

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 multimillionaires—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