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## Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God and God alone, we praise You that You give power to the weak, and to those who have no might You increase their strength. Increase the stamina of our lawmakers when their hearts are overwhelmed by challenges.

May they look to You, the fountain of every blessing, to enable them to solve our national problems with wisdom and faithfulness. May they not be afraid or dismayed, always placing their trust in You. Lord, inspire them to remember that Your plans stand firm, as Your purposes prevail through all generations. Instruct them in the way they should go as You give them Your peace.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

### NOMINATION OF RACHEL BRAND

Mr. MCCONNELL. Mr. President, yesterday the Senate voted to confirm Jeffrey Rosen as the Deputy Secretary of Transportation. In a couple of hours, we will take a cloture vote to advance another well-qualified nominee, Rachel

Brand, to serve as the Associate Attorney General.

Rachel Brand's impressive background includes experience clerking for Supreme Court Justice Anthony Kennedy, and she has already been confirmed by the Senate twice before. She is "extraordinarily talented," as Chairman GRASSLEY noted at her hearing, and "dedicated to the full and evenhanded enforcement of our laws."

Ms. Brand also has the support of a bipartisan group of former senior officials at the Justice Department, including Jamie Gorelick and Seth Waxman, who, in a recent letter on her behalf, cited her "stellar reputation for . . . integrity, legal skills, and respect for the law."

As they pointed out, Ms. Brand's extensive private and public sector experience would serve her well as the Associate Attorney General. They also noted she would be a "trusted leader in the Department." I look forward to advancing her nomination later this morning.

### TAX REFORM

Mr. MCCONNELL. Mr. President, on another matter, as I outlined last week, during the Obama years, the American people struggled with an economy that failed to meet its potential. It had the slowest recovery since World War II, the middle class losing its historic status as the majority in our country, too many out of a job and looking for work, too many giving up after years of fruitless searching, too many fortunate just to have a paycheck but not one large enough to keep pace with ever-rising health costs and energy bills. This is the Obama legacy on the economy.

Over 8 long years of failed leftwing policies on everything from regulations to taxes, a Democratic administration put on a virtual clinic in how not to get an economy moving again. No wonder the American people opted for a pro-growth direction in November.

Ever since, this Republican Congress has been working to get our economy moving again and spur job creation. Rather than bury our economy in an avalanche of redtape, like the last administration, it is time for a new direction on regulations—smarter and pro-growth. Already, we have taken action to kick-start those efforts, like passing important legislation to provide relief from Obama-era midnight regulations.

Rather than make our Tax Code more complex like the last administration, we think it is time for a new direction on taxes—simpler and pro-jobs. Passing tax reform legislation would mark a major achievement in bringing us closer to that goal. This Republican Congress and this administration made it a priority from the very start. Over the years, many of our Democratic friends have also expressed the view that we need tax reform.

For years, it has been clear that we should help American workers by reforming our outdated and convoluted tax system, which currently discourages investment here in America and deters companies from growing, creating jobs, and increasing wages.

For years, it has been clear that we should remove a huge drag on job creation by reforming our overly complex and punitive tax system, which currently undercuts employers that want to expand with new investments, jobs, wages, and employee benefits.

For years, it has been clear we should make taxes simpler and lower for both businesses and individuals; that we should strive for a tax code that works for American families and for American businesses, rather than working against them. This year, we finally have the perfect opportunity to achieve that goal. Rather than engage in blind opposition for its own sake on yet another issue, I hope Democrats will instead take the kind of constructive approach we saw the last time our country enacted comprehensive tax reform. Back then, both parties recognized the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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need to address the burden and growing complexity of our Tax Code, and they came together to actually do something about it. Republicans and Democrats worked side by side and across the aisle to move that tax legislation. It was a big win for both parties, for Ronald Reagan and the Republicans, for Tip O'Neill and the Democrats.

Now it is once again time we do something about the issue, and I would hope our Democratic colleagues will once again work on a bipartisan basis toward that end. This has been a growing problem for a number of years now. The American people deserve a tax system that allows them to keep more of their hard-earned money, that empowers them to invest in their futures, and actually makes it easier to succeed rather than harder.

We have to get this accomplished because Americans have waited long enough for an economy that finally lives up to its potential and finally allows them to realize theirs as well.

I appreciate the House under Speaker RYAN's leadership for the role it is playing in these efforts. That work continues now with a Ways and Means Committee hearing dedicated to tax reform tomorrow and more to follow in coming days.

I also appreciate the good work of Members in both the House and the Senate, particularly the Senate Finance Committee under Chairman HATCH, who has been leading our discussions. For years, the chairman has been hard at work with fellow Finance Committee members on both sides of the aisle on options for tax reform, and I am confident Senator HATCH will continue to lead the way on these efforts in the days and months ahead.

The task before us is certainly a significant one, but I am confident we are up to the challenge because we know how important it is for us to get this done, and we know how long overdue this is as well.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Brand nomination, which the clerk will report.

The assistant bill clerk read the nomination of Rachel L. Brand, of Iowa, to be Associate Attorney General.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided in the usual form.

#### RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

#### THOUGHTS AND PRAYERS FOR SENATOR TILLIS

Mr. SCHUMER. Mr. President, I just heard that our friend and colleague from North Carolina has collapsed during a race in DC and is receiving medical attention. Until we hear further news, our hearts will be in our mouths, hoping for the best. Our thoughts and prayers, as a Senate family, are with the junior Senator from North Carolina and his family.

#### RUSSIA INVESTIGATION

Mr. President, on a different subject, the events of the last 2 weeks have shaken my confidence in this administration's competence and credibility. There has been revelation after revelation, allegation after allegation of misconduct on the part of the President and his team. In the past 2 days, it has reached new heights.

The President, according to reports in the Washington Post and the New York Times, may have divulged classified information to a known adversary and actively tried to quash an investigation of a close political ally.

From the President's own words, we already know that the Russia investigation was on his mind when he fired Mr. Comey. We now know it may not have been the first time the President has taken an action to impede an active investigation of his campaign or associates, if the reports in the New York Times are true.

Concerns about our national security, the rule of law, the independence of our Nation's highest law enforcement agencies are mounting in this land. The stated explanations for these events from the White House have been porous, shifting, and all too often contradictory.

The country is being tested in unprecedented ways. What is now required are the facts and impartial investigations into these very serious matters. The White House should make available to the Intelligence Committees the transcripts and any related summaries of the Oval Office meeting between President Trump and the Russian Foreign Minister and Ambassador. We can then assess exactly what was said and understand the consequences of any intelligence that was shared with the Russians.

On the topic of Mr. Comey, if the President has tapes of his conversation with Mr. Comey, we ought to be able to review those tapes as well to see if the President pressured the FBI Director to shut down an active investigation. The Times reported that Mr. Comey kept contemporaneous memos of his conversation with the President, and Mr. Comey has a reputation for accuracy in those memos. Those memos should also be provided to the congressional Intelligence and Judiciary Com-

mittees, and Mr. Comey should testify before those committees in public. Indeed, providing the Congress the tapes and memos may be the only way for this administration to credibly make a case to a justifiably skeptical American public about its version of the story reported by the New York Times. The President says what Comey said was wrong. Prove it. It is easy to prove it, as long as there are tapes or transcripts of what happened. If the President is right, he will have no problem releasing memos, tapes, or transcripts that corroborate his story. But if he fails to release them, the American public will justifiably tend to side with Mr. Comey, not what the President had to say, particularly in light of so much backtracking, backsliding, and factual fabrication in this White House.

Finally, the events of this past week only heighten the need for a special prosecutor who is truly independent to run the Department of Justice's investigation into potential collusion between the Trump campaign and Russia. The American people must have faith in the integrity and impartiality of this investigation. We have learned, if the reporting is accurate, that the President is willing to directly interfere with an active investigation. Whether or not it breaks the law is not the point here. The point is, he was trying to interfere with an investigation. How can anyone trust someone in the President's chain of command, someone who the President has appointed, after those actions? The only way out is a special prosecutor. It is the right thing to do.

We know the President is willing to fire an FBI Director because of this investigation, in his own words. It makes all the sense in the world to have a special prosecutor who can be fired only for cause to lead the Russia investigation. That would help protect the integrity of the investigation by insulating it from a White House, which at the very minimum, is overreaching.

Given the circumstances, these requests are reasonable. They are modest. I hope—I really pray—that my friends on the other side of the aisle will see that now is the time to put party considerations aside and do what is right for our country. I know that several of my colleagues—Senators from Maine, Tennessee, Arizona—have expressed concerns. A few have gone further and endorsed some of the actions I have mentioned. It is a good first step, but it is not enough. In the past 24 hours, there has been more movement among Republicans in the House than here in the Senate. The Senate, by its traditions, should be leading this effort, not following. More of my Republican friends should join the Senators from Maine, Tennessee, and Arizona in speaking out about these events first but, far more importantly, helping us get to the bottom of them in an impartial, trusted, and respected way.

To my friends on the other side of the aisle: America needs you; America

needs you now. America needs you to help pressure the Deputy Attorney General to name a special prosecutor to compel this White House to turn over the transcripts and tapes to Congress, to demonstrate that the Congress the American people elected, Democrats and Republicans, can come together to do the right thing when it matters most. I repeat to all of my colleagues: History is watching.

This is not a casual or usual time. As great as the desire would be to repeal ObamaCare or do tax reform, the very faith in the institutions of government now are being tested. They have been tested in the past. This is not the first time in American history they have been tested, but in the past, there have been people who rose above party, rose above an immediate interest to defend the needs of the Republic. Is it going to happen now?

History will judge on whether this Congress and these Senators have been able to do what so many Senators before us, Democrats and Republicans, have done in the past: Put country above party. Whether we have decided to act as an appropriate check and balance as the Founders intended or whether we will let this continue, history will judge us all. Whether we decide to act in the way that is appropriate, history will judge us. Whether, in this moment of trial, the Senate is able to rise above partisanship and achieve statesmanship, again, history will judge us.

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

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

Mr. SCHUMER. Mr. President, I ask unanimous consent that the time during the quorum call be charged equally to both sides.

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

Mr. SCHUMER. 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. DURBIN. 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. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### HEALTHCARE LEGISLATION

Mr. DURBIN. Mr. President, more than 3 million Illinoisans—about 20 percent of the people in my State—currently depend on Medicaid and the

Children's Health Insurance Program for healthcare. That is one out of five people in my State who need these programs to have basic health insurance for themselves and their children.

This includes 300,000 Illinois seniors and people with disabilities, 650,000 who were recently added as part of the Affordable Care Act. It also includes 1.5 million children. Half of all the kids in Illinois are enrolled in Medicaid and the CHIP program, which in Illinois is called ALL Kids.

Nationwide, the Medicaid Program helps pay for two out of three seniors in their nursing homes. It pays for about half of all children born in this country. It is the primary payer of all mental health and opioid addiction treatment. It provides healthcare to 25 percent of people in rural communities. It pays for special education in nearly half of all school districts and provides critical support for veterans with chronic conditions.

What does the House of Representatives Affordable Care Act repeal do to the programs I have just described? It ends the expansion of Medicaid. It would eliminate coverage for 650,000 people in the State of Illinois. Think about that. We had seven of our Republican Congressmen vote for a program that will eliminate health insurance under Medicaid for 650,000 people in my State and cut \$840 billion in Federal Medicaid funding. Well, if they are going to cut this money for Medicaid funding, what are they going to do with it? The House knew exactly what to do with it: They give it back in tax breaks to the wealthiest people in America. Is there justice in that decision? Is it too much to ask that those of us who are better off in life pay a little more in taxes so that those who are struggling have basic healthcare? I don't think so, but those who voted for the Republican House plan do. The bill cuts healthcare for struggling families, women, seniors, and children in order to give a tax break to the wealthiest people in America.

Illinois would lose \$40 billion over the next decade, and 3 million people would be at risk of losing their care. Absolutely no one believes Illinois is going to magically come up with \$40 billion to fill this Medicaid shortfall. I doubt many other States will be able to either. With funding cuts this dramatic, even Illinois's Republican Governor spoke out against the House action repealing the Affordable Care Act. He said it is going to force us to make significant changes in healthcare in Illinois. He would have to decide who gets healthcare and who doesn't. He would have to decide whether healthcare services are just too expensive to cover.

Hospitals, too, would be devastated by the proposed Medicaid cuts. I was born and raised in downstate Illinois. It doesn't look at all like the city of Chicago. I am proud to represent that city. I enjoyed being there and being a part of it. I grew up in smalltown

America, and the congressional district I represented basically was smaller cities—no more than 100,000 population at the time—with a lot of smaller towns. I can't tell you the pride those communities take in downstate Illinois in their hospitals. Some of those hospitals are a lifeline—the only source of healthcare for miles around. They are great employers. They bring in medical specialists who are paid good salaries by local standards.

The Illinois Hospital Association is dead-set against what the House Republicans did in passing their repeal of the Affordable Care Act. They have told us that Illinois stands to lose up to 60,000 healthcare jobs because of that vote in the U.S. House of Representatives. Of course, that means that for many of the people who count on these rural hospitals, even inner city hospitals in Chicago, those services are going to be curtailed and denied.

When I sit down with people like Ed Curtis, who is the president of Memorial Medical Center in Springfield and speaks for Illinois hospital administrators across the State—he tells me the devastating impact it will have when Medicaid coverage is eliminated and sick people still show up for care. They will be taken care of; their expenses will be shifted to other people. That is the way it used to be before the Affordable Care Act, before Medicaid expanded and gave these individuals in low-income situations basic health insurance.

Why would Republicans in the House of Representatives want to have such a devastating negative impact on Medicaid? So they can give tax cuts to wealthy people? That, to me, is inexplicable.

The Illinois Hospital Association speaks across our State for those who really care about those great institutions, but they are not alone in opposing this bill. The Illinois Nurses Association opposes it, as do the Illinois pediatricians and the Illinois Medical Society. Why does every medical advocacy group in Illinois oppose this bill, this so-called Republican reform of our healthcare system? Because they know it moves in the wrong direction. It eliminates healthcare coverage instead of expanding it. It makes healthcare too expensive and out of reach for people who are not lucky enough to have it at work and not wealthy enough to buy it on their own. It moves in the wrong direction. It is not a solution to any problem; it is a new and even worse problem than the ones we faced in the past.

Remember when Candidate Donald Trump tweeted in May of 2015: "I was the first and only potential GOP candidate to state there would be no cuts to Social Security, Medicare, and Medicaid"? Then he tweeted in July of 2015—"The Republicans who want to cut Social Security and Medicaid are wrong," said Candidate Trump. He was right, but now he supports this bill which dramatically cuts Medicaid coverage across America.

What is going to happen to the elderly in nursing homes who, despite all their Social Security payments and despite all of their Medicaid reimbursement, still don't have enough resources for the basic care they need to stay alive? When they cut back on that Medicaid coverage, what happens to them? What do their families do to make up the difference? Reach into their savings? Bring mom home from the nursing home in the hopes that they can take care of her in their own home? Those are choices no family should face and no family need face.

I hope the Senate will show the courage and leadership on a bipartisan basis to say no to this terrible bill that passed the U.S. House of Representatives just 2 weeks ago. We need to put together a bill that expands the coverage of health insurance, gives people more peace of mind; a bill that addresses some of the built-in challenges we had with the Affordable Care Act, which is far from perfect. There are things we can do to improve it.

We need to do something about the cost of pharmaceutical drugs. The current law doesn't really affect that. They are out of control at this point.

Secondly, I think we ought to offer a public option. There ought to be a Medicare-type program available across the United States for those who wish it. Medicare enjoys a very positive reputation in America for good reason. Most Americans would feel honored and happy to be protected by a Medicare-type program.

We also need to go to those premiums that are too high and ask why. In many cases, there are individuals who are buying health insurance from very narrow pools of people who are older and sicker. We need to expand that pool so it is real insurance, and we can bring those premiums down. There are ways to do that.

There are many things we can do with reforming the Affordable Care Act, but what the House of Representatives did, what some want to do, is just repeal it and walk away. It would be devastating to the women in America who rely on Medicaid to pay for their delivery expenses, as well as prenatal and postnatal care. It would be devastating to seniors who are in nursing homes and are dependent on Medicaid supplements and for those who are disabled with chronic conditions and have to turn to Medicaid just to make sure they can maintain their lifestyle and still be productive, happy, and safe. These are the elements and these are the costs we would have to charge if we are not careful.

Wouldn't it be great, wouldn't it be terrific, wouldn't it be a headliner to say that Democrats and Republicans came together in the U.S. Senate to make the Affordable Care Act better, to make sure there was more accessible, affordable, quality coverage for more Americans? I think that is why we were elected, and I hope we can achieve that goal.

Mr. President, before I yield, I ask unanimous consent that the time during quorum calls until 12 noon today be charged equally to both sides.

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

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

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

#### YEMEN

Mr. MURPHY. Mr. President, colleagues, I am very pleased to be joined on the floor today by Senator YOUNG. We are both members of the Foreign Relations Committee, and both have an interest in Middle East security. We have joined together on the floor today to give remarks and perhaps have a short colloquy about a humanitarian crisis that is unfolding before our eyes in the Middle East.

Today, inside the country of Yemen—a country that, frankly, not a lot of our constituents give much thought to—every 10 minutes a child under the age of 5 is dying due to preventable causes. Today, 18 million Yemeni civilians—two thirds of the entire population of this country—cannot survive without humanitarian or protection support, and 7 million of those are on what we would call a starvation diet, which means that on a daily basis they don't know where their next meal is coming from. They don't have enough food to eat in order to remain healthy. Three million have already fled their homes because of the violence that has been caused by a civil war—that both Senator YOUNG and I will talk about—inside their country and the humanitarian catastrophe that has resulted from that civil war.

This is one of four current famines that exists in the world today. But I would argue that this particular humanitarian crisis is in some ways the most relevant to the discussions we will have here in the Senate because the United States is participating in the military campaign that is, in fact, causing in part this humanitarian crisis.

The United States is an active participant with a Saudi-led military campaign seeking to regain control of Yemen from a group called the Houthis, who overran the capital and now control large portions of the country.

We, of course, are allies of Saudi Arabia. The President will be visiting Saudi Arabia very soon to solidify that alliance. But it is time we started asking some really hard questions about the conduct of the Saudi campaign inside Yemen and whether we are, in fact, helping to create a humanitarian catastrophe on the grounds that is im-

possible to defend on moral grounds but also is hard to defend based on national security grounds as well.

Let's be honest about what is happening here. The Saudis are deliberately trying to create a famine inside Yemen in order to essentially starve the Yemenis to the negotiating table. Saudi Deputy Crown Prince Muhammad bin Salman said:

Time is on our side. Being patient is in our interest. We have the supplies and we have the logistics and high morale. The enemy does not have supplies and funds and is impatient. Time is on our side and we will exploit the time to serve our interests.

What are the Saudis doing to try to exploit this question of time and supplies? First, they are coming directly after the main port city, which brings 70 percent of food into Yemen and about 80 percent of all of the oil. That port city is called Hodeidah.

Senator YOUNG has been very good in meetings to draw issue with what is believed to be deliberate targeting by the Saudis of the cranes and infrastructure in this port which allow for the supplies to come off of boats and move into these desperately, desperately needy areas of the country.

Second, they are requiring an additional screening process for this humanitarian aid above and beyond the one the United Nations has put into place. The United Nations is vetting supply ships coming in to Hodeidah to make sure there is really food and aid on these ships, not weapons, and it is working. But the Saudis are putting an additional process on top that is adding up to a month from the time the aid gets off the ship and into the country. Between that and the military campaign targeting the port and its infrastructure, this has essentially resulted in an effective blockade being put in and around Hodeidah, such that humanitarian support cannot effectively get into the country. But that is just the beginning.

The Saudi bombing campaign has deliberately targeted roads and bridges throughout the country, many of them in and around north Yemen. There are reports that the bombers have engaged in something called double tapping, which is where you hit a humanitarian—a civilian—asset. You wait until the workers come to try to address that first strike, and then you hit it a second time to take out the civilians who have responded to the emergency. This isn't just my opinion of the situation. Representations have been made by multiple aid organizations on the ground, and, more importantly, by U.S. officials who have been embedded with the coalition.

This is a quote from Dafna Rand, the former Deputy Assistant Secretary of State who was in charge of the Saudi coalition portfolio at State:

In 2015, the U.S. Government offered technical training on cyber, ballistic missiles, border security, counterterrorism, and maritime security, [and] the precision guided munitions were transferred in 2015 on the hopes that they would enable better and more precise targeting by the coalition of the targets

itself. [But instead,] what we have seen since is not an improvement in the targeting, and the issue itself is the target selection. It is not the precision of the target itself, but it is the choice of targets and adherence to the no-strike list.

That is a really important statement, a really important sentence, because what is happening is that the United States is telling the coalition: What are the civilian targets you should stay away from, so the humanitarian aid can move into the country? The coalition is deliberately ignoring that advice. It is not a matter of mistakes being made on the ground, though there have been mistakes. It is also a matter of a no-strike list being ignored.

I mention that this is not just about the millions and millions of Yemenis who are starving today because of this civil war. It is also a question of whether this is accruing to the U.S. national security interests. Again, I am speaking just for myself on this matter.

We are allies of the Saudis, and there is no doubt that an Iranian proxy state inside Yemen presents a threat to the Saudi State. There is no doubt that Houthis have been launching attacks into Saudi Arabia. This is a real security threat for our allies. But we do have to acknowledge that there are other players that exist inside Yemen today. It is not just the Houthis and those Yemeni forces supported by the Saudis. There is also al-Qaida—a branch of al-Qaida we know well because it has traditionally been the piece of al-Qaida that has the most advanced threats to the U.S. homeland—and ISIS, which is growing inside Yemen. They have taken advantage of this civil war to fill in the ungovernable spaces.

Recently, with the help of the UAE, we have begun to hit back against al-Qaida and ISIS inside Yemen. But for a portion of time, they controlled a sizeable amount of territory and revenue inside that country. ISIS is growing as well.

As a group of Yemeni Americans told me in my office about a year ago, to Yemenis the bombing campaign is not perceived as a Saudi bombing campaign; it is seen as a U.S. bombing campaign or, at the very least, a U.S.-Saudi bombing campaign.

So when responsibility inside Yemen is allotted and attributed for this starvation campaign, it is placed upon the United States, as well as on Saudi Arabia. We have to think about what that means, given the fact that there is the potential for millions of Yemenis to be radicalized in a place with very sophisticated radical infrastructure. This is a real national security concern for the United States.

I think it is time for us to draw a hard line with this coalition and say that we will not continue to support it if there is not a real commitment made to change the way the targeting happens and to make sure that relief sup-

plies can flow into that country to try to address this unfolding famine and humanitarian catastrophe. We can be allies with the Saudis. We can be military allies with the Saudis. But they have to understand and their partners need to understand that this humanitarian nightmare inside Yemen is both immoral—to participate in a campaign that perpetuates that kind of humanitarian crisis—but it also, in the end, doesn't benefit the long-term security of the United States or our partners in the coalition.

So we come down to the floor today to try to explain to our colleagues what is happening on the ground and to see if there is a bipartisan way for us to have a policy that brings significant relief to the suffering of the Yemeni people and strengthens our national security in the region.

With that, I notice Senator YOUNG is going to say a few words, and then I think we will engage in a colloquy.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, I am pleased to join Senator MURPHY to discuss the importance of this humanitarian crisis in Yemen. As he so cogently emphasized, this is, at once, a humanitarian crisis and also a security crisis in the region and beyond.

I am a new member of the Senate Foreign Relations Committee, and I have to say that I have quickly come to admire Senator MURPHY for his forceful advocacy of our values of universal human rights and of American international leadership. So I commend him for his leadership on this issue in particular.

I share many of the concerns articulated by Senator MURPHY with regard to the situation in Yemen and the Saudi-led coalition there in that country. Before getting into the specific situation in Yemen, however, I think it is important to step back and look at the big picture.

The world currently confronts humanitarian crises of a magnitude we haven't seen in many, many years. Parts of Nigeria, Somalia, South Sudan, and Yemen are all in famine or pre-famine stages. According to the United Nations, 20 million people are at risk of starvation within the next few months in these four countries.

The Director-General of the International Committee of the Red Cross appeared before our Senate Foreign Relations Committee just weeks ago, and he called the crises "one of the most critical humanitarian issues to face mankind since the end of the Second World War." He warned that "we are at the brink of a humanitarian mega-crisis unprecedented in recent history."

Each of these crises are unique. They have their unique man-made causes. But in each case, the crises are preventable. They have been exacerbated by war and restrictions on humanitarian access. Now, they are complicated. The situation in Yemen is certainly a complicated one. But the

United Nations calls the situation in Yemen the largest humanitarian crisis in the world. According to their Office for the Coordination of Humanitarian Affairs, Yemen has almost 19 million people in need of humanitarian or protection assistance, including approximately 10 million who require immediate assistance to save their lives or to sustain their lives.

This is an urgent matter, which is why I am so glad we have the leadership of Senator MURPHY on this matter and some of my other colleagues on various fronts. This is why I led a 10-Member letter to Secretary Tillerson on March 23 calling for a diplomatic surge to address the political obstacles preventing the delivery of humanitarian aid. I note that Senator MURPHY joined me on that letter, which I personally hand-delivered to Secretary Tillerson. It is also why I raised the issue with Ambassador Haley in New York City. It is why I introduced a resolution on April 5 calling for the very same thing. Senators CARDIN, BOOZMAN, COONS, GARDNER, and RUBIO joined that resolution.

Throughout this process, rather than just studying the problem, I—working with my colleagues—have tried to focus on tangible steps we can take to save lives and address this very troubling national security situation. For that reason, on April 27, joined by Senator MURPHY and several other colleagues, I sent a letter to the incoming Saudi Ambassador. Noting the important security partnership between the United States and Saudi Arabia and Saudi Arabia's essential role as a regional leader and an ally and a partner, I asked Riyadh to consider five specific steps related to Yemen that would prevent thousands or even millions of additional people from starving there.

There is no doubt that the Houthis and the Iranians bear a very large portion of the blame for this whole situation. I asked our ally Saudi Arabia to take these steps because the United States has a valuable security relationship with Saudi Arabia and because we can oppose Iran's activities in Yemen while ending unnecessary delays in the delivery of desperately needed humanitarian assistance. These two goals are not mutually exclusive.

I didn't receive a satisfactory response, so I subsequently raised these issues with the Saudi Foreign Minister in a meeting on Capitol Hill. In that meeting, I cited the fact—confirmed again by the administration within the last week—that the Saudi-led coalition continues to impose significant delays on the delivery of humanitarian aid to the port of Hodeidah on the Red Sea. Again, this is important because the port of Hodeidah processes roughly 70 to 80 percent of Yemen's food and other critical imports. I mentioned to the Foreign Minister the U.S.-funded cranes for the port of Hodeidah that would dramatically improve the ability to offload humanitarian supplies at that port. I expressed concerns to the

Foreign Minister about the humanitarian impact of an attack on the port of Hodeidah. Yet, as the suffering of the Yemeni people continues and even worsens, these issues regrettably remain unresolved.

According to the administration—confirmed again this morning—the Saudi-led coalition continues to be responsible for an average of 16 days of additional delays to humanitarian shipments into the port of Hodeidah after vessels are cleared by the United Nations Verification and Inspection Mechanism for Yemen. Think about it. Your children are starving to death. Perhaps your entire village is starving to death. And you have a delay of an additional 16 days in humanitarian shipments. Think of the impact that has on security in the region as desperate people are forced to take desperate measures to associate themselves with bad actors in the area. It is certainly troubling to me.

For that reason, I have decided to cosponsor Senator MURPHY's legislation, S.J. Res. 40. Before the United States can transfer air-to-ground munitions to Saudi Arabia, the legislation requires the President of the United States to make a number of certifications. One of those includes a certification that Saudi Arabia and its coalition partners are making demonstrable efforts to facilitate the flow of critical humanitarian aid and commercial goods. I don't believe the President could credibly make that assertion until the Saudis take some of the steps I have called for.

As President Trump prepares his visit to Saudi Arabia, I urge him to raise these critical issues with the Saudi Government. I urge our President to emphasize that these are humanitarian and national security issues that are priorities of the American people. I urge the administration to ask the Saudi Government to take the following concrete actions: First, renounce any intention to conduct a military operation against the port of Hodeidah; second, redouble efforts to achieve a diplomatic solution; third, end any delays to the delivery of humanitarian aid caused by the Saudi-led coalition; and fourth, permit the delivery of much needed U.S. funded cranes to the port of Hodeidah that would permit the quicker delivery of food and medicine.

I have said it before: With more than 10 million Yemenis requiring immediate humanitarian assistance, there is no time to waste. I stand ready to work with our Saudi partners to fight Iran's malign influence and to take these specific steps to begin to address the catastrophic humanitarian situation in Yemen.

I again thank Senator MURPHY for his leadership and for the opportunity to join him on the floor today. I look forward to working together again in the future.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I thank my friend from Indiana. I think he walked through his thoughtful approach to this issue, which has led him to cosponsor this resolution placing these very commonsense conditions upon the transfer of further munitions.

I might ask him a question. In his list of steps he has asked the Saudis to take—I have joined him in that letter, as have many of our colleagues—amongst them is a commitment to not take military action against the port of Hodeidah.

We both met with the Foreign Minister, who talked about the need to use increased military pressure inside Yemen backed by U.S. participation in the coalition to try to draw the Houthis to the table. We have both expressed reservations about the effectiveness of that tactic, and we have something to say about it because none of this can occur without U.S. military support.

Can the Senator talk a little bit about our joint fears or his personal fears about a major new campaign on this port that brings in so much of this aid and how, in the end, that really doesn't further the goals of the coalition, the United States being amongst the partners?

Mr. YOUNG. It is a critical question, and it is one I have been asking so many stakeholders involved in this issue. No one has presented to me persuasive evidence indicating that a Saudi-led attack on the port would result in defeat of the Houthis-Saleh bloc. No one has presented to me evidence that I find compelling that that action would even force the Houthis bloc to the negotiating table.

The onus ought to be on those who might take a military action—which would exacerbate the worst humanitarian crisis in the world—to present that evidence. I have asked for it. I haven't received it.

I think it is just as likely that an attack would push the Houthis, as I alluded to earlier, into further alignment with and dependence on the Iranians, with whom they are allied. That is the exact opposite of what we are trying to accomplish in the region, as the Iranians continue to spread their influence and their terroristic activities across the Middle East. So this is not in the interests, as I see it, based on all the evidence available, of the United States, UAE, or Saudi Arabia, and it would result in both a humanitarian catastrophe and exacerbate the national security situation.

Mr. MURPHY. I thank Senator YOUNG for making it clear in his prepared remarks that while we are focusing on the Saudis because we are part of this coalition, the Houthis do not have clean hands here either. Part of the reason humanitarian supplies have a hard time getting to places that need them is because there are roadblocks put up by the Houthis as well. And there is this known connection between the Houthis and the Iranians—

sometimes, in my opinion, a bit overplayed by some foreign policy thinkers, but it is real.

To your second point in answer to my question, Senator YOUNG, that is, to my mind, also a likely result of a deepening of the military conflict. If the Houthis had nowhere to turn, then the calculation might be different, but because the Iranians are there as a support system to lean on, a continued military campaign against Hodeidah would push them deeper into a corner and just broaden the scope of the military conflict.

There ultimately has to be a political resolution here, and by simply upping the military ante and continuing the humanitarian crisis, you get further away from that political negotiating table rather than closer to it.

Mr. YOUNG. Indeed. The last thing we want to do is to exacerbate a situation where we already have 10 million desperate people on the cusp of starvation or passing away on account of a lack of medical supplies.

We need assistance here, which is why it is important for the President to elevate the importance of this issue in his conversation with the Saudis during his coming visit, and I believe he will do so. I believe he will do so because the international community, NGOs, understand the importance of this. Many at the State Department and the U.S. Agency for International Development have spoken about what a serious crisis this is. And we don't want to be shortsighted with respect to what a bombing of the port could catalyze.

We also need to recognize that there are other players in the Saudi coalition that can be constructive as well. The Emirates, I would note, have shown a willingness to be helpful on a couple of different fronts.

I had the opportunity to visit with the Crown Prince yesterday and received his assurance that he would seek to resolve without delay a situation related to the forward stationing of inspectors in his country so that they can pre-inspect cargo before it goes into the port of Hodeidah, and that would expedite the process and help mitigate a lot of the suffering that is occurring. Also, I had an opportunity to discuss with the Crown Prince this issue of four cranes. U.S. taxpayers paid for these cranes. I mentioned them in my prepared remarks earlier. And I have heard from the Crown Prince; he made a commitment there as well. So I am grateful for his commitment, and I look forward to following up with the UAE Government on this front. They are good allies to the United States.

Mr. MURPHY. It goes without saying that it is in no one's interests in the region for this civil war to continue at its current pace. So this is an important moment at the beginning of a new administration, with a pending arms sale on the table with the Saudis, to

use that transition moment and the leverage that exists with this new proposal for major arms sales to the Saudis to make sure we get this right.

I think there is nothing political about this. We all join together in trying to abate humanitarian crises and famines around the world, and we all want a policy that is going to bring an end to this civil war because, as I said, it is just as important to remember that the most immediate enemies of the United States—those terrorist groups who want to do harm to us—find their most fertile ground today inside Yemen. The sooner we can put an end to this civil war and be able to have a central government structure that spreads across the scope of the country, the quicker we can all be focused on trying to eliminate the ISIS and al-Qaida presence—AQAP, as we refer to them—in Yemen from that battlespace.

I say to Senator YOUNG, I don't know if you have closing remarks, but I appreciate your willingness to speak up and your leadership here, and I hope we can get others on both sides of the aisle to propose and support these common-sense conditions upon this new military transfer so that we can get the situation right inside Yemen.

Mr. YOUNG. I say to the Senator, let me end by reiterating my gratitude to you, of course, for your exceptional leadership, for walking points on this issue, and I look forward to our continued work together.

I thank all our colleagues who have engaged on this matter. And I, of course, before the U.S. Senate here, want to invite others to engage in this. If they have questions with respect to this matter, which is critical for our national security, I know they can reach out to the Senator or me, and it is imperative that we send a respectful message to the administration that we think this is something that needs to be addressed in the near term.

I have nothing else to say.

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

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

(The remarks of Mr. KENNEDY pertaining to the introduction of S. 1150 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KENNEDY. Mr. President, if I came to you today and told you we had received a job application from somebody to work for the government, and you and I looked at her job application and we saw she had graduated from Harvard Law School, if we looked at her job application and we saw she had worked for a Presidential campaign, if we saw she had practiced law in the

private sector, if we noticed from her resume that she had actually worked as a counsel, as a lawyer, in the White House, if we saw she had clerked for a Supreme Court Justice, Justice Anthony Kennedy—each Justice of the United States, I think, has four law clerks every year. I don't know how many tens of thousands of lawyers and law students apply, but to be chosen is one of the highest honors you can receive as a young lawyer. If I told you this person who applied for a job in government used to work at the Department of Justice as Principal Deputy Assistant Attorney General in the Office of Legal Policy, if I told you she had also worked for one of the most prestigious law firms in the country, Wilmer, Cutler, Pickering, Hale & Dorr—I remember them as Wilmer, Cutler, but they have changed their name since then. They have been around forever. If I told you all of those things, I think any reasonable person would say: Wow, let's hire her here immediately. Let's do it before she finds another position. Well, that person has applied for a job in government. Her name is Rachel Brand. She has been nominated by President Trump to be Associate Attorney General.

That is a position that is vitally important within the Department of Justice. It is responsible for the oversight of the Civil Division, the Civil Rights Division, the Office on Violence Against Women, and many other important components of the Department of Justice. I think no matter what political party you happen to be in or whatever your political persuasion, we can all agree that right now it is particularly important not only to have a Department of Justice that is fully staffed but to have it fully staffed with extraordinarily qualified people whom every American can look at and go: Wow, is she qualified. I am so pleased she is working for the Federal Government and my tax dollars are being well spent.

Ms. Brand has broad experience, as I indicated, both within the Department of Justice and in the private sector. As I indicated—I am going to say it again—she worked for Justice Anthony Kennedy of the U.S. Supreme Court. Wow, what an honor. She has served as Assistant Attorney General under President George Bush. She has been in private practice, as I indicated. She has been chief counsel for Regulatory Litigation in the U.S. Chamber of Commerce, and I could go on and on and on.

