

Mr. HATCH. Mr. President, I thank my colleague, who is an excellent person to work with. We enjoy each other and enjoy working together. We are getting a lot done, and I appreciate his kind remarks here today.

I rise today in support of the nomination of Robert Lighthizer to be the next United States Trade Representative. Mr. Lighthizer was reported out of the Finance Committee unanimously—Democrats and Republicans—and I hope he receives a similarly strong bipartisan vote here on the floor.

By statute, Congress has designated the USTR as the primary official for developing and coordinating U.S. trade policy, advising the President on trade, and leading international trade negotiations. The USTR must also report directly to and consult closely with Congress on a wide range of issues affecting international commerce. The USTR is Congress's first and most important point of contact when it comes to trade policy. Therefore, in order for Congress to have an effective voice in shaping our Nation's trade agenda, we need to have a fully staffed and functional USTR office.

For that reason, I have been very critical of the pointless and unprecedented delays we have faced in filling this vacancy, in filling this position, due to some unreasonable demands from some of my friends on the other side of the aisle. This delay has served only to weaken Congress's position in trade policy and has hampered our ability to provide the new administration with substantive input. Despite this ill-advised delay, I am pleased that Mr. Lighthizer's nomination has finally been brought to the floor, and I thank my colleagues for that.

Mr. Lighthizer's years of experience in public service, including as staff director for the Senate Finance Committee, as Deputy USTR during the Reagan administration, and in private practice, make him extremely well qualified to serve as our Nation's representative. Mr. Lighthizer's knowledge and experience will be vital to his service in this position and vital to our country.

Put simply, growing our economy and creating better paying jobs for American workers require increased U.S. trade. Toward that end, I have spoken to Mr. Lighthizer about the importance of removing trade barriers for American businesses, workers, consumers, and, where those barriers have already been removed, maintaining the status quo.

I know there is quite a bit of discussion going around about potential changes to the North American Free Trade Agreement. As I told Mr. Lighthizer, there are definitely opportunities to update and improve NAFTA, but it is important that the administration follow the spirit of the Hippocratic Oath: First do no harm.

Mr. Lighthizer and I have also discussed the importance of protecting

U.S. intellectual property rights around the globe through strong enforcement and better rules in trade agreements. I believe he recognizes the importance of this priority, and I will work to ensure that this issue plays a prominent role in our future trade negotiations.

I have also made clear to Mr. Lighthizer that I believe consultation on trade policy between Congress and the administration is essential, particularly if our agreements are going to adhere to the standards Congress put forward in the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, the statute that included the most recent reauthorization of trade promotion authority.

On this key point, I believe Mr. Lighthizer and I are in agreement. As U.S. Trade Representative, Mr. Lighthizer will have the task of holding our trading partners accountable, ensuring that Americans don't pay more for the products their families need and helping American businesses and workers sell more of their goods and services around the globe.

This is not an easy job, but I am confident that Mr. Lighthizer is up to the task. As chairman of the Senate committee with jurisdiction over our Nation's trade policy, I am committed to working with him to ensure that we advance a trade agenda that will grow our economy, create more jobs, and expand market access around the globe for America's farmers, ranchers, and manufacturers.

Mr. President, I suggest we vote on Mr. Lighthizer.

I yield the floor.

The PRESIDING OFFICER. All postcloture time has expired.

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

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Georgia (Mr. ISAKSON), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Alaska (Mr. SULLIVAN).

Further, if present and voting, the Senator from West Virginia (Mrs. CAPITO) would have voted "yea."

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

The result was announced—yeas 82, nays 14, as follows:

[Rollcall Vote No. 127 Ex.]

YEAS—82

Alexander	Booker	Cardin
Baldwin	Boozman	Carper
Barrasso	Brown	Casey
Bennet	Burr	Cassidy
Blunt	Cantwell	Cochran

Collins	Heitkamp	Peters
Coons	Heller	Portman
Corker	Hirono	Risch
Cornyn	Hoeben	Roberts
Cortez Masto	Inhofe	Rounds
Cotton	Johnson	Rubio
Crapo	Kaine	Scott
Cruz	Kennedy	Shaheen
Daines	King	Shelby
Donnelly	Klobuchar	Stabenow
Duckworth	Lankford	Strange
Durbin	Leahy	Tester
Enzi	Lee	Thune
Ernst	Manchin	Tillis
Feinstein	McCaskill	Toomey
Fischer	McConnell	Udall
Flake	Menendez	Van Hollen
Franken	Moran	Warner
Graham	Murphy	Wicker
Grassley	Murray	Wyden
Hassan	Nelson	Young
Hatch	Paul	
Heinrich	Perdue	

NAYS—14

Blumenthal	McCain	Schatz
Gardner	Merkley	Schumer
Gillibrand	Reed	Warren
Harris	Sanders	Whitehouse
Markey	Sasse	

NOT VOTING—4

Capito	Murkowski
Isakson	Sullivan

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR—Resumed

The PRESIDING OFFICER. The Senator from Connecticut.

RUSSIA INVESTIGATION

Mr. BLUMENTHAL. Mr. President, there is a saying, an old adage, that history doesn't repeat, but it rhymes.

Over the past week, the dramatic firing of James Comey has recalled past events—history that involved one of the major scandals in our Nation's past—the Watergate scandal.

In Watergate, the saying originated—another very common saying—that the coverup is worse than the crime. The danger now in the United States—the greatest country in the history of the world, with the most effective and fair justice on our planet—is that, in fact, there may be a coverup, and that the truth will be stifled, and people who should be held accountable will not be. That is the danger.

