

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Nebraska.

HONORING NEBRASKA'S SOLDIERS WHO LOST
THEIR LIVES IN COMBAT

Mrs. FISCHER. Mr. President, I rise today to remember another of Nebraska's fallen heroes—those young men and women who have given their lives defending our freedom in Iraq and Afghanistan. They all have different stories. Their families all have the same request: Remember their sacrifice. By telling the stories of these heroes here on the Senate floor, we honor the request of these Gold Star families.

SPECIALIST WILLIAM "BILL" BAILEY

Today, Mr. President, I honor the life and service of William "Bill" Bailey of Bellevue, NE. Now, the name "William" comes from old German. It means "determined protector". Bill Bailey lived up to his name. His mother Margaret says he was a born protector. When Bill was very young, he lost his father to a car accident. Margaret recalls how Bill embraced his younger sister Jessy just after her birth. The word came to her at once: protective.

As he grew, Bill naturally looked to protect those outside his family too. Ron Budwig was matched with Bill through the Big Brothers Big Sisters program.

Ron recalled a simple but profound example of Bill looking out for Ron's family. Ron's mother was running late to one of the program's activities, and, meanwhile, the parking lot was filling up. Bill went and stood in a parking space, keeping it open until Ron's mother could come. It was a simple act, but it said a lot.

Bill attended Bellevue East, where the call to protect his country prompted him to enlist in the Nebraska Army National Guard in 1995. After graduating from high school in 1996, he served out his enlistment with distinction.

A few years later, in December 2000, Bill met Deanna, whom everyone calls Dee. She was a bank teller at Wells Fargo. He drove an armored truck. They met through a service window. Now, Bill had left the service in 2001 when his enlistment ended. After 9/11, he felt the call to serve his country again—but first things first. Bill and Dee married in 2004. Dee's children, Cody and Maquala, took immediately to Bill and his children, Catlynn and Billy. Logan soon followed.

As you can expect, Bill's protective nature made him a great father. It also made him a great firefighter. Extending his protection beyond his family once again, he joined the Bellevue Volunteer Fire Department. He was a natural fit. Whether there or working as a life flight dispatcher, Bill worked to keep Bellevue safe.

That deep desire to serve his country continued to tug at him. In 2005, Bill reenlisted in the Nebraska Army National Guard. Originally assigned to

the 600th Transportation Company, he transferred to the 755th Chemical Company. Why the transfer? Because he learned the 755th would soon deploy. In late 2006 it did. Bill Bailey went with it. The 755th Chemical Company was assigned to provide security escorts for truck convoys operating out of the Balad Air Base in Iraq. Iraq at this time was increasingly unstable. It was dangerous, but Bill's good nature made it bearable.

SGT Timothy Ossowski remembers SPC Bill Bailey fondly: "When I became his team leader, I thought I had struck the jackpot." By 2007, the insurgency in Iraq had erupted to new levels of violence. Increased American forces sought to seek out and destroy the al-Qaida network. Casualties ran high.

Despite the high operations tempo, Bill and Dee communicated almost every day through phone calls or texts. On May 24, they were able to talk by phone. In typical fashion, Bill mentioned he was excited to finish his dull watchtower duty and start a new security escort mission the next day. Bill was also excited for his upcoming leave in June, when the Bailey family planned to celebrate Bill's birthday.

The next day, May 25, 2007, Bill took part in that security escort mission. During it, his vehicle struck an improvised explosive device. Three Nebraska Army National Guard soldiers were wounded, and Bill Bailey was killed.

More than 1,000 people gathered in Bellevue to remember Bill. A Patriot Guard of more than 100 flag-flying motorcycles accompanied his funeral procession. Specialist Bailey earned several military awards, including the Purple Heart, the Bronze Star, the Iraqi Campaign Medal, and the Combat Action Badge. Bill's brother-in-law, Damian Kuzepka, summarized Bill's life:

Bill was a wonderful husband, brother, son, father. He dedicated quite a bit of his life to helping other people. He was definitely a go-doer. He will definitely be missed.

William Bailey is survived by his mother Margaret, his wife Deanna, and their children, Cody, Maquala, Catlynn, Billy, and Logan. Bill Bailey is a true Nebraska hero. I am honored to tell his story.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

BORDER SECURITY

Mr. CARPER. Mr. President, I am pleased to be able to serve with the Presiding Officer on the Committee on Homeland Security. Part of our responsibilities on homeland security is to make sure, to the extent that we can, that our borders are secure. We do that in a variety of ways. We do that, in some cases, with our Border Patrol officers. We have a lot of them. We appreciate the work they do.

We also have, in many places, particularly along the border of Mexico—as the Presiding Officer knows—a lot of fencing that is there. We have a lot of roads that our vehicles can travel

along to have mobility on the ground. Our President has proposed, at least earlier this year, that we spend about \$25 billion to build a wall, maybe 10-, 15-, 25-foot high along the 2,000 miles between the Pacific Ocean and the Gulf of Mexico.

I have never been convinced that that is the best way—to put all of our money in the basket—that that is really the best way to better ensure the security of our border with Mexico. As it turns out, most of the folks who are coming into the United States from that part of the world are not Mexicans. Actually, more Mexicans are going back into Mexico than Mexicans coming across the border into the United States.

Most of the illegal immigration—not all but most of it—is coming from three countries: Honduras, Guatemala, and El Salvador. The reason why they come here is because their lives are miserable. They are miserable because we buy drugs. We have this insatiable appetite for illegal drugs. So a lot of them are trafficked through Honduras, Guatemala, and El Salvador.

We send money down to those three countries for the drugs, and we send guns down to that part of the world. When we catch bad guys in this country from Honduras, Guatemala, and El Salvador, we send them back to those three countries.

So part of the security of our southern border involves actually trying to help those three countries figure out ways to keep their people home, rather than wanting to come to our country. Part of it is making sure that they have decent lives to live. Twenty years ago, as you all may remember, a bunch of gunmen rounded up the supreme court justices in Colombia, took them into a room, and shot and killed them—shot them all to death.

It was a time when the government was tottering and there was a question of whether they were going to survive in Colombia. Some very brave people stood up in Colombia and said: No, no, we want to survive, we want to fend off the drug cartels, and we want to fend off the leftist guerillas. Ultimately, they were successful. It has taken 20 years.

They worked on something called Plan Colombia to help turn around their country. We came in, and we helped them. They did the heavy lifting, and we helped out as well. I like to say that it is sort of like at Home Depot: "You" can do it—using, in that case, Colombia—and "we" being the United States.

A similar kind of thing is going on in Honduras, Guatemala, and El Salvador. They have come up with their own Plan Colombia. You might call it "Plan Central America." The three countries have come up with things they are responsible for doing to improve the quality of life for their folks and the ability to have economic growth and opportunity and hope. We are helping out as well. We have done

that in some appropriations bills for the last fiscal year. We are trying to spend a little bit more. Wisely invested, it will be a fraction of what they are actually spending on their own.

To the extent that those three countries can be more attractive to people who live there, that actually helps a whole lot in terms of the pressure on our own borders. Plus, it is the right thing to do. The other thing I would mention, as to our energy policy in this country, is that sometimes we have had an “all of the above” energy approach. It is not just coal, it is not just wind, it is not just solar, it is not just geothermal, it is not just nuclear, and it is not just natural gas. It is all of the above. It is conservation as well.

We need a similar approach to continuing to protect our borders, whether it is in the South or other places. But it should involve a variety of things. There are some places along the 2,000 miles where it will actually make some sense. There are a lot of places where a fence makes more sense. There are a lot of places where it makes more sense just to pave the roads alongside the border.

The Presiding Officer actually spent, as he said, his “misspent youth”—but I will say his youth—earlier in his life where he and other kayakers were in boats along the Rio Grande River. Part of border security is boats along that stretch of the river, that stretch of the border because it is literally hundreds of miles where the border is defined by a river. So in some places, boats make sense. In other places, boat ramps make sense.

Sometimes it makes sense to have drones up in the air that can surveil up to 100 miles into Mexico for folks coming our way. Sometimes it makes sense to put helicopters, sometimes fixed-wing aircraft. But you can't just send them up with binoculars. You need to put the right kind of surveillance equipment on there. We have that equipment. The key is to put it on the aircraft.

Sometimes stationary towers going up 200, 300 feet makes sense. Sometimes it makes sense to make those mobile. Sometimes we can put those surveillance systems 5,000 feet up in the air to look literally 100 miles into Mexico to see what is coming our way. If we have the right surveillance system, they could see not just during daylight, sunny skies, but they could see at night. They can see in fog and dense fog. So the key is all of the above—it is not any one thing—and to find out what works. The other thing is, maybe to continue to support and ask our Border Patrol: What do you guys and gals think? What do you think makes sense? And listen to them.

No, I am not smart enough to figure out how much money we put exactly in each one of those, but I think it makes sense, depending on what the needs are and on the advice of the folks who really are the experts on the ground, what

they suggest, and we can do an “all of the above” approach. But we also have to consider that the reason most of the illegals are coming to our country is that they live their lives in misery. If we don't do something to help them help themselves, we are going to be falling short of where we want to be.

I just wanted to share that before we recognize the next Senator.

I am looking forward to the inaugural address of the new Senator from Illinois.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I am honored to be on the floor for the maiden speech of my colleague Senator DUCKWORTH.

The PRESIDING OFFICER. The Senator from Illinois.

OUR SHARED VALUES

Ms. DUCKWORTH. Mr. President, I thank my friend and mentor, a great Illinoisan, Senator DURBIN for being here today. I wouldn't be here without his guidance and friendship over the years.

It is truly an honor to stand at this desk, which was once held by another great Illinoisan by the name of Barack Obama, delivering my maiden speech from the floor of the U.S. Senate to the people of Illinois, the same State that has been represented in Washington by other impressive leaders like Paul Simon and Abraham Lincoln. And it is an honor to address the people of the United States of America, the greatest Nation in the world.