I fully support Ms. Brand's nomination. I sit on the Judiciary Committee, the committee of the Senate that vetted her. She is highly respected, she is whip smart, she is well qualified, and she is fully prepared to hit the ground running. That is exactly what we need.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Rachel L. Brand, of Iowa, to be Associate Attorney General.

Mitch McConnell, John Boozman, Jeff Flake, Thom Tillis, Richard Burr, Mike Crapo, John Barrasso, Chuck Grassley, Mike Rounds, John Kennedy, John Thune, Pat Roberts, James E. Risch, Orrin G. Hatch, Shelley Moore Capito, Lindsey Graham, John Cornyn.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Rachel L. Brand, of Iowa, to be Associate Attorney General, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from North Carolina (Mr. TILLIS) would have voted "yea".

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 130 Ex.]

#### YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

#### NAYS—47

Baldwin	Donnelly	King
Bennet	Duckworth	Klobuchar
Blumenthal	Durbin	Leahy
Booker	Feinstein	Manchin
Brown	Franken	Markey
Cantwell	Gillibrand	McCaskill
Cardin	Harris	Menendez
Carper	Hassan	Merkley
Casey	Heinrich	Murphy
Coons	Heitkamp	Murray
Cortez Masto	Kaine	Nelson



Peters	Shaheen	Warner
Reed	Stabenow	Warren
Sanders	Tester	Whitehouse
Schatz	Udall	Wyden
Schumer	Van Hollen	

## NOT VOTING—2

Hirono Tillis

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

The motion is agreed to.

The majority whip is recognized.

## AMERICAN LAW ENFORCEMENT HEROES ACT

Mr. CORNYN. Madam President, I know people outside the beltway think nothing ever happens here—and certainly that nothing ever happens on a bipartisan basis—but they would be wrong on both counts.

Last night, the Senate passed a piece of bipartisan legislation called the American Law Enforcement Heroes Act. It is a great example of legislation everyone can agree on and get behind.

The main goal is to connect veterans—those who have served in our military and have a passion for public service—to opportunities in State and local law enforcement. When we think about it, who better than our retiring military personnel who are accustomed to wearing one uniform, moving then into the civilian law enforcement world wearing another uniform but continuing their legacy of public service. That way, those who have voluntarily put themselves in harm's way to keep the peace and promote American interests abroad and defend our homeland can continue the record of public service at home.

For veterans, that can mean a rewarding job in law enforcement. Through their training, experience, and sacrifice, there is no doubt that our veterans are equipped with valuable skills to keep our communities safe. By prioritizing existing Federal funds for State and local law enforcement agencies to hire veterans, we can better serve them as they transition into civilian life. We know that can be a challenging transition, but that is exactly what the American Law Enforcement Heroes Act that we passed yesterday does.

For State and local law enforcement groups, that means they can attract the best qualified men and women who are eager to serve their country in a new way. So this is really a win-win.

Fortunately, this legislation builds on the good work already underway in places like my home State of Texas. Over the last several months, I have had a chance to visit cities and counties all over the State that are actively recruiting veterans to serve as police officers or sheriffs. That includes law enforcement leaders from San Antonio to Houston, to Fort Worth. As my colleagues may recall, following the terrible killing of five police officers and shooting of seven more in Dallas, Police Chief David Brown made an appeal for people who were protesting or otherwise concerned about the law enforcement agencies involved to sign up and join them—to be a part of the solu-

tion and not just protesting the problem.

Thankfully, we have set a tremendous example in Texas of how hiring veterans to serve as law enforcement officers benefits all of our communities. I am glad this bill will follow their inspiration and help communities across the country hire more veterans.

I said before that this legislation is something everyone can agree on, in a polarized political environment, and that is of course evident by the broad bipartisan support it has received.

Let me express my gratitude to the senior Senator from Minnesota, Ms. KLOBUCHAR, as well as the senior Senators from Connecticut and California—all Democratic colleagues—for being my original cosponsors on the bill. I am also grateful to my Republican colleagues, including Senator CRUZ, as well as the junior Senator from North Carolina and the senior Senators from Iowa, Utah, and Nevada, for working with us on this legislation.

My friend Congressman WILL HURD on the House side introduced the same bill there, and I am hopeful it will pass sometime today so we can get this to the President's desk for his signature without delay.

I would also note that the American Law Enforcement Heroes Act is backed by major law enforcement groups across the country, including the Fraternal Order of Police, the Major County Sheriffs of America, the Major City Chiefs Association, and the Veterans of Foreign Wars. I have been grateful for their help along the way toward passage of this bill.

I look forward to this bill becoming a law—hopefully, this week, as we continue to celebrate Police Week honoring the service of the men and women in blue who keep our communities safe—and making it clear that this Congress cares not only about our veterans but also our law enforcement officials as well.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

## RUSSIA INVESTIGATION

Mr. CARDIN. Madam President, just last Wednesday, I spoke on the Senate floor about the extremely suspicious timing of the firing of FBI Director James Comey by President Trump.

In the past few days, President Trump's actions, statements, and changing of his story on the Comey firing has only strengthened the case for the appointment of a special counsel to investigate ties and collusion between the Trump campaign and the Russian Government in the 2016 Presidential election. Congress should also establish an independent commission to get to the bottom of the Russian interference in our election. In addition, there needs to be an independent investigation into whether Mr. Trump abused power and played a role in obstruction of justice in terms of the ongoing criminal investigation at the Department of Justice.

Let me start by going back to the beginning of the Trump administration.

According to news reports, on January 27, Mr. Trump invited Mr. Comey to a private dinner with him at the White House. Mr. Trump then asked Mr. Comey for his "loyalty," but Mr. Comey only promised to provide his "honesty" or his "honest loyalty." Why did the President allegedly ask Director Comey for his loyalty?

On March 4, President Trump tweeted without evidence that "how low has President Obama gone to tap my phones during the very sacred election process. This is Nixon/Watergate. Bad (or sick) guy!" On March 20, Mr. Comey testified he has "no information" to support Mr. Trump's claim. Why did the President try to distract the public's attention by blaming President Obama for the Russia investigation?

On April 12, in an interview, Mr. Trump said Mr. Comey "saved Hillary Clinton" during the campaign and said that "it's not too late" to remove Mr. Comey. Mr. Trump continued: "But, you know, I have confidence in him. We'll see what happens, you know, it's going to be interesting."

What changed between Mr. Trump having confidence in Mr. Comey in April and firing him in May?

On May 3, Mr. Comey testified before the Senate Judiciary Committee and said "it makes me mildly nauseous to think that we might have had some impact on the election."

On May 8, former Acting Attorney General Sally Yates and former Director of National Intelligence James Clapper both testified before the Judiciary Committee.

Ms. Yates testified about the warnings she gave to White House Counsel Don McGahn about how National Security Adviser Michael Flynn was compromised by the Russians and was lying to White House staff and the Vice President about his conversations and interactions with the Russians.

On May 9, we witnessed a series of three letters, all dated that day. The first letter was from Deputy Attorney General Rod Rosenstein to Attorney General Jeff Sessions. The Rosenstein letter concludes that the FBI's reputation and credibility had suffered "substantial damage" due to Mr. Comey's actions during the Clinton email investigation. Notably, Rosenstein's memo does not explicitly recommend Mr. Comey's removal. That same day, Attorney General Sessions, who has recused himself from the Russia-Trump campaign investigation, sent the Rosenstein letter to the White House, along with his own letter, concluding that "a fresh start is needed at the leadership of the FBI." Again, on the same day that Mr. Trump fired Director Comey, the Trump letter includes a curious aside: "I greatly appreciate you informing me, on three separate occasions, that I am not under investigation." Did Director Comey really give those assurances to President Trump when the criminal and counterintelligence investigations into the



Trump campaign and Russia connections are still active and ongoing?

At the same time, we heard from White House Press Secretary Sean Spicer and we heard from the Vice President of the United States that the reason for the firing of Mr. Comey was the recommendation of the Department of Justice. That is what they said it was, only to find the next day President Trump saying:

In fact, when I decided to just do it, I said to myself, I said “You know, this Russian thing with Trump and Russia is a made-up story, it’s an excuse by the Democrats for having lost an election that they should have won.”

Then he talked about Mr. Comey and said he had decided to fire him. So it was not the memos; it was what Mr. Trump had decided. So there is a lot of misinformation being sent out, which raises a lot of questions.

Over the weekend, former Director of National Intelligence James Clapper stated:

I think in many ways our institutions are under assault both externally—and that’s the big news here is the Russian interference in our election system—and I think as well our institutions are under assault internally.

So we have the former Director of National Intelligence, Mr. Clapper, saying we have some problems internally.

The only way we are going to get to the bottom of this, the only way we are going to find out what this loyalty oath is all about or how Mr. Trump came to the conclusion to fire Mr. Comey or, more recently, where we hear Mr. Comey has memos of a meeting in which the President asked him to go easy on an investigation, which could rise to obstruction of justice—the only way we are going to get to the bottom of all this is by having an independent special counsel prosecutor appointed by the Department of Justice. That is what needs to be done. The facts need to go where they take us, but we also have to have an investigation that has the credibility that it will not be interfered with by the President of the United States. The only way to do that is by having special counsel appointed by the Department of Justice. It is the only way to restore the reputation of the Department of Justice.

I might say that we also need to understand exactly what Russia was doing here in the United States. There are so many examples of Russia being aggressive in our campaign. We know they wanted to discredit the American campaign. We know they took sides in favor of Mr. Trump over Mrs. Clinton. We know they hacked information. We know they used misinformation. We know they used cyber and social media in order to further their advancements. We also know they met with representatives of the Trump campaign. The American people have a right to understand exactly what those contacts were all about. That is why I filed the resolution, which is supported by many of

my colleagues, to set up a 9/11 independent commission in order to get to the bottom of what is happening. That can be done simultaneously with the work being done by the Senate Intelligence Committee, which is important work for us to do, but we also need to have an independent commission in order to determine exactly what Russia was doing so we can take the necessary steps to prevent this from occurring in the future.

There are a lot of unanswered questions. People say: Well, how can you call for action if you don’t know all the facts? I am calling for us to know all the facts. I am calling for us to understand exactly why on one day the White House sends out one story that the Department of Justice recommended the firing of Mr. Comey, and then on the next day the President said: No, I decided that before I met with the Attorney General and the Deputy Attorney General.

We need to understand why there was a conversation in which Mr. Comey has notes that indicate Mr. Trump wanted him to go easy in an investigation. That is a pretty serious charge. We need to understand this information. That is why it is impossible for the Department of Justice to do an independent investigation. It will always be suspect as to whether that investigation of the President of the United States or the White House will have impact as to how that investigation is being done because there is already evidence that they tried to do that previously in this investigation.

The law is clear; the law is clear as to how special prosecutors and counsel are appointed where conflicts exist. The Department of Justice has this authority. We know that Attorney General Sessions has recused himself from the Russia investigation. Deputy Attorney General Rosenstein now has the authority to make that decision. He should clearly make that decision, not because it is the right thing to do—which it is, which it is—and we have the obligation to make sure the American people get all the facts as to what happened here, but it is also the reputation of the Department of Justice that is at stake.

I urge my colleagues to continue. I know we will have a chance tomorrow in our meeting with Mr. Rosenstein, but I would urge us to listen to what the American people are saying and recognize that we are an independent branch of government, and one of our principal responsibilities is oversight—and oversight of the executive branch of government. I urge us to carry out that responsibility by collectively—it shouldn’t be partisan—collectively telling the Department of Justice: Get all the facts, do it in an independent way, appoint an independent prosecutor, let the facts lead us where they are going to lead us, and let’s not prejudge. But this is a serious, serious matter.

In order to protect ourselves from an aggressive enemy—and that is Russia,

which is trying to bring down our democratic government, which has now been acknowledged not just by the intelligence community over and over again, but their ability to try to compromise our system is now much better understood—we need to have that independent commission devoted to giving us the recommendations to keep America safe.

I urge my colleagues to exercise that independent function and to set up an independent commission.

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

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

#### NATIONAL POLICE WEEK

Mr. DONNELLY. Mr. President, I rise today to honor our law enforcement officers during National Police Week and to talk about the importance of supporting law enforcement, including their mental health.

During National Police Week, we recognize and remember the sacrifices of the law enforcement officers we lost in the line of duty in 2016. Every day and through every night in communities across Indiana and our country, law enforcement officers are patrolling our streets, arriving at the scenes of challenging and often traumatic incidents, and even putting themselves in harm’s way as they do their best to keep our families safe. They help ensure that our children can be safe at the neighborhood playground and our seniors can sit peacefully on their front porch. They help keep drugs off our streets, they are called to the scenes of opioid and heroin overdoses, and they help stem the violence and crime that has plagued many of our communities for far too long.

Our law enforcement officers put on the uniform every day. They head out the door to serve us, while their family members say a prayer hoping they come back safely into their family’s loving arms at the end of their shift. Sadly, sometimes they do not.

In my home State of Indiana, our law enforcement lost one of their own last year when the Howard County sheriff’s deputy, Carl Koontz, was shot and killed during a raid in Russiaville, IN, last March.

Deputy Koontz was only 27 years old, in the prime of his life, and had dedicated himself to serving and protecting the communities he loved. He left behind his wife Kassie and their young son Noah.

Deputy Koontz’s loss was felt not just in Kokomo, not just in Howard County, but in cities and towns across our State. He represented the very best our State has to offer. He was smart, talented, and service driven, working

to make his community a better place to live.

Mr. President, I know your State was stricken this past year, as well, with the loss of the same kind of extraordinary individuals who went and served every day. That is at the core of what law enforcement officers strive for and why it is so devastating when they are lost in the line of duty.

While we pay our respects to those we lost, it is our solemn duty to support those who serve our communities today. As law enforcement officers go through their work, they are sometimes confronted with challenging or even horrific situations.

Recently, I joined with my friend and colleague from Indiana, Senator TODD YOUNG, to introduce the bipartisan Law Enforcement Mental Health and Wellness Act. It provides tools for law enforcement agencies to help support the mental health and wellness of our brave men and women.

We were thankful to have the support from Senators BLUNT, COONS, CORNYN, and FEINSTEIN when we introduced the legislation. I am honored that Senators BLUMENTHAL, BOOKER, BROWN, CRUZ, HATCH, KLOBUCHAR, CORTEZ MASTO, DURBIN, and TESTER have added their support in the days since.

I say to the Presiding Officer, thank you for your support of our legislation.

I am very pleased to say that our bill passed the Senate unanimously late yesterday, and it is a major step forward. I am hopeful that our friends in the House of Representatives, where a companion piece was introduced by Congresswoman SUSAN BROOKS and Congresswoman VAL DEMINGS of Florida, who served as the first female chief of police in Orlando before coming to Congress—I am hopeful Congresswoman BROOKS and Congresswoman DEMINGS can shepherd this bill through that Chamber.

This legislation is also supported by a number of law enforcement organizations, including the Indianapolis Metropolitan Police Department, the Fraternal Order of Police, the National Association of Police Organizations, the Major County Sheriffs of America, and more.

I am proud that this is a bipartisan effort, as evidenced by the Members supporting this legislation. It is time to get this to the President's desk to be signed into law as soon as possible.

The Law Enforcement Mental Health and Wellness Act is about providing resources to law enforcement agencies that want to better protect their officers' mental health, as well as the providers who strive to serve that unique population. It would direct the Departments of Justice and Health and Human Services to develop resources for mental health providers to educate them about law enforcement culture and evidenced-based therapies for mental health issues common to law enforcement. It would require the Department of Justice to study the effectiveness of crisis hotlines for law enforce-

ment. It authorizes grants to initiate peer mentoring programs in law enforcement agencies. We are already seeing the success of these programs where the IMPD, the Indianapolis Metropolitan Police Department, is utilizing peer mentoring for officer mental health.

During my time in the Senate, our main legislative focus has been to improve the availability of mental healthcare services for servicemembers and their families. We have made great progress in recent years. I am proud that my bipartisan Jacob Sexton Military Suicide Prevention Act is now law.

As of this September, every servicemember—Active, Reserve, or Guard—is required to have an annual mental health assessment. The Law Enforcement Mental Health and Wellness Act builds upon the work our military has been doing to combat suicide and mental health challenges.

It requires the Department of Defense, the VA, and the Department of Justice to consult on military mental health practices that can be adopted by law enforcement agencies. Building on the Sexton Act that requires annual mental health assessments for servicemembers, the Law Enforcement Mental Health and Wellness Act examines if having annual mental health checks for law enforcement officers would help save lives.

When Senator YOUNG and I announced this legislation last month, we had the honor of being joined by a number of law enforcement professionals, including the Indianapolis chief of police, Bryan Roach. Chief Roach shared some of his experiences. He said:

When I am came on, officers were taught to be in control of their emotions.

We still teach the IMPD to be in control of their emotions. But if you think about the day in, day out routine of the things they participate in, and the things that they see, and they are confronted with on a day to day basis, it is difficult sometimes to control those emotions, but they do a very good job of it.

The problem is they take those things home. The things we're talking about are not just PTSD, but depression and anxiety.

As the chief stated, law enforcement officers—like the rest of us—don't just turn themselves off when they go home. The experiences they have every day impact them and their family and their friends.

Sheriff Mike Nielsen of Boone County—located in Central Indiana, right near Indianapolis—was also on hand that day with us to share his perspective. He said:

I have seen things that cannot be unseen. The brave men and women of police, fire, EMS, are all public safety officers who put their lives on the line each and every day.

They endure more than anybody can imagine, and they must deal with the stresses of life both on the job and at home.

Sometimes it is really, really tough. Sheriff Nielsen continued:

We must all work hard to stop the stigma with mental health issues.

As administrators, we have to train our supervisors how to recognize signs of PTSD in our staff. We must administer standard officer wellness programs.

As administrators and public safety, we must lead from the front, and let our staff know that it is okay to struggle with issues. That we are only human.

Our emotional mental health heals just like a physical injury. With the proper treatment, and with time.

We must provide the funding and resources to go beyond the critical stress debriefing. We must do this for our officers.

Both Chief Roach's and Sheriff Nielsen's comments show us the importance of ending the stigma attached to mental health issues. We can't be afraid of talking about mental health and the ways we support our law enforcement officers as they work through these challenges.

Lebanon police officer Taylor Nielsen, who followed in the tradition of her dad, Sheriff Mike Nielsen—an extraordinary family, serving our State with their lives every day—was courageous enough to share her mental health struggles following a particularly tough assignment.

She recounted the questions that she was dealing with:

Why am I alone? Why isn't anybody else having these issues? Why can't I get this out of my head? What is wrong with me? These were the questions that repeatedly ran through my head on a daily basis last year.

Questions that made me believe that there was something fundamentally wrong with me.

She continued:

For those of you who feel you are fighting alone, know that there is relief out there. Please don't be afraid to seek out those resources. The battle will be hard, but it can be won.

Thanks to her strong will and the help of a trained therapist, Taylor was able to handle her mental health challenges. As she said, though, we have to work together as a team to beat these issues.

We will take time over Police Week to reflect on the law enforcement professionals we lost last year. As we do that, it is important that we take commonsense steps to support our law enforcement officers.

We took a major step forward with yesterday's passage of the Law Enforcement Mental Health and Wellness Act in the Senate. I see my colleague TODD YOUNG, who was my teammate on that, in the Chamber as well. I am hopeful it will be enacted soon so we can bring more tools to law enforcement agencies across Indiana and our country. Congresswoman BROOKS and Congresswoman DEMINGS are working on it right now.

After the service and sacrifices law enforcement officers make every day, they have earned the resources we have, so that we can provide the very best to the very best.

Thanks again to Senator YOUNG for working with me on this effort, to the police and sheriffs in Indiana who have lent their support, to law enforcement officers protecting Hoosiers as we stand here at this moment.

May God bless all of these officers, and may God bless the family of Deputy Carl Koontz. May God bless Indiana, and may God bless America.

Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, I rise to join the senior Senator from Indiana in voicing my strong support for the Law Enforcement Mental Health and Wellness Act of 2017. During Police Week, I wish to take a minute to thank all of our men and women in blue who stand on the frontlines to protect our communities.

I have four young children. Since they could barely talk, my wife and I taught them that if they need help, they should dial 911, and the police would respond.

Every day our law enforcement communities around the country live their lives to answer these calls and to help our fellow citizens. Sometimes the job is as simple as reuniting a child with their parent at the park or at a store, but other times they see horrific scenes that no one should have to experience in their lifetimes or they experience traumatic stress in the performance of their jobs.

Ultimately, police officers see the best and the worst of humanity, which can take a heavy emotional toll, but who is there to answer the call for help when they need it after experiencing such trauma on a regular basis?

A couple of weeks ago, Senator DONNELLY and I introduced the Law Enforcement Mental Health and Wellness Act. This legislation is for those who answer that call. This bill works with the relevant Federal agencies, mental health providers, and broader law enforcement communities to offer opportunities for care.

When our police force is healthy, when it is strong, our communities are healthy and strong as well. That is why it is vital that we provide our Nation's law enforcement with the resources they need as they put their health and their lives on the line in order to protect our communities day in and day out.

This includes supporting law enforcement agencies' efforts to protect and strengthen the mental health and wellness of their respective law enforcement officers. I am confident that this bill will have a positive impact on the mental health and wellness of law enforcement officers across the country.

I look forward to the findings of DOJ's collaborative reports, the efficacy of the peer mentoring pilot programs, and the results of the Department's study into the creation of a crisis hotline for law enforcement officers.

With that said, I thank Indiana's senior Senator for his hard work in drafting this legislation and allowing for my input and those of my colleagues. It has been my pleasure to work with Senator DONNELLY on this, and I look

forward to continuing our work together on behalf of all Hoosiers in the future.

In fact, this legislation drew upon efforts undertaken by Hoosiers at the Indianapolis Metropolitan Police Department. In 2010, Indiana's IMPD recognized the need to address law enforcement mental health and wellness by creating the Office of Professional Development and Police Wellness. The IMPD captain, Brian Nanavaty, led the effort to establish the office and has recently promoted its motto: "Healthy Hire—Healthy Retire: Wellness is more than just an annual physical." In 2015, Captain Nanavaty and the office received national recognition, being awarded the National Law Enforcement Officers Memorial Fund's Annual Officer Wellness Award. IMPD's innovation and forward thinking have inspired police departments across the United States to follow their footsteps and undertake similar efforts to address law enforcement mental health and wellness. But this is just the beginning of these efforts.

Senator DONNELLY and I are proud that the Law Enforcement Mental Health and Wellness Act has passed the Senate and is one step closer to being signed into law, contributing to the efforts of the IMPD.

As I close, I want to recognize the leadership of a fellow Hoosier, U.S. Representative SUSAN BROOKS, and her colleagues in the U.S. House who introduced this legislation. This bill has received bipartisan, bicameral support in Congress, widespread support from several law enforcement organizations, and, frankly, support across the country from rank-and-file Americans who understand that this is a problem we have an obligation to address. We are all with you. Now we call upon all of our colleagues in the House to act on this important legislation and send it to the President's desk for his signature.

Let me finish with these words of heartfelt gratitude: Thank you to our law enforcement community for always answering the call.

Mr. President, 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. GRASSLEY. 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. GRASSLEY. Mr. President, I am pleased that the Senate is considering Rachel Brand to be Associate Attorney General. Ms. Brand is a native Iowan, and I am proud to be supporting her nomination here today. She has had a distinguished legal career. In fact, she was appointed to Senate-confirmed positions by both President Bush and President Obama, and both times, she was confirmed by a voice vote in the Senate.

But it looks like this nomination somehow has become controversial. I don't understand. Ms. Brand has a broad range of legal experience that happens to be a broad range in both the government and the private sector.

With her previous positions in the White House, the Office of Legal Counsel, and the Privacy and Civil Liberties Oversight Board, she has experience that touches almost every part of the Federal Government. As the Assistant Attorney General for the Office of Legal Policy, she was a member of the senior management team of the Department of Justice, working with components and law enforcement agencies throughout the entire Justice Department. Similarly, at the Privacy and Civil Liberties Oversight Board, Ms. Brand worked with diverse agencies to ensure that privacy and civil liberties are taken into account while carrying out the important mission of protecting the Nation from terrorism.

During Ms. Brand's tenure in the private sector, she gained extensive litigation management experience that will serve her very well as she oversees the Department's civil litigation components.

She has seemingly become a little more controversial. Many of my colleagues on the other side of the aisle have said they aren't supporting her nomination because of the work she did with the U.S. Chamber of Commerce. Those views are utterly ridiculous. So I will take a minute to address these concerns.

First, when she worked at the Chamber, all of her advocacy was done to represent the views of her client, the U.S. Chamber. Everybody expects that if you hire a lawyer, they are going to represent your views. We all know that we can't assume an attorney personally believes in what they are advocating for on behalf of their client, just ask criminal defense attorneys.

Furthermore, she was not involved in any policy or lobbying apparatus of the Chamber. Her role there was to bring lawsuits challenging rules that the U.S. Chamber believed were unlawful. At the same time, besides just arguing those lawsuits, she had to file a lot of amicus briefs providing the courts with the views of the business community.

During her time at the Chamber, she challenged a handful of the thousands of regulations promulgated by Federal agencies. The arguments Ms. Brand made in those lawsuits or amicus briefs were generally that the agency had acted beyond the scope of the authority Congress had granted that particular agency or had failed to follow the reasoned decisionmaking processes required by the Administrative Procedure Act of 1946. In many of those cases, the courts agreed with the Chamber that the government had acted unlawfully.

To summarize her work during that time at the Chamber, Ms. Brand argued that government agencies went beyond the authority Congress had given

them. She also argued that these agencies weren't acting under the scope of the congressional authority granted to the agency, and she argued that congressional authority had to be respected. It seems to me that it is up to Congress to give these agencies more authority if we think they need it. But it is not a good reason to vote against Ms. Brand's nomination because she argued a very commonsense and constitutional position that Federal agencies need to follow the laws of Congress.

Finally, some Senators have maintained that they are concerned about her views on the Voting Rights Act. She responded very well to that. During her hearing, Ms. Brand told the committee that she shares concerns for anyone who would violate the Voting Rights Act and would suppress votes in the process of violating that act, and she believes "enforcement of that statute to be a core enforcement function of the civil rights division." I don't know about my fellow colleagues, but I take her at her word that she strongly believes in voting rights.

It is more than a little puzzling, then, that when Republicans opposed a woman for a government position, we heard from the other side. The Democrats would always bring up gender politics. But when they oppose a woman for a position, that is somehow OK. I don't see how they can expect to have it both ways.

I believe Ms. Brand will be a superb Associate Attorney General—the first female in this role, I might add—and that she will serve the office with very great distinction. I urge my colleagues to join me in supporting her nomination.

Mr. President, I ask unanimous consent for 5 or 6 minutes to speak on another subject as in morning business.

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

#### HEALTHCARE LEGISLATION

Mr. GRASSLEY. Mr. President, I come to the floor to share real stories of real hardships from hard-working families in my home State of Iowa. Seven years ago, Americans were promised that the Affordable Care Act would make health insurance cheaper and healthcare more accessible. Well, I won't pretend to break any news here; the facts speak very much for themselves. ObamaCare is not living up to its promises. When passing the law, the other side made promises that they knew wouldn't be kept.

The irony here is that, at the end of the day, the so-called Affordable Care Act is anything but affordable. Let's look at the word "affordable" in the Webster dictionary. It says "having a cost that is not too high." I have heard from many Iowans who tell me in no uncertain terms that they cannot afford to buy health insurance because ObamaCare is unaffordable. Ever since ObamaCare was enacted, I have received letters and calls and emails from Iowans who are frustrated about the soaring costs of their health plans.

Here is a prime example. One farmer's insurance premium went through the roof. It jumped 43 percent in 2017 from 2016. If somebody can explain how that is more affordable, I have an oceanfront property in my home county of Butler County, IA, to sell you.

Now, we have a chart here about another Iowan. This constituent from Garner, IA, wrote about her financial hardships. She said:

We are going to be paying over \$1,300 a month on premiums, plus a \$6,000 deductible. We don't have that much longer before we qualify for Medicare, but my concern is that until then, we will have to use so much of our hard-earned savings just to pay for healthcare. My fear is that those of us in the middle class will struggle with paying so much that it will wipe out our retirement savings accounts.

Another constituent nearby Garner, in Buffalo, IA, wrote to me saying:

I am forced to pay \$230 a month for a healthcare plan that covers nothing until I reach \$11,000 in deductible. So on top of paying 100 percent of my medical bills anyway, now I have to pay for insurance I can't use.

So the question is, How did we get to this point? Seven years ago, I stood right here on the Senate floor and predicted what would happen to the cost of insurance if ObamaCare passed. Let's take a walk down memory lane for a moment. Here is what I said October 2009:

And while some of the supporters of these partisan bills may not want to tell their constituents, we all know that as national spending on healthcare increases, American families will bear the burden in the form of higher premiums. So, let me be very clear. As a result of the current pending healthcare proposals, most Americans will pay higher premiums for health insurance.

Now, I am not Nostradamus. I don't have a magic crystal ball, but it was easy to read the writing on the wall. I knew that layers of new taxes and, more importantly, burdensome new mandates in ObamaCare would lead us to where we find ourselves today: a broken healthcare system that is not better off than it was 7 years ago. For millions of Americans, it is much worse.

So where do we go from here? After 7 years of rapidly rising premiums, soaring deductibles, and climbing copays, Republicans are committed to fixing the damage caused by the Affordable Care Act. Instead of joining us in an effort to fix what is broken, the other side is doing their best to scare the living daylights out of Americans.

From the way they tell it, the House bill is "deadly." What is truly fatal is the death spiral the ObamaCare marketplace is in. Not only is it unaffordable for too many people, it is simply unsustainable. ObamaCare is unable to fulfill its promises to the American people. Here is what every lawmaker in Congress ought to agree on: Insurance is not worth having if patients cannot afford to use it.

The facts are very clear. A one-size-fits-all, government-run plan is driving insurers out of the exchanges, driving

up premiums, driving away customers, and driving up the tab to the tax-paying public. I spoke 2 days ago about the impact of Obamacare in Iowa. Next year it is possible that 94 of our 99 counties will not have insurance plans on the Obamacare exchange.

So even if you benefit from the subsidy of ObamaCare, you are not going to have an insurance company to go to. All of this because ObamaCare has overregulated, overtaxed, and oversold its promises to the American people. ObamaCare has not healed what ails the U.S. healthcare system. It is time to move forward.

I urge my colleagues to drop the partisan charade and join us for the good of the American people. I will continue coming to the floor to share how ObamaCare is not working for Iowans, but in the meantime, the Senate will continue working to rescue our healthcare system that is sinking under this broken law.

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

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

(The remarks of Mr. THUNE pertaining to the introduction of S. 1144 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. THUNE. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, the Senate has under consideration the nomination of Rachel Brand to be Associate Attorney General of the United States, one of the very top positions in the Department of Justice and in law enforcement. It is a position of consummate trust and responsibility, requiring full public confidence. I will oppose this nomination, and I will oppose all nominations for the Department of Justice until public trust and confidence in the rule of law is restored and sustained by appointment of an independent special prosecutor to investigate Russian interference in our last election and potential links to the Trump campaign and Trump associates.

I opposed Rod Rosenstein's nomination. In fact, I was the only member of the Judiciary Committee to vote against it and one of six on the floor to oppose it for exactly the same reason. I stated to him publicly and privately that the only way to preserve his own reputation—well established over many years—and the trust and confidence in the Department of Justice was to appoint an independent prosecutor. So far, regrettably, he has failed to do so.

That question will be the first of my priorities when the full Senate meets with him tomorrow. We will demand to

know from him what the timeline was for the firing of Director Comey, who said what to whom, why his memorandum was written, and whether he will now commit, after these most recent startling revelations just yesterday that the President of the United States suggested—indeed, explicitly demanded—that Director Comey stop his investigation involving potential ties of Michael Flynn to Russian interference in our election.

Chilling facts raised in the last several days now raise serious questions about obstruction of justice by the President of the United States. So we consider this nomination at a truly unusual, very likely unique and unprecedented time in our country.

The revelation last evening that President Trump asked the FBI Director to shut down the Federal investigation into his then-National Security Advisor, Michael Flynn, is evidence of severe political interference and possibly criminal wrongdoing in an ongoing criminal investigation. The evidence of obstruction continues to mount. We are witnessing an obstruction of justice case unfolding before our eyes in real time. Revelation after revelation continues to shake this country's confidence in our government and in this administration's competence. The need for an independent special prosecutor has never been so clear and convincing and so unquestionably necessary.

I call on my Republican colleagues now to rise to this challenge, to shine in the light of history, and to commit that an independent special prosecutor will be appointed to uncover the truth and hold accountable anyone who has committed wrongdoing.

Because so far we have no such special prosecutor, I will oppose this nomination. But I also have disagreements with Rachel Brand. I respect her record of public service. I believe she is simply not the right person to serve as Associate Attorney General because of her longstanding, apparently deeply held philosophy on the use and proper application of government power. When the Federal Government engaged in actions that threaten the privacy rights of innocent Americans, Ms. Brand has advocated nonaction. I believe the United States must protect the privacy of her citizens, and that fact is only one among many that cause me to disagree with her.

The failure to nominate and appoint an independent special prosecutor will lead me to oppose all of the nominations that are set forth by this administration, including anyone nominated for the FBI. I think it should now be clear, if it was not before, that such an independent prosecutor is necessary.

Parallels have been drawn by Members on both sides of the aisle to the Watergate scandal. To this day, we don't know whether President Nixon ordered the Watergate break-ins or simply was a beneficiary of the crime, just as we don't know now whether

Donald Trump colluded with Russian interference in the 2016 election or simply benefitted from Russia's criminal aggression. The Watergate scandal gave rise to the saying that "the cover-up is worse than the crime." In this instance, what we know is that the Russian interference was aimed at a wholesale theft of our democracy, far more serious than the Watergate break-in. What we do know about Nixon—and these facts became the basis for the first article of impeachment—is that he attempted to indirectly interfere with an FBI investigation into that break-in. Put very simply, while Nixon may not have directly threatened to fire the FBI Director if that Director continued to investigate Nixon associates, he made clear that his preference as head of the executive branch was that any such investigation should cease.

"History doesn't repeat, but it rhymes." That is a saying that has profound truth here. We now have credible reports that President Trump attempted to do directly what President Nixon sought to do indirectly. He stopped a lawful, ongoing criminal investigation. Nixon ordered his staff to work through the CIA to pressure the FBI to drop the Watergate investigation. President Trump simply summoned Director Comey into the Oval Office, according to reports that certainly need to be verified, and ordered everyone else to leave the room, suggesting then that the Director drop his investigation. He did so just 2 weeks after having told Director Comey that he might not have a place in the Trump administration and making clear that Director Comey's loyalty to him might well determine whether Comey would keep his job. When Director Comey rejected Trump's suggestion, in effect, he was fired. That is the line of facts established by this mounting evidence. It is a serious charge.

We should be cautious. If Director Comey did not write that memo or if, for some reason, there is a question about the truth, perhaps the suspicions are unfounded, but there is credible and significant evidence. Director Comey has established—to both his critics and his friends—that he is a man of probity and dedication to public service and to this Nation.

We cannot feel confident about nominations for any of these positions—whether it be Director of the FBI or Associate Attorney General—from a President who has demonstrated such contempt for the rule of law and for law enforcement, which is the job of the Department of Justice. The White House's timeline and justifications for the decision to fire Director Comey certainly now, at this moment, fail to meet the test of credibility.

We know from the President's own words in interviews he conducted late last week that the FBI investigation into possible collusion between individuals in the Trump campaign and the Russian Government was on the Presi-

dent's mind when he decided to fire the FBI Director. In at least two conversations, the President asked the FBI Director about this investigation and the related investigation into former National Security Advisor Michael Flynn.

Late last night the Times revealed the details of one such conversation. It occurred in the Oval Office the day after Flynn resigned. The account written by Director Comey, which seems to meet fully the test of credibility, is absolutely chilling. "I hope you can see your way clear to letting this go, to letting Flynn go," Mr. Trump told Mr. Comey, according to the memo reported in *The New York Times*. "He is a good guy. I hope you can let this go." When the FBI Director continued to pursue the investigation, President Trump fired him.