In this instance, in comparison to Watergate, actually, the crime is extraordinarily serious. In Watergate, there was a two-bit break-in or burglary, and the coverup, in fact, involved obstruction of justice. What we have here is a deliberate, purposeful assault on our American democracy by the Russians through a cyber attack that involved, really, in effect, an act of war—a combination of cyber, propaganda, and misinformation spread deliberately; it involved hacking into both major parties and the spread of the results of that hacking for one of those parties—possibly influencing the outcome of the election.

The issue of whether and how the outcome of that election may have

been influenced will be discussed and contended through the annals of history. Regardless of your point of view on what the impact was, the fact is, the criminal action by the Russians interfering with our election must be investigated aggressively and impartially, and the Russians, and anyone who aided and abetted them, must be held accountable. That is what the American people want. They want the truth uncovered, and they want to hold accountable anyone who colluded with the Russians in this attack on our Nation, anyone who aided and abetted or assisted them, anyone who bears a responsibility and should be held criminally culpable.

The Watergate scandal was eventually successfully prosecuted. It took years to do so. The appointment of a special prosecutor was key to that effort. In fact, Elliott Richardson was not only requested, he was required to appoint a special prosecutor as a condition of his confirmation. He was specifically directed by the Judiciary Committee of the U.S. Senate, and he agreed to do so. Archibald Cox was appointed, and then President Nixon fired Elliott Richardson as well as his deputy, William Ruckelshaus, because they refused to dismiss Archibald Cox.

The principle here—the rhyming of history if not its repeating—is that sometimes investigations come so close to power and the truth about the power that there is an effort to stifle them.

Watergate involved a two-bit burglary. This crime involves the theft of our democracy by the Russians and by others who may have colluded with him. So a successful investigation here goes to the fundamental principle that our elections will be free and credible, that they will be honest, without foreign interference or meddling by anyone.

The firing of James Comey as FBI Director is reminiscent of what happened with the dismissal of two Attorneys General and then a special prosecutor because it raises the possibility that an investigation will be catastrophically compromised and undermined by the President of the United States.

Just last week, I asked James Comey whether the President of the United States might currently be a target of the criminal investigation. Director Comey would not and could not rule out that possibility because he cannot speak about targets freely and openly, but we know some of the individuals implicated are close associates of the Trump campaign, including Michael Flynn, Carter Page, Roger Stone, and Paul Manafort. Each had different roles; for example, Paul Manafort was a leader of the campaign.

We know that subpoenas have been issued from a grand jury in the Eastern District of New York for materials relating to Michael Flynn and to his associates. We know that then-Deputy Attorney General Sally Yates went to the White House and warned that he

might be vulnerable to blackmail because he had lied to the Vice President.

We know also that very possibly he lied to the FBI. He deceptively omitted from materials or responses he gave in his security clearance information about payments to him from the Russians and the Turkish Government and that he may have committed other very serious violations of criminal law, punishable by years in prison. That investigation is ongoing now.

As I speak on the floor of the U.S. Senate, my hope is that agents of the FBI are doing their work, as they have done for decades, with integrity and determination and dedication. I know the work the FBI does, having worked with them as the U.S. Attorney in Connecticut. It is not only one of our premier law enforcement agencies, there is none finer in the world. I have confidence that they will continue this investigation successfully, meaning that they will achieve a just result, if there is the right leadership.

That is why I believe now there is no question that an independent special prosecutor must be appointed. There is no longer any doubt that an independent special prosecutor is necessary for the appearance and credibility, the appearance of integrity, and the credibility and objectivity of this investigation.

The different contradictory stories surrounding the firing of James Comey emphasizes this point. Initially, the decision was made by Rod Rosenstein as Deputy Attorney General, but of course it involved also the Attorney General, Jeff Sessions, who never should have been involved because he was recused from the investigation. The reason given by Deputy Attorney General Rosenstein involved the Hillary Clinton emails and statements made by Jim Comey 10 months ago—an explanation that defied belief, a pretense that was laughable and especially unfortunate—even tragic—from a career professional prosecutor like Rod Rosenstein.

Well, that explanation now has been supplanted; in fact, as recently as this morning, in an interview the President gave to Lester Holt of NBC, acknowledging that he made the decision because he had lost faith in Jim Comey. Never mind that he reaffirmed that faith shortly after his inaugural. Never mind that he praised Jim Comey on the campaign trail. His reasons for dismissing Jim Comey also defy belief.

This set of incidents shakes to the core the trust all of us should have in our justice system, in the integrity of our public officials, in the capability of that system to uncover the truth and hold accountable anyone who has violated the law.

President Trump has now fired not one but two high-ranking Justice officials after they told him about suspicions that he or his associates have broken the law; first, Sally Yates and now Director Comey.

Attorney General Sessions has shown through his role in the Comey firing

that even after he has recused himself from an investigation, he will help the President punish Justice Department officials who are pushing that investigation forward.

Maybe most disappointing, Deputy Attorney General Rosenstein—the man now responsible for the Trump-Russia investigation—has permitted himself to become a pawn in President Trump's game. His credibility and integrity may well have been irredeemably sacrificed. The only way for him to restore it now is to appoint a special prosecutor. That power is his alone. The rules and regulations of the Department of Justice not only permit it, in my view, the standards of ethics require it because he now is irrevocably conflicted.