Though we have occasionally made choices as a society that do not reflect our best selves, we are today the greatest Nation on Earth because of the founding ideals that have anchored our Nation and because of the shared values that have guided the development and strength of our economy and our people—values like treating each other equally, showing strength and resilience in the face of hardship, and embracing the diversity that makes us who we are. They are shared values that have helped us to strive toward that more perfect Union the Constitution's Framers envisioned, a more perfect Union that offers everyone a chance to reach his or her potential, a more perfect Union that will not give up on its people, and a more perfect Union whose people don't give up on themselves either.

We face a great deal of challenges and threats, threats I know well, but we cannot allow today's hardships to change who we are as a people, to tear down the pillars that make this Nation great. Falling victim to fear and demagoguery will only ensure a weaker America for our children, and that is simply not the future I want for my Abigail.

When we, as a society, think about the future we want for all of our children, I think it is important for us to remember how we got here. Our Nation wasn't founded as the dominant global economic and military force that it is

today. We were not founded as the leader of the free world; our people built that. Americans understood that when we invest in ourselves, the fabric that holds our country together only grows stronger. A scrappy gang of patriots in the American Revolution—my own family included—won us our liberty, which we used to push for greater civil and human rights and to make investments in agricultural and educational systems that sparked our economy, allowing us to strengthen our military into the greatest fighting force the world has ever seen.

Success, however, was never guaranteed. From our founding, the United States of America was forged through fierce debates and stark divisions. Slavery led to bloodshed across the country, including in the Senate Chamber, and culminated in brothers killing brothers during our Civil War. Yet our Union made it through our greatest challenges and emerged even stronger. We emerged a more perfect Union.

Our strength has been on display outside of our military as well: When heroes like Frederick Douglass and Harriet Tubman risked everything to help bring an end to slavery; when Martin Luther King, Jr., had a dream; when the children of the Little Rock Nine braved harassment and abuse to bring an end to segregated schools and ensure educational opportunity for all; and when the backbreaking work of Asian and American laborers united our Nation from sea to shining sea with the completion of the transcontinental railroad.

America catalyzed the industrial revolution for the globe. We helped rescue the global community from fascism during World War II. We promoted civil and human rights around the globe. We explored space, launched the internet revolution, helped feed the world, built a world-class infrastructure network, developed a gold standard education system, and grew the strongest economy ever seen.

We were able to win World War II not because of the brave troops in our Armed Forces alone but also because our Nation's manufacturers and steel mills were able to produce the tanks and planes and firearms and other tools we needed to defeat the Nazis. We were able to build those weapons, launch the internet revolution, and send a man to the Moon only because we had a well-educated workforce made of people from all around the globe, all of whom had an opportunity to attend world-class colleges and universities right here in the United States, universities we spent generations strengthening.

Our economy was able to grow to its current strength not only because of that well-educated workforce and those who came from distant lands but also all who came and stayed to contribute to our society. It was also able to grow because we had invested heavily in infrastructure and built an interstate system and air and rail networks that enabled our farmers, ranchers, and

other producers to get their goods to market inside and outside our country's borders.

We were able to feed the world not only because of our strong agricultural sector and infrastructure alone but also because of the scientific advances supported by those educational institutions that helped increase farm production and yields.

Throughout our history, we pushed to expand human and civil rights from the abolitionists to the suffragettes, learning from people like the Tuskegee Airmen, the Selma marchers, and the LGBTQ leaders today that being inclusive and enabling people to reach their full potential only strengthens the American core. We did all of these things as a result of our shared values, and we have reaped their rewards for generations.

We have seen our Nation's strength in our prouder moments, as when America chose to go to the Moon—not because it was easy but, in President Kennedy's words, because it was hard.

We have seen our strength in tragedy, reuniting under a common cause in the rubble of the Pentagon and Ground Zero on 9/11.

We might get knocked down, but the America that I know, the America that I fought for and love, does not give up. That is not a Democratic principle or a Republican principle; it is simply the American way.

America's greatness has never depended on the strength of any individual person, but on all of us working together toward a common goal. When we have failed to stay true to our core values, when we deny another person our Nation's promise of opportunity, our Nation's strength suffers. When a child can't access the tools to succeed in school, when a woman can't afford basic healthcare, when refugees fleeing terror see the door slammed shut in their face, when we deny civil rights on the basis of skin color or sexual orientation or religion, and when a working family can't put food on the table, our whole Nation suffers. At the end of the day, America's greatness depends on each of us remaining true to the common values of our Nation.

But we have lost sight of those values. The Nation that built an interstate highway system, that was a refuge for immigrants who became the foundation of our economy, this Nation that pushed humanity to new heights, first with planes and helicopters and then into space, that same Nation seems to have forgotten how to invest in itself.

Our country that ushered in the era of aviation is now home to aging airports that struggle to compete with their global competitors. Our country that took on the Herculean task of reversing the flow of the Chicago River to protect the city's drinking water can no longer muster the resources to modernize public water systems to prevent our children from being poisoned by lead. Our country that built the

greatest military the world has ever seen, sending a signal that we will not cower in front of anyone, now finds itself with leaders who believe in the misguided notion that it is simply better to hide behind walls than to help lead with strength.

Make no mistake, America has not lost her greatness. Our Nation remains the dominant force on the global stage. But if we don't act, if we don't invest in ourselves, our adversaries are positioned to overtake us.

Though some may try to convince us the path forward is less engagement with the world, less acceptance of others, and less investment in ourselves, I know the path forward for our country cannot include—does not include—turning our backs on the shared values that built this Nation.

Perhaps more than any other State, Illinois knows this. We represent all the strengths of our Nation, from our dynamic cities to our strong rural and industrial communities and everything in between. We are the realization of the values that have created that robust American economy, bolstered by a strong agricultural community and manufacturing sector, both of which innovate and strengthen our Nation with the help of wise public policy and investments.

Those investments enabled Illinois steelworkers to help us develop our farmland, build our cities, and secure our military strength. American manufacturing built this Nation, but too many of the steel mills we relied on to win World War II have been idled or shuttered completely.

After years of illegal trade practices, like dumping of cheap foreign products and currency manipulation by our competitors, our manufacturing base has been weakened. That hurts not only American jobs but also our Nation's military strength as well as the resilience of our entire economy. We simply need to do a better job of keeping manufacturing jobs within our borders, and we need to make the investments necessary to ensure that we have a workforce trained for our 21st century jobs.

We can do better by Illinois' tens of thousands of farmers as well. These farmers, ranchers, and agricultural workers form the basis of our Nation. They all wake up with a purpose, each farm feeding nearly 170 people every year while supporting an industry that is developing cutting-edge biofuels and other technologies.

I have seen firsthand the painful price our Nation pays because of our overreliance on oil imported from our competitors. The simple fact is that American farmers are helping us improve our national security. They are helping to strengthen our Armed Forces and our entire country every day. They are already helping produce billions of gallons of clean fuel for our cars, our factories, and our military, and every single one of those gallons brings us closer to energy independence.

We cannot afford to leave our agricultural sector behind. We should be working to preserve policies like the Renewable Fuel Standard that support agricultural jobs and to open new markets, like Cuba, for their goods.

For generations, our manufacturers and agricultural sectors have relied on a strong infrastructure network, including roads, bridges, waterways, railways, and air transportation, to get their goods to market, both domestically and internationally. Illinois has often led the way. We built the Nation's first elevated electric rail line in the 1800s. But today, far too much of that infrastructure is crumbling. It is in dire need of the investments our society once understood the need for. The down payments previous generations made paid dividends to us all in the form of increased tourism, lower costs, more efficient shipments, easier travel, and so many other benefits.

If we fail to continue the investments past generations have made, we risk falling behind our global competitors, hurting not only our tourism industry but also our manufacturers and our hard-working ranchers, farmers, and producers who will find it harder and more expensive to get their products to market.

If we choose to disregard our infrastructure much longer, we simply will not be able to compete in the 21st century global economy. Improving our infrastructure isn't a partisan issue. It is common sense. It is an economic priority, a defense priority, and a national security imperative. This is something we can all work on together.

I am proud to say that the first bill I proposed after arriving here in the Senate passed unanimously with bipartisan support. It will cut redtape and help streamline efforts to modernize our infrastructure and allow our economy to continue growing for generations to come.

That is also true of supporting our schools, colleges, and universities. We have developed global gold standards for education that enable our manufacturers, agricultural workers, engineers, and brilliant Americans all across every sector to push our economy further.

There is a reason that wealthy elites across the globe—including world leaders from foreign lands—still send their children to be educated on our shores, in world class institutions like the University of Illinois and the University of Chicago. Our education system is widely recognized as the best in the world. Our teachers and institutions continue to produce some of the best trained and most skilled professionals in every field imaginable—both American and international students. That is a good thing.

But more and more Americans are no longer able to access those same educational opportunities. We have priced too many of our own children out of the market for those colleges and universities that we have developed to ensure our Nation's workforce remains

more skilled than our competitors, or we have saddled them with crippling debt. We are failing to make the necessary investments in K–12 public institutions that, regardless of ZIP Code, should be preparing every single one of our children to lead our country into the future.

Quality primary education should not be a privilege only for the wealthy, and it should not depend on rolling the dice on receiving a voucher. In the greatest and wealthiest Nation in the world, a quality education should be a right for every single American child. Our Nation's promise of opportunity should be a reality for every child in America, not just for those whose parents can afford it. We already have some of the world's greatest teachers, the brightest students, and the best facilities within our own borders. All we have to do is ensure they have the resources they need to succeed. That means our kids should not have to worry about going to school hungry or getting the help they need after school or being able to pay for college when they graduate high school.

That is why I focus on commonsense solutions to increase access to educational opportunity, whether by helping to lead the charge to make college more affordable or doing well to ensure the education we are providing people actually helps them find good-paying jobs when they graduate.

In that vein, I am also disheartened by the recent erosion of civil rights protections in our Nation. The calls for bigger walls and closed doors are not only bad, costly policies, they run counter to our society's shared value for inclusion over exclusion. Too many of us seem to forget the immigrant roots within our own families. If we lose sight of our Nation's founding principles, as some in Washington would like us to do, we will lose out on the innovations we have seen from immigrants and immigrant families.