We are witnessing this obstruction of justice in realtime, and these revelations are shaking our country's faith in the independence of our Nation's highest ranking law enforcement agency, our rule of law, and our national security. It is a theft of our democracy—literally, a threat to our national security—from Russian meddling in the election, potential Trump ties, and links to that interference in our democracy—the core, foundational exercise of our democracy being voting—and then waiting for 2½ weeks when then-Deputy Attorney General Sally Yates warned that Michael Flynn was vulnerable to blackmail as National Security Adviser—blackmail from the Russians. She was fired only days later.

When the investigation into that Russian meddling and Trump's ties to it continued, Director Comey was summoned to be told that the investigation should be shut down, and he was fired when he refused to do so. Very likely, part of that decision related to the request for additional resources that Director Comey made to Rosenstein shortly before he was fired and his refusal to rule out the President as a target of that investigation when he came before the Judiciary Committee.

The facts will eventually form a mosaic, and that mosaic may dramatically show a picture of criminal conduct. That is the process of investigating and prosecuting criminal wrongdoing. Right now, that activity requires a fidelity to the rule of law in one's getting all of the evidence, including transcripts, tapes, memos, and other documents. They must be subpoenaed immediately so that they are not destroyed or concealed, so that they are preserved and produced. That must be done without delay, including there being testimony under oath, in public, from Comey, Attorney General Sessions, Deputy Attorney General Rod Rosenstein, and Don McGahn, White House Counsel. They should be called to testify by the Judiciary Committee, under oath, and in public.

I hope that my colleagues will, indeed, rise to this challenge and shine in the light of history and commit now to

an independent special prosecutor who can ensure that the truth is uncovered and that accountability is imposed for any criminal wrongdoing so that we will prevent any obstruction of justice because the American people deserve it, they need it, and they demand it.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Maine.

#### HEALTHCARE LEGISLATION

Mr. KING. Mr. President, I rise to speak for a few minutes on the AHCA, which is the healthcare bill that was recently passed in the House.

I believe the letters stand for “anti-healthcare bill” as there are many troublesome aspects of this bill—kicking something like 20 million people off of health insurance and compromising essential benefits. It is what I call a “fig leaf” preexisting condition provision, which does not provide adequate funding in order to actually protect people with preexisting conditions.

Yet what I really want to focus on today are two interrelated provisions—a massive cut to Medicaid and a massive tax cut for the wealthiest Americans. By the way, that tax cut gives a zero tax cut to anyone making less than \$200,000 a year. I will talk about that in a moment.

Let's talk about the Medicaid cuts, however. This is a part of the bill that has not gotten much attention. It is \$840 billion over 10 years. It will be about a 10-percent cut of Medicaid funds in Maine. It is hard to get an actual analysis of that, however, because the House bill was passed without any Congressional Budget Office analysis—none, zero. Unbelievably, the Members of the House voted for a bill that they, literally, did not know the financial effects of—how it would affect the States, how it would affect the people in their States. Maybe, next week, we will get that analysis. Certainly, this body will not act in that way with no Congressional Budget Office analysis.

Let's talk for a minute about who is on Medicaid, as 34 percent of the people on Medicaid are children, 20 percent are disabled people, and 18 percent are elderly. In other words, almost three-quarters—75 percent—are children, disabled, and elderly people. Many people talk about and think about Medicaid as some kind of welfare program. This is an essential lifeline for some of the most vulnerable people in our society—children, the disabled, and the elderly—75 percent—and 75 percent of the funding goes to disabled and elderly people.

The people who sponsored this bill and who are talking about it across the country talk about flexibility. Yes, there are some cuts, but we are giving the States flexibility. That is nonsense. They are giving the States flexibility to make decisions between funding programs for the elderly and programs for children, between cutting off programs for opioids and providing support for people who are disabled. That is not flexibility. That is just passing agoniz-

ing choices off to the States. I was a Governor, and I know about having to make these kinds of decisions. To cut this money by this huge amount—almost \$1 trillion over 10 years—and act as though it can all be made up through some kind of fake flexibility is just an unspeakably cruel way to shift this burden to the States.

The bill talks about saving on the deficit. It saves on the deficit because \$840 billion is shifted to the States. Let them pay it—shift and shaft. That is what it is—shift and shaft. Shift the cost and shaft the States, particularly the people in those States who depend upon these programs—those people being the disabled, the elderly, children, people with disabilities, and those who are struggling to defeat the scourge of opioids and opioid addiction.

I want to talk about some people today. I want to talk about this guy, Dan Humphrey. He is 28 years old and lives in a group home in Lewiston, ME. He has autism and is nonverbal. He has some bipolar characteristics and a seizure disorder but is gentle and charming, and you can see his smile. He has very basic functional communication skills. He enjoys jumping on a trampoline and drumming. He performs all of his chores to care for himself, with prompting and guidance, such as laundry and grocery shopping. He is proud of his volunteer jobs. He serves Meals on Wheels to clients through the week, and he takes excess food from a nearby college to a local soup kitchen every Saturday.

Daniel needs around-the-clock support in order to maintain this quality of life. When this level of programming was unavailable or is unavailable, he regresses and becomes aggressive. Even at current funding, Daniel is one of the lucky ones, as he is not on a waiting list. Although he qualified for services, it took him 8 years to get a home and a community-based service waiver for him to be able to live the life he does. He is in a group home in the wonderful city of Lewiston, ME, where he lives today. He is contributing. He has a decent life.

By the way, this is all about people. It really bothers me that we talk about policy and ideology and free markets and flexibility. We are talking about people. We are talking about real people whose lives are on the line—people who are struggling with opioid addiction, elderly people who have no place to go, and disabled people like Dan and like Lidia Woofenden.

Here is Lidia. She graduated from Mt. Ararat High School in June. She turns 21 in August. That is the high school my kids went to. I had two boys graduate from that high school. When she was 4 years old, she was diagnosed with a delayed growth of myelin on her brain, and, at 15, she began having seizures and was diagnosed with a rare genetic disorder. She lives with intellectual disabilities, seizures, and their side effects, as well as with a general lack of physical coordination. Yet, as

her mom says, that is not who she is. She is charming and funny. Her mom calls her friendly and goofy and the stubbornest cuss.

She was never expected to read but is now on her fourth Harry Potter book. She was never expected to ride a bike, but now she does. She even has a job. After years of volunteering at a local nursing home, she was offered a part-time job and is doing well. She is doing this because she has support from Medicaid. She cannot cross a street by herself, and she needs to be reminded to brush her teeth. She has no sense of money or danger. On the one hand, she is 20 years old; on the other hand, she is 6 years old. In other words, like most young people, she is complicated. Everything she has achieved has been accomplished with the help of dedicated teachers and therapists and has been almost exclusively funded through special education in the public schools and by Medicaid.

By the way, Medicaid provides help to the tune of \$26 million a year to children in Maine schools who need it. One of the amendments passed at the last minute in the House puts that funding through the schools in jeopardy. She has made monumental gains, but she will never be able to live alone.

What happens when we make these cuts? What happens to Lidia? What happens to Dan?

In the old days, they were warehoused. They were in facilities that were far away—out of sight, out of mind—or with their parents, who had to bear the burden, who themselves could not work because they had to take care of the children. These are just two people—two examples—of what we are talking about here.

Who will speak for them? Who will stand up for them?

I will, and I hope this body will. We are the last bulwark between this terrible piece of legislation that was passed in the House and these people and millions like them across the country. Who will stand up for them?

Why are we doing this? Why are we putting States through the ringer of having to make decisions to choose between Lidia and an elderly person in a nursing home and between a child and a young man who is trying to beat opioids? Why are we forcing them to make those choices?

It is because we want to give a huge tax cut to the wealthiest Americans, and I am talking about a huge tax cut. It is the most skewed tax cut in history because it only goes to a few people. Seventy-nine percent of the benefit of this tax cut goes to millionaires, which is an average tax cut of \$54,000 a year. Now, \$54,000 a year to multi-millionaires—the top one-tenth of 1 percent, those with incomes above \$6 million—would receive tax cuts of more than \$250,000 a piece in 2025 under this legislation.

We are putting people like this at risk in order to have somebody buy another Maserati. It is unbelievable that



this body would even consider making that tradeoff. That is what we are talking about here. Let's be very clear. It is an equation of lost Medicaid benefits, a gigantic tax cut. That is what this bill is all about. If you make between \$500,000 and \$1 million, you will see a \$4,000 tax cut, which is not so egregious as higher up, and if you are under \$200,000 a year, you get zero.

This doesn't even masquerade as a middle-class tax cut. This is one of the most inequitable, cruel, and unconscionable pieces of policymaking I have ever seen. I think we need to be clear about that. If we don't stand up for Dan, Lidia, and millions like them—old and young, living in the shadows of our society, asking for nothing more than the ability to do the slightest things we take for granted, like crossing the street, having a job, dressing, feeling they are contributing—to take that away, to force States to make those decisions—and make no mistake, they are going to have to make those decisions. You simply can't cut the amount of money that is proposed in this bill—which will expand over time, by the way—and still expect the services to be the same or better through some kind of flexibility. That is nonsense. It would be bad enough, except to do it because of a massive tax cut to the people who least need it—that is what really makes this unacceptable.

I know that people in this body are working on an alternative to the bill in the House, and I hope this can be an open process where all of us participate, where we are able to contribute ideas and amendments and thoughts. Particularly, I want us to think about the fact that we are the last line of defense. We are the last line of defense for people who can't speak up. In the case of my friend Dan, he literally can't speak up. We are who they are counting on, between us, and if it weren't for us, they would have no one to think about and demand that they be treated fairly and respectfully in the richest society on Earth. I hope we can do better. I know we can.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, there is a reason we are talking about healthcare, and we should be talking about healthcare. We should be looking for the gaps and trying to find those gaps. I had a long conversation this morning about people who have disabilities, adults who have disabilities, and the challenges they have always faced in the insurance marketplace. They are people like Dan and Lidia who have a hard time working or are unable to have a full-time job, who may be covered by insurance through their parents until they are too old, or they may not be covered because their parents aren't covered. But normally, if that has been the case, where you were able to share whatever coverage your parents had—and certainly this is an area we should work on, how we deal

with those who are disadvantaged. On the Medicaid front, our goal should be to look at the House bill and make it better.

The people who were added to Medicaid under President Obama's healthcare plan, decided by the States—the very group who my friend from Maine said shouldn't be making these kinds of decisions—the States made these decisions because it was left to them to make them. And they weren't children and they weren't old people; they were single adults who traditionally had not been covered by Medicaid. We can talk all we want to about how these cuts are going to affect children and old people, but that is not who would be affected.

There is a debate the States have already had. Some States added single adults for the first time, and others didn't. Many States believe they can make those decisions better in their own States, to have a healthcare home where somebody has a doctor they could go to. Having coverage doesn't matter if you can't get access to healthcare. Our debate here should be about access to healthcare, and it should be about people who, because of ObamaCare, are having problems with access to healthcare.

President Obama promised that the new plan would bend the cost curve. He said it would bend the cost curve and bring healthcare costs down. I think the topic he was discussing was healthcare coverage costs coming down by \$2,500 for the typical family. The cost curve got bent all right, but it didn't get bent down, it got bent up. In our State, just last year in Missouri, 25 percent was the average increase from one year to the next. The individual policies in many of our counties—84 percent have only one insurance company that is willing to offer a plan. That should tell us something right there about whether the exchange idea worked, the way it was put together. It is clearly not working.

We can continue to move forward and act as though that doesn't matter, but it matters a lot. We have 114 counties and the city of St. Louis, and our constitution functions as if it were a county. One-hundred and fifteen of those entities, the county-like entities—97 of them have only 1 company willing to offer insurance. In all of them, the average increase statewide was 25 percent 1 year over the next, and that is just 1 year, and it is not even next year. Every estimate says that those individual policies will go up even more next year than they did last year.

We can continue to act as though this system is working and not do anything about it, or we can do something about it.

When ObamaCare was implemented, I came to the floor almost every week for the first year to share story after story of people and families who were affected, who couldn't have the kind of healthcare or the kind of coverage—either one—they had before, and I could

share those same stories now. I will share a couple of them today. They haven't stopped coming in. Many people have just decided: We are never going to have the doctors we used to have. We are never going to have the insurance policy we used to have. The government has failed us.

They had a policy on which they were paying maybe a third of what they are paying now and which had higher coverage. But after a while, you quit complaining and understand that your government has actually come up with a system that—for your family, at least—was worse than the system they had.

We talk about cancellation notices being sent out by the thousands. Thousands of families and thousands of individuals got cancellation notices. Last year President Clinton, while campaigning for his wife for President, said: What a crazy system. The costs keep going up, and the coverage keeps going down.

There is clearly something wrong here. We need to do something about it. We should be working together to do something about it.

When I am home and talking to people about this or when people contact our office about this, they just continue to say over and over again that this has gotten worse. Now, we get some calls—and I am glad to get them—where people say: We want to be sure that you understand what happens to individuals like the two people my friend from Maine mentioned. And we are looking for ways to be sure they don't get left out. But let me tell you some of the people who have been left out.

Thomas and Kathy, a married couple from Kansas City, told me that their out-of-pocket costs have jumped from \$2,700 in 2014—that was the first year of this healthcare plan—to \$5,000 in 2017. In addition, their copays have increased—in their case, they appear to be lucky—by only 20 or 30 percent.

They are not by themselves. Tony, an insurance broker in Northwest Missouri, recently told me about a client who was shopping for coverage. The client realized that the only plan she could afford would force her to spend, for herself, almost \$5,000 a year in insurance premiums on top of having another \$5,000 deductible before that insurance she would be paying for every month would do any good. She said she would be spending almost \$10,000 without receiving anything, and it made absolutely no sense. Well, her insurance broker couldn't help but agreed with her that in her case it didn't make much sense, and I think all of us can see why it might not.

Yesterday at a press event here in the Capitol, I mentioned a farmer who called and said she had a \$12,000 deductible for her family and she was paying \$16,000 in annual premiums. So in her case, she could pay \$28,000 before she had any coverage at all, and that \$28,000 was money—she could be paying



\$12,000 of it just for access to see a doctor because her insurance company didn't help with that.

One final story I would like to share is from Rob, a small business owner in St. Joseph who pays half of his employees' medical, and his costs keep going up. His agent walks in every year, he told me, and says: Well, this year it went up 9 percent.

He said: That might have been acceptable, except it also went up 9 percent last year and 11 percent the year before that, and it was 9 percent the year before that.

Many of the losses in the individual market are being shifted to try to make the insurance market make up for what is happening on the individual side.

Year over year, we see premium increases, skyrocketing deductibles, and higher out-of-pocket costs. That is the status quo under what we have now, and it is unacceptable. That is why Republicans have made clear that we are going to move forward to solutions that will address some of the major issues in our healthcare system and look for ways to bring down costs and expand access to quality, affordable coverage, but more importantly, quality, affordable care.

I urge my colleagues to work with us and join in this effort to help us find solutions to be sure we don't leave people out who shouldn't be left out but that we also make access to healthcare more possible for more families and more individuals than it is today.

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. BARRASSO. 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. BARRASSO. Mr. President, Republicans have been warning for years now about the grave damage ObamaCare has done to the American healthcare system. We have pointed out how the healthcare law's regulations are destabilizing the health insurance industry. We have warned that the ObamaCare markets are unstable. We have talked about the death spiral which has already doomed ObamaCare.

It seems like every day we get more proof that the collapse is well underway. Last week, the insurance company Aetna announced it was exiting the individual ObamaCare markets entirely. CNN did a story about this last Wednesday. The headlines said: "Aetna to ObamaCare: We're Outta Here." It is interesting because Aetna as a company was one of the cheerleaders for ObamaCare early on; they jumped in and said: We are very involved. We want to make this work. Here they are pulling out, saying it has failed.

Humana had already said it was quitting the exchanges, not just one place but everywhere.

In the past month or so, we have seen big companies drop out of the markets in Virginia and in Iowa. There is now just one company left selling in the exchanges for Nebraska and for Delaware. There is just one company selling in Alaska, in Missouri, in Alabama, in Oklahoma, in South Carolina, and in my home State of Wyoming.

For people living in all of these States, there is a monopoly for whom they get to buy their insurance from under the ObamaCare markets. That is not a marketplace, it is a monopoly.

The Associated Press looked at all of these companies dropping out. It now found that 40 percent of America—4 out of 10 counties in America—will have just 1 company selling insurance in the ObamaCare exchanges for next year; 4 out of every 10 counties in America. That is what you get with an ObamaCare exchange.

How is that supposed to bring down prices? Other companies have been saying how much they will need to charge if they are going to stick around for 1 more year under ObamaCare. It looks like we will have another year of incredible price increases. In Maryland, insurance companies are demanding average premium increases of anywhere between 18 and 59 percent. In Connecticut, they are asking for 15 to 33 percent more next year.

Democrats are desperate to blame the collapse of ObamaCare on President Trump. My question to the Democrats is this, What about all of the companies that dropped out of the marketplaces last year? What about the double-digit price increases Americans were paying year after year under ObamaCare?

The premium for the average benchmark plan in the exchanges went up 25 percent at the start of this year. Are Democrats going to try to blame that on someone else?

In March, the Kaiser Family Foundation reported the results of a poll on healthcare in America. In this poll, 4 out of 10 American adults with insurance under ObamaCare said they have trouble affording their deductible. They have ObamaCare insurance, but 4 out of 10 adults in America with ObamaCare insurance are having trouble affording their deductibles. Three out of every ten with insurance under ObamaCare said they have problems paying their medical bills. One in four Americans with insurance under ObamaCare said the costs have forced them to put off healthcare they needed or skip it entirely.

These people are suffering because of President Obama and the Democrats and what they passed. These Americans are struggling because of the flawed policies and regulations of the ObamaCare law that Democrats in Washington wrote.

Republicans are saying what we have said all along: Healthcare reform should be about helping people get the care they need, from a doctor they choose, at a lower cost. We need to do

something to rescue the people who are being crushed under this collapsing ObamaCare system. That is why Republicans are the ones talking about solving the problems that have been caused by ObamaCare. The House of Representatives passed a bill that includes some important things that could help stabilize the markets. It includes things to stop these double-digit premium hikes that have been occurring every year.

In the Senate, we have already started mapping out the ideas. We are going to continue offering our ideas. We are going to continue debating them. I want to invite Democrats in the Senate to come to the floor and offer their ideas as well. It doesn't have to be a partisan fight. It shouldn't be a partisan fight that drags on for months and months. We need to find solutions for the American people who are suffering under President Obama's healthcare law.

For all the Democrats who are now trying to redirect the blame away from themselves, the problems they caused, trying to pass the buck, we are trying to pass a bill. I can tell from listening at home in Wyoming, where I will be again this weekend and was last weekend, people know who caused the problems of ObamaCare. The American people are looking for solutions. They don't care who offers it. They want solutions. I think if we can get a bipartisan solution, all the better. I invite the Democrats to come to the floor to give us their best ideas.

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

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

WELCOMING BACK THE SENATOR FROM NORTH CAROLINA

Mr. SCHATZ. Mr. President, before I move into my remarks, I would like to say welcome back to the Senator from North Carolina. We are happy to see him hale and hardy.

I was worried until I saw your little internet video and you looked fine. It is nice to see you. We welcome you back to the Senate floor—and looking more energetic than the rest of us, in any case. So happy to have you back, Senator TILLIS.

NET NEUTRALITY

Mr. President, in the rubble of this week, the Federal Communications Commission is going to formally start the process of destroying net neutrality. A free and open internet is without question important to democracy and American innovation.

Apparently this FCC believes we no longer need the protections that keep internet service providers from discriminating against websites and online content, but these protections are

what make the internet what it is today. They mandate, very simply, that ISPs have to treat websites the same, whether they are Twitter or Facebook, Breitbart or the New York Times. The FCC is supposed to be there to make sure ISPs follow this basic principle: Treat all content the same. But under this administration, these protections are being undermined.

It starts tomorrow when they will vote to begin the process to repeal net neutrality. I really don't know why the FCC thinks this is a good idea, because the internet is not broken. What problem were you trying to solve by getting rid of these protections, and on whose behalf are you working? There is not a single constituent in my State with whom I ever interacted—and I bet this is true for many other Members of the Senate and House—who says: You know those net neutrality protections? I hate them. You have to get rid of that net neutrality thing. It is bugging me and harming my access to the internet. I would like fast lanes and slow lanes. I would like my ISP to determine what I get to see and how quickly I get to see it.

There is literally no constituency for what is happening tomorrow, but there is one group that stands to gain here, and that is the ISPs, the companies that control your access to the internet. It is true that they are promising to keep the internet open and free. In fact, they did it just this week. A group of ISPs published a full page ad in the print version of the Washington Post reaffirming their commitment to voluntary net neutrality. In other words, they promised to be good to all of us as consumers. They are basically saying: You don't need the Federal Communications Commission to enforce any rule or law related to a free and open internet. We will do it voluntarily.

But here is the thing: Without net neutrality as a matter of rule and law, there is nothing that prevents them from treating content or websites differently. In fact, they will have financial incentives to do just that because making profits is their obligation. They have to maximize their profits. They have a fiduciary obligation to maximize profits. If there is an opportunity now or in the future to change the business model for internet service, changing the internet as we know it along the way, they are duty bound to pursue it. They do not have an obligation—a moral one or a statutory one or a legal one—to a free and open internet; they have an obligation to their shareholders and profits.

Here is what is going to happen if the FCC succeeds ending net neutrality once and for all: ISPs would be allowed to split content into two lanes—favorite content would be in the fast lane and everything else in the slow lane. Companies that need their content to be fast for video streaming or cloud services would have to pay to be in the fast lane. At the end of the day, the cost is going to be transferred to you, the consumer.

We would pay more for the same internet, but the issue here is bigger than a company that streams video asking an ISP to stream their content faster in exchange for more money. It is not just that. This is an era, as we all know, of corporate consolidation. The content companies and the ISPs are often one and the same. So it is not just that you would get Netflix negotiating with Comcast and maybe paying extra so they can stream their content so you can view it; it is also what happens when Comcast or some other company is also the content company.

I want everybody to think this through. If you were running a company that provided access to the internet and also owned content, wouldn't you be at least a little bit tempted—wouldn't your board of directors at least make you look at the possibility that if you have television shows and if you have websites and you depend on traffic, why in the world wouldn't you prioritize your own stuff? It is not apocryphal. It is not apocalyptic to imagine that a company would say: We are a vertical now, and we own content. Why are we going to put up our competitor's stuff at the same rates? The law doesn't provide for that anymore. Net neutrality is a thing of the past.

You don't have to imagine that these are bad people who are running these companies; you just have to imagine that they are businesspeople and that they run publicly traded companies that have to give quarterly earnings reports and have to show profit every single quarter. What better way to make profit than to create what they call on the internet a walled garden?

Everything seems like the internet you used to have, except it is all within one family of companies, and that is what net neutrality is designed to prevent. When you get on the internet, your ISPs can't tell you whether to go to Google or Bing or Yahoo or Facebook or Breitbart or the New York Times or the Honolulu Star-Advertiser or wherever it wants; you get it all at the same speed. That is what net neutrality is all about. But to the degree and extent that net neutrality protections are repealed as a matter of law, these companies can suddenly provide you with opportunities to see all their stuff and only their stuff. You will still have access to the other stuff. It might not stream very well or load very fast. That is what net neutrality is all about.

Entrepreneurs and small business owners will also be hurt. Think about what it takes to start and grow a business. You don't have extra cash to hand over to your ISPs to make sure people can access your content. Without net neutrality, new services, new websites, new big ideas will have a harder time competing with established businesses. That is why more than 1,000 entrepreneurs, investors, and startups from every single State have signed a letter asking that the FCC protect net neu-

trality—because it is critical for innovation.

When you think about how quickly the internet of things is gaining steam, it is also a big deal for what they call IoT. We are at a historic moment in innovation in the digital space.

Kevin Kelly, internet pioneer, recently did an interview with Stephen Dubner of Freakonomics Radio. They talked about the fact that in 2015 alone, 5 quintillion transistors were added to devices that were not computers. A quintillion is a billion billion. That is such an enormous number, it is hard to fathom. That is how fast the internet of things is growing. That is the level of innovation that is taking place, but this innovation depends on a free and open internet.

So the degree and extent that individual ISPs are able to control who gets what and at what speed, all of that innovation at the app level, the IoT level, all the cool stuff you are looking forward to from Silicon Valley or wherever it may be, is in danger because then it becomes about paying tolls. Then it becomes about a commercial negotiation. Then it becomes about lawyering up. You have a really good idea? Lawyer up. You have a really good idea? Get people who have a master's in business administration. Forget the engineers. Forget the content developers. Forget the creative class. What you have to do is figure out how to get in on what will essentially be what they call a closed shop. And that is what net neutrality is all about.

What if your internet service provider has a relationship with one of these websites? What if an auto sales website is purchased by a media company or vice versa? If you try to purchase a car online, you may end up in an internet funhouse if the FCC takes away net neutrality. It will look like the internet, but you may not have complete access to all the options. The same idea applies to the internet of things. If every car connects to the internet, broadband providers could decide that it takes too much bandwidth and pick and choose which brands are allowed to connect to the internet. That is what can happen without net neutrality.

They could offer a basic internet package that limits customers to certain websites or content, sort of how you buy basic cable and then decide whether you want ESPN or HBO or whatever additional channels. It is not totally out of the question that that could be the way you access the internet in the future.

The thing is, it sounds so scary, it sounds so crazy that you can't imagine it would happen. And it is true that it didn't happen in the past, but that is because it wasn't in their commercial interest to do it. Think about towns where there are one or two ISPs. Think about a future 5 or 10 years from now when net neutrality is repealed. The moment it is in their commercial interest to do something to change the

very nature of the internet is the moment they will be duty bound to consider going forward.

When net neutrality was adopted under the previous FCC, there were 3.8 million people who provided comment. This is a very unique process. When the law passed that allowed ISPs to sell your commercial data, to sell your browsing data to third parties—that happened in a 30-hour period—basically, nobody noticed. We tried to mobilize. We got the word out. They had the votes, and it happened very quickly. This is different. Under the law, there is a public comment period. There were 3.8 million people who commented on the last net neutrality debate. There are already 1 million people who have commented through the FCC's website.

Tomorrow, the FCC will take an action that will open up the comment period and provide people an opportunity to weigh in on this. I would just offer that I do not believe there is any real constituency for what the FCC is doing. I think people across the country—young and old; left, right, and center; Democratic and Republican; urban and rural—everybody who cares about a free and open internet ought to care about what is happening tomorrow.

With that, I would like to yield to a Member of the Senate who has many years of leadership in this space, someone who has authored some of the statutory architecture that has allowed this innovation on the internet to occur, someone who fights for consumers, the Senator from Massachusetts, Mr. MARKEY.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I say to Senator SCHATZ, thank you for organizing our Senate net neutrality champions out here on the floor today so that we can all stand up and add our voices to your voice in speaking on this critical issue. Now, there are people watching the Senate floor right now by watching the live stream on c-span.org or on Facebook Live.

They might be engaged citizens, they might be political junkies, or maybe they need something to help them to ensure that their newborn is going to go to sleep this afternoon. That is watching C-SPAN. That helps the family. Let's face it. The action in this most deliberative body can sometimes feel a little slow.

Now, imagine just a few companies deciding that c-span.org will be put in a slow lane, that the public interest content streamed out to the world from this Chamber will be sent out at an even more deliberative pace, all while kitten videos get priority in an internet fast lane.

When people talk about net neutrality, that is what we are talking about. Instead of an open and free internet where the billions of clicks, likes, and links made by customer and entrepreneurs in their living rooms and

offices determines who wins and loses, it will be just a few companies in a few corporate boardrooms deciding who gets into the express lane and who falls behind in an internet traffic jam.

That is why we need a true open internet. That is exactly what I heard last month when I hosted a roundtable in Boston with a number of our tech firms—Carbonite, TripAdvisor, Wayfair, iRobot, and others. Their message was clear: Net neutrality impacts businesses across the entire internet ecosystem, and the ever-changing environment of entrepreneurship can be easily disrupted without this ingredient—net neutrality.

Today, essentially every company is an internet company. Consider these statistics. In 2016, almost one-half of the venture capital funds invested in this country went toward internet-specific and software companies. That is \$25 billion worth of investment.

At the same time, to meet America's insatiable demand for broadband internet, U.S. broadband and telecommunications industry giants invested more than \$87 billion in capital expenditures in 2015. That is the highest rate of annual investment in the last 10 years. So we have hit a sweet spot. Investment in broadband and wireless technology is high, job creation is high, and venture capital investment in online startups is high. Disrupting that formula now would only create chaos and uncertainty.

With strong net neutrality protections in place, there is no problem that needs to be fixed. But the Trump administration wants to upend this hallmark of American innovation and democratization by gutting net neutrality rules. Tomorrow, Chairman Ajit Pai and the Republican-controlled Federal Communications Commission will vote to begin a proceeding that will allow a few powerful broadband providers to control the internet.

Now, the big broadband barons and their Republican allies say: We don't need net neutrality. They say: What we really need is a "light touch" regulatory framework for broadband.

But let's be clear here. When the broadband behemoths say "light touch" what they really mean is "hands off". They really want hands off of their ability to choose online winners and losers.

That is what they really want, to allow AT&T, Verizon, Charter, Comcast, and all of the other internet service providers to set up internet fast lanes for those with the deepest pockets, pushing those who can't onto a slow gravel path. Then, they will just pass any extra costs onto the consumer. What they really want is to sideline the FCC, our telecommunications cop on the beat, and to create an unregulated online ecosystem where broadband providers can stifle the development of competing services that cannot afford an internet E-ZPass.

No one should have to ask permission to innovate. But with fast and slow

lanes, that is precisely what an entrepreneur will need to do. Right now, the essence of the internet is to innovate and test new ideas first, and if an idea then takes off, the creator can attract capital and expand.

Creating internet fast and slow lanes would flip this process on its head. Instead, an entrepreneur would first need to raise capital in order to start innovating, because she would need to pay for fast lane access to have a chance for her product to be seen and to succeed. Only those with access to deep pockets would develop anything new. Imagine the stifling of creativity if startups need massive amounts of money even to innovate.

Now, Chairman Pai says he likes net neutrality. But in reality, his proposal would eliminate the very order that established today's network neutrality rules. That is like saying you value democracy but you don't see a need for a constitution. It makes no sense.

For Chairman Pai and the ISPs, title II is a bad word. It is some terrible thing. But for everyone else—consumers, activists, and entrepreneurs—title II is a reason to celebrate. Back in 2010, the FCC attempted to put net neutrality rules in place without reclassifying under title II of the Communications Act. The DC Circuit Court invalidated those rules. Then, in 2015, the Federal Communications Commission rightfully adopted the open internet order, which reclassified broadband under title II, and the DC Circuit upheld the rule in 2016.

The issue is settled. The FCC should not repeat past mistakes and instead should maintain the successful current regime. Why is title II appropriate? It was Congress's intent to preserve the FCC's authority to forestall threats to competition and innovation in telecommunications services, even as the technologies used to offer those services evolved over time.

Now, classifying broadband under title II is just a very fancy way of saying broadband is like telephone service. It is a basic utility that Americans rely on every day to work, to communicate, and to connect. Broadband has become the single most important telecommunications service Americans use to transmit information from one to another. This is common sense to Americans around the country, with the only exception being high-powered telecommunications lobbyists inside the beltway here in Washington.

Chairman Pai also claims that he wants internet service providers to voluntarily decide to follow net neutrality principles. That is like asking a kid to voluntarily swear not to stick his hand in the cookie jar. It just won't happen. We know the broadband industry—your cable, wireless or telecommunications provider—can't self-regulate themselves. They struggle to even show up on time to install or fix your service. Do we really trust them to resist using their internet gatekeeper role and putting their online competitors at an unfair disadvantage?

This effort on net neutrality is just one piece of the Republicans' effort to dismantle the basic protections safeguarding American families. Instead of protecting our privacy, our healthcare, our environment, or our net neutrality, the Republicans want to give it all away to their friends and allies and big corporations.

The FCC has received more than 1 million comments already, and I am sure millions more will flow in the weeks and months to come, as the FCC comment period will stretch until at least August. Those are comments from every corner of the country and from every walk of life. They are standing up to say we need a truly open and free Internet.

Openness is the internet's heart. Nondiscrimination is its soul. Any infringement on either of those features undermines the spirit and intent of net neutrality.

So I proudly stand with my fellow netizens out on the Senate floor and all across America who oppose any efforts to undermine net neutrality. We are on the right side of history. I am ready for the historic fight to come.

Twelve years ago, I introduced the first net neutrality bill in the House of Representatives. In the Senate, the first net neutrality bill was introduced by the Senator from Oregon, RON WYDEN. This has been a long battle, a long struggle coming. We now have America in its sweep spot, with net neutrality on the books for software and broadband companies, which allows for a fair balance in terms of the competition in the marketplace.

So I now turn and yield for the Senator from Oregon, RON WYDEN.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I thank my friend from Massachusetts for not just today but all of the years in which he has led this battle. He is right. We have served together now in both Chambers and, in fact, when I was here and he was in the other body, we talked often about why this was such a bedrock principle.

You know, sometimes you listen to the head of the FCC and you get the sense that somehow he is saying that the internet either is broken or is about to break—that some horrendous set of problems are going to ensue without his ill-advised ideas. The fact is that the internet is not broken. The Federal Communications Commission is not trying to help consumers by rolling back net neutrality protections. They are doing it to make it easier for the big cable companies to be in a position to shove out true and real competition. That, I would say to my friend Senator MARKEY and my friend from Hawaii, Senator SCHATZ, who has been championing these efforts in the Commerce Committee, is what this is really all about.

You know, the reality is that the internet is now the shipping lane for the 21st century. It is that place—a

global marketplace—where you have the free exchange of ideas, and today's rules protect that shipping lane of the 21st century—the freedom for Americans and people worldwide to compete online. It exists so that the powerful interests, those who have the deepest pockets, do not go out and swallow the little guys up every single time.

Now, as we talk about net neutrality and why it is so essential for jobs, free speech, political engagement, education, economic opportunity, and better competition, there are really just three points. First, protecting the free and open internet under Title II of the Telecommunications Act, in my view, is the best way to proceed at this point. It is the only way, at present, to ensure a free and open internet, and that is, by rejecting this idea that somehow the internet is broken and we should upend the current rules. The Federal Communications Commission should not only leave the current net neutrality rules in place, they ought to aggressively move against companies that violate those rules. As my friends from Massachusetts and Hawaii know, there is not exactly a lot of evidence that the Federal Communications Commission is doing that either.

Net neutrality, in short, protects the internet's ability to give a fair shake to every single person in America and literally in the world with a good idea—they don't have to have money. They don't have to have lobbyists. They don't have to have PACs. All they have to have with net neutrality and the internet is an idea to compete with the establishment. This level playing field is a prerequisite for protecting free speech.

A level regulatory playing field means that these powerful interests—the cable companies, specifically—can't pick winners and losers because of their political or personal views. Our colleague, Senator FRANKEN of Minnesota, has correctly said that net neutrality is the First Amendment issue of our time, and I think he is spot-on on that matter.

Finally, because there really hasn't been the competition in the broadband marketplace that would best serve the consumer and the public, what you should definitely do is operate under the theory that you need strong rules. We all know that too many people don't have a choice when it comes to a broadband provider; often it comes down to Comcast or nothing. Without real competition, America needs strong net neutrality rules to prevent Comcast or AT&T from basically tossing consumer choice and free speech in the trash can to rake in even more profits.

A lack of broadband competition and consumer choice is clearly a problem you cannot solve by giving the big cable companies more freedom—freedom to run at will through the marketplace.

So the question now is—and I think my friend from Massachusetts just

touched on it—what happens now? What happens now is making the American people aware that this is the time for their voices to be heard.

The fact is, there are two notions of political change in America. Some people think it starts in Washington, DC, and in government buildings in various capitals and then trickles down to the grassroots.

Senator SCHATZ, Senator MARKEY, and I take a different view with respect to how you bring about political change in America. It is not top-down; it is bottom-up. It is bottom-up as Americans from all walks of life weigh in with their legislators, weigh in with the Federal Communications Commission. My guess is that pretty soon—probably tomorrow—the future of the internet is going to be in the hands of the Federal Communications Commission.