President Trump, Attorney General Sessions, and Deputy Attorney General Rod Rosenstein want Americans to believe Comey was fired because he publicly discussed his investigation into Hillary Clinton. That kind of statement betrays contempt for the intelligence of the American people because we remember President Trump applauding Director Comey's decision to discuss the Clinton investigation. He even used his letter firing Director Comey to publicly discuss the details of an FBI investigation, saying he has been told three times that he is not under investigation—albeit details I find very hard to believe.

He has called this investigation a charade. He has called the allegations of Russia meddling and Trump associates' collusion with it a hoax. He has belittled and demeaned not only the judges of our Federal bench, but, by implication, the hard-working men and women of the FBI who are doing an investigation which he says is “a taxpayer-funded charade.” That statement is a disservice to the FBI—a non-political, nonpartisan law enforcement agency without superior in the world. They deserve and need a special prosecutor who can lead them in this moment of crisis.

Make no mistake, we face a looming constitutional crisis. The case of *United States v. Nixon*, which involved enforcement of subpoenas against the President, is no longer a matter of idle speculation; it is a real possibility.

What the FBI also needs now are resources to make sure this investigation is conducted fairly, impartially, objectively, and independently, with sufficient agents, staff, and other support. In fact, in my view, one of the precipitating factors in the firing of James Comey was his going to the Deputy Attorney General and asking for more resources. As a prosecutor, I know resources are the lifeblood of a successful investigation. An investigation deprived of resources cannot reach a just result; it will be strangled, stifled, and stopped. And that is clearly the purpose of some in this administration, perhaps because it is coming close to people whom they want to protect.

Congress can and must use every tool at our disposal to make sure the investigation of the Trump administration's and campaign's ties to Russia and the potential ongoing coverup of those ties is affirmed. The true and independent special prosecutor is the only one who can assure. Our Intelligence Committees can produce findings and recommendations. An independent commission, which I support, can hold hearings in public and also produce a report. But only a special prosecutor can bring criminal charges and hold accountable anyone and everyone who should bear a price.

On both sides of the aisle, we have said the Russians must pay a price or they will do again in 2018 what they did in 2016, but so should the people who aided and abetted and colluded with them. If they fail to pay a price, they will do it again, too, corrupting our system, undermining the rule of law, and imperiling our democracy.

If the President continues to object to an independent investigation or special prosecutor, people of good will on both sides of the aisle must stand up to him and demand one. I am encouraged by some of what my Republican colleagues have told me over the last 24 hours.

I believe we are at a rhyming moment when the integrity of our justice system and our democracy is at stake. People, regardless of their political affiliation, owe it to our democracy to come forward, to recognize the gravity of this moment, and to stand up and speak out. I hope my colleagues on both sides of the aisle will do so.

We may disagree about a lot of things, but on this point, we should agree fundamentally. Part of our obligation is to call before us Deputy Attorney General Rod Rosenstein and, separately, Attorney General Jeff Sessions, as well as former FBI Director Jim Comey, to hear from them their views of this tragic and terrifying episode in our history. This firing must be a subject for our investigation. We owe it to the American people.

I thank my colleagues in advance for proving that this investigation is no charade. It is no hoax. It is deadly serious, and the failure to appoint an independent prosecutor could be deadly to our democracy.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

#### HEALTHCARE LEGISLATION

Mr. CASSIDY. Mr. President, before us as the Senate right now, aside from issues Mr. BLUMENTHAL referred to, is the repeal and replacement of the Affordable Care Act.

I am a physician, and I have been practicing in hospitals for the uninsured for the last 25 years. I would like to in one sense say that gives me special standing to speak about this issue, but in reality, it does not.

Senator MORAN from Kansas spoke up the other day at our lunch. He said that healthcare is like no other issue.

He spoke of a friend of his approaching him at church with tears rolling down her face. Her mother had a preexisting condition, and she was so concerned that we get this right.

I don't need to say I have special standing, being a physician. We all have special standing from living, having families and friends who—sooner or later, healthcare will affect the family.

The Affordable Care Act for many is not working. Premiums are going sky high.

Two or 3 days ago, I had communication with someone from San Francisco. Her young family has a \$20,000-a-year premium, a \$6,000 deductible for each member of the family—in San Francisco, already paying so much for housing, food, and transportation, and \$20,000 on top of that for a family of relatively modest income.

Then I spoke to someone in Washington, DC. His family's premium is \$24,000; they have a \$13,000 deductible. He said: I am out \$37,000 before my insurance kicks in. I reassured him that his colonoscopy would be for free. I don't think he thought that funny.

Then a friend of mine who last year in Louisiana—his quote for a policy for himself and his wife, 60 and 61, was \$39,000 for 1 year—\$39,000 for 1 year—with a deductible.

Now we are being told there will be premium increases this coming year. In Connecticut, they just announced they are going to be 15 to 35 percent higher. In my own State, I have been told they may approach 30 to 40 percent higher, although that is not definite.

The reality is that premiums have become unaffordable. President Trump campaigned on this. There were four things he told the American people. He said he wanted to cover all, care for those with preexisting conditions, eliminate the Affordable Care Act mandates that people hate so much, and lower premiums.

I would like to say I think it is part of President Trump's intuitive genius. Whatever you say about the fellow, he certainly has an intuition sometimes about how things work. Of course, the way you would lower premiums is that you would cover all, and by covering all, you expand the risk pool, which then lowers premiums for those with preexisting conditions but keeps them lower for the rest of us.