If we had rejected immigrants years ago, Apple Computers might never have been founded by the son of a Syrian man. I worry that at a time when we still have so much work to do to make our Union more perfect and to provide truly equal rights for all, under the current administration we are at risk of backtracking on hard-fought progress made by civil rights leaders who bled and even died for the rights of all Americans, regardless of race, gender, religion, sexual orientation, income or ZIP Code to have the right to vote, to have equal protection under the law, to have basic worker protections, and for the everyday rights and privileges so many of us take for granted. We still have so much progress left to make if we want the American dream to be accessible to all Americans—equal pay for equal work, a criminal justice system that truly provides justice for all, nationwide leave policies that enable anyone to take time to care for a sick family member or to start a family, a society that is

accessible for all disabled Americans and truly equal for all LGBTQ Americans.

I worry that we are at risk of going backward instead of forward. Failing to continue our Nation's inclusive nature weakens our global standing as well as the rest of the world begins to look elsewhere for moral leadership. That would be a failure for us and a weakening of our Nation that I will fight to prevent.

Of course, I also know how much our military has contributed to our Nation's greatness throughout our history. We must do a better job of recognizing these contributions, not just by purchasing equipment and technology, though what our skilled workforce has done is the envy of the world, but also by ensuring that we recognize and respect the sacrifices made by our troops, our military families, and our veterans. Servicemembers embody our values of shared sacrifice and perseverance, of loyalty and selfless service, and they each make great sacrifices to protect us.

They deserve from their leaders in Washington a clear sense of mission and strategy, and they deserve to know we fully support them. So, yes, when the drums of war are beating in the White House or in Congress, you can bet I am going to be right here on the floor of the Senate, asking tough questions and making sure our leaders in Washington, especially those who have never worn the uniform, truly consider the true costs of war—not just in dollars and cents but in human lives—in the commitments we are making on behalf of the Nation. I will also be here to remind my colleagues that we are all dishonored when any veteran is forced to lay their head down to sleep on the same streets they defended. We must end veterans homelessness. When our troops come home, I will be working to see that the veterans receive the care and support they earned for the sacrifices they have made.

Each of these components of our society contribute to what has made our country great—our military, our values, our infrastructure, our agriculture, our manufacturers, and our world-class educational system. If we fall prey to our fears, to our worst demons, and allow any of these pillars to fall, we will lose our opportunity to remain the leader of the world. We can rebuild the foundation of our Nation's strength and revamp it for the 21st century, but we can't simply rest on our past successes and act like our greatness is guaranteed forever. It isn't. It will take work.

This is deeply personal for me. I wouldn't be here today without the public education that enabled me to serve in our military for more than two decades and allowed me to give back to my Nation, both in and out of uniform.

Our Nation would not be as strong as it is today without the millions of individuals who sacrificed to build it. Our Nation's strength—what truly makes

America great—is rooted firmly in our shared sense of sacrifice. It comes from our single parents working multiple jobs just to make sure our kids don't go to school hungry; it comes from the farmer in Illinois waking long before dawn and working long after dusk to help power and feed our Nation; it comes from an immigrant family willing to put everything on the line to give their kids a chance at a better life than their own; it comes from the hard work and compassion, the sacrifice that Americans serving in our country in and out of the military demonstrate every single day.

We can all do a better job of remembering the shared values that have helped to build this Nation, but I want to make one thing clear: America is already great. We shouldn't let anyone tell us otherwise.

We know we still have a lot of work to do as a country, but let us not lose sight of the core values that make our improbable Union possible. We are still the greatest Nation on the face of the Earth, and if anyone has the capacity to overcome the challenges of today, it is this Nation. It is the American people.

I thank my colleagues for joining me today for my maiden speech.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Illinois.

CONGRATULATING SENATOR DUCKWORTH

Mr. DURBIN. Mr. President, I rise to thank my colleague for her first speech. The first speech given on the floor of the Senate is a memorable occasion for not only my colleague but for the staff, friends, and family who have followed this amazing story of TAMMY DUCKWORTH, a U.S. Senator from Illinois. She didn't disappoint with this first speech.

If there was ever an inspirational speech speaking to who we are as a nation and what we can be, she encapsulated it in her comments on the floor of the U.S. Senate. It was an aspirational speech, too—a challenge to all of us to do a better job for this Nation, to make it stronger and to represent more effectively the people who have sent us here to serve them.

She brings a special quality to the service that very few have been able to bring to the U.S. Senate. I first met MAJ TAMMY DUCKWORTH 12 years ago when she was my guest at the State of the Union Address just weeks after her helicopter had been shot down over Iraq. I was amazed by her tenacity, her courage, her good humor. I thought to myself, this woman has really made history. I think she can even make more history, and she has, being elected to the U.S. House of Representatives as well as the U.S. Senate, an opportunity that fewer than 2,000 Americans have had in our Nation's history.

I think back on what she brings to the Senate, and it is something that is special and extraordinary. To come to this Senate after her service in the military is to follow in the path of Senator Bob Dole, a disabled veteran from

World War II, who led the Republican side of the aisle; Senator Daniel Inouye, a personal friend to both Senator DUCKWORTH and me, who served in World War II; Senator Paul Douglas of Illinois, who served as well; Strom Thurmond, from South Carolina, a Republican; and more recently, Max Cleland, a Vietnam veteran; Bob Kerrey, John Kerry—the list goes on and on, the great people who have served our Nation in the military and then came to serve in the Senate.

One of the points she made in that speech was one of the reasons I supported her so wholeheartedly. When we face the most difficult, trying, and challenging votes in a Senate career, the vote to go to war, having the voice of TAMMY DUCKWORTH on the floor is a reminder of the real cost of war and how we should avoid it at any cost, if we can, and what we are asking our men and women in America to do if we send them off to war. She will have more credibility, will have more confidence in her judgment, than virtually any colleague on the floor of the U.S. Senate. So she is going to play a special role.

Finally, let me say, in a short period of time serving as a U.S. Senator from the State of Illinois, she has shown that she is not going to be taking it easy. She has covered our State from one end to the other, most recently during the Easter recess, with town meetings and meetings with all sorts of people across our State, leaving a positive impression of her commitment to public service.

When I saw her and her mom and her little daughter Abigail get on the plane just the other day, yesterday, to come out here, I realized it is a family commitment which includes all of her family and her husband Bryan. They are committed to this country, they are committed to our great State, and we are fortunate to have her service.

Mr. President, I congratulate my colleague.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HOEVEN). Without objection, it is so ordered.

THE ECONOMY

Mr. THUNE. Mr. President, it is no surprise that the economy continues to be one of the top issues on the minds of Americans. The 8 years of the Obama administration were characterized by weak economic growth, a dearth of jobs and opportunities, and almost nonexistent wage growth. The Obama administration ushered in long-term economic stagnation.

The Congressional Budget Office predicts that the economy will grow at a rate of just 1.9 percent over the next 30

years—a full percentage point lower than the average growth rate over the past 50 years. We cannot resign ourselves to that. Resigning ourselves to long-term growth of 1.9 percent would mean resigning ourselves to decades of fewer jobs and opportunities, low wage growth, and a reduced standard of living. Fortunately, there are a lot of things we can do to get our economy thriving again and to spur economic growth.

A recent report from the Economic Innovation Group identified one important problem with our economy today, and that is a lack of what the EIG calls economic dynamism. Economic dynamism, as the Economic Innovation Group defines it, refers to the rate at which new businesses are born and die.

In a dynamic economy, the rate of new business creation is high and significantly outstrips the rate of business death, but that has not been the case in the United States lately. New business creation has significantly dropped over the past several years. Between 2009 and 2011, business death outstripped business birth, and while the numbers have since improved slightly, the recovery has been poor and far from historical norms.

The Economic Innovation Group notes that in 2012—which, by the way, was the economy's best year for business creation since the recession—it still "fell far short of its worst year prior to 2008." This is deeply concerning because new businesses have historically been responsible for a substantial part of the job creation in this country, not to mention a key source of innovation. When new businesses are not being created at a strong rate, workers face a whole host of problems. "A less dynamic economy," the Economic Innovation Group notes, "is one likely to feature fewer jobs, lower labor force participation, slack wage growth, and rising inequality—exactly what we see today."

Restoring economic dynamism would go a long way toward boosting economic growth and providing new jobs and opportunities for American workers. One big thing we can do to achieve this is to relieve the burden of excessive government regulations. Obviously, some government regulations are important and necessary, but too many others are unnecessary and do nothing but load businesses with compliance costs and paperwork hours. The more resources businesses spend on complying with regulations, the less they have available for growth and innovation. Excessive regulations also prevent many new businesses from ever getting off the ground. Small startups simply do not have the resources to hire individuals—let alone consultants and lawyers—to do the costly work of complying with scores of government regulations.

Unfortunately, over the past 8 years, the Obama administration spent a lot of time on imposing burdensome and unnecessary regulations on American

businesses. According to the American Action Forum, the Obama administration was responsible for implementing more than 675 major regulations that cost the economy more than \$800 billion. Given those numbers, it is no surprise that the Obama economy left businesses with few resources to dedicate to growing and creating jobs or that new business creation seriously dropped off during the Obama administration.

Since the new Congress began in January, Republicans in Congress and the President have been focused on repealing burdensome Obama-era regulations. So far, we have saved individuals and businesses approximately \$67 billion and freed them from 56 million hours of paperwork. Eliminating burdensome regulations will continue to be a priority for both Republicans in Congress and for the White House.

In addition to removing burdensome regulations, we need to focus on reforming our Tax Code. Our current Tax Code is strangling businesses, both large and small. Some corporations escape with paying very little in taxes, but others end up paying the highest corporate tax rate in the developed world. Meanwhile, small businesses and family farms face high tax rates, at times exceeding those paid by large corporations.