I just want to wrap up my remarks by talking about how important it is for the American people to go online to the Federal Communications Commission website and file a comment, and visit my website—wyden.senate.gov—where you can get more information.

I will close with this: I think my friends—certainly Senator MARKEY and Senator SCHATZ—may have heard this. I want to talk about the fight against internet piracy because we are all against internet piracy. No one is in favor of that kind of thievery, but we didn't think it made sense to damage the architecture of the internet—the domain name systems and the fundamental principles by which the internet operates—in the name of fighting piracy.

When there was a bill with a short-sighted view—it was called SOPA and PIPA—and it was introduced, scores and scores of Senators supported it immediately. I put a hold on this bill. I put a public hold on the bill. I chaired a little subcommittee of the Senate Finance Committee. There were close to a majority of Senators already in support of this flawed bill. We began to talk to those around the country who understand what it really means if you damage the internet and its architecture for a shortsighted and, in this case, unworkable approach.

Everybody thought we didn't have a chance of winning. There was very close to a majority in the Senate actually cosponsoring it. So a vote was scheduled on whether to lift my hold on this bill, the flawed PIPA and SOPA bill.

Four days before the vote was to take place on whether to lift my hold, 15 million Americans emailed, texted, called, went to community meetings. They went out all across the country. Mind you, these 15 million Americans were focused and spent more time online in a week than they did thinking about their U.S. Senator in a couple of years.

They said this defies common sense. We are not for internet piracy, but don't destroy the internet.

My hope is, once again, with the odds stacked against our side—the odds stacked against Senator SCHATZ, Senator MARKEY, and all the Senators who have been willing, on our side, to speak up against these powerful interests that really would like to gut net neutrality—that those who understand what the freedom of the net is all about, what it means to have this ability to communicate that is so vital to people without clout and power, will take the fight for the consumer, for the man and woman who just want a fair shake when they get an idea. My hope is, just as they did a few years ago in blocking this ill-advised SOPA and PIPA bill, that those who care so much about freedom and a fair shot for everybody will, once again, take the fight to the Federal Communications Commission, knowing that their voices can make a difference. They have made a difference in the past.

It is a real pleasure to be with Senator MARKEY and Senator SCHATZ.

Mr. MARKEY. Mr. President, will the Senator from Oregon yield?

Mr. WYDEN. I yield.

Mr. MARKEY. Mr. President, as the Senator from Oregon remembers so well, when he and I started in Congress, there was one telephone company.

Did we have innovation? Well, we had a company winning Nobel Prizes in basic research. Did we see applied research out there, new technologies? No. We saw a black rotary dial phone. So AT&T had to get broken up so there would be new companies, new competition, new technologies.

Ultimately, because of all of that effort toward deregulation to let more companies in, more innovations, we now have devices that we walk around with, which are just minicomputers in our pocket. We have millions of apps that people sitting in any city and town all across our country can develop and get online to try to make a few bucks.

Ultimately, it is still that old AT&T mentality: How do we shut it down? How do we close it down? How do we make it hard for the entrepreneur, hard for the innovator, hard for that new idea to get out there that makes it more productive, easier for the American people to be able to have access to these new programs?

I agree with the Senator from Oregon that this is a pivotal time in our country's entrepreneurial history. We have learned this lesson over and over again. The Senator has been a great leader on these issues, and I just want to compliment him on that. I compliment the Senator from Hawaii for his leadership on the issue.

I yield back the remainder of my time to the Senator from Oregon.

Mr. WYDEN. Mr. President, I thank my friend from Massachusetts. In fact, I have to leave the floor right now to wrap up business for a very important Finance Committee meeting tomorrow. It is a markup where we are going to be

looking at ways as part of the transformation of Medicare—what I call updating the Medicare guarantee—that some of the technologies my friend from Massachusetts talked about are going to be available to seniors.

I know our friend from New Hampshire has arrived, and she has been a very strong advocate of principles of net neutrality.

I yield the remainder of my time to her.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Thank you very much, Mr. President.

I thank my friends from Oregon, Massachusetts, and Hawaii for their leadership on this very important issue concerning net neutrality.

Mr. President, I rise today in opposition to the Federal Communications Commission's proposal to undermine critical net neutrality rules, which would change the internet as we know it today.

Tomorrow the FCC will vote on a notice of proposed rulemaking, which begins the unraveling of commonsense consumer protections that enhance our online experience. Net neutrality is a concept that requires internet service providers to provide equal access to online applications and content. It prevents internet service providers from discriminating against content and content providers, discrimination that can take the form of making certain web pages, certain applications, or videos load faster or load slower than others.

Net neutrality is integral to promoting innovation, supporting entrepreneurs and small businesses, and encouraging economic growth in my home State of New Hampshire and across the entire Nation.

In March, Washington Republicans, with the support of the Trump administration, voted to take away critical online privacy protections giving ISPs the green light to collect and use a consumer's online data without the consumer's consent. So it is no surprise that what corporate ISPs want next is to remove baseline protections that allow even the softest voice to be heard or the smallest of businesses to thrive against larger competitors.

I have heard time and again from Granite Staters who call and write to my office that we must fight to protect the net neutrality rules, rules that create an even playing field and protect consumers from unfair practices.

What we are seeing here in Washington is different. At the request of big cable companies and internet service providers, the Republican-controlled FCC, led by Chairman Ajit Pai, is taking aim at commonsense consumer protections that could change the free and open internet as we know it. As rationale, Chairman Pai has claimed that since net neutrality rules went into effect 2 years ago, investments in U.S. broadband companies have dropped to historically low levels.

Quite the opposite has occurred. Since the rules went into effect, AT&T's share price has gone up more than 20 percent, Comcast has increased 26 percent, and several ISPs have reassured investors that net neutrality would have no impact on their broadband investments. So this is just another "gimme" to big cable and industry stakeholders who want to put profits ahead of customer service and consumer protections.

In New Hampshire, innovative, small businesses are the backbone of our economy, creating good jobs, stimulating economic growth, and net neutrality has been integral to their success. More than 1,000 startups, innovators, investors, and entrepreneurial support organizations from across the country, including the company Digital Muse, in New Hampshire, sent a letter to Chairman Pai urging him to protect net neutrality rules. I plan to fight to do just that.

In giving entrepreneurs a level playing field to turn an idea into a thriving business that reaches a global audience, net neutrality helps promote innovation and boost economic growth. By dismantling net neutrality rules, internet service providers will be allowed to force small service providers to pay to play online, causing instability to startups and entrepreneurs across the Nation who might not be able to afford such fees. Companies like Digital Muse should be able to compete based on the quality of their goods and services, not on their ability to pay tolls to internet service providers.

Net neutrality isn't just good for startups and entrepreneurs, it has also created a platform for traditionally underrepresented voices, including women and minorities, to be heard and, as important, to add to our economic strength. Last week, my friend Senator CANTWELL and I sent a letter with several of our colleagues to Chairman Pai highlighting the importance of net neutrality to women and girls across the country. An open internet serves as a platform to elevate voices that are underrepresented or marginalized in traditional media, an experience many women in the field know all too well.

When turned away from traditional media outlets, women can turn to the internet as an autonomous platform to tell their stories in their own voices thanks to the vast array of media platforms enabled by net neutrality. Between 2007 and 2016, while the total number of business firms in America increased by 9 percent, the total number of women-owned firms increased by 45 percent, a rate five times the national average. This growth in women-owned business mirrors the emergence of the free and open internet as a platform for economic growth. Net neutrality has been essential to the growth of women-owned, innovative businesses, ensuring them the opportunity to compete with more established brands and content.

In addition to empowering women economically, an open internet has the

ability to empower all citizens civically. The National Women's March in January brought together hundreds of thousands of people to raise their voices and organize in marches across the country and around the world, largely through online activism. The Women's March and the many other marches that have followed since January demonstrate how an open internet can serve as a powerful mechanism for civic engagement and strengthening communities. The open and free internet is too powerful of a tool for civic engagement and social and economic mobility—especially for our underrepresented populations—to take away. Strong net neutrality rules are absolutely essential. They protect against content discrimination, they prevent internet toll lanes, they allow the FCC adequate room for oversight, and they require reasonable transparency from internet service providers. The rules also provide stability to our economy, to our entrepreneurs, and our innovative small businesses—enterprises that are integral to New Hampshire's and America's economic success.

I will continue fighting to ensure that our regulatory environment is one that spurs innovation, fosters economic growth, supports our small businesses, and allows the next young person with a big idea to prosper. I strongly oppose rules that would undermine net neutrality, and I hope the FCC listens throughout the comment period to concerns from Granite Staters and Americans who feel the same way.

Thank you, Mr. President.

I see that my friend from Minnesota is here and wonder if he would like to speak to this issue as well.

Mr. FRANKEN. I would.

Ms. HASSAN. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Thank you, Mr. President.

I rise to discuss the Trump administration's effort to undo the open internet order. Together we must protect net neutrality and ensure that all content on the internet receives equal treatment from broadband providers regardless of who owns the content or how deep their pockets are.

Two years ago, American consumers and businesses celebrated the FCC's landmark vote to preserve the free and open internet by reclassifying broadband providers as common carriers under title II of the Communications Act. The vote came after the SEC received nearly 4 million public comments, the vast majority of which urged the agency to enact strong rules protecting net neutrality.

Consumers urged the Commission to protect their unfettered and affordable access to content. A wide range of advocacy organizations pressed the Commission to ensure that broadband providers couldn't pick and choose which voices and ideas would actually reach consumers. Small and large businesses alike asked that the internet remain

an open marketplace where everyone can participate on equal footing, free from discrimination by companies like Comcast, Verizon, and AT&T.

The FCC responded by establishing rules that are strong, clear, and enforceable; rules that prevent broadband providers from blocking or throttling lawful online content, and rules that stop providers from charging websites for access to fast lanes.

Perhaps, most importantly, the FCC implemented these rules within the time-tested legal framework that allows the agency to respond to challenges to net neutrality that arise in the future. Following the commonsense path I have long urged, the FCC recognized that broadband access is a title II service—a classification that the DC Circuit has upheld and had previously signaled was necessary in order to establish strong rules.

The FCC's vote to implement strong net neutrality rules was an important victory for American consumers and for American business, and that victory demonstrated the overwhelming power of grassroots activism and civic participation. In 2014, millions of Americans from across the political spectrum organized to ensure that their voices were heard, and in the process, they redefined civic engagement in our country, but in the 21st century, that kind of participation requires an open internet, a place where people can freely share information and engage in meaningful public discourse.

Because of net neutrality, a handful of multibillion-dollar companies cannot bury sites offering alternative viewpoints or attempt to control how users get their information. Because of net neutrality, people from across the Nation can connect with each other, share their ideas on the internet, and organize a community effort.

I have always called net neutrality the free speech issue of our time because it embraces our most basic constitutional freedoms. Unrestricted public debate is vital to the functioning of our democracy. Now, perhaps more than ever, the need to preserve a free and open internet is abundantly clear. That is why I am so concerned about Chairman Pai's proposal to gut the strong net neutrality rules we fought so hard for.

Tomorrow, the FCC will vote officially to initiate a proceeding to undo the open internet order, but, importantly, American consumers and businesses will once again have an opportunity to make their voices heard. I hope the American people will contact the FCC, that they will remain engaged and willing to speak up, and that they will continue to use the internet to spread ideas, organize support, and ultimately counter the deep-pocketed ISPs and the politicians who seek to undermine net neutrality.

Two years ago, the best principles of our democracy won out. I do believe that with the same energy and deter-

mination that has gotten us this far, net neutrality supporters can garner another win for the American people.

I thank the Presiding Officer for this opportunity to speak.

I yield to my good friend from the State of Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I thank Mr. FRANKEN for his leadership on this issue. He is a person who understands the content industry and has been a fierce defender of people's ability to view content online, people's ability to express themselves online, and understands that a fair and open media marketplace is central to our democracy.

I want to address one assertion that was made by the proponents of repealing net neutrality; that is, that somehow the investment climate under net neutrality was harmed. They say there is some reason to believe that under net neutrality, the investment climate was diminished, but the Internet Association published research today that addressed this very issue, and their findings show that since 2015, when the rules went into place, telecommunications investment has actually increased. ISPs and their consumers are enjoying historically low production costs and innovation has increased. Free Press also published a report on this question earlier this week, and they found that investment in broadband by publicly traded companies actually went up after net neutrality went into place. Here is what the research director at the Free Press had to say: "If investment is the FCC's preferred metric, then there is only one possible conclusion—net neutrality and Title II are a smashing success."

Here is the point. The internet is not broken. There are parts of the economy that are not working well. We struggle with manufacturing. We need to invest in infrastructure. We have a trade imbalance. We have a higher education system that is not working for everybody. We need to do more work in these areas, but the part of our economy that is working great for consumers, for entrepreneurs, for the private sector, for engaged citizens is the internet itself. Tomorrow, the FCC is going to endeavor to break it.

Before I hand it over to someone who has been working on these issues for many years, I want to point out that nobody would have anticipated that the Affordable Care Act would still be on the books because of unprecedented online and inperson organizing.

The FCC has a very unique process where there is going to be a 3-month public comment period. The statute actually allows the public to go and weigh in on what they think. The last time this happened when net neutrality principles were being established, 3.8 million people commented. So far, before they even take their first formal action, there are 1.6 million people who have already commented. My guess is, by the time tomorrow is



done—maybe the next day—we will be well into the 2 to 3 million comment range, and they still have 3 months to go. Understand the power in our democracy still resides with the people. Somebody who has been working in the trenches on this issue and many consumer issues for a very long time is my great colleague, the senior Senator from Connecticut, and I will yield to him as I realize I think I am standing at his dais.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I begin by thanking my colleague and friend Senator SCHATZ for his extraordinary leadership in this area that has brought us to the floor. I am proud to speak against the Federal Communications Commission Chairman's proposed order that is in fact slated for a vote at the open commission meeting tomorrow morning. That vote would undo the open internet order.

What is at stake here is, really, First Amendment rights to free speech. Those rights are threatened. Net neutrality has never been more important. Allowing broadband providers to block or discriminate against certain content providers is a danger to free speech and the freedom of our press. These principles are fundamental to our democracy. We should safeguard them by stopping this proposed repeal of the open internet order.

The internet's astonishing economic success is due to its being open and the access that it provides as an open platform. Anyone with a good idea can connect with consumers. Anyone who wants to reach across the globe to talk to others or to pitch and promote ideas and products encounters a level playing field, and that ought to be the reality.

On February 25, 2015, the FCC adopted the open internet order to preserve that open nature of the internet. The order, essentially, embodies three rules—no blocking, no throttling, no paid prioritization. Those principles are now at risk. In fact, they are in grave jeopardy. Those principles guarantee people, within the bounds of the law, access to different web content regardless of the political views expressed and regardless of the wealth of a site. They assure that the internet is open—that it is not a walled garden for wealthy companies. A lot is at stake here, and consumers and others should prevail because their interests are, ultimately, what is involved.

Ultimately, the Administrative Procedure Act requires, in my view, that Chairman Pai prove, through a fact-based docket, that something has significantly changed in the market since the open internet rule was established in February of 2015. Without that change in facts, the decimation of this rule cannot be justified. We cannot allow Chairman Pai to succeed in this plan to gut neutrality at the behest of moneyed internet service providers. Chairman Pai's proposal, if it succeeds

tomorrow, will deprive the American people, startups, and businesses of important bright-line net neutrality rules. For that reason, I will fight it, and I hope my colleagues will join me in this effort.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll. The bill clerk proceeded to call the roll.

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

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

#### NATIONAL POLICE WEEK

Mr. PORTMAN. Mr. President, I rise during Police Week to pay tribute to our police officers around the country—the men and women in blue who serve us every day in Ohio and in every State represented in this Chamber.

In Ohio, this is a particularly difficult week. Here we are during Police Week, and we are, once again, mourning the loss of a police officer. This happened just last Friday. Last Friday, a gunman took two people hostage in the woods behind a nursing home in Kirkersville, OH, which is a small town about 25 miles east of Columbus.

The first one to arrive on the scene was the police chief of this small town. His name was Steven DiSario. Chief Steven DiSario confronted the assailant, and he was ambushed by this assailant. He was shot. He was killed. This gunman then went inside the nursing facility, and he murdered two staff members—a registered nurse, Marlina Medrano, and a nurse's aide named Cindy Krantz. Then he took his own life.

By the way, Police Chief Steven DiSario was 36 years old and had just become the police chief in Kirkersville a month ago. The women who were slain were Marlina Medrano, who had a son, and Cindy Krantz, who had five kids, including a 10-year-old son. Those kids had to spend Mother's Day preparing for their moms' burials.

On Monday, I went to Kirkersville and saw the memorial there for the officer. I also had an opportunity to meet with some of the officers who were from neighboring communities. There was just one police officer in Kirkersville—just the chief. I was able to express to them the sympathy and the gratitude of the people throughout Ohio. I had brought a flag that had been flown over the U.S. Capitol in honor of Chief DiSario, and that flag will go to his family as a very small token of the appreciation and gratitude of all of us for their father's and husband's service.

Chief DiSario had six kids, and his widow, Aryn, is currently pregnant with their seventh child—a child who is never going to know his or her dad. What he or she will know is that he died a hero, that he died a hero in risking his life to protect innocent people.

That is what police officers do every single day. They keep us safe. They

take dangerous criminals and weapons and drugs off our streets. They enforce the law. Even their very presence helps to deter crime and keep our communities safer, but they do it all at great risk—at great risk to themselves and at great sacrifice to their families.

A little more than a year ago, I did a ride-along in Columbus with Officer Greg Meyer. He is one of those brave Columbus police officers who goes out every day to help keep our communities safe, and we were focused on a couple of issues that night in Columbus.

One was the drug trade, particularly the opioid crisis we face in Ohio. He was able to show me where much of this activity occurs, and we were able to see with our eyes some of the people who were trafficking drugs, dispersing, and what goes on in our communities.

We were also talking about human trafficking and his work in that area. We were able to go to some particular places at which there had been trafficking in the past and where the police had broken up trafficking rings in which girls and women had been made to become dependent on heroin. Then the traffickers had them, often in a hotel for a week until they had moved on to another one and trafficked—sold—human beings, usually online, usually through the iPhone. Again, this police officer was able to tell me about what he has done and what his force has done to help protect these girls and women and to help get them out of that situation.

This was just a few hours for me, and I always enjoy doing these ride-alongs, but this is his life and their lives every day. They are out there doing their best to try to protect us and to make our communities safer.

The day before this tragedy occurred in Kirkersville, we had had a lot of police officers here in town because, on Thursday and Friday and over the weekend, police officers had been coming in for Police Week and Police Memorial Day, which was on Monday, so I had a chance to meet with a bunch of these officers and thank them for their service.

We talked about the fact that the job is dangerous and increasingly dangerous. Unfortunately, the numbers show that. Little did we know that, the day after we had been talking, there would have again been this tragedy in Ohio. We talked about the fact that some of their families have had sleepless nights because they do not know whether their husbands or their wives or their sons or daughters are going to be coming home.

In our Nation's history, more than 21,000 police officers have died in the line of duty. Think about that—21,000. We have already had 42 this year, 2017. In 2016, we lost 143, which is about one officer every 3 days. Again, last year, five of those fallen officers were from Ohio: Aaron Christian, a patrolman with the Chesapeake Police Department; Thomas Cottrell, a patrolman



with the Danville Police Department; Sean Johnson, of the Hilliard, OH, Division of Police; Steven Smith, of the Columbus Division of Police; and Kenneth Velez, an Ohio State trooper.

I had the opportunity to meet with some of the families of these fallen officers to express our appreciation, to express our respect for them and the sacrifices that they bear. It takes courage to wear the badge, and those officers wear the badge day in and day out. They knew what they were getting into. Yet they wore that badge; they died wearing that badge.

Although these heroic men were taken from us, their examples can never be taken away and will not be. Ohioans are going to remember them as models of bravery and service, as examples of fellow citizens who, on behalf of all of us, were in the habit of walking into danger rather than running away from it.

We have an opportunity to do something that will make a difference for our police officers by supporting the Police Week resolution that the House and the Senate are working on. I urge all of my colleagues to support it, and I am sure they will. I think we need to show our men and women in blue, who are on the frontlines, that we do appreciate them.

There is also legislation that can be supported. Most recently, with the majority whip, I introduced legislation that is called the Back the Blue Act. It is very simple. It says, if you target law enforcement officers, you are going to have to pay a very high price. That is appropriate. We think the Back the Blue Act, which would increase penalties on those who would attempt to harm or kill a police officer, is going to make a difference because it will send a strong message and help deter some of these crimes. Ultimately, I think that it will make our heroes in blue safer and help save lives.

Again, I urge my colleagues to join me in the wake of this terrible tragedy we had in central Ohio. I know the people of Ohio are looking for Congress to stand tall and to stand with our police officers and to thank them for what they do to protect us every day.

Let's support this Police Week resolution. Let's support the Back the Blue Act. Let's do everything we can to ensure that our police officers know that we are with them—that we are at their side—as they do their job every day to protect us.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, pending before the Senate is the nomination of Rachel Brand to be the Associate Attorney General of the United States—the United States, not of the President.

We once had an Attorney General who told us on the Judiciary Committee that as a member of the President's staff, it is not the Secretary of Justice; it is the Attorney General of the United States.

I say this because her nomination to the third most senior position at the Department of Justice comes at an unprecedented time of chaos and upheaval—not only at the Justice Department, but also at the White House, the Federal Bureau of Investigation, and across much of this administration.

We should all agree that it is more important than ever that the Justice Department be led by public servants with independence and integrity. Unfortunately, President Trump's Attorney General and Deputy Attorney General have failed this test. I did not expect Attorney General Sessions to show independence from the President, which is why I voted against his nomination.

But I had higher hopes for Deputy Attorney General Rod Rosenstein. Mr. Rosenstein's role in the dismissal of FBI Director Comey and his willingness to provide pretext for President Trump's interference in the Bureau's ongoing Russia investigation has precipitated a crisis of confidence in the Department.

The Senate must take steps to restore the independence of the Department of Justice. After reviewing her record and hearing her testimony at her confirmation hearing, I am not confident that Rachel Brand is up to that task. Like so many of the President's nominees, she carries a heavily skewed, pro-corporate agenda that would do further harm to the Justice Department and its independence.

Ms. Brand has long championed deregulation and the rolling back of vital environmental, consumer, and labor regulations protecting the American people. Ms. Brand has justified indiscriminate surveillance of Americans and defended broad assertions of Executive power. She even refused to say whether she would recuse herself from matters involving the Chamber of Commerce and the Chamber Litigation Center, her current employer. I cannot support a nominee who lacks an independent voice. I will therefore vote against her nomination.

#### RUSSIA INVESTIGATION

Mr. President, every day seems to bring new, disturbing revelations involving this President and his administration. I almost hesitate to say "every day" because sometimes it is every hour.

Yesterday's report that the President pressured former FBI Director Comey to terminate the ongoing investigation into Michael Flynn is extraordinary. If true, the President's conduct could warrant charges for obstruction of justice.

Now, the notion that the Russia investigation could be led by a political appointee of this President, who serves at the pleasure of this President, is preposterous; yet Senate Republicans have attempted to justify Deputy Attorney General Rosenstein's failure to appoint a special counsel. Their arguments are wrong. I want to take a few minutes to explain why.

The President says he fired James Comey because James Comey wouldn't pledge loyalty to him. Apparently, pledging loyalty to the rule of law was not as important. Most Americans don't care whether the Director of the FBI is a Republican or Democrat; they just want him or her to be committed to upholding the law, not a political position.

Every lawyer knows that, when you are considering a legal question, you begin with a statute or regulation at issue. The relevant regulation, found in the Code of Federal Regulations, is worth reading in full.

I ask unanimous consent that the regulation be printed in the RECORD at the conclusion of my statement.

The rule requires that an independent special counsel be appointed if three conditions are met.

The first condition is that a "criminal investigation of a person or matter is warranted." This is not an open question in this instance—there is already an active investigation.

The second condition is met when an investigation by the Justice Department "would present a conflict of interest for the Department or other extraordinary circumstances." If Mr. Rosenstein, a political appointee, were to lead this investigation, he may be forced to investigate both his immediate supervisor, the Attorney General, and the President. That is the definition of a conflict of interest. That alone is enough.

But in this investigation, extraordinary circumstances abound. Last week, the President admitted that he fired the official leading this investigation because of "this Russia thing." His Deputy Press Secretary then said, "We want this to come to its conclusion. . . . And we think that we've actually, by removing Director Comey, taken steps to make that happen." Yesterday, we learned that President Trump may have also pressured the FBI Director to close the investigation into Michael Flynn's contacts with Russian officials. If these are not "extraordinary circumstances," then those words have no meaning at all.

The third condition is met when "it would be in the public interest to appoint an outside Special Counsel." I cannot recall a more serious national security investigation. Russian interference in our election, possible collusion with the Trump campaign and administration, and the President's repeated assaults on the rule of law have eroded trust in our democratic institutions like nothing I have seen. According to the President's own statements, this investigation has been repeatedly compromised by political interference.

Because all three conditions are met, the Deputy Attorney General does not have a choice in this matter. It is not discretionary. The regulation requires that Mr. Rosenstein appoint a special counsel. Each minute that he refuses

to follow this rule, he further diminishes the integrity of this investigation, as well as the integrity of the Justice Department itself.

I would ask anyone who still claims that a special counsel is not required to reconcile their opinion with the Justice Department rules. We may disagree on policy matters, but I hope we all agree on the supremacy of the rule of law and that no person and no President should be above it.

I know some Republicans have expressed concerns about the integrity of this investigation in public, and many others have expressed it to me privately. At this critical time, we cannot stand on the sidelines. We have a constitutional requirement to act as a check and balance on the conduct of the President. That starts with joining the call for a special counsel.

Mr. President, I love the Senate. I think of the Senate as a place that can be the conscience of our Nation. But more than that, I love the system of government where we have real checks and balances. I respect the executive branch, the legislative branch, and the judicial branch, but in my decades here, I have never seen such an assault by the President of the United States on the integrity and the independence of our Federal court system; the assault on our free press, including the suggestion that we should pass new libel laws to go after members of the press who might dare criticize this administration; or the assault, of course, on the Congress; or the pitting of one religion against another—this undermines everything that has kept this nation strong. It is not just our weapons and our military. As General Clapper indicated the other day, if we break down our institutions of government, if we let them attack each other and break each other down, then they lose credibility, and we as a country suffer.

Our Nation is too great for this, and we Senators in both parties have to stand up and help bring the country back together.

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

28 C.F.R. § 600.1 GROUNDS FOR APPOINTING A SPECIAL COUNSEL.

The Attorney General, or in cases in which the Attorney General is recused, the Acting Attorney General, will appoint a Special Counsel when he or she determines that criminal investigation of a person or matter is warranted and—

(a) That investigation or prosecution of that person or matter by a United States Attorney's Office or litigating Division of the Department of Justice would present a conflict of interest for the Department or other extraordinary circumstances; and

(b) That under the circumstances, it would be in the public interest to appoint an outside Special Counsel to assume responsibility for the matter.

Mr. LEAHY. I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

NATIONAL POLICE WEEK

Mr. COTTON. Mr. President, over the weekend I heard a story I wanted to

share with everyone here today. The story goes that there were three candles burning on a porch right across the street from the Cornwell Funeral Home in Dardanelle, AR—my hometown, just a couple blocks away from my home. A family had lit them in the memory of the three people who were brutally murdered last week in Chickalah, just a few miles outside of Dardanelle.

One of those slain was Lieutenant Kevin Mainhart of the Yell County Sheriff's Department, who was killed after he stopped a man wanted in a domestic disturbance. In honor of his 5 years of service to Yell County—on top of the 20 years of service he rendered to the West Memphis Police Department—his fellow officers escorted in their cruisers the white hearse carrying his body from the State crime laboratory in Little Rock back to Dardanelle.

The family across the street had lit a green candle, specifically for Lieutenant Mainhart, and the three candles burned all the night. But as the hearse pulled into the funeral home, the green candle suddenly went out.

You could say that it was nothing more than a strange coincidence, but I think there is something especially poignant about the sudden, tragic loss of Lieutenant Mainhart's life so close to National Police Week, which began on Sunday. Like that green candle, Lieutenant Mainhart lit up his community, and, like that flickering flame, his life was too brief.

Like every American this week, I wish to pay my respects to Lieutenant Mainhart and the noble profession he chose. One of the things which struck me about Lieutenant Mainhart's death was that it came so early in the morning. The stop occurred at 7:18 a.m. He had the whole day and his whole life in front of him.

He was only 46 years old, but he had made the most of his time on this Earth. He was a husband, a father, an Air Force vet, a beloved member of our community. Hundreds of people don't line the streets for just anybody. Yet, in a moment, he was gone—his family bereft, our community in mourning. It is a reminder of how precious and fragile every life really is.

It also goes to show just how brave every police officer really is, because this is the risk they take every morning. They put on the uniform, they kiss their families good-bye, and they go to work, never fully certain they will get home that night. Yet the ever-present threat of death doesn't hold them down. It doesn't hold them back. It doesn't dim the brilliance of their service. They give it their all, day after day, without giving it a moment's thought. That, to me, is the ultimate sign of character—when you do the right thing without even thinking about it.

People like this are hard to come by. The sad truth is, we need a lot of them. A free country always does, because

there is no freedom without security. We are so used to this basic fact—that for most of us, most of the time we are safe—that we forget how remarkable it is. Not so many people on God's green Earth can take that safety for granted. We often forget what it takes to secure it. We forget how easily we can lose it—and lose men and women like Lieutenant Mainhart—in an instant.

It is with this in mind—this grave understanding of what our safety requires—that I once again speak against continued efforts to water down Federal sentencing laws. I thought this ill-advised idea had expired last year, especially after Donald Trump's election. But advocates for criminal leniency are at it again, even though violent crime continued to rise in our cities for 2 years straight, and law enforcement officers are being killed in the line of duty.

I have already made my position clear. If we want to take a second look at punishments for first-time drug possession, let's do that. But we should know that fewer than 500 people are in Federal prison for such offenses. If we want to clean up our prisons, rehabilitate felons, and help them achieve redemption, by all means, let's do that, too. I would even consider a bill to speed up review of inmates' applications for pardons and commutations, to help the President exercise this constitutional authority. But we should not—we should not—lower mandatory minimums for violent crimes, repeat offenders, and drug trafficking. There is nothing compassionate about putting the lives of innocent people—and our law enforcement officers—at risk.

Lieutenant Mainhart isn't the only one. There were three police officers killed in the line of duty last year in Arkansas: Robert Barker in the McCrory Police Department, William Cooper in the Sebastian County Sheriff's Office, and Lisa Mauldin in the Miller County Sheriff's Office. Every one of these losses was too steep a price to pay, and unwise criminal leniency policies put at risk their fellow officers and our communities.

I know it is considered old-fashioned to be tough on crime—or, even worse, cold-hearted and mean. But a man doesn't put a lock on his door because he hates those on the outside. He does it because he loves those on the inside—his wife, his kids, all his family—because they are the joy of his life. The men and women of law enforcement don't just protect their own families—they protect all of our families. Every day those men and women put their lives on the line for their fellow citizens. The least we can do is to stand behind them and support them, both for the work they do and for the lives they lead.

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.

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

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

#### RUSSIA INVESTIGATION

Ms. KLOBUCHAR. Mr. President, I rise today to discuss the recent firing of FBI Director Jim Comey and Russian interference in our democracy. Jim Comey was my law school classmate, and I know that in my State he has a lot of respect from our agents and also from law enforcement in general in our State.

When we had the stabbing in the mall in St. Cloud, MN—it was just with our police chief from St. Cloud—it was the FBI that came in and helped at the crime scene and with other things, because for a smaller police department it is difficult to deal with something like that and because they also had work to do working with the community to calm people.

The result was a good one because of the courageous work of an off-duty police officer. While people were injured, no one was killed, and the investigation was completed.

This is just one example of the work the FBI has done when Director Comey was in charge. I think we focus very much on what goes on in this town, but there are a lot of agents and law enforcement out there who have deep respect for him.

Last week, when Director Comey was fired, I came to the floor and said that in the recent months foundational elements of our democracy—including the rule of law—have been questioned, challenged, and even undermined. Today I return to the floor with the same concern.

In the last 48 hours alone, we have learned that, in addition to sharing top secret intelligence information with Russia without checking about it ahead of time—and we know Presidents have the right to share information and declassify it, but in instances of which we are aware, the President checks with intelligence agencies ahead of time. Was this shared with an ally? No. This was shared with Russia, a country that 17 intelligence agencies in the United States of America established was trying to undermine our election; Russia, which was found responsible for trying to shoot down and successfully brought down a plane, killing innocent people in Ukraine; the same regime that has poisoned dissidents; the same regime that has put people to death for simply expressing an opinion that is different from Vladimir Putin's. That is the country with which the President chose to share this information.

What else happened in the last 48 hours? Well, President Trump allegedly urged Director Comey—this news dropped in the last 48 hours—to end the investigation into ties between Russia and General Flynn and to put reporters who publish classified leaks in prison. This was information I didn't know be-

fore. It happened in the last few months, of course, but it all came out in the last 48 hours.

The American people are looking to Congress for answers in the face of this assault on our democracy. It is our job to give them the answers they deserve and to right this ship. That is why I continue to call for a special prosecutor. Ever since the Attorney General had to recuse himself because of his own meetings and ties with Russia and ever since this mess kept getting messier, I have been calling for a special prosecutor. I believe that is the way to go.

Also, I have long called for an independent commission, and this is for a different purpose. As the Senate Intelligence Committee continues its bipartisan work, a special prosecutor and the FBI would get to the bottom of any criminal investigation. To me, the purpose of an independent commission would be to set the rules of the road so that this doesn't happen again and so our country can protect itself. This would be a panel of experts appointed by both sides. Their focus could well be to take these facts but to put them into a future election, as in, what do we do when campaigns get information that clearly is from a cyber attack from a foreign power?

Our Founding Fathers have said that our elections are precious and that they should be protected from foreign powers. Way back then, they were thinking of Great Britain. Now we are thinking of Russia. Next time, it could be another country. We should have some rules of the road.

It is not that long ago that—I remember when Presidential campaigns would be given some information that they weren't supposed to get from the opposing side, and they would actually return it to the opposing side. We could go back to that kind of day.

We could also have the media have some rules of the road. Look at what happened with the recent French election when there was a cyber attack there. The media didn't put out every rumor and everything they got out of that cyber attack; they showed some discretion.

Those are the kinds of things we could do with an independent commission in addition to factfinding.

I will start with this special prosecutor. The stack of reasons why we need a special prosecutor is getting higher and higher every day. Aides and surrogates of the Trump administration during both the campaign and in the transition were in contact with officials from a foreign government that was actively working to tear our democracy apart. That is pretty much established.

We know that the campaign chair for the Trump campaign had to step down because of his ties to Russia. We know that General Flynn was on the phone with the Russian Ambassador on the very day President Obama declared he wanted to expand sanctions against

Russia. We also know he then lied to the Vice President of the United States about it. Those things happened during the campaign and during the transition.

Last week, former Acting Attorney General Sally Yates and former Director of National Intelligence James Clapper reminded us—I was there in the Judiciary Committee—they reminded us that on the very day that President Obama imposed those sanctions, that was when General Flynn—the former National Security Advisor; the person charged with the most sensitive matters of U.S. national security—was contacted—the Ambassador—and then he later lied to the Vice President about that contact.

I actually asked them specifically that after the fact that Flynn knew he was on tape, that they knew that, that there was a tape of him saying one thing to the Russians and then another to a high-ranking official in America—that would be the Vice President—I asked them if that was material for blackmail. They both said definitively that it was.

Yet, when Sally Yates went to the administration twice for two formal meetings with other people—this wasn't just a little heads-up at a cocktail party; she actually went to the White House to inform them that she believed the National Security Advisor had been compromised. What happened? They let him stay on for 18 days. And 2 days in, he was on an hourlong call between Vladimir Putin and the President of the United States of America.

Then, of course, we have the fact that the Attorney General was forced to recuse himself from any involvement with the Russia investigation because he met with the Russian Ambassador.