Folks ask how you can do that without mandates, and I say you can do it through the mechanism of the Cassidy-Collins plan, the Patient Freedom Act, which is to say you have an auto-enrollment feature.

By the way, here is President Trump. He said it many times, but here he is in the Washington Post on January 15, 2017, just before he takes the oath of office:

"We're going to have insurance for everybody," Trump said. "There was a philosophy in some circles that if you can't pay for it, you don't get it. That's not going to happen with us."

You cannot have a stronger statement from a fellow who is about to rise

to be inaugurated and gives a speech in which he speaks passionately about the forgotten man and the forgotten woman. President Trump pledged to remember them.

The question is, How do you lower premiums? How do you fulfill President Trump's goals?

There are several ways to lower premiums. I just described one, where you fulfill the other parts of his contract with the voter, which is you cover all, and by doing so, you increase the size of the risk pool, and therefore you lower premiums. There is another mechanism. You can put in price transparency and do other things to lower the cost of medical care, which in turn lowers the cost of healthcare premiums. But there is one way which is not so good. One way that you can lower cost is to have a crummy policy that hardly covers anything. You think you are getting a deal in the front end because premiums are low, and then you or someone in your family gets sick, and it is not such a great deal after all.

I was asked about this on a Sunday morning show and spontaneously came up with something called the Kimmel test. Jimmy Kimmel, the late-night comedian, spoke of his son being born. We can all imagine—this happened 2 weeks ago—his child was born. I suspect somebody is videoing it. It is going to be a moment of celebration. As the child emerges and everybody wants to lean forward and hand the child to the mother and the father to hold and cuddle, instead, the doctor and the nurse notice that the child is blue—"blue" meaning he is not getting enough oxygen. It is quickly realized that something is profoundly wrong. Instead of mother and father hugging and bonding with the child, they are pushed to the side. They hear a code blue call, which means this child will die if something is not done immediately.

I was not there, but I have been in similar situations.

They are being asked to sign forms which would allow this child—their child whom they have not yet held—to be transported by helicopter across Los Angeles to have emergency surgery that day and being told that if they do not sign this form, that child will die.

Now, Jimmy Kimmel pointed out that he is a millionaire, he could afford it, but he also pointed out: Others, not so much.

I think that brings us back to what President Trump said. President Trump said:

"We're going to have insurance for everybody. There was a philosophy in some circles that if you can't pay for it, you don't get it. That's not going to happen with us."

The Jimmy Kimmel test: We will protect those with preexisting conditions, but we will do it by lowering premiums and not by giving crummy coverage but, rather, by having adequate coverage. So if our approach passes the Kimmel test, then we feel it is a way to go.

Now, how do we go from here?

We can recognize that premiums are too high for middle-class families. They can no longer afford it, and that is before the premium increases, which are about to occur.

I will also say that as to the way the Affordable Care Act was passed—not blaming or praising anyone—that only one party was engaged is not the path forward. History says that any time there is significant social legislation that has an enduring effect in the United States, both parties engage.

I want this to change. I would challenge my Democratic colleagues to become engaged. Some have said: Oh, my gosh, Republicans are doing this through reconciliation; isn't that terrible?

I would say it presents opportunity. We don't need 12 Democrats; we don't need 8 Democrats. We could have three Democrats or four Democrats. Anyone who cares enough about the people in their State and their premiums, which are rising 20 to 40 percent a year, will put aside all the pressure from a political base and say: The people of my State are more important than the political pressure I may feel. They will step forward to influence the final product.

We know that if folks come in from the other side of the aisle, we will have a different product than if it is only among Republicans. If Republicans had participated in the passage of the Affordable Care Act, we would have had something perhaps a little different than the Affordable Care Act.

I am not pointing fingers. I am just observing that it would only take three or four Democrats to break ranks, to step across the aisle, and to ask for what they would need. This is not: You come to us, and you don't get it—no. We have a meeting of the minds so that we can come to the policy that fulfills President Trump's pledge—his pledge to cover all, caring for those with pre-existing conditions, eliminating mandates, and lowering premiums.

We have an incredible opportunity before us to bring relief to those middle-class couples struggling with premiums that they can no longer afford and deductibles that they will never meet. If they don't meet and can't afford them and if they do not purchase the insurance, they are being fined and are accumulating resentment toward Washington because they are stuck with this. We can address that issue and at the same time fulfill President Trump's pledge that all will have coverage.

Some said you can't get it if you can't pay, but that is not going to be the case with us. It will provide them that coverage with something that passes the Kimmel test. I look forward to working with our Senate to come to this solution.

I yield back.

**THE PRESIDING OFFICER.** The Senator from Virginia.

**Mr. KAINÉ.** Mr. President, I am proud to take the floor, and I am espe-

cially proud to take the floor after my colleague from Louisiana, whom I believe has offered a very good-faith proposal, both in the specifics of the bill that he has introduced but also in his encouragement that Democrats should participate together with Republicans as the Senate takes up the House-passed American Health Care Act. I do applaud my colleague, and I find much in his presentation to support. I find some points of difference, which I will get into, but much to support.

I am strongly opposed to the House-passed American Health Care Act, TrumpCare. I found that one of the sets of reasons really crystalized yesterday. The Democrats had a hearing, and we invited patients to come from around the country to talk about their healthcare experiences.