Tax reform needs to address these obstacles to growth. We need to trim our excessive corporate tax rate to make U.S. businesses competitive in the global economy, and we need to reduce taxes for small businesses so that we do not choke off these sources of growth and innovation. Measures like allowing new businesses to deduct their startup costs and expense more of their investments in machinery and equipment would spur new business creation and help small businesses thrive.

Our goal is to take up tax reform this year, and I am looking forward to that debate. Reforming our Tax Code will go a long way toward restoring dynamism to our economy and encouraging growth, job creation, and better wages.

There are other growth-boosting measures we can take as well, like removing unnecessary barriers that restrict access to capital. Both new and existing businesses rely on capital to help them innovate and expand.

The last 8 years were discouraging years for American workers, but the stagnation of the Obama years does not have to be the new normal. American workers and job creators are as dynamic and creative as ever; we just need to clear the obstacles from their paths. I look forward to working with my colleagues this year as we make putting our economy on the path to long-term health and vitality a top priority for the U.S. Senate.

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. McCONNELL. 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 BRIAN MCGUIRE

Mr. McCONNELL. Mr. President, this is one of those days I never look forward to. In my time in the Senate, I have had a lot of outstanding chiefs of staff. It is a pretty impressive group of men and women who have been in that position with me over the years—none more impressive than the person who, unfortunately, I have to say goodbye to today.

I am here today to pay tribute to Brian McGuire, the chief of staff in my personal office, who is going to be leaving after well over 10 years of service in several different capacities but over the last few years as my personal office chief of staff. He is really a uniquely gifted person. He is one of the most skilled writers I have ever encountered and, in fact, in my career, the most skilled writer I ever encountered. But in addition to that, he is good at a whole lot of other things, too, as I will subsequently describe in my remarks.

As I think back about the chiefs of staff I have fortunately been lucky enough to have, none has been better at so many different things than Brian McGuire. I always hate to see these talented people go, but we know the best way for each of us to operate is to do what is in our own best interests. Of course, he has reached the point where he has a big family. There are more lucrative alternatives out there—maybe not as much fun and not as meaningful as daily life around here but important to making sure our families are taken care of.

It is hard to know really where to begin with Brian. He came to my office in 2007. It was a critical time. I had just been elected Senate Republican leader. We were not in the majority, but I had just been elected to this position. There was a lot of pressure to get things right.

Obviously, I was setting up a new staff in the leadership office. I wanted the best I could find. When we set out to hire a speechwriter, I certainly wasn't envisioning an upstate New Yorker with a master's in philosophy and a resume that included stints at HUD and the Schenectady Daily Gazette. From HUD to the Schenectady Daily Gazette and a guy from Albany, NY—not exactly what I had envisioned, but that was Brian McGuire, and he quickly proved himself in that role. That wouldn't surprise anyone who knows Brian. He is, as I said earlier, a skilled writer. He is bright. He is talented. He is guided by faith and his family. He is also the consummate professional, going above and beyond each and every time, no matter what the challenge, and we have plenty of them. As the years went by, there would be many different challenging situations—communications challenges, policy challenges, political chal-

lenges—but whatever the issue, Brian always rose to the moment.

After the 2014 election, when I became majority leader, I asked Brian to leave speechwriting behind and become the chief of staff in my personal office. He agreed, fortunately. He took to his new opportunity to serve the people of Kentucky with similar skill and always good humor.

These days, you would be forgiven for thinking Brian had spent his formative years in Albany, KY, rather than Albany, NY. He is an adaptable guy. He led my office in pressing the Commonwealth's priorities on issues as diverse as industrial hemp, clean coal technology, and the fight against heroin and opioid abuse. So we can see the versatility, from a skilled writer from New York, of all places, to an effective advocate for Kentucky and Kentucky's interests.

Brian will be ably succeeded by another impressive individual, Phil Maxson, a Kentucky native who I know will continue Brian's legacy of service to Kentucky and who will serve with similar distinction.

Brian McGuire probably never imagined he would find himself here. Like me, he grew up dreaming of a career in the Major Leagues. As he put it, though, you can either hit the fastball or you can't. And since neither of us could, we ended up here. But Brian is more than just another power hitter; he, like his idol growing up, the Mets' Keith Hernandez, is an all-star. Brian is an indispensable utility player who can play every position, and I am not sure what I would have done without him. He is also one of the most interesting guys you will meet. Brian has a great sense of humor and a rather infamous reputation for spot-on impressions. He is probably the only one around here who holds Keith Hernandez and Aristotle in similar reverence and can reference each with similar ease.

At his core, though, Brian is incredibly grounded. He is all about the things that really matter—his Catholic faith, his two beautiful children, Stella and Max, and his wonderful wife Ashley. Ashley, I am happy to say, is due with their third child next month—just in time for Mother's Day. So Brian has a lot to look forward to as he climbs the next mountain. I hope he takes some time to look back and reflect on all he has accomplished here in his time with us.

Let me say again that Brian McGuire, on so many different occasions, has made me look so much better than I am. I could never thank him enough for the enormous contribution he made not only to my career but to Kentucky and to the Nation. So it won't surprise my colleagues to know I am going to miss Brian McGuire a lot.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I rise today in support of the nomination of Rod J. Rosenstein to be the Deputy At-

torney General of the United States at the Justice Department. Rod has served the people of Maryland extraordinarily well since 2005 as the U.S. attorney for the District of Maryland. I am pleased to support his nomination, and I hope the Senate will confirm him in very short order.

I might point out that he received a favorable recommendation from the Judiciary Committee by a lopsided vote of 19-to-1.

Rod Rosenstein is the total package. He has committed his life to public service. Rod graduated from the Wharton School of the University of Pennsylvania with a B.S. in economics, summa cum laude, in 1986. He earned his J.D. degree from Harvard Law School in 1989, where he was the editor of the Harvard Law Review. He then served as a law clerk to Judge Douglas H. Ginsburg of the U.S. Court of Appeals for the District of Columbia Circuit. After finishing his clerkship in 1990, he became a trial attorney in the Public Integrity Section of the Criminal Division of the Department of Justice. He has remained at the Justice Department for his entire career.

Mr. Rosenstein has devoted his life to public service. In Maryland, Rod was appointed in 2005 by President Bush and then held over by President Obama, with the strong support of his two home State Senators, which include myself and the senior Senator at that time, Senator Barbara Mikulski. Rod has now become the longest serving U.S. attorney in the country today.

I really want to underscore that point. I know my colleagues know the prerogatives we have when we come into office and there is an opening at the U.S. attorney's office because of an election of a President from your own party where the previous U.S. attorney was appointed by the other party. In this case, it was a Republican who appointed Mr. Rosenstein. President Obama came into office, and the senior Senator and junior Senator had the opportunity to replace that U.S. attorney, which has been the tradition in the Senate. Senator Mikulski and I had no hesitation when asking Mr. Rosenstein to remain on as the U.S. attorney in Maryland. We did that because we knew how valuable he was for law enforcement in our State.

As U.S. attorney for the District of Maryland, Rod has garnered broad bipartisan support from the State and local law enforcement officials across our great State as he has tackled problems of crime, terrorism, drug trafficking, gun and gang violence, civil rights enforcement, environmental crimes, intellectual property fraud, and corruption. I just mentioned a couple of those.

I sat down with the U.S. attorney to talk about gang violence in our State because I had been to Central America and I saw the exporting of gang violence from Central America to Maryland. The U.S. attorney, Mr. Rosenstein, and I had a chance to talk about

the strategies we would use in Maryland to combat that. But he didn't just work by himself at the U.S. attorney level; he worked with local law enforcement to make sure we had a team approach.

In terms of his pro bono work, Rod wrote in his Judiciary Committee questionnaire:

My entire legal career has been devoted to public service, and much of my work directly benefits disadvantaged persons. In addition to my official duties and public speaking, I have taught without compensation at area law schools, served as a judge at law school moot court and mock trial competitions, and counseled other lawyers who have devoted some or all of their career to public service.

He has truly been a model for many others in public service, a real role model.

Let me share a few examples with my colleagues of how State and local officials in Maryland have viewed Rod's work over the past decade. Let me begin with the city of Baltimore, which has just entered into a consent decree with the U.S. Department of Justice to reform its police practices after the death of Freddie Gray in custody 2 years ago.

Baltimore police commissioner Kevin Davis wrote:

Mr. Rosenstein and the Baltimore Police Department have collaborated on numerous large-scale investigations and resulting indictments of violent criminal organizations operating in Baltimore City. Under Mr. Rosenstein's leadership, the U.S. Attorney's Office and its prosecutors operate with the highest sense of justice and integrity in the course of these investigations and trials.

Commissioner Davis continues:

It is undeniable that Baltimore City is a safer place as a result of Mr. Rosenstein's tenure as U.S. Attorney. Through our professional collaborations, I have come to know Mr. Rosenstein on a personal basis as well. Mr. Rosenstein is a man of utmost character and intellect.

Former State's attorney for Baltimore City, Gregg Bernstein, a Democrat, wrote:

Simply stated, Rod was a terrific partner. Even a cursory review of his body of work as the United States Attorney for the District of Maryland makes readily apparent that Rod was committed to reducing the level of violent crime in Baltimore. His commitment and effort trickled down to other law enforcement agencies as well, including the Baltimore City State's Attorney's Office.

In Rod, we saw a person who was not interested in personal credit or accolade, but instead, one who created an atmosphere of collaboration that had not been seen in Baltimore for some time. It was much more important to him that everyone was working as hard as they could to fight crime in the City and the rest of Maryland.

Mr. Bernstein continues:

As a result of his tireless efforts, Rod helped to reduce the homicide rate in Baltimore to historically low levels not seen in decades. He also was responsible for supervising a United States Attorney's Office that was able to dismantle many of the gangs in Baltimore that were responsible for much of the illegal drug trade and violence that have plagued the City. He has earned the universal respect and admiration of not only his colleagues in the United States Attorney's

Office, but other law enforcement agencies, and a debt of gratitude from the public that has greatly appreciated his work to make Baltimore a safer place to live and work.