I will note that he met with the Russian Ambassador just a few days after President Obama and President Putin had met at an international meeting. At that meeting and then publicly President Obama had said: No, I am not pulling back these sanctions. Then what happens? Jeff Sessions, who was closely affiliated with the Trump campaign, a surrogate for the campaign, goes and meets with the Russian Ambassador.

Because of that and some things that happened in his confirmation hearing, he has now recused himself from any matters regarding the investigation between Russia and this administration and the campaign.

In addition to the recusal, we have seen two people resign, as I noted: the campaign manager, the campaign chair, and the National Security Advisor. The one thing they have in common is Russia and President Trump.

We have seen three people fired. One is Sally Yates, who was the Acting Attorney General of the United States. While the reasons given for her firing were, of course, related to the refugee order, in fact, she was fired on the very

same day she had gone to the White House to talk to them about General Flynn. We have Preet Bharara, who was fired after saying he could stay on. He was the U.S. attorney in Manhattan, in a very major position to investigate these kinds of issues and crimes. And then, of course, we have Jim Comey. The one thing they all have in common is that they were all investigating various facets of this.

In fact, Director Comey, as I noted—who had gotten support and respect from law enforcement—was fired the same day Federal prosecutors issued grand jury subpoenas to Michael Flynn's associates, just days after Comey requested more resources, according to news reports, to carry out the Russia investigation, and 2 days before he was scheduled to testify publicly before the Senate Intelligence Committee, where Members of that committee were going to ask him about Russia.

Think about it. The independent government officials who are charged with getting to the truth, no matter where it leads, were fired. And the President of the United States reportedly now—and this is what we have learned in the last 48 hours, and of course we want to get to the bottom of the evidence, but according to news reports, he urged the FBI Director to end the investigation into the ties between Russia and Mike Flynn.

We owe it to the American people to get to the bottom of what is going on here. It is our job to get to the bottom of this. The President can't fire Congress. He can fire the Acting Attorney General. He can fire the FBI Director, although I think it is very important that we get to the bottom of why the FBI Director was fired and whether it was for the reasons that were given in the memo that was prepared by the Justice Department or whether it was because of what President Trump has said—that it was related to Russia—or whether was because at one point he said he wasn't doing his job, which is not what I have heard from agents on the street. The one group the President cannot fire is right here in this room. The President cannot fire the U.S. Senate. The President can't fire the House of Representatives. He is not above the law.

This administration cannot investigate itself. We have the ongoing and important investigation led by bipartisan leaders, Senator BURR and Senator WARNER. That is important and must continue. We also need a special prosecutor to look into the President's most recent conduct and all contacts between Trump campaign aides and surrogates and Russian officials during the campaign, the transition, and the administration. This prosecutor must be fair and impartial and completely unattached to either political party. Above all, this prosecutor must be comfortable speaking truth to power.

In addition to a special prosecutor, we need an independent commission.

When I came back from my trip with Senator MCCAIN and Senator GRAHAM to Ukraine, the Baltics, and Georgia, I made it very clear—I remember speaking to my colleagues about this—that what we saw there made me even more concerned about the finding of our intelligence agencies because those countries have seen this movie over and over again where Russia has cyber attacked them. It happened in Lithuania just because they had the audacity to invite members of the Ukrainian Parliament from Crimea, who were in exile in Kiev, for their 25th anniversary, and they got hacked into. It happened in Estonia, where they moved a bronze statue out of a public square and into the cemetery with other statues of soldiers. But this was a Russian soldier. The Russians didn't like it. This was in 2007. What did they do? They shut down the internet for the entire country. This is not just a single incident involving one candidate or one political party or one election or even one country; this is something widespread. It is an attack on democracy.

That is why, when I came back from that trip, I stood with Senator CARDIN and House Members ADAM SCHIFF and ELIJAH CUMMINGS to stand up for a bill, which has a number of other sponsors, to create an independent, nonpartisan commission to uncover all the facts and make sure future elections and political campaigns are safeguarded from foreign interference.

For months, U.S. intelligence agencies—17 of them—have said that Russia used covert cyber attacks, espionage, and harmful propaganda to try to undermine our democracy. Reports show it. The facts prove it. Some \$200 million dollars was spent alone on Russian TV on our own election. Much of it was passed out on the internet.

Last week, the former Director of National Intelligence, James Clapper, testified that Russia will continue to interfere in our election system. This is what he said:

I believe [Russia is] now emboldened to continue such activities in the future both here and around the world, and to do so even more intensely. If there has ever been a clarion call for vigilance and action against a threat to the very foundation of our democratic political system, this episode is it.

Vigilance. He said that Russia felt emboldened by what happened. What happened in the last 48 hours? We find out that he had given high-level intelligence to the Russians before we gave it to any of our allies, before we checked it out with intelligence agencies. That actually emboldens them. We find out that, in fact—because Director Comey kept such meticulous notes, we find out that allegedly the President asked him to discontinue the investigation into General Flynn. What does that do? That emboldens Russia even more.

What former Director Clapper was telling us was that we need vigilance. We need oversight. We need to send a clear message that they cannot con-

tinue doing this. We do not need to embolden them.

What message does it send when the President urges the person in charge of the investigation into Russia's election interference to let it go? It is not one of vigilance in seeking the truth and fighting against a foreign adversary.

An independent commission of nonpartisan experts can get to the bottom of this and tell us how we can prevent this from happening again. They can provide recommendations to help prevent future attacks on our democracy from being successful.

In addition to a special prosecutor and independent commission, we also need our congressional committees to continue to exercise their oversight authority. Since the election, we have heard a lot about the three branches of government and our system of checks and balances. One of the fundamental jobs of Congress is to closely oversee the executive branch to ensure that the law is being properly followed and enforced. That means we need congressional committees to continue their investigation into Russian interference in our political system. We have subpoena power for that reason, and we need to use it. There are tapes. The President says there may be tapes. Of course, redact the classified information. We don't want to hurt anyone any further from what has been happening in the last few weeks. But we should see the transcripts. We should have the tapes. There is bipartisan support for turning over this material, including the memos prepared by Director Comey.

(Mr. LEE assumed the Chair.)

Today Senators GRASSLEY, FEINSTEIN, GRAHAM, and WHITEHOUSE sent a letter to the FBI and White House Counsel requesting these documents. Many of my colleagues on both sides of the aisle understand the importance of doing our jobs to get to the bottom of this. The ongoing bipartisan Intelligence Committee investigation is vital to addressing the covert and classified aspects of Russian interference, but we also need transparency because the American people deserve to know as much as possible about what happened and how we are going to prevent it in the future.

That is why I fully support the Judiciary Committee hearings that Senators GRAHAM and WHITEHOUSE have held in the Subcommittee on Crime and Terrorism. I also believe, as a member of the Judiciary Committee, that if the Director is to testify—former Director Comey—he should come before the Judiciary Committee because these are matters related to his service as an FBI Director. They are related to the justice system, to the criminal justice system, and we should hear from him.

I hope Senator GRASSLEY has requested that he come before our committee. I am aware that the Intelligence Committee also would like him to come, but I think it is important, given the substance of what is at issue

here. Yes, he should appear before Intelligence about ongoing matters related to the Russian investigation, but there is also the issue of the fact that he was fired. We heard one thing in a memo from the Justice Department, we heard one thing from the White House, we heard another thing from the White House, and then we heard another thing from the President. That is all true. We need to get to the bottom of this.

On Monday, Republican Senator BOB CORKER said that the administration was in a “downward spiral.” He used the word “chaos.” That was before we even knew that the President may have urged the FBI Director to end the Russia investigation and put reporters in prison. This is an unprecedented time in our country’s history.

The Presiding Officer, having written a book on the Constitution, knows that one of our jobs is to stand by that Constitution. Yet we are witnessing a singular moment of constitutional and democratic unease.

On this day in 1973, the Senate Select Committee on Presidential Campaign Activities began televised hearings on Watergate. One week later, Professor Archibald Cox was sworn in as special Watergate prosecutor. Like Director Comey, who was leading the investigation into Russian interference in our election, Archibald Cox was eventually fired by the President for doing his job. The night that Archibald Cox was fired by President Nixon for investigating Watergate, he said: “Whether ours shall continue to be a government of laws and not of men is now for Congress and ultimately the American people.” He was right.

The American people deserve a thorough, independent investigation into whether this administration obstructed justice and the extent of Russia’s interference in the 2016 Presidential election. They need to know it because we are a democracy. We don’t hide things like this. We get the facts. We get the truth, the whole truth, and nothing but the truth. That is what our democracy is about, and that is what our justice system is about. But they also need to know it because our democracy is the basis of our freedoms. If we don’t protect our democracy in the coming elections, then we hurt those freedoms. The only way we figure out how we are going to protect that democracy is getting to the bottom of the truth, so we can figure out how to prevent it from happening in the future. This is not a partisan issue; this is an American issue, and Americans deserve answers.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

TRIBUTE TO DAVID HANKERSON AND DAVID CONNELL

Mr. ISAKSON. Mr. President, we debate a lot of heavy things in the United States Senate. We make tough decisions. Decisions of the fate of our country lie in the balance. But day in and

day out, sometimes we go an entire day or week without talking about the people who make America work: the entrepreneurs, the employees, the employers, the people who run the businesses, pay the taxes, and employ the citizens who make this country go.

Today, I rise to talk about two citizens from my home county, Cobb County. First is David Hankerson. David announced this week his retirement after being employed by our county for 33 years. He came to the community development department of the county 33 years ago, and 11 years later, he became the first county manager of the county and served in that position for a record 24 years. During that time, the county doubled, not just in its population, but tripled and quadrupled in its revenue. It did new and different and innovative things. As tax rates went down, productivity went up. Its popularity as a place to locate became preeminent. He is one of the shining stars in the State of Georgia today, in Cobb County.

I rise for a special reason to pay tribute to David Hankerson, however, because he represents something I was a part of in 1984. At the time he was being hired, I did not know him as an employee for the county; I was in the State legislature, trying to change the government for our county from an elected CEO to an appointed county manager, a professional operator of the county. That had not been done in Georgia. In other parts of the country, it had been done successfully. You had continuity of leadership—someone whose job was to be a good leader, who wasn’t an elected politician, someone who could do the job.

David Hankerson was hired to do that job in Cobb County, GA. He did one of the most remarkable jobs anyone has ever done. In fact, the great testimony is that every year since he was there—24 years ago as county manager—someone has tried to hire him away from Cobb County. Every year he decided to stay because he once had said: I have made a commitment. As long as the commitment is returned by the community to me, I am going to stay and see it through.

On this day, as I rise on the floor of the U.S. Senate to pay tribute to David Hankerson, I pay tribute equally to all those who make our government work, our businesses work, our communities work, and our country work, to the men and women laboring in the fields and toiling in the vineyards, working in the shops, working in the offices who make America the great country it is today, and to the great chambers of commerce that make it happen as well.

I pay great tribute to David Hankerson and thank him for the contribution and sacrifice he made to the people of Cobb County, GA, and the State of Georgia.

Mr. President, I would like to pay tribute to one other Georgian, the retiring chairman and CEO of the Cobb

County Chamber of Commerce, David Connell. This is the kind of guy you really appreciate. He worked for 40 years at the Georgia Power Company. He had 12 different titles in 40 years. He was a great employee of that company, a great member of the community of Cobb County, a great private citizen, and great personal friend of mine.

After 40 years of working there and retiring, the county had a big problem. The chamber of commerce had a scandal. It couldn’t find a leader and was losing its effectiveness. David volunteered to go in as a chamber board member and spent 1 year as chamber leader. He stayed there 15 years and led the chamber to new heights unprecedented in our State and in our county: an AAA bond rating in our county, new businesses coming and relocating, and even the now-famous relocation of the Atlanta Braves from downtown Atlanta to suburban Cobb County—one of the rare moves a professional team has ever made smoothly and easily. They made it because of David Connell.

David will tell you that when the chamber board found out the Braves were interested in maybe talking about building a \$750 million facility in the county, they asked David if he would stay until that was accomplished. He made the commitment to do so, and it took 3½ years—3½ long years. It was a lot of effort, all in a circuitous nature because of the popularity of the Braves and what would have happened had it gotten out as a rumor that they were coming.

David closed that deal this year. The Braves opened this season in a new stadium. With three-quarters of a billion dollar investment having been made, the county is more prosperous. David Connell made it happen.

He announced this week that he is retiring after 40 years at the power company and 15 years at the Cobb County Chamber of Commerce.

I want to take a moment on the floor of the Senate to say thank you to David Connell for what he has done for our county and our community, for our citizens and our families, and how proud I am as one of his friends. I thank him for a job well done.

David, thank you. We are proud of you. God bless you, and God bless the United States of America.

I yield back.

The PRESIDING OFFICER. The Senator from Colorado.

WELCOMING BACK SENATOR ISAKSON

Mr. GARDNER. Thank you, Mr. President.

It is great to have our colleague from Georgia on the floor of the Senate once again, doing the outstanding job that he has always done for the people of Georgia, recognizing the great individuals back home who make Georgia such a great State, and we are just blessed to have him here. I thank him for his continued service for the people of Georgia and the people of this country.

WELL WISHES TO SENATOR TILLIS

I am also grateful to be standing at a desk that is next to the desk of our colleague THOM TILLIS, the Senator from North Carolina. I am glad he is “up and at ‘em” today after a little bit of a startle this morning.

NATIONAL POLICE WEEK

Mr. President, I rise to talk about the sea of blue that is in Washington, DC, this week. Monday was National Police Day. This week, we celebrate National Police Week. Law enforcement personnel—men and women from around the country—are in Washington to share their incredible commitment, their stories of sacrifice, courage, and the work they have done to protect our communities. Indeed, they are the frontlines of protection for our communities.

These incredible men and women in Colorado and across the country put their lives on the line each and every day to keep us safe.

They put their lives on the line each and every day to keep us safe. While they don't do this work—this sacrifice, this commitment—selfishly or for credit or recognition, I think all of us in the Senate this week join together when we say that we are happy to see so many of them in the Nation's Capital for this National Police Week.

I will never forget one time when we were out in Colorado and we were at a September 11 commemoration service. Our son Thatcher—he is 5 years old now; at the time, he was probably about 4 years old. It was just last year that we walked by a group of police officers who were there working that day. We were talking about the loss of so many first responders and law enforcement personnel and that September 11 day in 2001, so many years ago now, it seems. But I remember telling our son Thatcher—I said: Thatcher, what do we say to police officers? I was thinking his response would be, thank you. I said: You should go tell them that. You should go tell that to the police officer.

He walked up to the police officer and he got a little nervous—4 years old. I said: What do you say, Thatcher? Again, I was thinking he would say: Thank you. Instead, he looked up at the police officer and he said: You are a hero.

It kind of choked me up a little bit. I didn't say that to him; that was something that this 4 year old knew instinctively—knew from the work they had done around communities, the conversations he has been a part of. At 4 years old, he knew the work they do to protect us.

They are heroes. They show the highest amount of courage one can imagine. They run toward danger without hesitation to keep us safe and to protect our communities.

We ask an incredible amount of our law enforcement time and again. They are answering the call, whether that is a call wondering why someone hasn't moved a car for several days, a call to

do a wellness check or maybe to ask why they haven't heard from an elderly relative or maybe a call because they saw a broken window and they are concerned about what is happening inside.

We call on them each and every day to protect our communities. While we honor and celebrate the men and women protecting us this week, we must also remember our fallen heroes. Their courage is unparalleled. They went to work each and every day facing risks that most of us find unimaginable, never expecting their end of watch to occur on that day.

In Colorado and across the country last year, tragedy struck far too many times. Last year, Colorado lost three men in the line of duty, three men who will never be forgotten by the people of Colorado or their families, their communities.

Earlier this week, I met with the family of one of these fallen heroes, Corporal Nate Carrigan. Nate Carrigan, a sheriff's deputy for Park County, was a role model in the community and someone who took great pride in protecting the people and the area he loved. The pride and love Nate's family have for the work their son did to keep his community safe is unexplainable.

We also lost a sheriff's deputy, Derek Geer, this past year in Colorado, and we lost Cody Donahue in Colorado in 2016. All of them were memorialized this week. We celebrated their lives this week, and I hope their families know and recognize that we will always hold them and their loved ones in our prayers. They will always be a part of our community's fabric, knowing each and every day we rely on them to provide our own families with protection.

Mr. President, thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I rise in opposition to Rachel Brand's nomination to the No. 3 spot in the Justice Department. Now, there are many reasons I am opposed to this nomination, but those reasons are all grounded in a central question facing America today: Whom does this government work for? Does it work just for the rich and powerful? Does it work just for the well connected? Does it work just for the billionaire in the White House or does it work for everyone?

One of the worst kept secrets in America is that there are two justice systems; one for the rich and powerful and one for everyone else. The first justice system is an exclusive club for giant corporations and wealthy individuals. In that justice system, serious crimes are punished with a slap on the wrist and a small fine. Taxpayers bail out corporations that stole the life savings, and wealthy criminals go back to their lives without missing a beat.

The second justice system is for those who can't buy their way out of prison time. In that system, minor, nonviolent offenses are punished with

harsh prison sentences. When those individuals are eventually released, they are branded with the scarlet letter that closes doors to employment and opportunity. It is a system that swallows up people whole and spits them out with nothing.

Americans are very familiar with the difference between those two justice systems. We saw the difference after the worst financial crisis in a generation, when Wall Street tycoons who gambled away the life savings of working Americans walked away free as a bird. We saw it in the War on Drugs when countless Black and Brown people were shoveled into prisons, where they wasted their lives away.

We need to fix this problem. We should be devoting every resource we have to fixing this problem. That starts with the Justice Department, the agency responsible for ensuring that nobody is above the law, and everyone—everyone is held accountable.

Unfortunately, it has been pretty clear to me for some time now that President Trump's Justice Department is pushing as hard as possible in the opposite direction. For much of President Obama's second term, prosecutors were allowed some discretion to consider the unique circumstances of each case and make a measured decision about when to ask for the most serious charge with the maximum penalty or when to ask for less.

It worked. Jail time for low-level drug offenses went down. States saved money, and lives were not irretrievably broken. Last week, that modest advance came to an end. Attorney General Sessions directed prosecutors to charge individuals with the harshest sentences possible. “Lock them up” seems to be his approach—but not in all cases. Jeff Sessions sings a very different tune when it comes to white-collar crime. He believes corporations should not be punished for the actions of their executives. Don't punish the companies for a few bad CEO apples.

In Jeff Session's world, we should throw the book at criminals, unless they are rich and powerful. Now, President Trump has chosen to somewhat help Jeff Sessions carry out his vision. His choice to be the third highest ranking official at the Justice Department is Rachel Brand, the nominee for Associate Attorney General.

She is well equipped to carry out that soft-on-white-collar-crime approach. She has extensive experience—years of experience—fighting on behalf of the biggest and richest companies in the world. She spent years leading the Chamber of Commerce's assault on the rules that protect working families, evidently deciding time after time that it is corporations that should get every break.

As the head of regulatory litigation of the chamber of commerce, Ms. Brand worked to dismantle environmental rules that prevent companies from poisoning our air and water. She worked to shield financial companies



from accountability when they broke the law or did not play by the rules. She worked to end the employment rules that prevent companies from abusing their workers.

If she is confirmed to the No. 3 spot at the Justice Department, she can watch out for giant corporations from her perch right inside the government. The Brand nomination is just another predictable move from a President who clearly believes that one set of rules should apply to the rich and powerful, and another set of rules should apply to everyone else.

We all remember Donald Trump's promise during the campaign that he was going to drain the swamp. Well, it is 118 days in, and the swamp is bigger, deeper, uglier, and filled with more corrupt creatures than ever. Over the last several days, President Trump has made it perfectly clear that he believes he should be above the law.

After he fired FBI Director James Comey, Trump went on national television and told the world that he fired Comey, in part, because Comey was leading an investigation into ties between the Trump campaign, the Trump administration, and Russia. Trump said top of mind when he fired Comey was "this Russia thing with Trump."

Now we have learned that he apparently pressured Comey in private meetings to drop aspects of the Russia investigation before he fired him. It is a basic presumption of our democracy that politicians cannot interfere with the law enforcement investigations into their own potential wrongdoing, but President Trump openly admitted trying to interfere with an ongoing investigation, and he clearly believes there should be no consequences for himself.

I understand that President Trump thinks he should be able to decide what investigations into his dealings go forward and what investigations get stopped on the spot. I understand that President Trump thinks he should be able to pack his Justice Department full of people who will watch out for billionaire CEOs and giant corporations. After all, he has packed other agencies with similar people.

I understand that is what President Trump thinks, but he is wrong. One of the things that makes our democracy strong is that we believe no one is above the law, not CEOs, not giant corporations, and not the President of the United States. It is up to the Senate to remind the President of that fact. We can start by rejecting the nomination of Rachel Brand to serve as Associate Attorney General. I ask everyone who believes in the promise of equal justice under the law to do the same.

(The remarks of Ms. WARREN pertaining to the introduction of S. 1162 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. WARREN. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

#### VENEZUELA

Mr. RUBIO. Mr. President, I come to the floor today to speak about an emerging crisis in our hemisphere in the nation of Venezuela. It has been covered extensively in the press. I wanted to come today with an update and a suggestion, a request of the administration about a step we can take.

First of all, I am very pleased that today our Ambassador to the United Nations, Nikki Haley, scheduled a discussion at the U.N. Security Council with regard to Venezuela. It was not an open press discussion. Again, it showed extraordinary leadership, and I thank her for her work and for doing so. This deserves attention.

By the way, Venezuela is a country that is blessed with natural resources. It was once Latin America's richest country, but today the people of Venezuela are literally starving, its financial system has collapsed, and there are, as you have seen from the press reports, massive protests in the streets. Its once proud democracy is now in the hands of a dictator, Nicolas Maduro, and his cronies and thugs, who have plunged that nation into a constitutional crisis. They are using violence and bloodshed to suppress and silence citizens speaking out against the regime's corruption and its abuse of political prisoners.

What the people of Venezuela are calling for is pretty straightforward: free and fair elections as called for under the Constitution of that country, a return to representative democracy—the democracy they once had. They are paying for these requests with their blood and even their lives. According to the most recent reports, dozens of people have been killed, including teenagers. The Washington Post reported yesterday the recent deaths of 18-year-old Luis Alviarez, who was killed by a bullet to the chest, and 17-year-old Yeison Mora Cordero, who died from a bullet to the head.

There were two reports today in the press of great interest, one from the New York Times and one from the Washington Post. Both documented the plight of members of the national guard who have been tasked with the job of suppressing the protests in the street. The gist of the articles was this: These people who are putting on these uniforms—they didn't sign up for this. They signed up for security. They signed up to protect the people of Venezuela, not to oppress them.

They, too, are suffering from poor food. There was one article that said that basically breakfast in the morning for the national guard in Venezuela consists of a boiled carrot or a potato, and then they are sent to the streets for hours. Then they come back and maybe have an arepa, which is a corn cake, and, if they are lucky, some butter. They, too, are suffering from this.

Here is the most enlightening part of this: A lot of their family members—their mothers, fathers, brothers, sisters, loved ones, husbands, wives,

girlfriends, and boyfriends—are on the other side of the protest lines. Their fellow Venezuelans are on the other side, and they are being tasked to do this.

I just say to them: Remember what your oath was. To the members of the national guard in Venezuela, remember that your job is to protect the people of Venezuela, not to oppress them.

Beyond what we see there—the innocent people dying because of the dictatorship trampling the will of the people and destroying their democratic institutions—one of the specific things that Maduro has done to become a dictator is he has undercut and frankly tried to wipe out the authority of their National Assembly, which is their unicameral legislative body. The way he has done that is by highjacking the supreme court of the country, and they call it the Supreme Tribunal of Justice. It is packed with puppets who do his bidding. As an example, these puppets recently ruled that they would rescind the democratic powers vested to the elected members of the National Assembly by the constitution of that country. In essence, they ruled that the National Assembly no longer had legislative authority. The protests were so massive, even within the government, that they had to backtrack from that ruling.

Here is what is interesting. This is a recent opinion piece written by Francis Toro and Pedro Rosas in the Washington Post which said it best: "Beware Maikel Moreno, the hatchet man who runs Venezuela's supreme court."

Here is what they wrote:

Moreno, a former intelligence agent, was tried and convicted of murder in 1987, though the corroborating documents from the court system are no longer available. . . . He spent just two years in jail before being released. He was then immediately implicated in a second killing, in 1989, for which he was charged but never tried.

He was a loyalist of Hugo Chavez, and he became a judge in the early 2000s. His "career as a judge hit a snag in 2007," Toro and Rosas note, "when he was removed from the bench for 'grave and inexcusable' errors after releasing two murder suspects against orders from the Supreme Tribunal. The government handed him a new job as a diplomat abroad. After a few years out of sight, he was appointed a supreme court justice in 2014."

Then in 2017, Moreno—not once but twice a killer—was appointed the chief justice of Venezuela's supreme court. The Venezuelan supreme court is run by a murderer. Think about that. A convicted criminal is presiding over Venezuela's supreme court. So it is no wonder that the court's members have acted as a rubberstamp for Maduro's illegitimate power grab, and they have created a political and a humanitarian crisis.

Venezuelans, as I said, are struggling to get basic goods, like food and medicine, and access to basic services. The Wall Street Journal reported that Venezuelans have lost, on average, 19



pounds in the last year—not due to some incredible new diet, but due to the country's food crisis. This is staggering. It is appalling. It is unconscionable. It cannot be tolerated.

The Venezuelan people deserve a return to democracy. They deserve a government that respects the rule of law and the constitution.

I believe it is the responsibility and the duty of the nations of the Western Hemisphere, including our Nation, to help the Venezuelan people. Article 20 of the Inter-American Democratic Charter states:

In the event of an unconstitutional alteration of the constitutional regime that seriously impairs the democratic order in a member state, any member state or the Secretary General may request the immediate convocation of the Permanent Council to undertake a collective assessment of the situation and to take such decisions as it deems appropriate.

This is what must be done because if we fail to help the Venezuelan people in their time of need and if the worst comes to pass, what will follow will not be confined to the Venezuelan borders.

The United States as a result, I hope, should impose sanctions against corrupt individuals—not the government, not the people; individuals—responsible for human rights violations, narcotics trafficking, money laundering, undermining the country's democratic process. President Obama began that process. President Trump actually sanctioned some additional people earlier this year, including the kingpin drug dealer who is now the Vice President of Venezuela, Tareck El Aissami.

Here are some people who should be sanctioned by the current President. He should target for sanctions Chavista officials within the judiciary—all of these magistrates who have enabled Maduro's takeover. That includes the murderer who is the chief justice of their supreme court, Maikel Jose Moreno Perez, and others like him who are part of that so-called constitutional group within the supreme court of Venezuela, many of whom have access to money and use visas to travel freely within the United States. Among these names are Calixto Ortega, Arcadio Delgado, Federico Fuenmayor, Carmen Zuleta, Lourdes Suarez Anderson, and Juan Jose Mendoza. These are the people who have helped in this coup d'etat that has canceled the democratic order in Venezuela, and they should be punished for what they have done.

I will close by pointing to two things that are of deep concern. The first is this report today in *El Nuevo Herald* in Miami, which basically cites that Maduro has now ordered the militarization of a border region with Colombia. We are concerned about that because we have always feared he would create some sort of a military pretext to distract people from the crisis within the country.

Then there is this unusual behavior on the part of Maduro. For example, yesterday he said that the Chavistas—

the followers of Hugo Chavez—are the new Jews of the 21st century. Basically he is comparing the Chavistas with the Jews who were exterminated during the Holocaust in World War II. These comments were broadcast on state television last night. It is incredible.

By the way, this is the same man who about a week ago was caught on camera, with a straight face, asking a cow to vote for a constitutional referendum he is seeking to pass. I don't even think the cow would support him at this point in Venezuela.

Mr. President, I hope President Trump in the next few days or weeks will act against these individuals who have carried out this coup d'etat against democracy in Venezuela and have plunged this proud nation and proud people into a constitutional, humanitarian, and economic crisis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Thank you, Mr. President.

Mr. President, I rise to speak in opposition to the nomination of Rachel Brand to be the Associate Attorney General.

The Associate Attorney General is the third-most senior position at the Department of Justice. During these troubling times, I cannot in good conscience support Ms. Brand's nomination.

The American public must have faith in its institutions, and unfortunately that trust is eroding more and more each and every day. For the first time in recent history, we are facing questions about a significant interference from a foreign government in an American Presidential election. Even more troubling, there have been serious questions about a Presidential campaign's potential collusion with Russia, a foreign adversary.

We have an idea of the potential problem here, and the Justice Department is supposed to be a part of the solution. Unfortunately, the recent conduct of the President's appointees to the Department of Justice have only added fuel to the fire.

First, Attorney General Jeff Sessions failed to reveal his communication with the Russians during his confirmation hearings. This omission led him to publicly pledge to recuse himself from Russia-related investigations.

Then, in an inexplicable turn of events, the Deputy Attorney General and the Attorney General advised the President to fire former FBI Director Jim Comey, who we know was in the midst of investigating the Trump campaign's relationship with Russia. Let me be clear: That was a firing that the President himself admitted was related to "the Russia thing."

Then the day after firing Director Comey, the President revealed highly classified information to Russian officials during a meeting in the Oval Office—a meeting that, I may add, was closed to the American press but oddly included only the Russian press.

You simply can't make this stuff up. The level of turmoil and the questionable behavior on the part of this administration are deeply disturbing, not just for Americans but for our allies all across the globe.

We are currently lurching from crisis to crisis, and we must pause for a moment and consider what is at stake; namely, the security and the future of our democracy.

My Democratic colleagues and I have repeatedly called for a special prosecutor to take over all of the Russia-related investigations, and recent events show that the need for a special prosecutor is greater now more than ever. It is time to put country over politics, and it is time for a transparent and thorough investigation into these concerns. If there is no wrongdoing, then the President should not be concerned about getting the American people the truth they deserve. Our constituents need to have their faith restored in our institutions and that will require transparency, integrity, and professionalism from officials at the Department of Justice.

I joined the vast majority of my colleagues in supporting the confirmation of Rod Rosenstein to serve as Deputy Attorney General with the belief that he would bring a voice of reason to the Department of Justice. The results have been, needless to say, disappointing. With the current state of this Justice Department, I have no reason to believe Ms. Brand will fare much better.

I urge my colleagues on both sides of the aisle to consider the very real challenges we face. This is not an issue of partisan politics or the outcome of a past election; this is about protecting the sanctity of our democracy from outside threats.

I believe we absolutely must work together to restore the credibility and the independence of the Justice Department. Until we have an independent special prosecutor and until we are confident that the Attorney General is truly honoring his recusal on the Russia investigation, I cannot support another senior political nomination to this Justice Department.

I urge my colleagues to vote no.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

#### NATIONAL POLICE WEEK

Mr. FLAKE. Mr. President, in light of National Police Week, I rise today in support of our men and women serving in law enforcement.

Police week is a good time for reflection and remembrance. It is a time to honor those who serve and protect us. While we honor our dedicated law enforcement officers this week, I want, specifically, to recognize those fallen officers who have given the ultimate sacrifice—their lives—for our safety.

In Arizona we lost three officers this year: Officer Leander Frank of the Navajo Nation Police Department, Officer David Van Glasser of the Phoenix

Police Department, and Officer Darrin Reed of the Show Low Police Department. Today we honor the memory of these fallen heroes and pledge to never forget their sacrifice.

While the work we do in Congress pales in comparison to the service of these brave men and women, it is my privilege to sponsor several pieces of legislation to support our law enforcement officers. I have joined with Senator HATCH to introduce the Rapid DNA Act, a bill that gives State and local law enforcement agencies a way to upload a suspect's DNA analysis to a Federal offender database for immediate identification. This immediate cross-hit within the Federal system will help officers at the local level to process criminals faster and more accurately.

I have also teamed up with Senator FEINSTEIN to introduce the bipartisan Protecting Young Victims from Sexual Abuse Act. That legislation criminalizes the failure to report to law enforcement incidents of suspected child abuse in amateur athletics. In addition to helping prevent sexual abuse crimes, this bill will aid State and local law enforcement investigating allegations of child sexual abuse by providing them with more information faster.

I have also supported Senator CORNYN's American Law Enforcement Heroes Act. That bill affirms a well-established practice of hiring veterans at the local level to serve as new law enforcement officers. Together, these bills will enhance law enforcement investigations and encourage better hiring practices for new law enforcement jobs.

I also want to recognize the local police officers and sheriffs in Arizona, along with those on the border who are serving on the frontlines of immigration enforcement. These men and women put their lives on the line every time they go out on patrol. For them, immigration policy is not a hypothetical exercise.

Despite the critical role these entities play in assisting their Federal partners with immigration enforcement, current Federal policy leaves them exposed to the threat of costly litigation. That is because third-party groups that oppose detention have threatened local agencies that choose to comply with valid detainer requests with lawsuits. Using punitive legal action to punish law enforcement for good-faith efforts to keep people safe is wrong. That is why a group of Arizona sheriffs came to me for help, and with their guidance, we drafted a bill requiring the Department of Homeland Security to protect State and local law enforcement entities from lawsuits that uphold valid detainer requests from ICE. This solution will enable officers to fulfill their law enforcement responsibilities without second-guessing whether or not to keep potentially dangerous criminal aliens in custody. It is a recognition that local law enforcement shouldn't be left to shoulder the

burden of Washington's failure to secure our borders and to implement a workable enforcement policy.

It has been my privilege to work on this effort with the Arizona Sheriffs Association, the Western States Sheriffs' Association, the Southwest Border Sheriff's Coalition, and the Texas Border Sheriff's Coalition. I want especially to thank Sheriff Mascher of Yavapai County, Sheriff Daniels of Cochise County, Sheriff Wilmot of Yuma County, and Sheriff Clark of Navajo County for their work on this bill.

To many, Police Week is an annual opportunity to recognize the service of the many selfless men and women in law enforcement, but it should also serve as a solemn reminder of the risks they take and the sacrifices they make day in and day out. It is for this that they have my support, my respect, and my thanks, and they have it year-round.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, thank you for the opportunity to visit this evening with my Senate colleagues.

This is a special week in Washington, DC, and a number of my colleagues have paid tribute by attending the memorial or speaking of those who died in service as fallen police officers. This is our fallen officers' National Police Week.

In 1962, Congress and the then-President John F. Kennedy designated May 15 of each year to be Peace Officers Memorial Day, and the week of May 15 to be National Police Week. Each spring, we take time to recall the men and women of law enforcement who were lost in the previous year. Unfortunately, this list has become far, far too long.

Since our Nation's founding, more than 20,000 American law enforcement officers have sacrificed their lives in service to others. While I have paid many solemn visits to the National Law Enforcement Officers Memorial in Washington, DC, to honor, respect, and remember fallen officers, my visit this year was especially somber. In 2016, Kansas suffered the loss of three law enforcement officials.

On the Senate floor today, I wish to recognize and to honor these fallen heroes: Detective Brad Lancaster of the Kansas City Police Department, Captain Robert "Dave" Melton of the Kansas City Police Department, and Master Deputy Sheriff Brandon Collins of the Johnson County Sheriff's Office. Their untimely deaths shook their families, the agencies where these men served, the neighborhoods they protected, and the communities they lived in. Brandon, Robert, and Brad were not only law enforcement officers, they were also sons and brothers, fathers, neighbors, mentors, and friends.

Robert Melton, Brad Lancaster, and Brandon Collins and the 140 other offi-

cers killed in the line of duty in 2016 are being honored this week in our Nation's Capital. The names of these fallen heroes will be physically inscribed into the National Law Enforcement Officers Memorial, set in stone as an eternal reminder to the Nation of the service of these men and the debt we owe for their sacrifice on our behalf. That debt, of course, can never be repaid, but it is certainly our duty to try.

As Americans honor these men during National Police Week, we must also remember their families, friends, and fellow officers and the loved ones they left behind. May God comfort them in their time of grief and be a source of strength for them. May He also protect all those who continue to serve and to stand today in harm's way to protect our communities.