There were six witnesses in the hearing. One was a Virginian, a man named Michael Dunkley, from Alexandria. His story was a common one but a tough one. He has been the caretaker for his wife, who has had multiple sclerosis for many years and then got diagnosed with cancer. He talked about trying to deal with being a full-time caregiver for a wife with multiple sclerosis and dealing with cancer before the Affordable Care Act and the unsustainable cost that it led to with his family. But after the Affordable Care Act, he was able to afford coverage for himself and his wife.

We heard from a mother from Indiana whose daughter was born with Down syndrome and how the medical bills connected to her child's treatment forced her, first, to stop working because she needed to be a full-time caregiver. She described the pain of cuddling her newborn in her arms and going to the mailbox and pulling out a \$64,000 bill and knowing that this is what the rest of my life is going to be like and the rest of my child's life. Then she talked about how her family got relief because of the Affordable Care Act.

We heard from a witness who has multiple sclerosis, a woman who is now a substitute teacher. Because the State she lived in, Texas, didn't expand Medicaid, she had to move to another State because she couldn't afford health insurance to deal with a medical problem. So she chose to move to a State that had done Medicaid expansion, Maryland.

We heard other stories as well. These were painful stories.

(**Mr. CASSIDY** assumed the Chair.)

I say to the Presiding Officer, I give you credit for modesty. You are too modest. You do have an expertise in this. You do understand this. You have heard these stories before, and I had heard some of them, too, even without a medical expertise. What I found so troubling—and during the testimony of this mother from Indiana about her child with Down syndrome, I could feel tears rolling down my face—was this. I had heard stories like this before, but what struck me was that the House

voted on this bill without caring about any of these stories, without listening to any of these stories, without allowing a process to address any of these stories. I blurted out: The folks who voted for this bill in the House don't care about the challenges you are facing. They don't care about this or they would have listened to you.

I beg my Senate colleagues to treat this differently, to treat it seriously, to take these stories seriously, and to work together. I hope the Senate takes a different course on this.

Let me explain what I mean when I say the House Members who voted for this didn't care about these people and the challenges they were facing. When the House bill was taken up, there was a version of the bill taken up before March 24, and there were three hearings held. At those hearings—at two of the hearings—no patients were invited to speak. Nobody representing patients was invited to speak.

One of the hearings had one witness from the American Cancer Society and one witness who was a State insurance commissioner. Now, that bill came to nothing on March 24, and the bill was rewritten.

It was the rewritten bill that was passed by the House. There were no hearings on the rewritten bill. There were no hearings. There were no opportunities for patients to talk about the bill and what it would mean to them. There were no Democratic amendments that were accepted. No patients or providers were given any opportunity to share their concerns in a hearing or in formal discussion about the bill. No expert witnesses were allowed to testify about the bill.

The House rushed to pass the bill without a CBO score—the Congressional Budget Office—which would have said what would have been the premium effect on people, how many people would have lost insurance, and were folks with preexisting conditions going to be covered or not. The House rushed to pass it before the score came about.

When they passed it by the narrow margin of 217 to 213, they boarded a bus and went to the White House and had a big celebration. It was the kind of celebration that happens at the White House when they invite the Super Bowl winning team or the NCAA football champions to come to the White House. It was a celebration.

Imagine if you are the mom with a kid with Down syndrome and you are getting a \$64,000 bill in the mail and you are saying: This is what the rest of my life is going to be like. And the House passes a bill without listening to you, that by some estimates could take health insurance away from 24 million people and could reimpose deep penalties on folks if they have preexisting conditions. And you watch people celebrating that—celebrating it like it is a sports victory?

This is what I found so very troubling during the hearing yesterday—these

folks' stories, which are not the only stories to be told about the Affordable Care Act. There are good stories. There are challenging stories. But the stories weren't even important enough for the House to even listen to them.

I do think the Senate process should be different.

Where I am going to disagree slightly with the comments you made is that I am going to compare that process in the House to the process that was undertaken in Congress before the Affordable Care Act was passed in 2010, because sometimes it is said: Well, that was just a one-party thing.

Actually, that is not the case. In 2009, before the Affordable Care Act passed, the Senate Finance Committee held not one or two hearings. No, 53 hearings on health reform were held. The committee spent 8 days marking up the legislation, which is the longest markup in 22 years, and it considered 135 amendments.

In the Finance Committee, the then-Democratic chair, Senator Baucus, worked for months with a bipartisan group of three Democrats and three Republicans trying to find a compromise on healthcare reform. While they couldn't find a compromise ultimately on the floor vote, Democrats and Republicans wrote the bill together and considered amendments in that committee offered by both Democrats and Republicans.

The HELP Committee, where you and I serve, was every bit as active. They had an additional 47 bipartisan hearings, roundtables, and walk-throughs on health insurance. HELP considered hundreds of amendments during a monthlong markup, which is one of the longest in congressional history, and many Republican amendments were accepted as part of the process.

When the bill came from the two committees to the Senate floor in 2010, the final Senate bill that was passed in this Chamber included not one or two, not a few dozen but 147 amendments that were proposed by Republicans. This bill, the Affordable Care Act, was shaped by the Republicans.

The Republicans decided, for their own reasons, to vote against the final product, but they offered amendments in good faith—147 of them were accepted. The Senate spent 25 days consecutively in session on healthcare reform, the second longest consecutive session in history.

The House did something similar in 2009: bipartisan hearings, 100 hours of hearings, and 181 witnesses from both sides testifying. Some 239 amendments were considered, and 121 by both Democrats and Republicans were adopted.