State and local elected prosecutors of both political parties in Maryland have also weighed in in support of Mr. Rosenstein's nomination. Scott Shellenberger, the Baltimore County State's attorney, wrote on behalf of the Maryland State's Attorneys' Association:

Rod has been an outstanding partner with every local prosecutor in the State of Maryland. Whether it is partnering with prosecutors in the City of Baltimore to stem gun violence, to the prosecution of prison gang corruption both in the city and in rural counties . . . Rod has always been there for law enforcement. When prosecutors in this State ask Rod for assistance, he does not care if you are a "D" or an "R," he has only cared about making this State a safer place. Rod makes his decisions based on the law, the evidence, logic and reasons, never allowing emotion or passion to move him from his core mission.

I have full confidence that Rod will call it like he sees it without regard to partisan or political considerations and that he will continue to uphold his oath to support and defend the Constitution and laws of the United States.

I must tell you that I have heard from State and local officials directly who have worked with Rod on political corruption cases and thanked Rod for the manner in which he collaboratively worked to root out corruption and misconduct by State and local officials in Maryland. As you can imagine, State and local officials do not always welcome Federal investigations or prosecutions into their domain, so this really speaks volumes about Rod as a prosecutor and a person and his ability to get along and accomplish results.

Former Maryland attorney general Doug Gansler wrote:

I have always found [Rod] to be totally by-the-book and completely apolitical. Rod understands the importance of staying out of the political limelight. The fact that I am a Democrat who served in elected office for 16 years and that Rod was appointed by a Republican President never was mentioned. He makes decisions for the right reasons and articulates those reasons with aplomb. . . . Rod is and always has been extremely ethical and conscientious, qualities which have earned him the respect of his peers and colleagues.

As Deputy Attorney General, Rod Rosenstein would basically serve as the chief operating officer at the Justice Department and manage the daily operations of the Nation's largest firm. The Department of Justice is a sprawling Cabinet Department with more than 100,000 employees and a \$28 billion budget. That is a pretty big undertaking. It is good to know that a person of his reputation has shown that he will not yield to partisan pressure but do what is right. It is good to know that we have that type of person whom we can confirm as the Deputy Attorney General. That is why it is so important that we have an effective manager and leader.

Maryland attorney general Brian Frosh, a Democrat, wrote:

I have found [Rod] to be intelligent, principled, and fair. As U.S. Attorney, Mr. Rosenstein has been an exemplary leader. He inherited an office that was in turmoil. With a steady hand and superb management, he has built it into an institution that is universally respected in our state. He has been able to recruit and retain extremely talented attorneys, investigators and staff, and the office has been effective and successful in carrying out its mission.

I expect Rod to exercise the same management style as the Deputy Attorney General overseeing the dozens of divisions, offices, and agencies at the Department of Justice. He will use that same commitment that he used as the U.S. attorney for the State of Maryland.

Lastly, let me quote from former Deputy Attorney General James Cole, who served in President Obama's administration under Attorney General Holder. I know Mr. Cole well. He was the special counsel during the House ethics investigation of former Speaker Newt Gingrich, which committee I was on. Mr. Cole supports Mr. Rosenstein's nomination. Mr. Cole writes:

Rod brings with him the knowledge, skill, experience, and wisdom that is required for this job. He also brings an understanding of, and respect for, the important role the Department of Justice occupies in our government—the need for it to not only enforce the laws, but to also maintain a level of independence that enables it to have credibility in the eyes of our citizens. Rod will make an excellent Deputy Attorney General. . . . Even at an earlier age, he exhibited the sound judgment and careful thought that was necessary to handle the very sensitive public corruption cases that were prosecuted by the [Public Integrity Section of the Criminal Division].

That is Mr. Cole. Mr. Cole was a former Deputy Attorney General, and he understands this role very well and understands Mr. Rosenstein is uniquely qualified to hold this position.

I want to conclude by urging my colleagues to support Mr. Rosenstein's nomination.

I especially thank Rod's family for their contribution to public service as well. As we know, we can't do this without a supportive family, and this service comes at a steep price in terms of time spent doing public service and sacrifices made by his family. I thank his wife Lisa and his daughters, Julie and Allison, for being willing to share their husband and father with our country.

I urge the Senate to confirm Mr. Rosenstein's nomination to be the next Deputy Attorney General of the United States at the Justice Department.

Mr. LEAHY. Mr. President, Rod Rosenstein's nomination to be Deputy Attorney General comes at a unique moment in history and critical juncture for the Department of Justice, as well as for this country. It has been 44 years since the Senate considered a Justice Department nominee who will be in charge of an active criminal investigation into a sitting President's

campaign and administration. Since the Judiciary Committee reported Mr. Rosenstein's nomination to the Senate earlier this month, further press reports underscore how important it is that we have an independent and impartial investigation into Russian interference in our elections and connections with the Trump campaign and administration.

In just the past 3 weeks, we learned that a notable Trump campaign adviser was reportedly the subject of a FISA warrant. CNN reported that this adviser was among those who "Russian operatives tried to use . . . to infiltrate the Trump campaign." The AP reported that Paul Manafort, who worked for free as the Trump campaign chairman, previously received at least \$1.2 million for consulting work on behalf of a Ukrainian ally of Russian President Putin. That is in addition to reports that Mr. Manafort earned \$10 million per year for secret work on behalf of Vladimir Putin. We learned that President Trump's first National Security Advisor "failed to list payments from Russia-linked entities" on his financial disclosure forms. We also learned that the President's son-in-law and top adviser failed to disclose meetings with the Russian Ambassador and other officials on his application to obtain top secret security clearance—just like when the Attorney General provided false testimony before the Senate Judiciary Committee in response to questions from me and Senator FRANKEN about his own Russian contacts.

If confirmed, Mr. Rosenstein will assume leadership of the sprawling investigation into Russia's multifaceted attempts to interfere with our elections, an investigation that embroils not only individuals in the Trump campaign, but also those who are now in the President's Cabinet and senior officials in the White House. Attorney General Sessions was forced to recuse himself from this investigation after the press revealed that he had misled the Judiciary Committee and the American people about his connections to Russian officials and agents. There is no question that the Attorney General's recusal was required—and should have happened on day 1 after assuming office. Justice Department regulations required him to recuse himself because of the integral role that then-Senator Sessions played in the Trump campaign and his continuing contacts with those directly under investigation. These Department of Justice regulations protect the impartiality of all Justice Department investigations.

The Justice Department's regulations regarding appointment of a special counsel are equally significant. These regulations direct appointment of a special counsel when there is "a conflict of interest for the Department or other extraordinary circumstances" and "it would be in the public interest to appoint an outside Special Counsel to assume responsibility for the mat-

ter." The current situation unquestionably meets that standard. Mr. Rosenstein acknowledged at his confirmation hearing that it would be an unusual challenge to lead an investigation that potentially includes the Attorney General, his direct supervisor. This investigation now not only includes Mr. Rosenstein's potential boss, but also several others inside the White House. Americans deserve an investigation that is independent and inspires public confidence, and that requires appointment of a special counsel who is free from political influence. This issue is too important for us to skew for partisan motivations. Country must come before party, and I hope and trust Mr. Rosenstein will understand that if he is confirmed.

We know that this administration and this President have already interfered with the House Intelligence Committee's investigation into Russian activity and connections to the Trump campaign. DEVIN NUNES, the chairman of the House Intelligence Committee, recused himself from his own committee's investigation after what Ryan Lizza of the *New Yorker* called a "co-ordinated effort between the Trump Administration and [Chairman] Nunes . . . to manufacture a fake scandal" in order to distract from, as well as obstruct, any real investigation. Earlier this month, President Trump even said that "it's not too late" to fire FBI Director Comey. This administration cannot be trusted to respect the independence of any investigation, which is why we need an outside special counsel. Whoever assumes the role of Deputy Attorney General in this administration will face extraordinary tests of integrity. Mr. Rosenstein has a reputation for integrity that is unusual for this administration's nominees, and I hope he is up to the challenge.

We already know from the intelligence community's public report that Russian President Putin waged a multifaceted influence campaign to delegitimize Secretary Clinton and help Donald Trump win the Presidency. Worse, he intended to undermine public faith in our democratic process. This interference did not end on November 8th. It is ongoing and, according to the intelligence community, President Putin will continue using cyberattacks and propaganda campaigns to undermine our future elections—but there is still much we do not know.

We need a thorough, independent investigation. President Putin's goal last year was to undermine our democratic institutions—to corrode Americans' trust and faith in our government. If we do not get to the bottom of Russian interference, he will have been successful, and he will no doubt do it again. I hope that Mr. Rosenstein will do the right thing and appoint a special counsel to lead a truly independent investigation—one in which all Americans can have confidence.

If confirmed, Mr. Rosenstein will face other critical tests as well, including

whether he will continue to support the Justice Department's Smart on Crime initiative, focusing the most serious criminal penalties on the most serious offenders. With his 27 years of experience in the Justice Department, I hope that Mr. Rosenstein will be an independent check on the excesses of this administration, which has already sought to undermine the principle of judicial review. He has served as U.S. Attorney under both Democratic and Republican administrations, so I hope that, as Deputy Attorney General and as Acting Attorney General in matters relating to the Trump campaign, he will remember that he is not the President's attorney, but the people's attorney.

Mr. CARDIN. Mr. President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Delaware.

THE PRESIDENT'S BUDGET

Mr. COONS. Mr. President, I rise today to address President Trump's proposed budget for fiscal year 2018. My predecessor in this seat, my friend, former Vice President Joe Biden, once said to me years ago: Show me your budget and I will show you your values.

One of my concerns about the proposal we have received—the initial slimmed-down overview proposal we have received—is that it suggests values that I think are quite out of line with what my home State of Delaware would look for me to be doing in this body, what I think addresses the real needs and priorities of the American people.

Last month President Trump released an overview of his budget—what is called a skinny budget—and we haven't yet received a full and detailed budget proposal. Even though what we have received is just an overview, it indicates that the cuts President Trump is proposing will significantly weaken vital domestic programs, often with the goal of completely eliminating existing and valued initiatives.