An inscription at the memorial reads: "In valor there is hope." The losses of Brad Lancaster, Robert Melton, and Brandon Collins have imposed tremendous sorrow, but our memory of their service to others and their acts of valor offer Americans hope and inspiration to carry on their missions, to better our communities, to protect the vulnerable, and to stand for what is right. As we remember, let us tirelessly pursue those ends and do all we can to honor the fallen.

#### LEGISLATIVE SESSION

##### MORNING BUSINESS

Mr. MORAN. 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.

##### REMEMBERING WILBURN K. ROSS

Mr. MCCONNELL. Mr. President, today I wish to remember a noble Kentuckian and a decorated World War II veteran, Wilburn K. Ross, who passed away on May 9, 2017, just days before his 95th birthday. A native of Strunk, KY, Ross was awarded the highest decoration in the U.S. military, the Medal of Honor.

As a private, Ross gained national acclaim for his service in St. Jacques, France, on October 30, 1944. His company lost 55 of its 88 members fighting a group of German mountain troops. Ross' light machine gun was about 10 yards ahead of his supporting riflemen. As intense enemy fire fell around him, Ross repelled the enemy through seven German attacks. When the next attack came, many of his supporting riflemen had run out of ammunition. As his Medal of Honor citation read, "Pvt. Ross fought on virtually without assistance and, despite the fact that enemy grenadiers crawled to within 4 yards of his position in an effort to kill him with handgrenades, he again directed accurate and deadly fire on the

hostile force and hurled it back.” During the 5 hours of fighting, Ross killed or wounded at least 58 Germans and saved his brothers in arms.

Ross reenlisted in the Army to see action in Korea, serving another two decades. He retired from Active Duty in 1964 at the rank of master sergeant. He was awarded the Medal of Honor, “[f]or conspicuous gallantry and intrepidity at risk of life above and beyond the call of duty.”

Although he moved to DuPont, WA, after his retirement from the U.S. Army, Ross made a trip back to his hometown in Kentucky nearly every year on his birthday. In his own words, he enjoyed coming back to the Commonwealth because, “[e]verybody here treats me well.”

He turned down offers to make his life into a Hollywood film, but Ross has been memorialized on a U.S. Postal Service stamp and by a section of Kentucky Route 92 in his home county. In 2014, Ross was a member of the inaugural class admitted to the Kentucky Veterans Hall of Fame.

Like so many other members of the Greatest Generation, Wilburn Ross answered the call to defend our Nation. Through his bravery and sacrifice, he helped secure freedom across the globe. The story of his courageous actions and selfless service will continue to be told, both in McCreary County and across the Commonwealth. Elaine and I send our condolences to his family and friends.

#### NATIONAL POLICE WEEK

Mr. BOOKER. Mr. President, today, with great humility during National Police Week, I wish to recognize the brave men and women of law enforcement across the country. These individuals have answered the call to serve and every day they put their lives on the line to keep our communities safe. I especially want to honor those who have lost their lives in the line of duty and observe the sacrifices of their families.

First, I especially want to recognize three law enforcement officers who lost their lives in New Jersey last year. These three men made the ultimate sacrifice for their communities, and we owe them and their families our sincerest respect. On July 1, 2016, the New Jersey Department of Corrections lost Nikeelan “Nick” Semmon. On March 7, 2016, the New Jersey State Police lost Sean Cullen. On December 5, 2016, the New Jersey State Police also lost Frankie Williams.

These officers dedicated their lives to protecting our communities, and they served our State with valor and integrity. I feel privileged to call them fellow New Jerseyans, and my thoughts and prayers continue to be with the family and friends of these brave public servants. As we continue to mourn and remember Officer Semmon, Trooper Cullen, and Trooper Williams, let us pledge to honor their sacrifice by work-

ing every day to emulate their devotion to public service through acts of service and love.

It is in that spirit that I want to talk about the important work that still needs to be done to support law enforcement. Congress plays a critical role in supporting law enforcement, both at the Federal level and at the State and local level. There are few bills I want to mention that I believe we must pass to uphold our commitment to brave men and women in law enforcement.

First, on February 16, 2017, I introduced the bipartisan Law Enforcement Officers’ Equity Act. Unfortunately, due to a technical error, nearly 30,000 Federal law enforcement officers classified as GS-0083 police officers did not receive enhanced benefits under the U.S. Code. For example, certain officers who work for Federal agencies, such as the Department of Defense, Department of Veterans Affairs, Federal Bureau of Investigation, U.S. Postal Service, U.S. Mint, National Institute of Health and many more, receive lower pensions as compared to other law enforcement officers with similar responsibilities.

The Law Enforcement Officers’ Equity Act would expand the definition of “law enforcement officer” for retirement purposes to include all Federal law enforcement officers. The change would grant law enforcement officer status to the following individuals: employees who are authorized to carry a firearm and whose duties include the investigation and/or apprehension of suspected criminals; employees of the Internal Revenue Service whose duties are primarily the collection of delinquent taxes and securing delinquent returns; employees of the U.S. Postal Inspection Service; and employees of the Department of Veterans Affairs who are department police offices. These officers face the same risks and challenges as the men and women currently classified properly under Federal law as law enforcement officers, and they deserve the same benefits. We must pass this bill.

I am also a proud cosponsor of the Children of Fallen Heroes Scholarship Act. This legislation would increase the amount of Pell grant funds available to children of fallen law enforcement officers, firefighters, EMS workers, and fire police. First responders across the country put their lives on the line every day to keep us safe. When most people are running away from danger, they are running towards it. For those who put themselves in danger on a daily basis, we must honor their sacrifice and support their families in times of tragedy. Helping children of first responders pay for an education is the least we can do to honor the sacrifice of someone who fell in the line of duty. We must pass this bill.

I am also a cosponsor of the Law Enforcement Mental Health and Wellness Act of 2017, which I am pleased to say passed the Senate yesterday. We all

know the stress and unique challenges police officers across our Nation face in doing their jobs. They risk their lives and are often exposed to traumatizing incidents. The Federal Government must do all it can to support police who suffer from trauma or other mental health issues due to the rigors and dangers of their job. The Law Enforcement Mental Health and Wellness Act of 2017 would direct the Department of Justice and the Department of Health and Human Resources to provide support to State and local law enforcement to access mental healthcare services and make sure that hotlines are available for officers who are in need of help. I hope the House of Representatives takes up this bill soon and passes it.

I am proud to sponsor the Law Enforcement Officers’ Equity Act and cosponsor the Children of Fallen Heroes Scholarship Act and Law Enforcement Mental Health and Wellness Act. There is so much work for us to do to live up to our commitment to law enforcement across the country, and I am committed to continuing to work with my colleagues on these critical issues. Thank you.

#### 75TH ANNIVERSARY OF THE NATIONAL HOME BUILDERS ASSOCIATION

Mr. DAINES. Mr. President, along with my dad, Clair, who started our family homebuilding business 45 years ago, I wish to congratulate the National Association of Home Builders on reaching its 75th anniversary.

For three-quarters of a century, NAHB has been fighting for the American dream, advocating for those who want to own a home for themselves and their families and advocating for homebuilders who provide jobs and make the homeowners’ dreams a reality.

Before coming to Congress, I worked for my dad in our family homebuilding business, and I have great respect for the work their members do in our communities. They truly are job creators, economic drivers, and dream makers.

I have been happy to meet with some of their members when they have come to Capitol Hill. I can tell you that it is helpful to have face-to-face meetings with their team to talk about the issues that matter to them the most. Though I have a background in homebuilding, many congressional and Presidential staff do not. It makes a difference to hear from folks on the ground in their business.

When it comes to homebuilding and homeownership, we all share the same goal—let’s keep home prices affordable.

Their advocacy has enabled millions of American families, like mine, to make one of the most important purchases of their lives: a home.

As you know, when people achieve the American dream of homeownership, they are on the path to wealth creation and upward mobility, not to

mention the sense of pride that comes with having a place to call their own.

That sense of pride overflows to the way people invest in their communities, and we all benefit from a more engaged neighbor. As they know better than anyone and Sir Winston Churchill once said, “We shape our dwellings, and afterwards our dwellings shape us.”

When the times are good or times are tough and through the general cyclical nature of the industry, NAHB has remained a steady advocate for the importance of affordable and quality housing, both for homeowners and renters. Thanks in part to them, builders and consumers are back up on their feet.

I am grateful for their commitment to serving our Nation by building safe and beautiful homes, and I am grateful for the 75 years of advocacy from NAHB.

Congratulations again on achieving this major milestone.

#### ADDITIONAL STATEMENTS

#### RECOGNIZING THE UNIVERSITY OF MONTANA GRIZZLIES SOFTBALL TEAM

• Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing the University of Montana Grizzlies softball team for their outstanding performance at the Big Sky Conference softball tournament. This team has come a long way in a short time, and their journey this season is something that all Montanans can appreciate.

Last week at Ogden, UT, the Grizzlies won the Big Sky Conference softball championship for the first time in the school's history. This accomplishment is highlighted by the fact that the softball program is only in its third year on campus. Four years ago, there was no team or coach; today they are conference champions.

Jamie Pinkerton, the Grizzlies' coach, was also voted the Big Sky Conference “Coach of the Year” for the second year in a row.

As conference champions, the Grizzlies will represent Big Sky in the 2017 NCAA Division I softball championship this Friday as they travel to Washington to challenge the Huskies in the regional qualifying round. The Grizzlies will have both the Big Sky State and the Big Sky Conference rooting for them. •

#### MESSAGE FROM THE HOUSE

At 10:06 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 510. An act to establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent

crime and reduce the current DNA analysis backlog.

H.R. 1428. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes.

H.R. 1616. An act to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 510. An act to establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog; to the Committee on the Judiciary.

H.R. 1428. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes; to the Committee on the Judiciary.

H.R. 1616. An act to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes; to the Committee on the Judiciary.

#### PRIVILEGED NOMINATION REFERRED TO COMMITTEE

On request by Senator FEINSTEIN, under the authority of S. Res. 116, 112th Congress, the following nomination was referred to the Committee on the Judiciary:

Stephen Elliott Boyd, of Alabama, to be an Assistant Attorney General, vice Peter Joseph Kadzik.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1571. A communication from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Competitive and Noncompetitive Non-formula Federal Assistance Programs—General Award Administrative Provisions and Specific Administrative Provisions” (RIN0524-AA69) received in the Office of the President of the Senate on May 15, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1572. A communication from the Secretary of Defense, transmitting the report of twenty-six (26) officers authorized to wear the insignia of the grade of major general or brigadier general, as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-1573. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General James K. McLaughlin, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1574. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of

the national emergency that was originally declared in Executive Order 13611 of May 16, 2012, with respect to Yemen; to the Committee on Banking, Housing, and Urban Affairs.

EC-1575. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13667 of May 12, 2014, with respect to the Central African Republic; to the Committee on Banking, Housing, and Urban Affairs.

EC-1576. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13338 of May 11, 2004, with respect to the blocking of property of certain persons and prohibition of exportation and re-exportation of certain goods to Syria; to the Committee on Banking, Housing, and Urban Affairs.

EC-1577. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-1578. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled “Department of Energy Activities Relating to the Defense Nuclear Facilities Safety Board, Fiscal Year 2016”; to the Committee on Energy and Natural Resources.

EC-1579. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, two (2) reports relative to vacancies in the Department of the Treasury, received in the Office of the President of the Senate on May 4, 2017; to the Committee on Finance.

EC-1580. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Distribution of Stock and Securities of a Controlled Corporation” (Rev. Rul. 2017-09) received in the Office of the President of the Senate on May 9, 2017; to the Committee on Finance.

EC-1581. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Syndicated Conservation Easement Transactions Identified in Notice 2017-10” (Notice 2017-29) received in the Office of the President of the Senate on May 9, 2017; to the Committee on Finance.

EC-1582. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Extension of Eligibility Rule Waivers for Certain Automatic Changes Made To Comply with the Final Tangible Property Regulations” (Rev. Proc. 2017-36) received in the Office of the President of the Senate on May 9, 2017; to the Committee on Finance.

EC-1583. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “2018 Sec. 223 Inflation-Adjusted Item” (Rev. Proc. 2017-37) received in the Office of the President of the Senate on May 9, 2017; to the Committee on Finance.

EC-1584. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the

report of a rule entitled “List of Automatic Changes in Method of Accounting” (Rev. Proc. 2017-30) received in the Office of the President of the Senate on May 9, 2017; to the Committee on Finance.

EC-1585. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to Mexico to support the integration, installation, operation, training, testing, maintenance, and repair of the Star Safire 380 HD camera system in the amount of \$50,000,000 or more (Transmittal No. DDTC 16-107); to the Committee on Foreign Relations.

EC-1586. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms, parts, and accessories to Qatar under Category I of the United States Munitions List in the amount of \$1,000,000 or more (Transmittal No. DDTC 16-125); to the Committee on Foreign Relations.

EC-1587. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to Japan to support the integration, installation, and maintenance of the F135 Propulsion System for the J-35 in the amount of \$100,000,000 or more (Transmittal No. DDTC 16-136); to the Committee on Foreign Relations.

EC-1588. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(d) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to Italy to support the manufacture, operation, test integration, evaluation, installation, assembly, and maintenance of the G-2000 Dynamically Tuned Gyroscope product family that incorporate or operate the gyroscope for end-use on the Joint Strike Fighter Turret Stabilization, ASPIDE missile, and ASTER missile programs (Transmittal No. DDTC 16-083); to the Committee on Foreign Relations.

EC-1589. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a Determination and Certification under Section 40A of the Arms Export Control Act relative to countries not cooperating fully with United States antiterrorism efforts; to the Committee on Foreign Relations.

EC-1590. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Food Labeling of standard Menu Items in Restaurants and Similar Retail Food Establishments; Extension of Compliance Date; Request for Comments” ((RIN0910-ZA48) (Docket No. FDA-2011-F-0172)) received in the Office of the President of the Senate on May 9, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1591. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration’s Semiannual Report of the Inspector General and the Semiannual Management Report on the Status of Audits for the period from October 1, 2016 through March 31, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-1592. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration’s Semiannual Report of the Inspector General and the Semiannual Management Report on the Status of Audits for the period from October 1, 2016 through March 31, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-1593. A communication from the Acting Solicitor General, Department of Justice, transmitting, pursuant to law, a report relative to *TC Reiner v. Saginaw Valley State University*, et al.; to the Committee on the Judiciary.

EC-1594. A communication from the Assistant General Counsel, Office of Justice Programs, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Victims of Crime Act Victim Assistance Program” ((RIN1121-AA69) received in the Office of the President of the Senate on May 8, 2017; to the Committee on the Judiciary.

EC-1595. A communication from the Chief of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Payment or Reimbursement for Certain Medical Expenses for Camp Lejeune Family Members” ((RIN2900-AO79) received in the Office of the President of the Senate on May 9, 2017; to the Committee on Veterans’ Affairs.

EC-1596. A communication from the Chief of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Extension of Pharmacy Copayments for Medications” ((RIN2900-AP87) received in the Office of the President of the Senate on May 9, 2017; to the Committee on Veterans’ Affairs.

EC-1597. A communication from the Acting Chief, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “The Establishment of Policies and Service Rules for the Broadcasting-Satellite Service at the 17.3-17.7 GHz Frequency Band Internationally, and at the 24.75-25.25 GHz Frequency Band for Fixed Satellite Services Providing Feeder Links to the Broadcasting-Satellite Service and for the Satellite Services Operating Bi-directionally in the 17.3-17.8 GHz Frequency Band” ((IB Doc. No. 06-123) (FCC 17-49)) received in the Office of the President of the Senate on May 4, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1598. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.3555(e) of the Commission’s Rules, National Television Multiple Ownership Rule” ((MB Doc. No. 13-236) (FCC 17-40)) received in the Office of the President of the Senate on May 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1599. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Promoting Diversification of Ownership in the Broadcasting Services; Amendment of Part 1 of the Commission’s Rules, Concerning Practice and Procedure, Amendment of CORES Registration System” ((MB Docket No. 07-294) (MD Docket No. 10-234) (FCC 17-42)) received in the Office of the President of the Senate on May 15, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1600. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Seaway Regulations

and Rules: Periodic Update, Various Categories” ((RIN2135-AA42) received in the Office of the President of the Senate on May 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1601. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Civil Penalties” ((RIN2135-AA40) received in the Office of the President of the Senate on May 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1602. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Tariff of Tolls” ((RIN2135-AA41) received in the Office of the President of the Senate on May 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1603. A communication from the Bureau of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to certification granted in relation to the incidental capture of sea turtles in commercial shrimping operations; to the Committee on Commerce, Science, and Transportation.

EC-1604. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulation; Atlantic Intracoastal Waterway and Indian Creek, Miami, FL” ((RIN1625-AA09) (Docket No. USCG-2015-0768)) received during adjournment of the Senate in the Office of the President of the Senate on May 12, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1605. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Navy UNDET, Apra Outer Harbor and Piti, GU” ((RIN1625-AA00) (Docket No. USCG-2017-0214)) received during adjournment of the Senate in the Office of the President of the Senate on May 12, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1606. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Security Zone; Schuylkill River, Philadelphia, PA” ((RIN1625-AA87) (Docket No. USCG-2017-0152)) received during adjournment of the Senate in the Office of the President of the Senate on May 12, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1607. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Bush River, Harford County, MD” ((RIN1625-AA08) (Docket No. USCG-2017-0067)) received during adjournment of the Senate in the Office of the President of the Senate on May 12, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1608. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Hebda Cup Rowing Regatta; Detroit River, Trenton Channel; Wyandotte, MI” ((RIN1625-AA08) (Docket No. USCG-2017-0305)) received during adjournment of the Senate in the Office of the President of the Senate on May 12, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1609. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Chapel Street over Mill River Bridge Rehabilitation—New Haven, CT" (RIN1625-AA00) (Docket No. USCG-2017-0257)) received during adjournment of the Senate in the Office of the President of the Senate on May 12, 2017; to the Committee on Commerce, Science, and Transportation.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-17. A resolution adopted by the House of Representatives of the State of Michigan memorializing the United States Congress to repeal the standards set forth by the United States Environmental Protection Agency on portable fuel container design; to the Committee on Environment and Public Works.

#### HOUSE RESOLUTION NO. 38

Whereas, The United States Environmental Protection Agency (EPA) adopted rules to limit emissions from portable fuel containers, such as gas cans, in 2007. The standard was meant to force design changes in fuel containers to reduce evaporation, permeation, and spillage and was part of a larger package on reducing toxic air emissions from mobile sources like passenger vehicles. Since 2009, all containers manufactured now need to be designed to meet these standards; and

Whereas, Portable fuel containers are responsible for a relatively small portion of toxic air emissions from mobile sources. In 1999, these containers accounted for only 2 percent of these emissions. The EPA projects that the new portable fuel container standard will account for 6 percent of the reduction in toxic air emissions under the 2007 rule. Passenger vehicles and gasoline regulations will account for 94 percent of projected reductions; and

Whereas, Gas cans and other portable fuel containers designed to meet the new standard do not work effectively and are a continual source of frustration for consumers. To meet the standard, containers are being designed without a vent, resulting in slow, uneven flow out of the cans; and

Whereas, The portable fuel container emissions standard is not an effective way to limit toxic air emissions. Containers that work improperly may result in more spills as users are paying more attention to getting gas out of the container than how much gas is in the tank. Frustrated users may resort to modifying the container to create a vent, eliminating any environmental benefit from the design, or using other containers illegally; and

Whereas, The portable fuel container standards are yet another example of the EPA adopting regulations without properly accounting for real life use and impact. These regulations provide minimal environmental gain and make something as simple as filling a lawn mower tank an exercise in frustration; now, therefore, be it

*Resolved by the House of Representatives*, That we memorialize the Congress of the United States to repeal the standards set forth by the United States Environmental Protection Agency on portable fuel container design; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation. Adopted by the House of Representatives, May 4, 2017.

POM-18. A concurrent resolution adopted by the Legislature of the State of North Dakota requesting the United States Congress and the President of the United States to enact legislation to expand and extend the current federal tax credit for carbon capture, utilization, and storage under Section 45Q of the Internal Revenue Code; to provide appropriations to the United States Department of Energy Sufficient to achieve and sustain a robust carbon capture research, development, demonstration, and deployment program; to support the inclusion of economically and environmentally beneficial carbon capture projects in any forthcoming federal infrastructure initiative; to support policies to increase the operational efficiency; and to support the preservation of a fuel-diverse electric generation portfolio critical to our domestic economic, energy, and national security; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION NO. 3037

Whereas, fossil fuels including coal, natural gas, and oil provide more than three-quarters of global and United States' primary energy demand and, according to the International Energy Agency, will continue to do so for the next quarter-century or more under current energy and environmental policies; and

Whereas, recognition of the value and enduring role of fossil fuels as an essential source of energy around the world and in the United States for decades to come has led environmental advocates to support the accelerated development and broad deployment of carbon capture technologies for fossil fuels as part of a sustainable energy future; and

Whereas, recognition of the role carbon capture can play in creating new opportunities for fossil fuels has led fossil energy advocates to similarly support the development and deployment of carbon capture technologies for fossil fuels; and

Whereas, the United States and North Dakota have abundant supplies of fossil energy, the production and use of which provide important economic, energy, and national security benefits to our nation and our state; and

Whereas, North Dakota is the nation's 6th largest producer of fossil energy, 2nd largest producer of oil, 2nd largest producer of lignite coal, 11th largest producer of natural gas, the largest consumer of coal for industrial use, and the 10th largest consumer of coal for electricity generation; and

Whereas, according to the Department of Energy, "A diverse portfolio of energy resources is critical to U.S. energy and national policy . . . being more robust and resilient in comparison to a system that is heavily dependent on a limited set of energy resources . . . [and] helps insulate the economy from certain risks, including price volatility and risks from supply disruptions"; and

Whereas, reliable and affordable electricity is vital to economic growth and job creation in North Dakota and the overall welfare of our citizens; and

Whereas, 73 percent of the electricity generated in North Dakota is produced from fossil fuels and the average residential price of electricity in North Dakota is the 6th lowest in the nation and is 18 percent below the national average; and

Whereas, continued research and development of carbon reduction strategies for fossil fuels is an essential element of a forward-looking sustainable energy strategy for North Dakota, our nation, and the world which will simultaneously maximize both environmental quality and economic opportunity; and

Whereas, the Energy and Environmental Research Center at the University of North Dakota, the Great Plains Synfuels Plant in

Beulah, and the Lignite Energy Council are engaged in efforts to address environmental, health, and economic impacts of energy production and use through collaborations on applied carbon dioxide research, practical applications, workforce development, and public education; and

Whereas, legislation was introduced in the 114th Congress to enhance and extend federal tax incentives, under Section 45Q of the Internal Revenue Code, which serve to sustain and promote such collaborations and to encourage private industry in energy generation, manufacturing, and agriculture to adopt and deploy existing and emerging technologies that increase carbon capture, utilization, and storage; and

Whereas, the coming together of environmental and energy advocates in support of carbon capture is reflected in the groundbreaking coalition of environmental advocacy groups, labor unions, and energy producers from the coal, oil and gas, ethanol, and algae-biomass industries working together in support of federal legislation; and

Whereas, similar legislation is now under consideration in the 115th Congress, and Congress and the President also are considering enactment of a large-scale federal infrastructure initiative to strengthen our nation's transportation, public works, and energy infrastructure that also could serve as a vehicle for advancing "jobs-ready" carbon capture projects; and

Whereas, according to the Department of Energy, "A combination of tax incentives and research, development, demonstration, and deployment will be critical to developing transformational carbon capture technologies and to driving down the costs of capture"; Now, therefore, be it

*Resolved by the House of Representatives of North Dakota*, the Senate concurring therein: That the Sixty-fifth Legislative Assembly requests Congress and the President of the United States to enact legislation to expand and extend the current federal tax credit for carbon capture, utilization, and storage under Section 45Q of the Internal Revenue Code; to provide appropriations to the United States Department of Energy sufficient to achieve and sustain a robust carbon capture research, development, demonstration, and deployment program; to support the inclusion of economically and environmentally beneficial carbon capture projects in any forthcoming federal infrastructure initiative; to support policies to increase the operational efficiency, and thereby the environmental performance, of existing electric-generating units in the United States; and to support the preservation of a fuel-diverse electric generation portfolio critical to our domestic economic, energy, and national security; and be it further

*Resolved*, that the Secretary of State forward copies of this resolution by certified mail, return receipt requested, to the President of the United States, the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, the Secretary of the United States Department of Energy, and to each member of the North Dakota Congressional Delegation.

POM-19. A resolution adopted by the Senate of the State of Florida condemning the Boycott; Divestment and Sanctions movement and the increasing incidence of acts of anti-Semitism; to the Committee on Foreign Relations.

#### SENATE RESOLUTION NO. 1184

Whereas, Floridians have, as a matter of public policy, long opposed bigotry, oppression, discrimination, and injustice, and



Whereas, Florida and Israel have enjoyed a long history of friendship and are great allies, each supporting the best interests of the other, and

Whereas, the State of Israel, the only democracy in the Middle East, is the greatest friend and ally of the United States in the region, and

Whereas, the elected representatives of the state recognize the importance of expressing Florida's unwavering support for the Jewish people and the State of Israel's right to exist and right to self-defense, and

Whereas, the incidence of acts of anti-Semitism is increasing throughout the world, including in the United States and in Florida, and is reflected in official hate crime statistics, and

Whereas, the international Boycott, Divestment and Sanctions (BDS) movement is one of the main vehicles for spreading anti-Semitic perspectives and advocating the elimination of the Jewish State, and

Whereas, the level of activities promoting BDS against Israel has increased in this state, in communities and on college campuses, and contributes to the promotion of anti-Semitic and anti-Zionist propaganda, and

Whereas, the increase in BDS campaign activities on college campuses nationwide has resulted in an increase in confrontations with, intimidation of, and discrimination against Jewish students, and

Whereas, leaders of the BDS movement express that their goal is to eliminate Israel as the national home of the Jewish people, and

Whereas, the BDS campaign's call for academic and cultural boycotts has been condemned by many of our nation's largest academic associations, more than 250 university presidents, and many other leading scholars as a violation of the bedrock principle of academic freedom, Now, therefore, be it

*Resolved by the Senate of the State of Florida:* That the Florida Senate condemns the international Boycott, Divestment and Sanctions movement against the State of Israel and calls upon the governmental institutions of this state to denounce hatred and discrimination whenever they appear and be it further

*Resolved* that the Florida Senate urges the President of the United States to order withdrawal of the United States Customs and Border Protection statement dated January 23, 2016, entitled "West Bank Country of Origin Marking Requirements," so that goods made in the West Bank can continue to be properly labeled "Made in Israel." and be it further

*Resolved* that copies of this resolution be presented to the President of the United States, the President and Secretary of the United States Senate, and the Speaker and Clerk of the United States House of Representatives, and to the Embassy of Israel in Washington, D.C., for transmission to the proper authorities of the State of Israel as a tangible token of the sentiments expressed herein.

POM-20. A resolution adopted by the Senate of the State of Florida opposing United Nations Security Council Resolution 2334 and requesting its repeal or fundamental alteration; to the Committee on Foreign Relations.

#### SENATE RESOLUTION NO. 574

Whereas, the United States has long supported a negotiated settlement leading to a sustainable two-state solution with the democratic, Jewish state of Israel and a demilitarized, democratic Palestinian state living side-by-side in peace and security, and

Whereas, since 1993, the United States has facilitated direct, bilateral negotiations be-

tween both parties toward achieving a two-state solution and ending all outstanding claims, and

Whereas, it is the long-standing policy of the United States that a peaceful resolution to the Israeli-Palestinian conflict will only come through direct, bilateral negotiations between the two parties, and

Whereas, it was the long-standing position of the United States to oppose and, if necessary, veto United Nations Security Council resolutions dictating additional binding parameters on the peace process, and

Whereas, it was also the long-standing position of the United States to oppose and, if necessary, veto one-sided or anti-Israel United Nations Security Council resolutions, and

Whereas, the United States has stood in the minority internationally over successive administrations in defending Israel in international forums, including vetoing one-sided resolutions in 1995, 1997, 2001, 2002, 2003, 2004, 2006, and 2011 before the United Nations Security Council, and

Whereas, the United States recently signed a new memorandum of understanding with the Israeli government regarding security assistance, consistent with long-standing support for Israel among successive administrations and Congresses and representing an important United States commitment toward Israel's qualitative military edge, and

Whereas, on November 29, 2016, the United States House of Representatives unanimously passed House Concurrent Resolution 165, expressing and reaffirming long-standing United States policy in support of a direct, bilaterally negotiated settlement of the Israeli-Palestinian conflict and in opposition to United Nations Security Council resolutions that impose a solution to the conflict, and

Whereas, on December 23, 2016, the United States Permanent Representative to the United Nations disregarded House Concurrent Resolution 165 and departed from long-standing United States policy by abstaining and permitting United Nations Security Council Resolution 2334 to be adopted under Chapter VI of the United Nations Charter, and

Whereas, the United States' abstention on United Nations Security Council Resolution 2334 contradicts the Oslo Accords and its associated process that is predicated on resolving the Israeli-Palestinian conflict between the parties through direct, bilateral negotiations, and

Whereas, United Nations Security Council Resolution 2334 claims that "the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace," and

Whereas, by referring to the "4 June 1967 lines" as the basis for negotiations, United Nations Security Council Resolution 2334 effectively states that the Jewish Quarter of the Old City of Jerusalem and the Western Wall, Judaism's holiest site, are "occupied territory," thereby equating these sites with outposts in the West Bank which the Israeli government has deemed illegal, and

Whereas, passage of United Nations Security Council Resolution 2334 effectively legitimizes efforts by the Palestinian Authority to impose its own solution through international organizations and unjustified boycotts or divestment campaigns against Israel by calling "upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967," and will require

the United States and Israel to take effective action to counteract the resolution's potential harmful impacts, and

Whereas, United Nations Security Council Resolution 2334 did not directly call upon Palestinian leadership to fulfill their obligations toward negotiations or mention that part of the eventual Palestinian state is currently controlled by Hamas, a designated terrorist organization, and

Whereas, United Nations Security Council Resolution 2334 sought to impose or unduly influence solutions to final-status issues and is biased against Israel, Now, therefore, be it

*Resolved* by the Senate of the State of Florida: That the Florida Senate finds that:

(1) The passage of United Nations Security Council Resolution 2334 undermined the long-standing position of the United States to oppose and veto United Nations Security Council resolutions that seek to impose solutions to final-status issues or are one-sided and anti-Israel, reversing decades of bipartisan agreement.

(2) The passage of United Nations Security Council Resolution 2334 undermines the prospect of Israelis and Palestinians resuming productive, direct, bilateral negotiations.

(3) The passage of United Nations Security Council Resolution 2334 contributes to the politically motivated acts of boycotting, divesting from, and sanctioning Israel and represents a concerted effort to extract concessions from Israel outside of direct, bilateral negotiations between the Israelis and Palestinians, which must be actively rejected.

(4) Any future measures taken by any organization, including the United Nations Security Council, to impose an agreement or parameters for an agreement will set back the peace process, harm the security of Israel, contradict the enduring bipartisan consensus on strengthening the United States-Israel relationship, and weaken support for such organizations.

(5) A durable and sustainable peace agreement between Israel and the Palestinians is only possible with direct, bilateral negotiations between the parties resulting in a Jewish, democratic state living next to a demilitarized Palestinian state in peace and security.

(6) The United States government should work to facilitate serious, direct, unconditional negotiations between the parties toward a sustainable peace agreement.

(7) The United States government should oppose and veto future one-sided, anti-Israel United Nations Security Council resolutions that seek to impose solutions to final-status issues. And be it further

*Resolved* that the Florida Senate opposes and requests the repeal of United Nations Security Council Resolution 2334 or the fundamental alteration of the resolution so that it:

(1) Is no longer one-sided and anti-Israel.

(2) Authorizes all final-status issues toward a two-state solution to be resolved through direct, bilateral negotiations between the parties involved. And be it further

*Resolved* that copies of this resolution be presented to the President of the United States, the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and the Israeli Embassy in Washington, D.C., for transmission to the proper authorities of the State of Israel as a tangible token of the sentiments expressed herein.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARRASSO, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:



S. 518. A bill to amend the Federal Water Pollution Control Act to provide for technical assistance for small treatment works (Rept. No. 115-71).

By Mr. BARRASSO, from the Committee on Environment and Public Works, without amendment:

S. 675. A bill to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship (Rept. No. 115-72).

By Mr. BARRASSO, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 826. A bill to reauthorize the Partners for Fish and Wildlife Program and certain wildlife conservation funds, to establish prize competitions relating to the prevention of wildlife poaching and trafficking, wildlife conservation, the management of invasive species, and the protection of endangered species, and for other purposes (Rept. No. 115-73).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 831. A bill to designate the facility of the United States Postal Service located at 120 West Pike Street in Canonsburg, Pennsylvania, as the "Police Officer Scott Bashioum Post Office Building".

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BOOKER, Ms. DUCKWORTH, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HASSAN, Ms. HIRONO, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mrs. SHAHEEN, Ms. WARREN, and Mr. WYDEN):

S. 1143. A bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself and Mr. ROBERTS):

S. 1144. A bill to amend the Internal Revenue Code of 1986 to encourage business creation by allowing faster recovery of start-up and organizational expenses, to simplify accounting methods for small businesses, to expand expensing and provide accelerated cost recovery to encourage investment in new plants and equipment, and for other purposes; to the Committee on Finance.

By Ms. WARREN (for herself and Mr. LANKFORD):

S. 1145. A bill to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself and Mr. TESTER):

S. 1146. A bill to enhance the ability of the Office of the National Ombudsman to assist small businesses in meeting regulatory requirements and develop outreach initiatives to promote awareness of the services the Office of the National Ombudsman provides, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. MENENDEZ:

S. 1147. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the programs and activities of the National Insti-

tutes of Health with respect to Tourette syndrome; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Mrs. CAPITO, Mr. KING, and Mr. PORTMAN):

S. 1148. A bill to amend title XIX of the Social Security Act to provide States with the option of providing medical assistance at a residential pediatric recovery center to infants under 1 year of age with neonatal abstinence syndrome and their families; to the Committee on Finance.

By Ms. MURKOWSKI:

S. 1149. A bill to amend the Alaska Native Claims Settlement Act to repeal a provision limiting the export of timber harvested from land conveyed to the Kake Tribal Corporation under that Act; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY:

S. 1150. A bill to amend title XIX of the Social Security Act to require States to impose a work requirement for able-bodied adults without dependents who are eligible for medical assistance; to the Committee on Finance.

By Mrs. ERNST (for herself, Mr. BENNET, Mrs. CAPITO, and Ms. WARREN):

S. 1151. A bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable credit for working family caregivers; to the Committee on Finance.

By Mr. MERKLEY (for himself, Mr. PAUL, Mr. BENNET, Mr. WYDEN, Ms. WARREN, Mrs. MURRAY, Ms. CORTEZ MASTO, Mr. SCHATZ, and Mr. GARDNER):

S. 1152. A bill to create protections for depository institutions that provide financial services to cannabis-related businesses, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. BALDWIN (for herself and Mr. MORAN):

S. 1153. A bill to prohibit or suspend certain health care providers from providing non-Department of Veterans Affairs health care services to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUNT (for himself and Mrs. GILLIBRAND):

S. 1154. A bill to amend title 37, United States Code, to provide for the housing treatment of members of the Armed Forces and their spouses and dependents undergoing a permanent change of station in the United States, and for other purposes; to the Committee on Armed Services.

By Ms. BALDWIN (for herself, Mr. REED, Mr. KAINE, and Mr. BROWN):

S. 1155. A bill to amend title IV of the Higher Education Act of 1965 in order to increase the amount of financial support available for working students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KAINE (for himself and Mr. WARNER):

S. 1156. A bill to amend the Internal Revenue Code of 1986 to allow rehabilitation expenditures for public school buildings to qualify for rehabilitation credit; to the Committee on Finance.