Again, in the House on the floor, there were no House Republican votes, but the bill was shaped by Republicans, amended by Republicans. There was a process that included two parties.

I would suggest to you that the difference in the processes—an ACA process that included hearings, hearing

from patients, the opportunities to have committee hearings, the opportunities for both parties to amend—led to a situation in 2010 where many stakeholder groups supported the Affordable Care Act: the American Medical Association, the AARP, the American Hospital Association, and numerous other groups, providers, consumers, businesses, and other groups.

Compare that to what is the level of support for the bill as it passed out of the House. Patients oppose this bill: the American Association of People with Disabilities, AARP, the American Cancer Society Cancer Action Network, the American Diabetes Association, the American Heart Association, the American Lung Association, the American Public Health Association, the American Society of Hematology, the Children's Defense Fund, Families USA, the Cystic Fibrosis Foundation, the National Breast Cancer Coalition, the Muscular Dystrophy Association, the National Disability Rights Center, the National Multiple Sclerosis Society, and the National Organization for Rare Disorders. All of these groups represent patients. All of these groups oppose the House bill that contained no input from patients and no meaningful bipartisan process.

Doctors and nurses oppose the House bill: the American Medical Association, the American Nursing Association, the American Osteopathic Association, the American Academy of Pediatrics, the American Academy of Family Physicians, the American Congress of Obstetricians and Gynecologists, the American College of Physicians, the American College of Rheumatology.

Hospitals oppose the House bill: America's Essential Hospitals, the American Hospital Association, and the Federation of American Hospitals.

There are groups fighting for women's health access: the National Family Planning & Reproductive Health Association and Planned Parenthood.

All of these groups oppose the bill that came out of the House without patient input, without a meaningful committee process, without the ability of Democrats to offer amendments.

Mr. President, I think that points us to a lesson, and I do think it is the same lesson that you spoke about a few minutes ago. Democrats have called for a transparent and bipartisan process to engage in fixes to the Affordable Care Act. I had been on the committee with you no less than a week. I have been trying to get on the HELP Committee since I came into the Senate. I finally achieved my goal in January, and within a week or 10 days of being on committee, I led a group of 13 Democrats. We wrote to our chair, LAMAR ALEXANDER, the Finance chair, ORRIN HATCH, and the Senate majority leader, MITCH MCCONNELL, and said that we are ready to sit down and talk about improvements and fixes.

I say to the Presiding Officer, my heart soared when I read your com-

ment last week: Any final bill must fulfill President Trump's promises to lower premiums, maintain coverage, and ensure protection for those with preexisting conditions—the same items that you put up on your board just a few minutes ago—because that is the same set of three goals I have. That is the same set of three goals, I think, all my colleagues have.

If we can hold that up as the standard, we will work on a bill together, and the bill should meet three promises: to maintain coverage so people don't lose, to maintain costs so people don't pay more, and to maintain compassion so those with preexisting conditions aren't kicked to the curb. If we can find that bill, we will do it as Democrats and Republicans. We will do it in a way that we can build something that will last. I agree with you on this point.

But I deeply believe this: No bill will achieve those aims if it is purely done by one party. No bill will achieve those aims if it is cooked up and put on the floor without a meaningful committee process in HELP and Finance, without hearing from expert witnesses, without hearing from stakeholders, without hearing from patients, without hearing the kinds of stories we heard yesterday. If we wall ourselves off from the public presentation of this kind of information as we are grappling with the most important spending decision anyone ever makes in their life, as we are grappling with the largest sector of the American economy, if we just rush to get this to the floor and try to make it a one-party product, we will not achieve the three pillars that you and I share and that President Trump has promised to the American public.

So this is my hope. We want to work together, and the right way to work together is this: Send the House bill or a preferable bill, if you have it—your bill or a consensus bill that the group of 12 on the Republican side has. Put that bill in the two committees. Why not have this bill in the HELP Committee and the Finance Committee? Why not hear from patients and doctors and hospitals and nurses and insurance companies and small businesses that struggle to buy insurance for their employees? Let's hear from some expert witnesses about what they like about the status quo or like about the new proposals, what they don't like about them, and how we can fix them. Give us the opportunity to ask some questions. Give us the opportunity to offer some amendments, hopefully some bipartisan amendments, to make this better. Let's treat this at least with the seriousness it was treated in 2009.

You are right to critique that the final vote—save the vote of Arlen Specter, who at the time he voted was a Democrat—that the final vote was partisan. You are right to critique that. We would want to go beyond that, but we can't go backward. We can't eliminate the opportunity for public input, eliminate the opportunity for committee action and amendments. We

should be doing that in a full and robust way.

So I just stand on the floor today to say amen to the boards that you put up there—amen to those three pillars that should be the test of the work that we do in this body—and to pledge that if you put this in the committees where we serve and we have the opportunity to work together, that is the most natural place for us to work in a transparent and bipartisan way.

To ask Democratic Members just to cross the aisle to work on something that will be rushed to the floor with no committee process—that is not really engagement; that is not really meaningful. But putting it in committees, where we can do our work in the light of day and hear from people like Michael Dunkley and the mother from Indiana and do it with the American public watching—now that is engagement. I guarantee if we do that, we will get to a better result, a result that will be better for people, a result that will be more likely to meet your criteria and mine, and a result that will be more likely to last.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative 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. Without objection, it is so ordered.

#### ALL-SENATORS BRIEFINGS

Mr. SCHUMER. Mr. President, before the Senate adjourns for the weekend, I wish to address a few things related to the dismissal of FBI Director James Comey.