This chart gives a rough summary of all the different Federal agencies that would take double-digit hits in order to be able to pay for the significant \$54 billion increase to defense spending. Targeting only nondefense programs that millions of Americans and Delawareans rely on ignores commitments made over the last couple of budget cycles and years, as Republicans and Democrats have worked together to ensure placing equal priority on defense and nondefense spending.

Under sequestration, under the Budget Control Act, we have already made significant cuts to important domestic programs. After the difficult budgets of the last few years, in my view, we have already made too many cuts to some of the programs that helped build our Nation.

To be clear, I am as passionate as anyone in this body about supporting our Armed Forces, particularly when they are in harm's way and particularly as we continue to conduct operations against ISIS in Iraq and Syria.

But Democrats will not stand for cutting domestic programs simply to pay for a \$54 billion military expansion that hasn't been explained or justified through a thorough review of what are the appropriate investments in defense that will respond to the challenges and threats we face in this world.

To pay for that \$54 billion increase in defense by cutting investments in education, housing, job training, and more here at home strikes me as the wrong set of priorities and the wrong direction. If anything like these proposed Trump budget cuts are enacted, I know my home State of Delaware would lose millions and millions of dollars for valuable and effective Federal programs that help my constituents each and every day. Trump's budget proposal would cut research and health programs. It would cut job-creating infrastructure programs. It would cut grants for higher education. It would cut housing and so much more.

I wish to take a few minutes to focus on a few of many proposed budget cuts to give a sense of the impact it might have on our livelihood, our security, and our prosperity at home. Let me start with some cuts that would directly affect our national security, our safety.

In my view, the deep cuts made in the proposed Trump budget would simply make us less safe. For example, the U.S. Coast Guard, which has a station in Delaware, would be cut by more than \$1.3 billion. The Transportation Security Administration, or TSA, has just as high a cut. Ironically, even though these are the very agencies that protect our ports and other points of entry, Trump proposes cutting their funding so that a southern border wall can be built for an estimate well above \$25 billion. This simply makes no sense. If you listen to the words of the Coast Guard Commandant, ADM Paul Zukunft, he warned that simply focusing all those resources on building a wall along the border with Mexico would make our ports and waterways even more appealing to smugglers and those who seek to bring illicit drugs or to bring people into the United States through unlawful entry.

That is not all. The Trump budget would make us less safe by depleting Federal protection from natural disasters, starting with a proposed \$600 million cut to FEMA State and local grants. The budget also proposes restructuring fees for the National Flood Insurance Program, which would lead to raising rates for homeowners who get flood insurance.

My home State of Delaware is the lowest mean elevation State in America—literally the lowest lying State and ground zero for sea level rise. These cuts would have a significant impact on homeowners up and down my State, those at our seashore and those in my home community of Wilmington who face steadily rising flood insurance premiums.

It is not just our safety, though, that would be impacted by the President's

budget; it also threatens job growth and economic security. As a President who ran a campaign on a middle-class jobs agenda, I am struck that his proposed budget would endanger Americans across the country financially by also undermining support for development in both rural areas and urban areas. Take the Department of Agriculture, which provides critical support through the Rural Development Program. In Delaware, at least, Rural Development, or RDA, has played a critical role in supporting housing, businesses, and communities in the rural parts of Delmarva—Delaware and Maryland.

The Trump budget would also eliminate the Rural Business-Cooperative Service, or RBS, which promotes economic development in distressed rural areas. That is a program which has supported things like Del Tech automotive technician training and architectural services for the Seaford Historical Society, among many other things.

Something I am much more familiar with and more passionate about is the Manufacturing Extension Partnership. Across the State of Delaware, the MEP, as it is known, has helped small and medium manufacturing companies to be better at taking advantage of cutting-edge technology, understanding how to manage their inventory, how to invest more wisely in new capital equipment, and how to grow and compete around the world.

Since 2000, Delaware's Manufacturing Extension Partnership Program has used Federal support to help Delaware manufacturers increase sales by more than \$120 million, helping create more than 1,600 good-paying jobs and finding over \$100 million in cost savings in Delaware's small and medium manufacturers. These are great impacts for a fairly small program. Why that program specifically targeted at helping small and medium manufacturing companies would be a priority for elimination is beyond me.

Cuts to other areas that impact research and energy in our economy also strike me as unwise and ill-considered. It is not just our economy and national security; Trump's budget would also threaten our infrastructure, our transportation, and our housing.

As a Delawarean and someone who rides Amtrak between Wilmington and Washington almost every day we are in session, I know how important our passenger rail system is for the Northeast, as well as for connecting the rest of our country. Amtrak's long-distance routes are critically important to the Nation's economy and to sustaining passenger rail as a nationwide Federal service. Yet, as our competitors around the world are investing billions of dollars in high-speed rail and in efficient rail networks that connect whole countries, President Trump's proposal would eliminate all Federal funding for Amtrak's long-distance routes.

Another effective Federal program that has made a difference in my home

State in infrastructure is the so-called TIGER Program, which invests in a whole range of infrastructure options—highway, transit, rail and port—by leveraging private capital and supporting competitive, innovative solutions to infrastructure challenges. The TIGER Program has supported projects like a new regional rail transportation center at the University of Delaware, taking advantage of the former Chrysler rail yard, and the significant new growth we are seeing at the University of Delaware's STAR campus. This is an investment that will have several multiples that will leverage private sector benefits by promoting economic development, accessible housing, and multimobile transportation choices in the area.

Many of my colleagues have similar experiences in their States about the impact of the TIGER Grant Program. In the last year, it had a demand nearly 20 times the available funding. Yet the Trump budget would again eliminate all Federal funding to this vital transportation infrastructure program that creates jobs and helps to leverage private sector investment.

There are so many other programs on the chopping block, it is hard to even begin to touch on them: Community Development Block Grants, which I relied on in my previous job as county executive to provide support for low-income and disabled individuals to have access to high quality housing; the funds that support things like Meals on Wheels, that allow our low-income seniors to age in place rather than having to be moved to institutions; and many other programs through the Federal Department of Housing that have a positive impact in communities up and down my State, from Newark and Wilmington to Dover and Seaford.

If you take the U.S. Department of Agriculture's rural water and wastewater loan and grant programs, these would be eliminated entirely. These programs are critical to ensuring that rural communities can access funds to support safe drinking water and sewer systems. Many communities in Southern Delaware rely on rural water funds to ensure safe drinking water supplies for the families that live there. As I have suggested, the list of potential cuts to programs goes on and on.

Let me move to some impacts on the environment, briefly. The Chesapeake Bay is one of the world's largest estuary systems, and Delaware is a State that borders on the Chesapeake Bay watershed. Economists insist that there is nearly \$1 trillion worth of economic value to the Chesapeake Bay watershed, yet the Trump budget cuts nearly half of the funding for the EPA to allow States to get grants that will help improve air quality, clean up contaminated waste sites, and remove lead from drinking water. Delaware alone would lose \$3 million in these vital initiatives.

There are millions of Americans who rely on many more programs listed

here—AmeriCorps, Low Income Home Energy Assistance Program, Corporation for Public Broadcasting, the African Development Foundation, and many more—all eliminated in this budget in order to prioritize a focus on our military and defense.

I don't think the President understands that we cannot maintain our status as a global leader with defense and military alone. We need to ensure that a complementary strength exists in our development and diplomacy programs, which are less than one-tenth of our spending on national defense.

I recently had the opportunity to see the impact that USAID and our programs to assist the hungry and needy around the world can make in stabilizing fragile states and preventing them from becoming failed states. We spent less than one percent of the Federal budget on these sorts of programs. They provide a critical connection to parts of the world where a positive understanding of America and our values would be a good thing.

The international affairs budget, which includes needed funding for USAID, the State Department, and other related programs, would be cut by one-third under the Trump budget—a 29 percent cut to the State Department alone.

If history is any indicator, the last 70 years show these investments in diplomacy and development are critical. Foreign assistance is not charity. It serves a humanitarian purpose, but it also makes us stronger by promoting American values around the world, building coalitions that isolate our adversaries, and helping make tens of millions less susceptible to terrorism and to extremism around the world.

This is a false choice between significantly increasing our defense spending and the need to sustain our investments in diplomacy and development. I hope my colleagues and constituents will take time to think about the many different Federal programs that I have briefly discussed in these remarks about the proposed budget and all the different ways that these Federal programs have invested in our quality of life, in our national security, and our economic prosperity. Many of them are scheduled for elimination under this budget.

As I have heard both Republicans and Democrats say in press interviews and on this floor: No President's budget is adopted without change. It is my hope that this budget will be set aside and that the folks who represent our States here will begin anew the process of building an appropriations path forward that actually protects our country, protects our livelihood, and invests significantly in sustaining and saving the very best of these programs that have benefited my home State and my constituents for so very long.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

REFORMING FINANCE FOR LOCAL ECONOMIES ACT

Mr. KENNEDY. Mr. President, I rise today to discuss my bill, the Reforming Finance for Local Economies Act, which I introduced earlier this week. This bill is very simple and straightforward. It would exempt community banks and credit unions with assets of less than \$10 billion from complying with the loan-killing, anti-jobs disaster that we commonly refer to as Dodd-Frank. Every reasonable person with a passing knowledge of our banking system knows the destabilizing effect that Dodd-Frank has had on local economies, community banks, and the Nation's credit unions.

Just last week, President Trump turned to the problems wrought by Dodd-Frank by signing two Presidential memorandums to take a look at the Orderly Liquidation Authority and the systemic risk designation process at the Financial Stability Oversight Council. I applaud the President's efforts in that regard. I believe they are desperately needed. Reforming this flawed law is crucial to the future success of the American economy.