By Mr. SCHATZ (for himself, Mr. JOHNSON, and Mr. GARDNER):

S. 1157. A bill to establish the Vulnerability Equities Review Board, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARDIN (for himself, Mr. YOUNG, Mr. TILLIS, Mr. DURBIN, Mr. RUBIO, Mr. MENENDEZ, Ms. MURKOWSKI, Mr. BLUMENTHAL, Ms. WARREN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. FRANKEN, Mr. PETERS, Mr. COONS, Ms. STABENOW, Mr. BOOKER, Mr. MARKEY, Mr. BROWN, Ms. BALDWIN, and Mr. WYDEN):

S. 1158. A bill to help prevent acts of genocide and other atrocity crimes, which threaten national and international security, by enhancing United States Government capacities to prevent, mitigate, and respond to such crises; to the Committee on Foreign Relations.

By Mr. BLUNT (for himself, Mr. BLUMENTHAL, Mr. ROBERTS, and Mr. MORAN):

S. 1159. A bill to protect consumers from discriminatory State taxes on motor vehicle rentals; to the Committee on Finance.

By Ms. DUCKWORTH (for herself and Mr. DURBIN):

S. 1160. A bill to include Livingston County, the city of Jonesboro in Union County, and the city of Freeport in Stephenson County, Illinois, to the Lincoln National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. DUCKWORTH (for herself, Ms. COLLINS, and Mr. BLUMENTHAL):

S. 1161. A bill to amend title 38, United States Code, to eliminate copayments by the Department of Veterans Affairs for medicines relating to preventative health services, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. WARREN (for herself, Mr. SCHUMER, Mrs. MURRAY, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CARDIN, Mr. CASEY, Ms. DUCKWORTH, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Mr. HEINRICH, Ms. HEITKAMP, Ms. HIRONO, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MANCHIN, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. PETERS, Mr. REED, Mr. SANDERS, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. WYDEN, Ms. CORTEZ MASTO, and Mrs. MCCASKILL):

S. 1162. A bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. NELSON, Mr. HATCH, Mr. CRUZ, and Mr. COTTON):

S. 1163. A bill to require the Secretary of Veterans Affairs to ensure compliance of medical facilities of the Department of Veterans Affairs with requirements relating to the scheduling of appointments, to require appointment by the President and confirmation by the Senate of certain health care officials of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DAINES (for himself, Mr. NELSON, Mrs. FISCHER, and Ms. KLOBUCHAR):

S. 1164. A bill to protect consumers from deceptive practices with respect to online booking of hotel reservations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MANCHIN (for himself and Mrs. CAPITO):

S. 1165. A bill to designate the medical center of the Department of Veterans Affairs in Huntington, West Virginia, as the Hershel "Woody" Williams VA Medical Center; to the Committee on Veterans' Affairs.

By Mr. WARNER (for himself, Mr. BLUNT, Mr. GRAHAM, and Mr. TILLIS):

S. 1166. A bill to decrease the deficit by realigning, consolidating, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCHATZ (for himself and Mr. MORAN):

S. 1167. A bill to require the Administrator of the Federal Aviation Administration to evaluate and consider revising regulations relating to emergency medical equipment requirements for passenger aircraft; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself, Mr. BLUNT, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. COONS, Mr. HELLER, Ms. KLOBUCHAR, Mr. TILLIS, and Mr. BLUMENTHAL):

S. 1168. A bill to facilitate efficient investments and financing of infrastructure projects and new, long-term job creation through the establishment of an Infrastructure Financing Authority, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. PORTMAN, Mr. BROWN, Mrs. CAPITO, Mr. KING, Ms. COLLINS, Mr. MANCHIN, and Mr. BOOKER):

S. 1169. A bill to amend title XIX of the Social Security Act to provide States with an option to provide medical assistance to individuals between the ages of 22 and 64 for inpatient services to treat substance use disorders at certain facilities, and for other purposes; to the Committee on Finance.

By Mrs. SHAHEEN:

S. 1170. A bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights against lesbian, gay, bisexual, and transgender (LGBT) individuals, and for other purposes; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HELLER (for himself, Mr. GRAHAM, Mr. RUBIO, and Mr. CRUZ):

S. Res. 167. A resolution relating to the recognition of Jerusalem as the capital of Israel and the relocation of the United States Embassy to Jerusalem; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself, Mr. RUBIO, Mr. TILLIS, Mr. WYDEN, Mr. DURBIN, Mr. CORNYN, Ms. STABENOW, Mr. COONS, Mr. GARDNER, Mr. BOOKER, Mr. BROWN, Mr. FRANKEN, Mr. VAN HOLLEN, Mr. MERKLEY, and Mr. WARNER):

S. Res. 168. A resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia; to the Committee on Foreign Relations.

By Ms. DUCKWORTH (for herself and Mr. DURBIN):

S. Res. 169. A resolution congratulating Fermi National Accelerator Laboratory on 50 years of groundbreaking discoveries; to the Committee on Energy and Natural Resources.

By Mr. DONNELLY (for himself, Mr. PORTMAN, Mr. BROWN, Mr. HEINRICH, Mr. NELSON, Mr. PETERS, Mr. REED, Mrs. SHAHEEN, Mr. VAN HOLLEN, Ms. WARREN, and Mrs. GILLIBRAND):

S. Res. 170. A resolution expressing the sense of the Senate that defense laboratories are on the cutting-edge of scientific and technological advancement, and supporting the designation of May 18, 2017, as "Department of Defense Laboratory Day"; considered and agreed to.

By Ms. KLOBUCHAR (for herself, Mr. BLUNT, Mr. SCHATZ, and Mr. HELLER):

S. Res. 171. A resolution supporting the goals and ideals of National Travel and Tourism Week and honoring the valuable con-

tributions of travel and tourism to the United States; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 14

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 14, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 122

At the request of Mr. HELLER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 122, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 198

At the request of Mr. RUBIO, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 198, a bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

S. 244

At the request of Mr. LEE, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 244, a bill to repeal the wage requirement of the Davis-Bacon Act.

S. 317

At the request of Mr. LANKFORD, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 317, a bill to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes.

S. 324

At the request of Mr. HATCH, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 445

At the request of Mr. CARDIN, the names of the Senator from Michigan (Ms. STABENOW), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 450

At the request of Mr. MANCHIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S.

450, a bill to award a Congressional Gold Medal to members of the Armed Forces who fought in defense of Guam, Wake Island, and the Philippine Archipelago between December 7, 1941 and May 10, 1942, and who died or were imprisoned by the Japanese military in the Philippines, Japan, Korea, Manchuria, Wake Island, and Guam from April 9, 1942 until September 2, 1945, in recognition of their personal sacrifice and service to the United States.

S. 455

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 455, a bill to amend title XVIII of the Social Security Act to count resident time spent in a critical access hospital as resident time spent in a nonprovider setting for purposes of making Medicare direct and indirect graduate medical education payments.

S. 540

At the request of Mr. THUNE, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 540, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 546

At the request of Mr. BARRASSO, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 546, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 652

At the request of Mr. PORTMAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 652, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

S. 708

At the request of Mr. MARKEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 708, a bill to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes.

S. 720

At the request of Mr. CARDIN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 765

At the request of Mr. PERDUE, the name of the Senator from Maine (Ms.

COLLINS) was added as a cosponsor of S. 765, a bill to amend title 18, United States Code, to provide for penalties for the sale of any Purple Heart awarded to a member of the Armed Forces.

S. 808

At the request of Mr. THUNE, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 808, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 936

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 936, a bill to designate certain National Forest System land and certain public land under the jurisdiction of the Secretary of the Interior in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, wildland recovery areas, and biological connecting corridors, and for other purposes.

S. 951

At the request of Mr. PAUL, his name was added as a cosponsor of S. 951, a bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, and for other purposes.

S. 1024

At the request of Mr. ISAKSON, the names of the Senator from Utah (Mr. HATCH), the Senator from West Virginia (Mrs. CAPITO) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1024, a bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1055

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1055, a bill to restrict the exportation of certain defense articles to the Philippine National Police, to work with the Philippines to support civil society and a public health approach to substance abuse, to report on Chinese and other sources of narcotics to the Republic of the Philippines, and for other purposes.

S. 1094

At the request of Mr. RUBIO, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 1094, a bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, and for other purposes.

S. 1122

At the request of Mrs. MURRAY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1122, a bill to amend the Occupational Safety and Health Act of

1970 to clarify when the time period for the issuance of citations under such Act begins and to require a rule to clarify that an employer's duty to make and maintain accurate records of work-related injuries and illnesses is an ongoing obligation.

S. 1137

At the request of Mr. CARDIN, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 1137, a bill to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to include provisions relating to drinking water and wastewater infrastructure, and for other purposes.

S. RES. 75

At the request of Mr. PORTMAN, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. Res. 75, a resolution recognizing the 100th anniversary of the Academy of Nutrition and Dietetics, the largest organization of food and nutrition professionals in the world.

S. RES. 106

At the request of Mr. WICKER, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. Res. 106, a resolution expressing the sense of the Senate to support the territorial integrity of Georgia.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself and Mr. ROBERTS):

S. 1144. A bill to amend the Internal Revenue Code of 1986 to encourage business creation by allowing faster recovery of start-up and organizational expenses, to simplify accounting methods for small businesses, to expand expensing and provide accelerated cost recovery to encourage investment in new plants and equipment, and for other purposes; to the Committee on Finance.

Mr. THUNE. Mr. President, there is no doubt that the last 8 years were not good ones for the American economy. Yearly economic growth under the Obama administration averaged just under 1.5 percent. That is less than half the growth needed for a healthy economy. That kind of weak growth has consequences: fewer jobs, fewer opportunities, and lower wages.

Wage growth was almost nonexistent during the Obama administration, and new jobs and opportunities were few and far between. There have been a few encouraging signs since the election. Both wage and job growth have shown some improvement, but we are still a long way from getting our economy back to full health. The GDP report for the first quarter of this year underscored the need to implement the kind of progrowth policies that were lacking during the Obama years.

One major way to spur economic growth and improve the health of our economy is to reform our Nation's Tax Code. Our current Tax Code is strangling businesses, both large and small. Our Nation has the highest corporate tax rate in the developed world, putting American businesses at a competitive disadvantage in the global economy.

Small businesses and family farms face high tax rates, at times exceeding those paid by large corporations. These tax policies have consequences. A small company that owes a large tax bill to the Federal Government is unlikely to be able to come up with the capital necessary to expand the business or hire new workers.

When American businesses are taxed at a far higher rate than their foreign counterparts, it is likely to be the foreign rather than the American company that expands and thrives. Tax reform needs to address these obstacles to growth. Later this year, the Senate plans to consider a major tax reform package. Two of the most powerful tax-related things we can do to increase economic growth are lowering business tax rates and allowing business to recover their investments in inventory, machinery, and the like faster.

The Senate tax bill will do both. Today, I am introducing legislation that I hope will be a part of the final tax reform package in the Senate. My bill—I am calling it the Investment in New Ventures and Economic Success Today Act, or the INVEST Act for short—focuses on helping small- and medium-sized businesses by allowing them to recover their costs faster.

Earlier this year, the Economic Innovation Group released a report on 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 deaths, but that hasn't been the case in the United States lately.

New business creation has significantly dropped over the past several years. Between 2009 and 2011, business deaths outstripped business births. While the numbers have since improved slightly, the recovery has been poor and far from historical norms.

The Economic Innovation Group notes that 2012, the economy's best year for business creation since the recession, "fell far short of its worst year prior to 2008." Well, 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."

Again, that is from the Economic Innovation Group.

Well, starting a new business always has a substantial element of risk. We don't need to make it harder by throwing up tax and regulatory obstacles. If we want to see our economy thriving again, we need to be encouraging the creation of new businesses, but our Tax Code, too often, does the opposite.

My bill, the INVEST Act, would encourage new business creation by allowing new enterprises to deduct a substantial part of their startup costs within the first year. Under current law, new businesses are only able to deduct \$5,000 of their startup costs within their first year. Any startup expenses above that amount can be deducted, but that deduction is stretched out over a 15-year period. That is a long time.

The faster a new business can recover its startup costs, the faster it can establish itself on a secure footing. Entrepreneurs are far more likely to take the risk of starting a new venture if they know they will be able to recover their startup costs quickly. My bill would substantially increase the amount of a business's startup costs that can be deducted in the first year from \$5,000 to \$50,000.

Plus, any additional startup costs can be deducted over a 10-year period instead of the current 15. This will go a long way toward encouraging new business creation and the economic dynamism that comes along with it.

The second part of my bill focuses on increasing cashflow for businesses, farms and ranches, and particularly those that operate as corporations and partnerships, by allowing them to use the so-called cash method of accounting. Under current law, these businesses, farms, and ranches are generally forced to use what is called accrual accounting. Basically, what that means is, a business has to pay tax on income before it receives the cash, and it cannot deduct all of its expenses when it pays the invoice.

For a company with inventory, this means it has to deduct the investments it makes over an extended period of time. A small business might have to spend the majority of its available cash on inventory but be unable to fully deduct that expense until all of that inventory is sold.

In the case of some businesses, it might be well beyond the current tax year before that substantial investment can be fully deducted. That can leave a business increasingly cash poor. Cash poor businesses don't expand. They don't hire new workers. They don't increase wages.

Well, the INVEST Act would allow businesses to deduct investments and inventory up front, leaving them with more cash on hand to put back into their operations. It would also reduce the need for businesses to hire armies of lawyers and accountants to ensure that they have properly adhered to complex accounting rules.

Finally, the INVEST Act would substantially reform the depreciation and expensing rules. Traditionally, farms and businesses have been forced to deduct expenses like machinery, property, or agricultural equipment over an extended period—anywhere from 5 to 10 years or as many as 39 years for commercial buildings. That could leave a farm or a business with its cash tied up for years in all the property it takes to run the enterprise. Of course, that means a farm, LLC, or S corporation can spend years without being able to increase its investment in a business or to hire new workers.

My bill would permanently allow all businesses to deduct 50 percent of their investment in equipment, vehicles, machinery, and certain other kinds of property during the year in which they are purchased. It would also help small and medium-sized farms and businesses to recover an even greater portion of their capital investments by allowing them to deduct at least \$2 million of new investments in business property.

My bill expands current law so additional building improvements—things like roofs, heating, and air conditioning units would qualify for immediate expensing. Farmers and ranchers who may reach the limit on full expensing are not forgotten either. The bill substantially increases the rate at which they can deduct the costs of tractors, combines, and other machinery.

Finally, for those farms and businesses that rely on cars, light trucks, and vans, this bill would substantially increase the amount of their vehicle investment that can be deducted when the business determines its taxable income each year. Currently, a light truck used on a farm or ranch could cost upwards of \$30,000. Yet a farmer is only allowed to deduct \$19,000 of that cost over the required recovery period for a business vehicle. My bill would substantially increase that limit to bring it more in line with the real-world costs of business vehicles.

These changes to expensing rules all have one goal: putting more money back in the hands of business owners—particularly, small business owners, farmers, and ranchers. Forcing business owners, farmers, and ranchers to lock up their capital for 5, 10, or nearly 40 years discourages growth and job creation. Under my bill, businesses, farms, and ranches would be able to re-deploy that hard-to-raise capital back into business expansion, increase in wages, new jobs, and even new ventures.

The Congressional Budget Office predicts that the economy will grow at a rate of just 1.9 percent over the next 30 years. That is a full percentage point lower than the average growth rate over the past 50 years, which was over 3 percent, or between 3.2 and 3.5. That will mean decades of fewer jobs and opportunities, low wage growth, and a reduced standard of living. We don't want to resign ourselves to that, and we

don't have to. If we eliminate the antigrowth features of our Tax Code, if we lift the regulatory burdens facing American businesses and free up businesses to grow and create jobs, we can achieve a future of strong economic growth—the kind of strong growth that will fuel employment and wage growth, along with greater opportunities for American workers.

I hope the INVEST Act will help us develop the kind of tax reform legislation that will help us restore strong, sustainable economic growth, and I am looking forward to working with Chairman HATCH and all of my colleagues on the Senate Finance Committee to put together the final bill and to get it to the President.

It is time that we give the American people a tax code that actually works for them.

By Mr. KENNEDY:

S. 1150. A bill to amend title XIX of the Social Security Act to require States to impose a work requirement for able-bodied adults without dependents who are eligible for medical assistance; to the Committee on Finance.

Mr. KENNEDY. Mr. President, I would like to talk today about the need for a work requirement in our Medicaid Program. In 1969, President Lyndon Johnson addressed the American people, and he talked about breaking the cycle of poverty. This is what President Johnson said:

I believe . . . that the key to success in this effort is jobs. It is work for people who want to work.

President Johnson, as we know, was a Democrat. He fervently believed that the people of Louisiana didn't want handouts. Most people want a chance to support themselves. President Johnson also believed that Medicaid, as originally envisioned, would be a safety net for the disabled, the elderly, and people with small children. Medicaid is not exactly that; it is dramatically different.

Whether you agree or disagree with what has happened to Medicaid, the fact is that it has turned into a health insurance program for about 20 percent of all Americans. Think about that. We have roughly 320 million people in our country, and fully 25 percent are on Medicaid. It gets bigger and bigger every year, and it gets more expensive every year. You can see that the numbers speak for themselves. You can see the trend. You can certainly see that we started in 1966, and you can particularly see the trend beginning in 1996 and its trajectory.

It also became more expensive. The cost of our Medicaid Program in 1966 was \$1 billion. That is a lot of money. This is the cost of last year: \$576 billion and climbing.

Let me talk about our State alone. In Louisiana, the cost of Medicaid has increased from \$5.9 billion in 2008 to \$10.7 billion today, and 65 percent of all of the babies born in Louisiana every year now are born on Medicaid. Think about that.

We know that Medicaid is a Federal-State program. The Federal Government puts up some of the money; the State puts up some of the money, as well. In Louisiana, we put up about one-third of the money. In Louisiana dollars, in 2008, we were putting up \$1.7 billion in State money. It is called the match for the Medicaid Program. Today, the State of Louisiana is paying \$3.3 billion. You can do the math. That is about a 10 percent increase every year.

If we are spending \$3.3 billion of State money, that means every year, just like clockwork, we have to come up with an extra \$330 million. I can tell you where that money comes from. It comes out of public schools, it comes out of universities, it comes out of our budget for roads, and it comes out of our budget for public safety.

We have a choice in America. Either Medicaid is going to be, as we originally envisioned it, a safety net for the old, the disabled, and mothers with babies or it is going to be a health insurance program for the masses.

If the American people and Congress decide that Medicaid is going to be a health insurance program for the general population, then it needs to operate as health insurance does in the private sector. In other words, able-bodied adult enrollees in Medicaid should be required to work in order to receive their benefits, if they are able.

I am filing a bill that is going to be entitled the "Medicaid Reform and Personal Responsibility Act of 2017." It is going to create a work requirement for Medicaid. My reason is simple. I want Americans to prosper. I don't want our people to remain mired in poverty. I want to break poverty's back by creating a system that doesn't force the American people to subsist on handouts from government, and the best way to do that is to provide an incentive for able-bodied Americans to know the dignity of work because a person without a job is neither happy, nor is he free.

I think my bill is a commonsense approach to reducing America's reliance on entitlement programs. The work requirement will be very simple. It will be similar to the program that we have in place—the work requirement we have in place right now for food stamps.

This is what my bill would require: If you are on Medicaid or want to receive Medicaid, and you are an adult between the ages of 18 and 55, and you are able-bodied, you are not disabled, and you don't have any dependents, you don't have any children—so if you are 18 to 55, you are not disabled, and you don't have any children, then in order to receive Medicaid or to continue to receive Medicaid, you have to either work 20 hours a week—not 40 hours a week but 20 hours a week—you have to look for a job or you have to go back to school if you don't want to work. Or if you don't want to go back to school or you don't want to look for a job or you

don't want to get a job, you have to perform community service for 20 hours a week. My goal is to get people off Medicaid and into the workforce, so they can support themselves and not need Medicaid.

I don't want to take Medicaid away from people in need. I do want fewer people to need Medicaid. So if you are disabled, if you are pregnant, if you are elderly, if you are caring for a child, my bill doesn't apply to you. I am not talking about telling a mother with a baby in her arms that she has to go find a job, and I am not going to ask an elderly person in a nursing home to leave the nursing home and go get a job in order to receive Medicaid. All my bill says is that if you are young by today's standards, between 18 and 55, you are able-bodied and you have no children or dependents, then you have to go get a job or you have to go to school or you have to perform community service.

I want to be very clear about something else. In my State, we have a lot of flood victims. We had terrible flooding last year. In my State, Louisiana, we have a depression in the oil and gas industry; indeed, we do throughout America, and I know we do in the great State of Alaska as well. I am not looking to add to their hurt. I am working very hard, as are you, Mr. President, to put our oilfield workers back to work and to get our flood victims the assistance they need to recover from the tragedy that has befallen them. This bill is not about them. This bill is about able-bodied adults between the ages of 18 and 55 who have no dependents and who have been unemployed for years, in many cases, by their own choosing.

Our country has grown a lot and evolved a lot since Medicaid was introduced in 1965. We now face new challenges, both at home and abroad. We know that. Medicaid has grown, as well, but it hasn't evolved in a positive way, in my opinion. Just 3 years after Medicaid was founded, we knew we were going to have a problem finding the money, given the exponential growth in the program, and more than 50 years later, it is way past time to do something about it.

We have to break the back of poverty. This is not about throwing people out into the cold. This is about helping them to know that they can get work because the best program—the best social program in the entire world is a job. By implementing a work requirement for able-bodied adults, Medicaid will evolve to the next logical step. Our goal ought to be to ensure, of course, that people are healthy. That is what Medicaid exists for, but if you are healthy, then the next step is to help you join the workforce.

The simple fact is, this is nothing new or extraordinary. We already have work requirements—required by acts of this Congress—for unemployment assistance, for welfare benefits, for subsidized housing, and for food stamps.

Now, these requirements have been a success. We all know that, not just for stemming the costs of those programs but also for helping people—helping Americans build careers.

Yet we do not have a requirement—a work requirement—for Medicaid. If my bill passes, we will. Work requirements exist because these programs are supposed to be safety nets. That is what a social program is, a safety net. They are not supposed to exist to permanently support you if you can support yourself.

Our social programs in America are meant to be bridges. In way too many respects, they have become parking lots. Medicaid costs are not just a national problem. The program's expansion is clipping the wings of States like Louisiana and like Alaska because, as I pointed out, the States have to put up a substantial amount of the money.

We are becoming a country in which people subsist instead of thrive because they don't know the rewards of work. We have become a country in which poverty is a way of life for way too many people. That is just sad. More than 50 years after Medicaid began, it is time to break the back of poverty once and for all. We can start with a work requirement for Medicaid.

Thank you.

By Mr. KAINE (for himself and Mr. WARNER):

S. 1156. A bill to amend the Internal Revenue Code of 1986 to allow rehabilitation expenditures for public school buildings to qualify for rehabilitation credit; to the Committee on Finance.

Mr. KAINE. Mr. President, today I want to discuss legislation I am introducing, the School Infrastructure Modernization Act.

To claim the federal tax credit for historic preservation, a building renovation must be for a different purpose than that for which the building was previously used, a requirement known as the "prior use" rule. This bill waives that requirement for renovations of K-12 public school buildings. This will make it easier to restore historic-but-dilapidated school buildings across the country so our children have safe, modern spaces in which to learn.

As a Richmond City Council member and later Mayor, I faced challenges familiar to many municipalities—overcrowded schools, aging buildings, and limited dollars in the budget. But in one particular case, I and a group of local stakeholders identified a creative solution. On one hand we had an overcrowded Thomas Jefferson High School with in-zone and magnet students. On the other hand, we had a closed Maggie Walker High School that needed renovations. We put together a financing package that made use of federal and state historic tax credits to renovate Maggie Walker High School and satisfied the prior use rule by consolidating the magnet program from Thomas Jefferson into a new Maggie Walker Governor's School for Government and

International Studies. Today, some 20 years later, this is one of America's highest performing public high schools. Without the federal historic tax credit, this would have been too expensive to make happen.

This bill will make it easier to do similar projects around the country. More modern school buildings will bolster the quality of public education, and carrying out these projects will generate private sector infrastructure investment and jobs. In Virginia alone, according to a 2013 study, more than 800 K–12 schools are at least 50 years old, representing some 40% of all the K–12 schools in the Commonwealth.

As the Senate considers tax reform and a comprehensive infrastructure package, I encourage my colleagues to support this common-sense incentive that is good for education, good for infrastructure, and good for jobs.

By Mr. CARDIN (for himself, Mr. YOUNG, Mr. TILLIS, Mr. DURBIN, Mr. RUBIO, Mr. MENENDEZ, Ms. MURKOWSKI, Mr. BLUMENTHAL, Ms. WARREN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. FRANKEN, Mr. PETERS, Mr. COONS, Ms. STABENOW, Mr. BOOKER, Mr. MARKEY, Mr. BROWN, Ms. BALDWIN, and Mr. WYDEN):

S. 1158. A bill to help prevent acts of genocide and other atrocity crimes, which threaten national and international security, by enhancing United States Government capacities to prevent, mitigate, and respond to such crises; to the Committee on Foreign Relations.

Mr. CARDIN. Mr. President, April was Genocide Awareness and Prevention Month. It commemorated some of the most horrific genocides and atrocities of the 20th century: the siege of Sarajevo in April 1992, the Rwandan genocide in April 1992; the Cambodian genocide in April 1975; and, the Armenian genocide in April 1915. Last, Yom Hashoah or Holocaust Remembrance Day fell during the month of April this year.

We must remember the past. And we must also be mindful of the present and the future. As we know all too well, criminal atrocities persist around the globe. In South Sudan, the world's youngest nation, a political and ethnic conflict is now in its fourth year. Tens of thousands of civilians were killed in mass atrocities and thousands more have fled the country fearing for their lives. In Iraq, ISIS has committed genocide against Yazidis, Christians, and Shiite Muslims, a determination made by former U.S. Secretary of State John Kerry last year. ISIS has killed, expelled, raped, and enslaved Yazidi men, women, and children in northern Iraq, and has committed similar atrocities against other groups living in areas under its control.

In Burma, the Rohingya Muslim community faces such severe violence

and dehumanization, including slaughtering and sequestration, that many experts believe their suffering amounts to genocide. Moreover, in Syria, repeatedly, we see a government committing atrocities against its own people. Children are being gassed. Hospitals are being bombed. Innocent people are being tortured to death.

Too often, we have done too little, waited too long, or been caught unprepared by events that should not have surprised us. We continue to forget the lessons of the past and fail to live up to the post-Holocaust pledge of "Never Again." Ignoring the genocide, war crimes, and crimes against humanity that continue to rage around the world sends a message to the global community that criminal atrocities are tolerable. We must do better to see that atrocities never again occur on our watch.

On April 7, I introduced the Syrian War Crimes Accountability Act, which expands the tools the U.S. government is using to document atrocities in Syria and hold President Bashar al-Assad and other perpetrators accountable. Today, under the heavy cloud of atrocities occurring in South Sudan, Iraq, Burma, Syria, and elsewhere, I am introducing another atrocity-related bill, the Elie Wiesel Genocide and Atrocities Prevention Act of 2017. This bill—named in honor of the courageous, inspiring Holocaust survivor and Nobel Laureate Elie Wiesel—strengthens the U.S. government's infrastructure to prevent and respond to mass atrocities, wherever they may occur.

I am here today to stress that our job, our responsibility, is to make sure the United States has the full arsenal of tools—diplomatic, economic, and legal—to take meaningful action before atrocities occur. The costs—both human and economic—of addressing these atrocities too late or after-the-fact are skyrocketing. The United States must do a better job of responding earlier and more effectively to these crimes—when warning signs begin to point towards possible atrocities occurring, and when strategic investments can have a greater impact in promoting stability and security. Essential to this effort is ensuring that the United States Government has structures in place and mechanisms at hand to better prevent and respond to potential atrocities.

Atrocity prevention has long been a bipartisan cause. In 1988, President Reagan signed implementing legislation allowing the United States to become a party to the Convention on the Prevention and Punishment of the Crime of Genocide. In the 2006 National Security Strategy, President George W. Bush highlighted the "moral imperative that states take action to prevent and punish genocide." In 2008, the bipartisan Genocide Prevention Task Force, which was co-chaired by former Secretary of Defense William Cohen and former Secretary of State Madeleine Albright, stated: "Genocide and

mass atrocities . . . threaten core U.S. national interests." In 2010, the Senate unanimously passed a resolution recognizing "the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts." In 2011, President Obama declared: "Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States of America." The same year, former U.S. Permanent Representative to the United Nations Samantha Power stated that preventing genocide "required a degree of governmental organization that matches the kind of methodical organization that accompanies mass killings."

We need to continue taking proactive steps to enhance our Nation's capacity to quickly anticipate and address genocide and other atrocity crimes. I am introducing the Elie Wiesel Genocide and Atrocities Prevention Act of 2017 to ensure that we do just that. I am joined in this effort by Senators YOUNG, TILLIS, DURBIN, RUBIO, MENENDEZ, MURKOWSKI, BLUMENTHAL, WARREN, WHITEHOUSE, GILLIBRAND, KLOBUCHAR, SHAHEEN, FRANKEN, PETERS, COONS, STABENOW, BOOKER, MARKEY, BROWN, BALDWIN, and WYDEN. This bill does a number of things. First, the bill authorizes the creation of a Mass Atrocities Task Force, which is a transparent, accountable, proactive, high-level, interagency body that includes representatives at the assistant secretary level or higher from departments and agencies across the U.S. Government. The Task Force would work collaboratively with representatives of governmental as well as non-governmental organizations to oversee the development and implementation of U.S. policy on atrocity prevention and response.

Second, this bill gives our Foreign Service Officers the training they need to recognize patterns of escalation and early warning signs of potential atrocities and conflict. With this training, we will, over time, build atrocity prevention into the core skillset of our people on the ground. They will be better equipped to see warning signs, analyze events, and engage early.

Third, this bill calls on the Director of National Intelligence to include in his or her annual testimony to Congress on threats to U.S. national security a review of countries and regions at risk of mass atrocities as well as, whenever possible, specific risk factors, potential groups of perpetrators, and at-risk target groups. With this information, Congress will be better informed and better able to respond to mass atrocities that are brewing.

Finally, this bill authorizes the Complex Crises Fund, which is a specifically dedicated portion of our foreign assistance budget for mitigating conflict. The Complex Crises Fund enables



us to rapidly respond to emerging crises overseas, including potential atrocities. We have already used the Complex Crises Fund to respond to crises in the Central African Republic, Cote d'Ivoire, Guinea, Kenya, Sri Lanka, and elsewhere. Without this important tool, our ability to effectively prevent and mitigate crises is severely constrained.

Mr. President, this is a good bill. It does good things, and places the United States on solid moral ground. However, the moral argument is not the only reason to support this bill. We must also remember that America's security, and that of our allies, is impacted when civilians are slaughtered. Our security is impacted when desperate refugees stream across borders. Our security is affected when perpetrators of extraordinary violence wreak havoc on regional stability, destroying communities, families, and livelihoods. We have seen groups like ISIS systematically targeting communities because of their ethnicity or religious beliefs and practices, and yet, we still lack a comprehensive framework to prevent and respond to genocide and other atrocity crimes. So, let this bill act as our framework, and our call to action, so that when we use the phrase "never again," we know that we are taking meaningful preventative action.

By Ms. WARREN (for herself, Mr. SCHUMER, Mrs. MURRAY, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CARDIN, Mr. CASEY, Ms. DUCKWORTH, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Mr. HEINRICH, Ms. HEITKAMP, Ms. HIRONO, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MANCHIN, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. PETERS, Mr. REED, Mr. SANDERS, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. WYDEN, Ms. CORTEZ MASTO, and Mrs. McCASKILL):

S. 1162. A bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes; to the Committee on Finance.

Ms. WARREN. Mr. President, I rise today to announce the reintroduction of the Bank on Students Emergency Loan Refinancing Act of 2017. This legislation would allow student loan borrowers to take advantage of lower interest rates, and I urge both my Senate colleagues and the Trump administration to support it. In a few short months, millions more college graduates will be hit with their first student loan bills.

Already, more than 44 million Americans have student loans, and many are struggling to pay loans that are running at interest rates of 6 percent, 8 percent, 10 percent and even more. It is time for real action to help struggling

borrowers. That is why, today, I join 36 of my Democratic colleagues in the Senate and 98 of my Democratic colleagues in the House of Representatives to reintroduce our plan to allow borrowers to lower their monthly payment by refinancing their existing loans to today's lower interest rates, 3.76 percent for undergrads, a little higher for graduate students.

Supporting America's students should not be a political food fight. In fact, President Trump talked about student loans when he was on the campaign trail, including a plan to reduce the maximum number of years for repayment for most students.

As a candidate, Donald Trump said that "students should not be asked to pay more on the debt than they can afford." I agree with that, which is why Congress should allow students to lower their monthly payments by refinancing to today's lower interest rates. Donald Trump also said that "student loan debt should not be an albatross around student's necks for the rest of their lives."

I agree with that too. The legislation I am introducing today would lower the outstanding balance for millions of Americans, allowing them to get out from under their student loans faster. Here is one more. Donald Trump said that it is "terrible that one of the only profit centers we have is student loans." He also said that "it is not fair and that should not take place."

Unfortunately, right now, that is exactly what is happening. According to a recent analysis of Congressional Budget Office data by the Institute for College Access and Success, after all the costs are accounted for, the Federal Government is now on track to make \$81 billion off student loans over the next 10 years.

That is obscene. The Federal Government should not be making a profit off the backs of our students, period. Yes, Candidate Trump talked a lot about this problem, but talk is cheap, and President Trump has not done a thing to fix the problem. In fact, he seems to have lost all interest in students and their student loans. Since his election in November, he has not even mentioned his campaign promises about student loans.

Instead, he and Education Secretary DeVos have gone in the opposite direction, using their short time in office to deliver one blow after another to hard-working Americans who are struggling with student debt. Back when he was running for President, Donald Trump made a lot of promises, but empty promises don't help the students who have been punched in the gut by Secretary DeVos's decision to roll back critical consumer protections for borrowers.

Hollow campaign pledges do not help the students, the veterans, the members of our Armed Forces when they are hurt by student loan companies, like Navient, that break the law and brazenly announce to the world that

they don't think they have a responsibility to act in the best interests of students.

Rally speeches don't mean much when this administration is ripping up policies that would have made it harder for greedy student loan companies to rake in lucrative government contracts while cheating students. Last year's rhetoric means nothing to the struggling borrowers who can now be charged sky-high fees—as high as 16 percent—by student loan collection companies thanks to yet another policy Betsy DeVos ripped up.

Students know what is going on. The loan companies know too. Industry stocks have skyrocketed since November. Mr. President, keep your promise and start by supporting this refinancing bill.

For nearly 4 years, Republicans have filibustered this bill and refused to even debate it, despite its overwhelming public support. Meanwhile, congressional Republicans have offered nothing—nothing—to seriously address the problems of student loan borrowers. Those problems keep getting worse. Today's students are wrestling with \$1.4 trillion in student loan debt, and every year the student loan debt increases by nearly \$100 billion.

Interest rates are scheduled to jump up again later this summer, meaning the urgency for Congress to act and allow borrowers to access today's rates is stronger than ever. The Bank on Students Emergency Loan Refinancing Act would give millions of borrowers across this country a chance to save hundreds and in some cases thousands of dollars a year. That is real money, money they can put toward paying down the balance on their debt, money they can use to save for a home, money they can spend on buying a car, money they can put toward building a solid future.

By refusing to act and ignoring this debt crisis, Republicans threaten to bury the hopes of an entire generation. It is time for Congress to step up and fix this problem. It is also time for the President to step up as well.

President Trump, you campaigned on the idea that the Federal Government should not be making a profit off the backs of hard-working students. So support this legislation. Put it in your annual budget, this proposal. Call on Members of your own party who have held up this bill to get on board. Demand action to refinance student loan debt, and keep the promises you made to America's young people.

Thank you, Mr. President.

By Mr. CORNYN (for himself, Mr. NELSON, Mr. HATCH, Mr. CRUZ, and Mr. COTTON):

S. 1163. A bill to require the Secretary of Veterans Affairs to ensure compliance of medical facilities of the Department of Veterans Affairs with requirements relating to the scheduling of appointments, to require appointment by the President and confirmation by the Senate of certain

health care officials of the Department, and for other purposes; to the Committee on Veterans' Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1163

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Health Care Integrity Act of 2017".