The story coming out of the White House about why Mr. Comey was fired continues to change and there are no good explanations for the change.

For 2 days, the White House implied that the decision to fire Mr. Comey either originated or was largely influenced by the recommendations from the Deputy Attorney General and the Attorney General. The Vice President of the United States spoke to reporters here on Capitol Hill and said that it was the President's "decision to accept the recommendation of the Deputy Attorney General and the Attorney General to remove Director Comey."

Those accounts, by the spokespeople of the President and the Vice President himself, were just blatantly and completely contradicted by the President himself on national television.

President Trump told NBC News that it was his decision to fire Mr. Comey, and he had made up his mind to do so before hearing from either the Attorney General or the Deputy Attorney General, in direct contradiction to what his own Vice President and his own press people were saying.

Well, which one was it? Did the Vice President mislead the public or did the

President? When was the decision made to fire Mr. Comey, and what was the reason? And why did it take so long for the White House to get its story straight?

These are all critical questions, and the American people deserve answers. We need to understand the true nature of the events that led to Director Comey's dismissal, why it happened, and what it means for the investigation into the potential collusion between the Trump campaign and Russia as we move forward.

This morning, I made a request of the majority leader to call an all-Senators briefing with Attorney General Sessions and Deputy Attorney General Rosenstein. Given the events of this week, and particularly after what the President said this afternoon, a briefing from these two officials before the whole Senate, where Senators from both parties can ask and get answers to the serious questions hanging over us, is imperative for this body and for the American people. The all-Senators briefing with the Attorney General and the Deputy Attorney General should be separate and partially classified, if necessary.

The need for these briefings is even greater now than it was this morning, given what the President said this afternoon. The rule of law, the separation of powers, and their strength—hallmarks of American democracy—are at stake.

Now, I have just heard from the majority leader that he will invite Deputy Attorney General Rod Rosenstein to an all-Senators briefing next week. I asked the majority leader to do the briefing early in the week. It is a good first step, and I thank the majority leader for consenting to this request.

Mr. Rosenstein was here on the Hill today meeting with Members. He requested to meet with me, and I said I wanted to meet with him along with my 99 colleagues so Members of both parties were given the opportunity to question him. I am glad he has a willingness to come talk to Congress, and I hope he will accept our bipartisan invitation from Leader MCCONNELL and from me to brief the entire Senate next week.

My caucus still believes that Attorney General Sessions must be made available to the Senate in a similar capacity, given his reported role in firing Director Comey and helping select his replacement. Considering his recusal from the Russia investigation, his close involvement in these events warrants the Senate's questioning as well, but I thank the majority leader for trying to set up the briefing with Mr. Rosenstein. It is very likely, I believe, that it will happen, just pending Mr. Rosenstein's consent, and I hope the majority leader soon comes to the right decision and grants our request to question Mr. Sessions as well.

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

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

#### REMEMBERING LEO THORSNESS

Mr. COTTON. Mr. President, I am speaking tomorrow at an Air Force ROTC commissioning ceremony at the University of Arkansas. As I have been preparing my remarks, I have been thinking a lot about the airmen who have left more than contrails behind them—the men and women who served with such distinction that we still remember them to this day, those great Americans, the heroes of the sky.

The first name that came to mind, the name that resounded louder than almost any other is the great Leo Thorsness, so you can imagine how saddened I was to hear about his passing last week. Whenever you hear such a legend has left the Earth, it is like a sudden crack of thunder in the dead of night. It wakes you up. It sobers you. It reminds you of what we have lost because Leo Thorsness was an American classic.

Born in Walnut Grove, MN, his childhood sounds as idyllic as his hometown. He joined the Boy Scouts and later rose to become an Eagle Scout. He met his wife Gaylee in the freshman registration line at South Dakota State College. They married 3 years later and had one daughter, Dawn. He joined the Air Force, went to flying school, and became a pilot.

Soon, he was a fighter pilot in both the Strategic and Tactical Air Commands. Looking back on his life, we can see Leo Thorsness was part of an era—those burly, self-confident, middle-class families who, after the Great Depression and the greatest of wars, put down roots and built the booming America of the mid to late 20th century.

Of course, Leo was not simply a part of his generation; he inspired it with his courage and self-sacrifice. For many Americans, the only number they remember from the Vietnam years is their draft number. But for Leo Thorsness, there are two numbers that stick out: 88 and 93.

It was on his 88th mission for the Air Force that he performed the noble deeds for which he would later receive the Medal of Honor. He was flying an F-105 Thunderchief with his weapons specialist, Harold Johnson. They were escorting fighter bombers targeting a North Vietnamese army barracks. They shot down a MIG, roughed up another, and hit two missile batteries. They were low on ammo and fuel, but they fought on. He continued to scare off MIGs and instructed a tanker plane to refuel another fighter. When he finally landed 70 miles south in Thailand, the fuel tank was empty. It was a stunning act of bravery.

It was on his 93rd mission, just seven shy of completing his tour of duty,

that Leo Thorsness was shot down. He was captured and spent 6 years in the “Hanoi Hilton”—6 years in the darkness. It was there that he met his cellmate, our colleague and future Senator, JOHN McCAIN.

Imagining 6 days in such a terrible place is more than most people can handle, never mind 6 years. But Leo Thorsness endured; he saw the mission through. When he returned in 1973, it was to an astonished and grateful nation, but the man himself was unfazed. He called his wife after being released and said: “I would have called sooner, but I’ve been all tied up.”