Some of my colleagues were here when Dodd-Frank was passed in 2010. As we all know, it was intended to prevent another 2008-like banking crisis by strengthening Federal Government regulation of financial services. But in the process, as so often happens, Congress actually crippled America's small community banks and credit unions that played absolutely no role—none, zero, nada—in instigating the 2008 meltdown. And that is not just my opinion. Our Federal Reserve Chair, Dr. Janet Yellen, appeared before the Senate Banking Committee earlier this year—actually, February 14. When it was my turn to ask her questions, I asked her the following simple question: “What did community banks do wrong in 2008?”

This was the Chairwoman's answer: “Well, community banks were not the reason for the financial crisis. It was larger institutions that took risks and risks that developed outside the banking system.”

Let me read that first sentence again. Chair Yellen: “Well, community banks were not the reason for the financial crisis.”

I believe she is right. The fact is that our smaller banks and our credit unions are smothering under the weight of Dodd-Frank. I will give you an example of what I am talking about. The Truth in Lending Act passed by Congress is actually 22 pages long. The Federal Reserve Act, setting up our Federal Reserve System, is 32 pages long. Glass-Steagall, about which we heard a great deal, was 37 pages long. Dodd-Frank is a breathtaking 2,300 pages with 22,000 pages of regulations. You can stand on the thing and paint the ceiling.

That is why so many community banks no longer exist. Those that have managed to survive have seen their costs go up, their profits go down, and

their ability to make small business and consumer loans curtailed—all as a result of the unnecessary, heavy hand of government. In fact, since Dodd-Frank was passed in 2010, this country has lost 1,700 small institutions. The reason is very simple. Dodd-Frank has forced community banks and credit unions to merge, consolidate, or to go out of business because of the heavy hand of regulation and because they can't make the loans that they normally would be able to make.

Nationwide, we have been losing an average of one community bank or credit union a day—every single day—since Dodd-Frank was passed because of its costs, which have driven our banks to sell or merge with larger banks. It is so ironic that this forced consolidation—forcing our smaller banks and credit unions to either merge with or be bought out by larger institutions—has caused even greater concentration of assets on the books of even larger and, in some cases, too-big-to-fail banks that Dodd-Frank was supposed to do something about.

My legislation will help 5,785 American credit unions. It will help 5,461 community banks in our country survive. Specifically, financial institutions with assets of less than \$10 billion—if you are a financial institution and you have less than \$10 billion in assets, you will be exempt completely from Dodd-Frank, its 2,300 pages and its 22,000 pages of regulations. We are talking about a lot of banks.

Banks with less than \$10 billion in assets make up 92 percent of our Nation's banks, according to the FDIC. Banks with less than \$10 billion in assets provide 48 percent of all small business loans, 16 percent of residential mortgages, 44 percent of lending to purchase farmland, 43 percent of lending for farm operations, and 35 percent of commercial real estate loans. If my bill passes, these institutions will no longer have to reduce their products and service offerings in order to divert resources to compliance, to interpretation, and to execution.

The expertise of our smaller banks and credit unions in America in evaluating risk will no longer be reduced to some algorithm—some mathematical exercise. Instead, our institutions will be able to deliver the desperately needed capital to the customers they know so well because that is what community banks and credit unions do. They take in local deposits, and they make loans to local borrowers whom they know and whose creditworthiness they can closely monitor because community bankers, as we all know, are relationship bankers. They don't participate in widespread subprime lending. They don't use derivatives to speculate, and they never did. Most of them have fewer than 100 employees.

The type of regulation they need—and I am not suggesting they don't need regulation. What I am suggesting is the type of regulation they need—because of the risks our small institutions take—is much different than the

regulation needed by a \$700 billion or a trillion-dollar bank.

I am certain that the proponents of Dodd-Frank were well-intentioned when they wrote and passed it. But 150 years ago, doctors used to bleed their patients with the best of intentions. They stopped doing that because their patients died. That is why I suggest today that we eliminate Dodd-Frank for our smaller institutions. Making Dodd-Frank applicable to community banks and credit unions is a lot like using a sledgehammer to go after a gnat. It is way over the top.

Now, certainly our smaller institutions need regulation. Certainly, they need regulation to ensure that they are stable and secure. Our small institutions know that. They know they need it. They want it. They welcome it. But even after my bill becomes law, community banks are still going to be subject to a strict regulatory scheme established by dozens of applicable Federal statutes. I am talking about the Banking Secrecy Act, the Electronic Fund Transfer Act, the Truth in Lending Act, and the Equal Credit Opportunity Act, and I could go on and on.

All of these statutes will still apply to our smaller banks and credit unions. Our smaller banks and credit unions—now exempt, if my bill passes, from Dodd-Frank—will still be under the supervision of the Federal Reserve. They will still be under the supervision of the Comptroller of the Currency. They will still be regulated by the Federal Deposit Insurance Corporation, the National Credit Union Administration, and even the Department of Justice.

America's smaller lending institutions need some relief. What they need is relief from the destabilizing consequences of Dodd-Frank. The Reforming Finance for Local Economies Act, in my estimation, is a step in that direction. I would also like to say, in closing, that I am pleased that both President Trump and Senate Republicans are committed, as we are, to paving the way for new businesses and the jobs they create through regulatory reform as our actions have already proven this year.

However, I would also like to stress that helping our community banks and credit unions is a bipartisan issue and one that I hope will garner support from many of my colleagues, not only just on the Republican side of my aisle but by friends on the Democratic side of the aisle.

I welcome their support. I look forward to working with my fellow Senators on the Banking Committee to find some commonsense solutions that will help grow our local economies.

I yield the floor.

The PRESIDING OFFICER (Mr. STRANGE). The Senator from Louisiana. CONGRATULATING SENATOR KENNEDY

Mr. CASSIDY. Mr. President, I would like to acknowledge my experienced and talented friend from Louisiana in his maiden speech, speaking about something that reflects his experience.

Briefly, his experience, aside from being an outstanding citizen, was as a secretary of revenue in Louisiana, a State treasurer in Louisiana, and an attorney and a law school professor.

So now there are his committee appointments, which include the Banking, Appropriations, and Judiciary Committees, which are tailor-made for what he does. As a product of a small town and as someone who as treasurer in our State has been so aware of the economic development issues, no one would know better than he what a critical role small banks play in generating the capital and delivering the capital to a small business that grows to be a bigger and a bigger and a big business, while along the way employing more folks.

So, as we as a nation grapple with how to create better-paying jobs, it is fitting that Senator KENNEDY would begin by speaking directly to how to create better-paying jobs. I welcome him as a colleague. I look forward to working with him for things that would benefit our State, our Nation, and the people who live here.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUMENTHAL. 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. BLUMENTHAL. Mr. President, in less than an hour, we will consider the nomination of Rod Rosenstein to be Deputy Attorney General of the United States.

We consider his nomination under highly unusual, if not unique, circumstances. Only today, there were revelations from the House Oversight Committee at a bipartisan conference indicating that General Flynn, formerly the National Security Advisor, may have broken criminal laws by his concealing payments from Russia—specifically, from Russia Today—in connection with his speaking fees and travel expenses in 2015. He concealed these payments in security clearance forms submitted in 2016, SF86 forms. False statements on such forms are a violation of our criminal laws. His potential criminal liability is a serious and important allegation that needs to be investigated further.

What we know for sure is that the investigation of this allegation and others—this very colorful violation of Federal criminal law—can be done reliably, impartially, and credibly only by a special prosecutor. That is why I have asked Mr. Rosenstein to commit that he will appoint a special prosecutor to investigate this allegation as well as others involving the President's staff, campaign associates, and staff in connection with Russia's interference with our election.

There is no question that the Russians sought to interfere and that they

did so. That is the conclusion of the investigation that was already done by our intelligence community, and it is a conclusion that is virtually universally accepted. The only question now is this: What was the involvement and potential collusion and aiding and abetting of Americans in that Russian cyber attack on this country? In my view, it was an act of war. We can debate that question.

What is undebatable is the need for a thorough, impartial, vigorous, and aggressive investigation that will give that information to the American people. It must be an investigation that can pursue criminal wrongdoing, if it is proved, and that can prosecute it and ultimately make that investigation transparent to the American people so they know what actually happened.

I have asked Rod Rosenstein to follow the precedent that was established by Elliot Richardson under circumstances that were not unlike the ones we encountered here.

The saying is that history almost never repeats, but it rhymes. What we have here is a situation that rhymes with the one that Elliot Richardson encountered when he was Attorney General-designee. He was requested to appoint a special prosecutor as a condition of his confirmation. He agreed to do so in 1973. He appointed Archibald Cox. That, in turn, led to the Watergate investigation and, ultimately, it vindicated the judgment on the part of our Senate Judiciary Committee that an independent special prosecutor was necessary under those circumstances.

My colleague who is presiding, as a former State attorney general, knows well the importance of independence and credibility in any judicial role of this kind. This Nation now faces a looming constitutional crisis—again, not unlike Watergate, which ultimately resulted in United States v. Nixon before the U.S. Supreme Court, a subpoena that had to be enforced by that special prosecutor against the President of the United States.

Only Rod Rosenstein can vindicate that important public interest. Only the Deputy Attorney General of the United States can appoint a special prosecutor because the Attorney General rightly has recused himself. Jeff Sessions has recused himself because of his own conversations with Russian officials, which he failed to disclose during testimony to the Judiciary Committee.

Only the Deputy Attorney General can perform that vital function, and only a special prosecutor can do what is necessary to vindicate the public interest through a vigorous investigation into any criminal wrongdoing and to prosecute lawbreakers.

I have confidence that our Intelligence Committee in the Senate will impartially and objectively do whatever it can to uncover the truth. But even if it succeeds—and there are obstacles and challenges to its success—it cannot pursue a criminal investigation,

and it cannot bring criminal charges and pursue a conviction. It probably cannot make fully transparent or disclose all of the facts that it uncovers. Its custom is to issue a report and, when it does so, redacting information that can be considered classified or sensitive. It may well lead, in an abundance of caution, toward redacting rather than disclosing.

That is why I have asked Rod Rosenstein, as a condition of his becoming Deputy Attorney General, to commit that he will appoint a special independent prosecutor. Call that office whatever you wish—special counsel, independent counsel, special prosecutor. The role is what is significant. It is someone who will uncover the wrongdoing and follow the evidence and the facts wherever they lead.