#### SEC. 2. COMPLIANCE OF MEDICAL FACILITIES WITH REQUIREMENTS RELATING TO SCHEDULING OF APPOINTMENTS FOR HOSPITAL CARE AND MEDICAL SERVICES.

##### (a) ANNUAL CERTIFICATION.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall ensure that the director of each medical facility of the Department of Veterans Affairs annually certifies to the Secretary that—

(A) the medical facility is in full compliance with all regulations and other provisions of law relating to scheduling appointments for veterans to receive hospital care or medical services, including Veterans Health Administration Directive 1230 or any successor directive; and

(B) any official data on wait times for appointments to receive hospital care or medical services submitted by the director to the Secretary during the year preceding the submission of the certification is true and accurate to the best of the director's knowledge.

(2) PROHIBITION ON WAIVER.—The Secretary may not waive any regulation or other provision of law described in paragraph (1) for a medical facility of the Department if such regulation or other provision of law otherwise applies to the medical facility.

(b) EXPLANATION OF NONCOMPLIANCE.—If a director of a medical facility of the Department does not make a certification under subsection (a)(1) for any year, the director shall submit to the Secretary a report containing—

(1) an explanation of why the director is unable to make such certification; and

(2) a description of the actions the director is taking to ensure full compliance with the regulations and other provisions of law described in such subsection.

##### (c) PROHIBITION ON BONUSES BASED ON NONCOMPLIANCE.—

(1) IN GENERAL.—If a director of a medical facility of the Department does not make a certification under subsection (a)(1) for any year, no covered official described in paragraph (2) may receive an award or bonus under chapter 45 or 53 of title 5, United States Code, or any other award or bonus authorized under such title or title 38, United States Code, during the year following the year in which the certification was not made.

(2) COVERED OFFICIAL DESCRIBED.—A covered official described in this paragraph is each official who serves in the following positions at a medical facility of the Department during a year, or portion thereof, for which the director does not make a certification under subsection (a)(1):

(A) The director.

(B) The chief of staff.

(C) The associate director.

(D) The associate director for patient care.

(E) The deputy chief of staff.

(d) ANNUAL REPORT.—Not less frequently than annually, the Secretary shall submit to the Committee on Veterans' Affairs of the

Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing, with respect to the year covered by the report—

(1) a list of each medical facility of the Department for which a certification was made under subsection (a)(1); and

(2) a list of each medical facility of the Department for which such a certification was not made, including a copy of each report submitted to the Secretary under subsection (b).

#### SEC. 3. UNIFORM APPLICATION OF DIRECTIVES AND POLICIES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall apply the directives and policies of the Department of Veterans Affairs to each office or facility of the Department in a uniform manner.

(b) NOTIFICATION.—If the Secretary does not uniformly apply the directives and policies of the Department pursuant to subsection (a), including by waiving such a directive or policy with respect to an office, facility, or element of the Department, the Secretary shall notify the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives of such nonuniform application, including an explanation for the non-uniform application.

#### SEC. 4. REQUIREMENT FOR APPOINTMENT AND CONFIRMATION OF CERTAIN OFFICIALS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) PRINCIPAL DEPUTY UNDER SECRETARY FOR HEALTH.—Subsection (c) of section 7306 of title 38, United States Code, is amended to read as follows:

"(c)(1) Except as provided in paragraph (2), appointments under subsection (a) shall be made by the Secretary.

"(2) Appointments under subsection (a)(1) shall be made by the President, by and with the advice and consent of the Senate.

"(3) In the case of appointments under paragraphs (1), (2), (3), (4), and (8) of subsection (a), such appointments shall be made upon the recommendation of the Under Secretary for Health."

(b) OTHER DEPUTY UNDER SECRETARY POSITIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Deputy Under Secretary for Health for Operations and Management of the Department of Veterans Affairs, the Deputy Under Secretary for Health for Policy and Services of the Department, the Principal Deputy Under Secretary for Benefits of the Department, the Deputy Under Secretary for Disability Assistance of the Department, and the Deputy Under Secretary for Field Operations of the Department shall be appointed by the President, by and with the advice and consent of the Senate.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the establishment of any new position within the Department of Veterans Affairs.

(c) APPLICATION.—Subsection (b) and the amendment made by subsection (a) shall apply to appointments made on and after the date of the enactment of this Act.

By Mr. DAINES (for himself, Mr. NELSON, Mrs. FISCHER, and Ms. KLOBUCHAR):

S. 1164. A bill to protect consumers from deceptive practices with respect to online booking of hotel reservations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1164

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Stop Online Booking Scams Act of 2017".

#### SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) The Internet has become an important channel of commerce in the United States, accounting for billions of dollars in retail sales every year.

(2) Hotel reservation transactions can be easily made online and online commerce has created a marketplace where consumers can shop for hotels, flights, car rentals, and other travel-related services and products across thousands of brands on a single platform.

(3) Consumers should be able to clearly identify the company with which they are transacting business online.

(4) Actions by third-party sellers that misappropriate brand identity, trademark, or other marketing content are harmful to consumers.

(5) Platforms offered by online travel agencies provide consumers with a valuable tool for comparative shopping for hotels and should not be mistaken for the unlawful third-party actors that commit such misappropriation.

(6) The misleading and deceptive sales tactics companies use against consumers booking hotel rooms online have resulted in the loss of sensitive financial and personal information, financial harm, and other damages for consumers.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) consumers benefit from the ability to shop for travel-related services and products on the innovative platforms offered by online travel agencies;

(2) sellers on the Internet should—

(A) provide consumers with clear, accurate information; and

(B) have an opportunity to compete fairly with one another; and

(3) the Federal Trade Commission should revise the Commission's Internet site to make it easier for consumers and businesses to report complaints of deceptive practices with respect to online booking of hotel reservations.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) AFFILIATION CONTRACT.—The term "affiliation contract" means, with respect to a hotel, a contract with the owner of the hotel, the entity that manages the hotel, or the franchisor of the hotel to provide online hotel reservation services for the hotel.

(2) COMMISSION.—The term "Commission" means the Federal Trade Commission.

(3) EXHIBITION ORGANIZER OR MEETING PLANNER.—The term "exhibition organizer or meeting planner" means the person responsible for all aspects of planning, promoting, and producing a meeting, conference, event, or exhibition, including overseeing and arranging all hotel reservation plans and contracts for the meeting, conference, event, or exhibition.

(4) OFFICIAL HOUSING BUREAU.—The term "official housing bureau" means the organization designated by an exhibition organizer or meeting planner to provide hotel reservation services for meetings, conferences, events, or exhibitions.

(5) **PARTY DIRECTLY AFFILIATED.**—The term “party directly affiliated” means, with respect to a hotel, a person who has entered into an affiliation contract with the hotel.

(6) **THIRD-PARTY ONLINE HOTEL RESERVATION SELLER.**—The term “third-party online hotel reservation seller” means any person that—

(A) sells any good or service with respect to a hotel in a transaction effected on the Internet; and

(B) is not—

(i) a party directly affiliated with the hotel; or

(ii) an exhibition organizer or meeting planner or the official housing bureau for a meeting, conference, event, or exhibition held at the hotel.

#### **SEC. 4. REQUIREMENTS FOR THIRD-PARTY ONLINE HOTEL RESERVATION SELLERS.**

(a) **IN GENERAL.**—It shall be unlawful for a third-party online hotel reservation seller to charge or attempt to charge any consumer's credit card, debit card, bank account, or other financial account for any good or service sold in a transaction effected on the Internet with respect to a hotel unless the third-party online hotel reservation seller—

(1) clearly and conspicuously discloses to the consumer all material terms of the transaction, including—

(A) before the conclusion of the transaction—

(i) a description of the good or service being offered; and

(ii) the cost of such good or service; and

(B) in a manner that is continuously visible to the consumer throughout the transaction process, that the person—

(i) is a third-party online hotel reservation seller; and

(ii) is not—

(I) affiliated with the owner of the hotel or the entity that provides the hotel services or accommodations; or

(II) an exhibition organizer or meeting planner or the official housing bureau for a meeting, conference, event, or exhibition held at the hotel; or

(2) includes prominent and continuous disclosure of the brand identity of the third-party online hotel reservation seller throughout the transaction process, whether online or over the phone.

(b) **ENFORCEMENT BY COMMISSION.**—

(1) **UNFAIR OR DECEPTIVE ACTS OR PRACTICES.**—A violation of subsection (a) by a person subject to such subsection shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) **POWERS OF COMMISSION.**—

(A) **IN GENERAL.**—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(B) **PRIVILEGES AND IMMUNITIES.**—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) **RULEMAKING.**—

(i) **IN GENERAL.**—The Commission may promulgate such rules as the Commission considers appropriate to enforce this section.

(ii) **PROCEDURES.**—The Commission shall carry out any rulemaking under clause (i) in accordance with section 553 of title 5, United States Code.

(c) **ENFORCEMENT BY STATES.**—

(1) **IN GENERAL.**—In any case in which the attorney general of a State has reason to believe that an interest of the residents of the

State has been or is being threatened or adversely affected by the engagement of any person subject to subsection (a) in a practice that violates such subsection, the attorney general of the State may, as *parens patriae*, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to obtain appropriate relief.

(2) **RIGHTS OF FEDERAL TRADE COMMISSION.**—

(A) **NOTICE TO FEDERAL TRADE COMMISSION.**—

(i) **IN GENERAL.**—Except as provided in clause (iii), the attorney general of a State shall notify the Commission in writing that the attorney general intends to bring a civil action under paragraph (1) before initiating any civil action against a person subject to subsection (a).

(ii) **CONTENTS.**—The notification required under clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) **EXCEPTION.**—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Commission immediately upon instituting the civil action.

(B) **INTERVENTION BY FEDERAL TRADE COMMISSION.**—The Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(3) **INVESTIGATORY POWERS.**—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State—

(A) to conduct investigations;

(B) to administer oaths or affirmations; or

(C) to compel the attendance of witnesses or the production of documentary or other evidence.

(4) **STATE COORDINATION WITH FEDERAL TRADE COMMISSION.**—If the Commission institutes a civil action or an administrative action with respect to a violation of subsection (a), the attorney general of a State shall coordinate with the Commission before bringing a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(5) **VENUE; SERVICE OF PROCESS.**—

(A) **VENUE.**—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) **SERVICE OF PROCESS.**—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(6) **ACTIONS BY OTHER STATE OFFICIALS.**—

(A) **IN GENERAL.**—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) **SAVINGS PROVISION.**—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating

or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

Mr. DAINES. Mr. President, the travel and tourism industry is a pillar of Montana's economy. Our wealth of public lands, first-class fishing, hiking and skiing, and our breathtaking natural landscapes make Montana a special place for people to visit. Last year alone, visitors to Montana spent \$3.46 billion in our state. And Montana is not alone. The travel and tourism industry plays a significant role in the United States economy as well, contributing over \$503 billion to the U.S. GDP just last year.

With advancements in technology and the increased use of online marketplaces, travelers have the ability to do more research, plan trips, and book reservations online. Online platforms allow customers to compare thousands of brands in one place and as a result the number of hotel reservations made online has surged over the past several years, many of which are on legitimate third-party websites. However, as the ease and number of online bookings has increased, so has the number of online booking scams.

Illegitimate reservation sellers pose as hotel websites, leading consumers to believe they are booking directly with the hotel, when in fact they are booking with an unrelated third party. Transactions on these sites can result in additional hidden fees, loss of expected loyalty points, or even confirmation of reservations that were never made. One study found that as many as fifteen million bookings a year are affected by fraudulent websites. In Montana, you expect to get what you pay for. When you book a hotel online only to find out you are not on the list when you arrive, you not only lose your money, but you lose the positive experience tourism awards.

That is why I am proud to introduce the Stop Online Booking Scams Act of 2017 along with my colleagues Senators NELSON, FISCHER, and KLOBUCHAR. This bill requires third-party sites to disclose that they are not affiliated with the hotel, providing clarity and transparency to consumers booking online. It also empowers State attorneys general to pursue cases on behalf of consumers who have been scammed. Providing clear disclosures that reveal the true identity of websites will give confidence to the millions of consumers who make reservations online every year. I ask my colleagues who have not yet done so to join me in cosponsoring this much-needed legislation. Thank you, Mr. President.

By Mr. DURBIN (for himself, Mr. PORTMAN, Mr. BROWN, Mrs. CAPITO, Mr. KING, Ms. COLLINS, Mr. MANCHIN, and Mr. BOOKER):

S. 1169. A bill to amend title XIX of the Social Security Act to provide States with an option to provide medical assistance to individuals between

the ages of 22 and 64 for inpatient services to treat substance use disorders at certain facilities, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1169

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Medicaid Coverage for Addiction Recovery Expansion Act”.

#### SEC. 2. STATE OPTION TO PROVIDE MEDICAL ASSISTANCE FOR RESIDENTIAL ADDICTION TREATMENT FACILITY SERVICES; MODIFICATION OF THE IMD EXCLUSION.

(a) IN GENERAL.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in subsection (a)(16)—

(A) by striking “and, (B)” and inserting “, (B)”;

(B) by inserting “, and (C) effective January 1, 2019, residential addiction treatment facility services (as defined in subsection (h)(3)) for individuals over 21 years of age and under 65 years of age, if offered as part of a full continuum of evidence-based treatment services provided under the State plan, including residential, outpatient, and community-based care, for individuals with substance use disorders” before the semicolon; and

(2) in subsection (h)—

(A) in paragraph (1), by striking “paragraph (16) of subsection (a)” and inserting “subsection (a)(16)(A)”;

(B) by adding at the end the following new paragraph:

“(3)(A) For purposes of subsection (a)(16)(C), the term ‘residential addiction treatment facility services’ means, subject to subparagraph (B), inpatient services provided—

“(i) to an individual for the purpose of treating a substance use disorder that are furnished to an individual for not more than 2 consecutive periods of 30 consecutive days, provided that upon completion of the first 30-day period, the individual is assessed and determined to have progressed through the clinical continuum of care, in accordance with criteria established by the Secretary, in consultation with the American Society of Addiction Medicine, and requires continued medically necessary treatment and social support services to promote recovery, stable transition to ongoing treatment, and discharge; and

“(ii) in a facility that is accredited for the treatment of substance use disorders by the Joint Commission on Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, the Council on Accreditation, or any other accrediting agency that the Secretary deems appropriate as necessary to ensure nationwide applicability, including qualified national organizations and State-level accrediting agencies.

“(B) The State agency responsible for administering the State plan under this title shall establish procedures to ensure that, with respect to any facility providing residential addiction treatment facility services in a fiscal year, the average monthly number of beds used by the facility to provide such services during such year is not more than 40.

“(C) The provision of medical assistance for residential addiction treatment facility

services to an individual shall not prohibit Federal financial participation for medical assistance for items or services that are provided to the individual in or away from the residential addiction treatment facility during any 30-day period in which the individual is receiving residential addiction treatment facility services.

“(D) A woman who is eligible for medical assistance on the basis of being pregnant and who is furnished residential addiction treatment facility services during any 30-day period may remain eligible for, and continue to be furnished with, such services for additional 30-day periods without regard to any eligibility limit that would otherwise apply to the woman as a result of her pregnancy ending, subject to assessment by the facility and a determination based on medical necessity related to substance use disorder and the impact of substance use disorder on birth outcomes.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to items and services furnished on or after January 1, 2019.

#### SEC. 3. GRANT PROGRAM TO EXPAND YOUTH ADDICTION TREATMENT FACILITIES UNDER MEDICAID AND CHIP.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a program under which the Secretary shall award grants to States for the purpose of expanding the infrastructure and treatment capabilities, including augmenting equipment and bed capacity, of eligible youth addiction treatment facilities that provide addiction treatment services to Medicaid or CHIP beneficiaries who have not attained the age of 21 and are in communities with high numbers of medically underserved populations of at-risk youth.

(2) USE OF FUNDS.—Grant funds awarded under this section may be used to expand the infrastructure and treatment capabilities of an existing facility (including through construction) but shall not be used for the construction of any new facility or for the provision of medical assistance or child health assistance under Medicaid or CHIP.

(3) TIMETABLE FOR IMPLEMENTATION; DURATION.—

(A) IMPLEMENTATION.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall award grants under the grant program.

(B) DURATION.—The Secretary shall award grants under the grant program for a period not to exceed 5 years.

(b) APPLICATION.—A State seeking to participate in the grant program shall submit to the Secretary, at such time and in such manner as the Secretary shall require, an application that includes—

(1) detailed information on the types of additional infrastructure and treatment capacity of eligible youth addiction treatment facilities that the State proposes to fund under the grant program;

(2) a description of the communities in which the eligible youth addiction treatment facilities funded under the grant program operate;

(3) an assurance that the eligible youth addiction treatment facilities that the State proposes to fund under the grant program shall give priority to providing addiction treatment services to Medicaid or CHIP beneficiaries who have not attained the age of 21 and are in communities with high numbers of medically underserved populations of at-risk youth; and

(4) such additional information and assurances as the Secretary shall require.

(c) RURAL AREAS.—Not less than 15 percent of the amount of a grant awarded to a State under this section shall be used for making payments to eligible youth addiction treat-

ment facilities that are located in rural areas or that target the provision of addiction treatment services to Medicaid or CHIP beneficiaries who have not attained the age of 21 and reside in rural areas.

(d) DEFINITIONS.—For purposes of this section:

(1) ADDICTION TREATMENT SERVICES.—The term “addiction treatment services” means services provided to an individual for the purpose of treating a substance use disorder.

(2) CHIP.—The term “CHIP” means the State children’s health insurance program established under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.).

(3) ELIGIBLE YOUTH ADDICTION TREATMENT FACILITY.—The term “eligible youth addiction treatment facility” means a facility that is a participating provider under the State Medicaid or CHIP programs for purposes of providing medical assistance or child health assistance to Medicaid or CHIP beneficiaries for youth addiction treatment services on an inpatient or outpatient basis (or both).

(4) MEDICAID.—The term “Medicaid” means the medical assistance program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(5) MEDICAID OR CHIP BENEFICIARY.—The term “Medicaid or CHIP beneficiary” means an individual who is enrolled in the State Medicaid plan, the State child health plan under CHIP, or under a waiver of either such plan.

(6) MEDICALLY UNDERSERVED POPULATIONS.—The term “medically underserved populations” has the meaning given that term in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3)).

(7) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$50,000,000 to carry out the provisions of this section. Funds appropriated under this subsection shall remain available until expended.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 167—RELATING TO THE RECOGNITION OF JERUSALEM AS THE CAPITAL OF ISRAEL AND THE RELOCATION OF THE UNITED STATES EMBASSY TO JERUSALEM

Mr. HELLER (for himself, Mr. GRAM, Mr. RUBIO, and Mr. CRUZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 167

Whereas each sovereign nation, under international law and custom, may designate its own capital;

Whereas, since 1950, the city of Jerusalem has been the capital of the State of Israel;

Whereas the city of Jerusalem is the seat of Israel’s President, Parliament, Supreme Court, and the site of numerous government ministries and social and cultural institutions;

Whereas the city of Jerusalem is the spiritual center of Judaism and is also considered a holy city by members of other religious faiths;

Whereas Jerusalem must remain an undivided city in which the rights of every ethnic and religious group are protected as they have been by Israel since 1967;

Whereas, this year, we commemorate the 50th anniversary of the reunification of Jerusalem and reaffirm the congressional sentiment that Jerusalem must remain an undivided city;

Whereas every citizen of Israel should have the right to reside anywhere in the undivided city of Jerusalem;

Whereas the President and the Secretary of State should publicly affirm as a matter of United States policy that Jerusalem must remain the undivided capital of the State of Israel;

Whereas the President should immediately implement the provisions of the Jerusalem Embassy Act of 1995 (Public Law 104-45) and begin the process of relocating the United States Embassy in Israel to Jerusalem;

Whereas United States officials should refrain from any actions that contradict United States law on this subject; and

Whereas any official document of the United States Government which lists countries and their capital cities should identify Jerusalem as the capital of Israel: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) it should be the policy of the United States to recognize Jerusalem as the undivided capital of the State of Israel both de jure and de facto; and

(2) the United States Embassy should be relocated to Jerusalem.

#### SENATE RESOLUTION 168—SUPPORTING RESPECT FOR HUMAN RIGHTS AND ENCOURAGING INCLUSIVE GOVERNANCE IN ETHIOPIA

Mr. CARDIN (for himself, Mr. RUBIO, Mr. TILLIS, Mr. WYDEN, Mr. DURBIN, Mr. CORNYN, Ms. STABENOW, Mr. COONS, Mr. GARDNER, Mr. BOOKER, Mr. BROWN, Mr. FRANKEN, Mr. VAN HOLLEN, Mr. MERKLEY, and Mr. WARNER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

##### S. RES. 168

Whereas the first pillar of the 2012 United States Strategy Toward Sub-Saharan Africa is to strengthen democratic institutions, and the United States Agency for International Development Democracy, Human Rights, and Governance Strategy states that strong democratic institutions, respect for human rights, and participatory, accountable governance are crucial elements for improving people's lives in a sustainable way;

Whereas the third pillar of the 2012 United States Strategy Toward Sub-Saharan Africa is to advance peace and security, including supporting security sector reform;

Whereas democratic space in Ethiopia has steadily diminished since the general elections of 2005;

Whereas elections were held in 2015 in which the ruling Ethiopian People's Revolutionary Democratic Front and its affiliates claimed 100 percent of parliamentary seats;

Whereas the 2016 Department of State Human Rights Report on Ethiopia cited serious human rights violations, including arbitrary arrests, killings, rape, and torture committed by security forces as well as increased restrictions on freedom of expression and freedom of association, politically motivated trials, harassment, intimidation, and arrest of opposition members and journalists;

Whereas the Government of Ethiopia has repeatedly abused laws such as the 2009 Anti-Terrorism Proclamation to limit press free-

dom, silence independent journalists, and persecute members of the political opposition;

Whereas laws such as the 2009 Charities and Societies Proclamation have been used to restrict the operation of civil society and nongovernmental organizations in Ethiopia across a range of purposes, particularly those investigating alleged violations of human rights by governmental authorities;

Whereas the case of the "Zone 9 Bloggers", whose arrest and detention in 2014 and subsequent trials on terrorism charges brought international attention to the restrictions on press freedom in Ethiopia, is indicative of the coercive environment in which journalists continue to operate;

Whereas the arrest, detention, and demeaning treatment of hundreds of dissidents, including leaders of legally registered opposition parties such as Bekele Gerba, arrested in December 2015, and Merera Gudina, arrested in November 2016, of the Oromo Federalist Congress, Yonatan Tesfaye Regassa, arrested in December 2015, of the Semayawi Party (the Blue Party), and the arrest and sentencing of Okello Akway Ochalla, former governor of the Gambella region, are indicative of repressive political conditions that prevail in the country;

Whereas the Ethiopian Human Rights Council reported last year at least 102 protestor deaths from November 2015 to February 2016 across 9 administrative zones, Human Rights Watch reports that Ethiopian security forces have killed at least 500 peaceful protestors, and Amnesty International reported that more than 800 protesters have been killed since November 2015 and that number is likely higher;

Whereas, on October 9, 2016, the Government of Ethiopia imposed a far-reaching, six-month State of Emergency that restricted a broad range of actions, including blocking mobile Internet access and social media communications, undermining freedoms of association, expression, and peaceful assembly, which led to the arrest of over 26,000 persons, and which was extended by four months on March 30, 2017;

Whereas, on October 10, 2016, the United Nations Special Rapporteur on freedom of peaceful assembly and of association and the United Nations Working Group on enforced or involuntary disappearances and on extrajudicial, summary or arbitrary executions publicly called on the Government of Ethiopia to allow an international commission of inquiry to investigate the protests and the violence used against peaceful demonstrators;

Whereas former detainees report torture, lack of rations, and other forms of serious abuse in detention facilities;

Whereas state-sponsored violence against citizens exercising their rights to peaceful assembly in Oromia and elsewhere in the country, and the abuse of laws to stifle journalistic and political freedoms, stand in direct contrast to democratic principles and in violation of Ethiopia's constitution;

Whereas serious abuses have been and continue to be committed in the Somali regional state by Ethiopian federal and regional security forces, some of which may constitute war crimes and crimes against humanity;

Whereas to date, the Government of Ethiopia has held no one accountable for any of the aforementioned abuses; and

Whereas, during President Barack Obama's historic visit to Addis Ababa in July 2015, Prime Minister Hailemariam Desalegn expressed his government's commitment to deepen the democratic process and work towards the respect of human rights and improving governance, and noted the need to step up efforts to strengthen institutions,

but the Government of Ethiopia has failed to take concrete actions to follow through with this commitment: Now, therefore be it

*Resolved*, That the Senate—

(1) condemns—

(A) killings of peaceful protesters and excessive use of force by Ethiopian security forces;

(B) arrest and detention of journalists, students, activists and political leaders who exercise their constitutional rights to freedom of assembly and expression through peaceful protests; and

(C) abuse of the Anti-Terrorism Proclamation to stifle political and civil dissent and journalistic freedoms;

(2) urges protesters in Ethiopia to refrain from violence, and to refrain from encouraging or accepting any and all violence in demonstrations;

(3) calls on the Government of Ethiopia to—

(A) fully lift the state of emergency;

(B) end the practice of excessive force by security forces;

(C) grant the United Nations High Commissioner for Human Rights and United Nations Special Rapporteurs full access to conduct a comprehensive independent examination of the state of human rights in Ethiopia;

(D) conduct a full, credible, and transparent investigation into the killings and instances of excessive use of force that took place as a result of protests in the Oromia and Amhara regions and hold security forces accountable for wrongdoing through public proceedings, and to publicly release the findings through a written report;

(E) release all dissidents, members of the political opposition, activists, and journalists who have been jailed, including those arrested for reporting about the protests, for exercising constitutional rights;

(F) respect the right to freedom of peaceful assembly and guarantee freedom of the press and mass media in keeping with Articles 30 and 29 of the Ethiopian constitution;

(G) engage in open and transparent consultations relative to its development strategy, especially those strategies that could result in people's displacement from land, offering those displaced from their land the right to seek remedy or redress in courts and providing a transparent means to access justice for those displaced; and

(H) repeal proclamations that—

(i) can be used as a political tool to harass individuals or organizations that engage in peaceful political dissent or advocate for greater political freedoms; or

(ii) prohibit or otherwise limit funding for civil society organizations working on, supporting, or advocating for respect for constitutional rights, the rule of law, and protection of human rights;

(4) calls on the Secretary of State to share with Congress the results of a review of security assistance to Ethiopia in light of these developments and to improve transparency with respect to the purposes of such assistance to the people of Ethiopia;

(5) calls on the Administrator of the United States Agency for International Development to immediately lead efforts to develop a comprehensive strategy to support improved democracy and governance in Ethiopia;

(6) calls on the Secretary of State, in conjunction with the Administrator of the United States Agency for International Development, to improve oversight and accountability of United States assistance to Ethiopia pursuant to expectations established in the President's 2012 Strategy Toward Sub-Saharan Africa;

(7) calls on the President to apply appropriate sanctions on foreign persons or entities responsible for extrajudicial killings,

torture, or other gross violations of internationally recognized human rights committed against any nationals in Ethiopia as provided for in the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114-328); and

(8) stands by the people of Ethiopia, and supports their peaceful efforts to increase democratic space and to exercise the rights guaranteed by the Ethiopian constitution.

#### SENATE RESOLUTION 169—CONGRATULATING FERMI NATIONAL ACCELERATOR LABORATORY ON 50 YEARS OF GROUNDBREAKING DISCOVERIES

Ms. DUCKWORTH (for herself and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

##### S. RES. 169

Whereas, in 2017, Fermi National Accelerator Laboratory (referred to in this preamble as “Fermilab”) celebrates the 50th anniversary of the date on which the first employees of Fermilab started work in Illinois, June 15, 1967;

Whereas Fermilab drives scientific discovery by building and operating world-leading particle accelerator and detector facilities, performing pioneering research with national and global partners, and developing new technologies for science that support the industrial competitiveness of the United States;

Whereas Fermilab provides research facilities for 4,500 scientists from 50 countries;

Whereas research at Fermilab led to the discovery of the 3 building blocks of the universe, the bottom quark in 1977, the top quark in 1995, and the tau neutrino in 2000;

Whereas superconducting magnets developed at Fermilab led to the advancement of magnetic resonance imaging medical diagnostics;

Whereas Fermilab contributed critical components, computing capabilities, and scientific expertise to the 2012 discovery of the Higgs boson in Geneva, Switzerland;

Whereas Fermilab continues to lead scientific discoveries, including planning construction for the Long-Baseline Neutrino Facility to power the Deep Underground Neutrino Experiment; and

Whereas Fermilab demonstrates its strong commitment to developing a diverse workforce for the future in the fields of science, technology, engineering, and mathematics through educational programs that bring more than 15,000 K-12 students to visit Fermilab each year: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Fermi National Accelerator Laboratory on the semicentennial of the Laboratory; and

(2) wishes the Laboratory success in continuing to help the people of the United States understand the mysteries of matter, energy, space, and time.

#### SENATE RESOLUTION 170—EXPRESSING THE SENSE OF THE SENATE THAT DEFENSE LABORATORIES ARE ON THE CUTTING-EDGE OF SCIENTIFIC AND TECHNOLOGICAL ADVANCEMENT, AND SUPPORTING THE DESIGNATION OF MAY 18, 2017, AS “DEPARTMENT OF DEFENSE LABORATORY DAY”

Mr. DONNELLY (for himself, Mr. PORTMAN, Mr. BROWN, Mr. HEINRICH,

Mr. NELSON, Mr. PETERS, Mr. REED, Mrs. SHAHEEN, Mr. VAN HOLLEN, Ms. WARREN, and Mrs. GILLIBRAND) submitted the following resolution; which was considered and agreed to:

##### S. RES. 170

Whereas the national network of laboratories and engineering centers that are owned and operated by the United States Armed Forces (referred to in this preamble as the “defense laboratories”) should be commended for the unique role that the defense laboratories have played in countless innovations and advances in the areas of defense and national security;

Whereas technological progress is responsible for up to 50 percent of the growth of the United States economy and is the principal driving force behind long-term economic growth and increases in the standard of living in the United States;

Whereas research and development supported by the Department of Defense has led to new products and processes for state-of-the-art Armed Forces weapons and technology;

Whereas defense laboratories frequently partner with State and local governments and regional organizations to transfer technology to the private sector;

Whereas defense laboratories have earned prestigious national and international awards for research and technology transfer efforts and lead the way in cutting-edge science and technology;

Whereas the innovations that are produced at defense laboratories fuel economic growth by creating new industries, companies, and jobs;

Whereas, since the global leadership and national security of the United States is dependent on innovation and new industries, the work of the national network of defense laboratories is essential to the continued prosperity of the United States; and

Whereas May 18, 2017, is an appropriate day to designate as “Department of Defense Laboratory Day”: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of the “Department of Defense Laboratory Day” in celebration of all of the work and accomplishments of the national network of laboratories and engineering centers that are owned and operated by the United States Armed Forces (referred to in this resolution as the “defense laboratories”);

(2) recognizes that a key to maintaining United States Armed Forces superiority, innovation, and competitiveness in a global economy is to continue to support federally sponsored research and development;

(3) acknowledges that the knowledge base, technologies, and techniques generated in the national network of defense laboratories serve as a foundation for additional efforts relating to the Armed Forces in the defense industrial base;

(4) commits to find ways to increase investment in the national network of defense laboratories in order to increase support of federally sponsored research and development critical to the national security interests of the United States;

(5) encourages defense laboratories, Federal agencies, and Congress to hold an outreach event on May 18, 2017, “Department of Defense Laboratory Day”, to make the public more aware of the work of the national network of defense laboratories; and

(6) recognizes the outstanding dedication, qualifications, service, and accomplishments of the scientists, technicians, and support staff of the defense laboratories.

#### SENATE RESOLUTION 171—SUPPORTING THE GOALS AND IDEALS OF NATIONAL TRAVEL AND TOURISM WEEK AND HONORING THE VALUABLE CONTRIBUTIONS OF TRAVEL AND TOURISM TO THE UNITED STATES

Ms. KLOBUCHAR (for herself, Mr. BLUNT, Mr. SCHATZ, and Mr. HELLER) submitted the following resolution; which was considered and agreed to:

##### S. RES. 171

Whereas National Travel and Tourism Week was established in 1983 through the enactment of the Joint Resolution entitled “Joint Resolution to designate the week beginning May 27, 1984, as ‘National Tourism Week’”, approved November 29, 1983 (Public Law 98-178; 97 Stat. 1126), which recognized the value of travel and tourism;

Whereas National Travel and Tourism Week is celebrated across the United States from May 7 through May 13, 2017;

Whereas more than 400 celebrations throughout the United States are scheduled in honor of National Travel and Tourism Week;

Whereas 1 out of every 9 jobs in the United States depends on travel and tourism and the travel and tourism industry supports 15,300,000 jobs in the United States;

Whereas the travel and tourism industry employs individuals in all 50 States, the District of Columbia, and all the territories of the United States;

Whereas international travel to the United States—

(1) is the single largest export industry in the United States; and

(2) generates a trade surplus balance of approximately \$87,000,000,000;

Whereas the travel and tourism industry, Congress, and the President have worked to streamline the visa process and make the United States welcoming to visitors from other countries;

Whereas travel and tourism provide significant economic benefits to the United States by generating nearly \$2,300,000,000,000 in annual economic output;

Whereas leisure travel allows individuals to experience the rich cultural heritage and educational opportunities of the United States and its communities; and

Whereas the immense value of travel and tourism cannot be overstated: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of National Travel and Tourism Week;

(2) commends the travel and tourism industry for its important contributions to the United States; and

(3) commends the employees of the travel and tourism industry for their important contributions to the United States.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. KENNEDY. Mr. President, I have 10 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

##### COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session



of the Senate on Wednesday, May 17, 2017, to conduct a hearing entitled “Aging With Community: Building Connections that Last a Lifetime.”

COMMITTEE ON COMMERCE, SCIENCE, AND  
TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, May 17, 2017, at 10 a.m. in Room 253 of the Russell Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC  
WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, May 17, 2017, at 10 a.m. in Room 406 of the Dirksen Senate Office Building, to conduct a hearing entitled “Improving America’s Transportation Infrastructure: The Road Forward.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, May 17, 2017, at 2 p.m., to hold a hearing entitled “Nominations.”

COMMITTEE ON HOMELAND SECURITY

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, May 17, 2017, at 10 a.m. for a business meeting.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, May 17, 2017, in Room 628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a business meeting.

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, May 17, 2017, in Room 628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct an oversight hearing on “High Risk, No Reward: GAO’s High Risk List for Indian Programs.”

COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, May 17, 2017, at 2:30 p.m. in SR-418, to conduct a hearing on pending legislation.

SUBCOMMITTEE ON AIRLAND

The Subcommittee on Airland of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, May 17, 2017, at 3:30 p.m., in open session, to receive testimony on United States Military Small Arms Requirements.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, May 17, 2017, at 2 p.m., in open session, to receive testimony on Military Space Organization, Policy, and Programs.

SUPPORTING THE DESIGNATION  
OF MAY 18, 2017, AS “DEPART-  
MENT OF DEFENSE LABORA-  
TORY DAY”

Mr. MORAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 170, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 170) expressing the sense of the Senate that defense laboratories are on the cutting-edge of scientific and technological advancement, and supporting the designation of May 18, 2017, as “Department of Defense Laboratory Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. MORAN. Mr. President, I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the resolution.

The resolution (S. Res. 170) was agreed to.

Mr. MORAN. Mr. President, I ask unanimous consent that the preamble be agreed to and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

SUPPORTING THE GOALS AND  
IDEALS OF NATIONAL TRAVEL  
AND TOURISM WEEK

Mr. MORAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 171, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 171) supporting the goals and ideals of National Travel and Tourism Week and honoring the valuable contributions of travel and tourism to the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MORAN. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 171) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR THURSDAY, MAY 18,  
2017

Mr. MORAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, May 18; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session to resume consideration of the Brand nomination, with the time until 12 noon equally divided in the usual form; further, that notwithstanding the provisions of rule XXII, the postcloture time on the Brand nomination expire at 12 noon tomorrow; finally, if confirmed, the motion to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate’s action.

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

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. MORAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:56 p.m., adjourned until Thursday, May 18, 2017, at 10 a.m.