He later went on to serve in the Washington State Senate and run for other offices. But his legacy is not one of the titles he won; it is the example he set.

He was quite a man, Leo Thorsness. And though we have lost him, we will keep his memory for a good long time to come.

Leo Thorsness, rest in peace.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. MCCONNELL. 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.

### NOMINATION OF MARK GREEN

Mr. LEAHY. Mr. President, as ranking member of the Appropriations Subcommittee on the Department of State and Foreign Operations, I welcome the nomination of Ambassador and former Member of Congress Mark Green to be the next Administrator of the U.S. Agency for International Development.

Ambassador Green brings a wealth of experience to this important position. He has been president of the International Republican Institute since 2014. In 2013, he was president and chief executive officer of the Initiative for Global Development, and before that, he served as senior director at the U.S. Global Leadership Coalition, a network of 400 businesses, nongovernmental organizations, policy experts, and others supporting the role of development in U.S. foreign policy. He served as the U.S. Ambassador to Tanzania from 2007 to 2009. While there, he led a mission of more than 350 Americans and Tanzanians and was ultimately responsible

for some of the largest U.S. overseas development programs. Prior to his serving as U.S. Ambassador, Mark Green served four terms in the U.S. House of Representatives, representing Wisconsin’s 8th District.

Ambassador Green also served on the board of directors of the Millennium Challenge Corporation, after being appointed to that position by President Obama. He is currently on the Human Freedom Advisory Council for the George W. Bush Institute and cochairs the Consensus for Development Reform, a coalition of policy and business leaders devising new principles for making development policy more effective and growth-oriented. He is a board member of WorldTeach and a member of the Council on Foreign Relations.

Since 1989, as either chairman or ranking member of the subcommittee that provides the funding for USAID’s operations and programs, I know the critical role that it plays in promoting and protecting U.S. interests around the world. Its field missions are its greatest strength, and countless lives have been saved, conflicts avoided, and government institutions strengthened, thanks to the global health, social and economic development, and democracy programs administered by USAID. These programs are not charity. They are essential and complementary to the roles played by our diplomats and soldiers.

President Trump has talked about “America First.” We all want this country to be the best it can be, but slogans are not a substitute for effective policies. Creating jobs at home is not, by itself, a foreign policy. The United States cannot remain a leader in the global economy, where the gravest security problems we face can only be solved by working with other countries, if we reduce our engagement with the world. The vacuum we leave will quickly be filled by our competitors, and it will be difficult if not impossible to recover lost ground.

At a time when OMB is proposing to slash USAID’s budget and downgrade its overseas presence, the nomination of Ambassador Green is a positive signal. If confirmed, I look forward to working with him and subcommittee Chairman GRAHAM, as well as with our House appropriations subcommittee counterparts Chairman ROGERS and Ranking Member LOWEY, to ensure that USAID has the resources it needs to continue and expand its presence and impact around the world.

### VOTE EXPLANATION

Mrs. MCCASKILL. Mr. President, I was necessarily absent for today’s vote on the motion to invoke cloture on the nomination of Robert Lighthizer to be U.S. Trade Representative, with the rank of Ambassador. I would have voted yea.

Mr. GRASSLEY. Mr. President, I intend to object to any unanimous consent request at the present time relat-

ing to the nomination of Courtney Elwood of Virginia to be the general counsel of the Central Intelligence Agency.

I will object because the CIA has still not responded to my letters from April 14, 2014; and April 5, 2017, requesting declassification of two congressional notifications, CNs, about whistleblower communications. In 2014, the inspector general of the Intelligence Community issued two CNs about whistleblower communications. The first, sent on March 28, 2014, had the unclassified subject line “Whistleblower Communications.” The second, sent on March 31, 2014, had the unclassified subject line “Whistleblower Communications—Clarification.” Both documents were classified Secret/NOFORN. I requested that the CNs be declassified as soon as possible. More than 3 years have passed since my initial request, and I still have not received declassified versions of the documents or an explanation of why the documents have not been declassified.

The information contained in the two CNs raises serious policy implications, as well as potential Constitutional separation-of-powers issues. The CNs do not appear to contain any information about sources or methods, and there is a strong public interest in their content. As a matter of respect, for a co-equal branch of government, my declassification request should have been processed in a timely manner. Moreover, under the executive branch’s own regulations, there are time limits that apply to processing declassification requests and classification challenges that the CIA has failed to meet.

In addition, I have requested copies of the CIA’s PPD-19 procedures and policies which allow CIA whistleblowers to seek relief from reprisal, but the CIA has refused, stating that the documents are classified and for CIA’s internal use only. PPD-19 was largely codified by the Intelligence Authorization Act, and so the CIA is also required by law to implement such a policy. It is now at issue in a Federal lawsuit challenging the CIA’s failure to adhere to its own procedures under the Administrative Procedures Act.

My objection is not intended to question the credentials of Ms. Elwood in any way. However, the CIA must recognize that it has an ongoing obligation to respond to Congressional inquiries in a timely and reasonable manner.

### NATIONAL NURSES WEEK

Mr. BOOZMAN. Mr. President, today I wish to recognize the invaluable work of nurses. With 3 million nurses nationwide, these men and women make up the largest providers of healthcare in the country. I am proud to acknowledge the talents and successes of these caregivers as we recognize National Nurses Week.

These dedicated health professionals provide quality care to patients every