruce Ohr, another DOJ official, had been in communication with the FBI about the Russia investigation. He didn't know that Ohr had been interviewed by the FBI until he saw the Grassley-Graham referral.

Ultimately, the inspector general was not able to interview everyone involved in the chain of command to the extent that the inspector general wanted to do that. For example, James Comey and Jim Baker, the former FBI general counsel, did not request that their clearances be reinstated for the interviews. Quite obviously, they didn't want to be interviewed. That means the inspector general was unable to ask them classified questions related to their conduct.

Comey claims that he is transparent, but he clearly wasn't in this case. Moreover, Glenn Simpson and Jonathan Winer—the latter a former State Department official—refused to sit for any interviews at all. These individuals played key roles in the Russia investigation. It is a shame that they didn't want to speak up. So can't we legitimately ask: What are they trying to hide? From what I have seen, they are trying to hide an awful lot.

With all that said, the FBI's FISA-related behavior has been so bad that the inspector general has initiated a comprehensive audit that will fully examine the FBI's compliance with the Woods procedures. In the past, when there has been evidence of our government improperly infringing on the civil liberties of American citizens, we as a nation have firmly rejected that course of action. We have taken those moments as real opportunities to strengthen our resolve and to renew our commitment to the values that we all share about our God-given liberties and freedoms.

Under the leadership of J. Edgar Hoover, from about 1920 to 1969, which was when he died, the FBI would wiretap, recruit secret informants, and fix the paperwork in ways that trampled on the rights of ordinary Americans as a matter of practice. In those times of the FBI, it was business as usual. Let's hope it doesn't become business as usual now. That is why, during the 1970s, because of the abuse of J. Edgar Hoover, this Chamber undertook vigorous oversight efforts, under the leadership of the late Senator Frank Church, to shine a light on the excesses and abuses of our intelligence bureaucracy.

Based on what we learned from that inquiry 40 years ago, Congress passed FISA. This legislation establishes protections to ensure that government bureaucrats can't just spy on American citizens willy-nilly, whenever they feel like it. In order to surveil an American citizen, the FBI must acquire a lawful order and do it from a court of law. We give those in the FBI that power along with an expectation that they will do their due diligence in using it.

We have found out now, during this Russia investigation, that those in the FBI—in this decade—did not do that due diligence. We give this with the expectation that they will provide the court full and accurate information, which they didn't provide to the FISA court in regard to the Russia investigation; that they will follow the rule of law and their own internal guidelines; and that they will respect the boundaries Congress has set for them, instead of reverting to the freewheeling and very heavy-handed tactics that they embraced in the past.

Most of the hard-working men and women in our Department of Justice and in our FBI today understand and truly respect these boundaries. However, it seems old habits really die very hard. Politics has crept back into the FBI's work, at least at the highest levels. The actions that were taken by Obama and Comey's FBI sound an awful lot like the ones taken under Hoover.

Where do we go from here? We have to learn from our past mistakes. I have said it before, and I will say it again: Sunlight is the best disinfectant. Transparency brings accountability. It helps us take reasoned steps to ensure that the mistakes of the past will not be repeated in the future.

After what I believe was far too long a wait, I am happy to have finally received this Horowitz report that we call the inspector general's report. I thank IG Horowitz and his staff for all of their hard work. I am pleased to see that much of the inspector general's report is publicly available. Once again, this is due in no small part to President Trump's unprecedented commitment to transparency.

I appreciate the President's willingness to grant Attorney General Barr broad declassification authority, and I appreciate Attorney General Barr's willingness to use that authority to bring much of what happened out into the open. It is an important first step towards ensuring accountability. Of course, there are still many, many unanswered questions.

In going forward, I eagerly await Mr. Durham's findings with respect to how the intelligence community handled its part of the corrupted Russia investigation. Mr. Durham is the U.S. attorney in Connecticut, but he has been awarded by Mr. Barr the responsibility of getting to the bottom of all of these problems that I am talking about now and a lot of other problems. Unlike Horowitz, Mr. Durham has authority to prosecute, and he has already opened criminal investigations.

In the sense of Mr. Durham's work, I view this most recent inspector general's report as just one part in a multi-part act. Durham's public comments make clear that he finds issue with whether the opening of the Russia investigation was properly predicated. His findings may prove critical to finally and fully understanding what happened during the Obama adminis-

tration's fabricated investigation into Trump.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Madam 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 therein for up to 10 minutes.

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

150TH ANNIVERSARY OF THE KENTUCKY NEW ERA

Mr. McCONNELL. Madam President, it is with great pride that I pay tribute to a long-standing community institution in southwestern Kentucky. The Kentucky New Era newspaper recently marked 150 years of quality journalism and community engagement, and I would like to take a moment today to review the paper's distinguished history and celebrate its many achievements.

Prominent Kentucky newsman Chip Hutcheson, whom I am proud to call a dear friend, spent years working for the New Era, and he summed up the reason it has thrived for so long. Chip recalled a paper-wide culture of writing "columns that cemented readers' relationships to the writer and the paper." I think it is that commitment to readers and to what matters in their lives and community that has helped make the New Era the oldest business in Hopkinsville, KY.

Since the paper was launched as a weekly publication in the winter of 1869, the New Era has certainly undergone some change to solidify its relationship with readers. To meet a demand for local, State, and national news, the New Era added a daily issue, and delivered the news and commentary its subscribers wanted to read. Part of that frequent change during the early years came in the form of different owners, but in 1873, Hunter Wood took charge, and his family would steer the New Era as majority owners for the following 130-plus years.

Under their direction, the paper covered a wide range of issues affecting life in Christian County. From politics to agriculture, mixed with lighter community-interest pieces and extensive coverage of high school sports, the New Era has served as an important source of information for its readers. Its staff