Neither Mr. Rosenstein nor Mr. Sessions can do so. Neither Rosenstein nor Sessions will ever convince the public that they are really pursuing their boss, the President of the United States, if there is evidence that leads to his culpability. They report to him. Rod Rosenstein reports to Jeff Sessions, and he, in turn, reports to the President of the United States. That is why the appearance and the reality of independence is so critically important, and that is why only a special prosecutor can pursue that interest.

If we were in normal times, Rod Rosenstein would be an eminently acceptable nominee, and I would welcome his nomination without attaching any kind of request or condition. He is certainly an honorable public servant. He is a career prosecutor. I admire his dedication and commitment to public service. As U.S. attorney for Maryland, he certainly has an admirable record. He is, in some senses, what we value in the Department of Justice—someone who is committed to the rule of law. That is why I have been surprised and disappointed that he has failed to heed my request.

Whatever happens today, I want to ensure my colleagues and, most especially, him and the loyal and dedicated members of the Department of Justice that I will support his work in his capacity as Deputy Attorney General, if he is confirmed today, because the professionalism of the Department of Justice is of preeminent interest for me personally, having served as a U.S. attorney and also as attorney general of my State, but it is also vitally important to the American people.

We must consider his nomination in the light of the looming constitutional crisis that our Nation confronts. It is a crisis partly of the administration's making by its attacks on the judiciary, calling a member of the bench a "so-called judge," saying to the American people that a circuit court of appeals will be responsible for any violence that may occur as a result of its ruling on the constitutionality of Executive orders related to immigration, demeaning and disparaging a judge because of his ethnic heritage—a judge born, in fact, in Indiana.

These kinds of attacks on the judiciary undermine respect and trust in a branch of government that is the bulwark of our democracy and that, in my view, when the history of this era is written, will be regarded as having been one of its finest hours. We will be relying on it to protect our Nation's fundamental rights and liberties. The independence of the judiciary is a sacred pillar of our democracy, and it must be free of political interference.

The other hero of this era, in my view, will be the press, which has uncovered many of the facts leading to my conclusion, joined by so many of my colleagues, that there must be a special prosecutor. That conclusion is not mine alone. It has been joined by many of my colleagues, 10 of them having cosigned a letter I wrote in mid-February asking for a special prosecutor.

The independence of our judiciary and of our prosecutors is so critically important for the trust and credibility of the American people that the rule of law will prevail and that no official will put himself above the rule of law. That is the threat and the constitutional crisis that we potentially face.

Two high-ranking administration officials have been caught misrepresenting their ties with Russia. One of them is, in fact, the Attorney General, Jeff Sessions, who did so before the Judiciary Committee, under oath.

Mr. Rosenstein has said that he wants to be approved by the Senate before he decides whether to appoint a special prosecutor, but that delay will mean that a man who was hired and can be fired by President Trump will decide whether the Trump administration will face a thorough and complete investigation. This body has a duty to insist on it before his confirmation. We must seize this opportunity to assure accountability to the American people and make sure also about their confidence in our electoral system. While Mr. Rosenstein has claimed he needs to be in office to familiarize himself with the facts of an investigation into the Trump administration before he can commit to appointing a special prosecutor, the row of facts are all a matter of public record now.

We know Russia interfered in the 2016 election. We know the FBI is investigating Trump administration lawbreaking associated with that interference. That investigation has been confirmed by the Director of the FBI himself. We know Attorney General Jeff Sessions met with officials of Russia's Government, and yet he said under oath that he did not meet with those Russians. That is more than ample information to justify appointing a special prosecutor, but there is much more, including actions by Carter Page, Paul Manafort, Roger Stone. These kinds of abundant facts are known now and warrant this action and also more than justify this body insisting that he commit to appointing that special prosecutor.

That public information concerning known associates of the President and their Russian contacts includes General Flynn's actions disclosed today. On December 10, 2015, General Flynn was paid to attend an event in Moscow celebrating the 10th anniversary of Russia Today, a propaganda arm of the Russian Government. He concealed the amount Russia Today paid him for speaking fees and travel expenses in those security clearance forms he submitted in 2016, the SF86. He dined with Vladimir Putin just 18 months after leaving his position leading the Defense Intelligence Agency. As a retired general, he is prohibited from receipt of consulting fees, gifts, travel expenses, honorary or any other kind of salary from a foreign government without congressional consent. That action also is a potentially prosecutable action.

After the election, General Flynn spoke repeatedly to Russian Ambassador Kislyak regarding lifting sanctions on Putin, an amazing act of disloyalty. Misleading Vice President PENCE and the American public on the nature of these secret discussions, he demonstrated a lack of candor and credibility inconsistent with the role of National Security Advisor, and therefore he was compelled to resign.

The President also selected Carter Page to serve during the campaign on his foreign policy advisory committee. He is the same individual we have learned who was under investigation for his contacts with Russian agents.

The President's campaign manager, Paul Manafort, worked for years on a disinformation campaign to benefit the Putin government and was paid millions of dollars to do so. The President's son-in-law Jared Kushner held an undisclosed meeting with both the Russian Ambassador and also executives from a Russian bank, EDB, a bank built by Putin's cronies. The President himself has sold real estate to Russian investors seeking to profit from their corrupt activities in Russia or, as his son, Donald Trump, put it, "We see a lot of money pouring in from Russia."

The administration's supposed attempts to investigate itself have produced mixed signals and clear conflicts of interest such as House Intelligence Chair DEVIN NUNES's ill-fated trip to the White House to discuss his committee findings.

The robust congressional oversight hearings that we all hope will happen are certainly essential, but only the Department of Justice can analyze these facts and information which are only the tip of the iceberg—analyze it, digest it, determine its relevance to a criminal investigation and to a prosecution, pursuit of a violation of law and charges. The FBI can investigate, but it cannot bring charges. Only a lawyer from the Department of Justice can do so, and only a special prosecutor can make that judgment independently and impartially without having to

worry about what his boss thinks or what his boss's boss thinks.

So I have reached the conclusion reluctantly—because Rod Rosenstein has a very admirable record of public service—that I must vote against his nomination in just a short time because of his failure to commit to a special prosecutor. I have no illusions about convincing my colleagues about joining me to vote on cloture with a degree of realism about the views of this body on his nomination, but I hope he will heed the example of Mr. Richardson in 1973 and also of Jim Comey, who at one point also resorted to a special prosecutor to investigate a controversial matter that arose during President George Bush's administration.

There is clear, unmistakable, bipartisan precedent for a special prosecutor under these circumstances. There is not only precedent, there is historical imperative. At the root of this constitutional crisis is a concern for the rule of law, for preserving the public's faith and trust and respect for our justice system. It is at the foundation of what we do when we vote. When we make laws, we presume they will be rigorously and fairly enforced without fear or favor, and that no official, not even the President of the United States, will be placed above the law. That is the lesson of Watergate, but it is also the lesson established throughout our history, going back to the Founders and the preeminent role played by our U.S. Supreme Court.

I will support Mr. Rosenstein in his efforts to pursue the truth and pursue justice, as I believe he must do, and I hope he will do because the credibility of the Department of Justice and our justice system is so much at stake.

I urge my colleagues to vote against his nomination, as I will do, but I also pledge my support for him and the loyal, dedicated, hardworking members of the Department of Justice if he is confirmed.

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

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

Under the previous order, all time is expired.

The question is, Will the Senate advise and consent to the Rosenstein nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 94, nays 6, as follows:

[Rollcall Vote No. 114 Ex.]

YEAS—94

Alexander	Gardner	Paul
Baldwin	Graham	Perdue
Barrasso	Grassley	Peters
Bennet	Hassan	Portman
Blunt	Hatch	Reed
Boozman	Heinrich	Risch
Brown	Heitkamp	Roberts
Burr	Heller	Rounds
Cantwell	Hirono	Rubio
Capito	Hoeven	Sanders
Cardin	Inhofe	Sasse
Carper	Isakson	Schatz
Casey	Johnson	Schumer
Cassidy	Kaine	Scott
Cochran	Kennedy	Shaheen
Collins	King	Shelby
Cooms	Klobuchar	Stabenow
Corker	Lankford	Strange
Cornyn	Leahy	Sullivan
Cotton	Lee	Tester
Crapo	Manchin	Thune
Cruz	Markey	Tillis
Daines	McCain	Toomey
Donnelly	McCaskill	Udall
Duckworth	McConnell	Van Hollen
Durbin	Menendez	Warner
Enzi	Merkley	Whitehouse
Ernst	Moran	Wicker
Feinstein	Murkowski	Wyden
Fischer	Murphy	Young
Flake	Murray	
Franken	Nelson	

NAYS—6

Blumenthal	Cortez Masto	Harris
Booker	Gillibrand	Warren

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDER

The PRESIDING OFFICER. The Senate will resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of R. Alexander Acosta, of Florida, to be Secretary of Labor.

Mr. HOEVEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. RUBIO). Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act

requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, Room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-18, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to Canada for defense articles and services estimated to cost \$195 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREG KAUSNER,
(For J.W. Rixey, Vice Admiral,
USN, Director).

Enclosures.

TRANSMITTAL NO. 17-18

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Canada.

(ii) Total Estimated Value:
Major Defense Equipment* \$ 0 million.
Other \$195 million.
Total \$195 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.
Non-MDE: Non-MDE items and services under consideration for sale are follow-on support for five (5) CC177 aircraft (Canada's designator for the C-17), including contractor logistics support (CLS) provided through the Globemaster III Integrated Sustainment Program (GISP), in-country field services support, alternate mission equipment, major modification and retrofit, software support, aircraft maintenance and technical support, support equipment, personnel training and training equipment, additional spare and repair parts, publications and technical documentation, and other U.S. Government and contractor engineering, logistics and program support.

(iv) Military Department: Air Force (QCR).
(v) Prior Related Cases, if any: CN-D-QZZ—\$1.3B—15 Nov 06.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: April 19, 2017.