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## Senate

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Mitchell Zais, of South Carolina, to be Deputy Secretary of Education.

The PRESIDING OFFICER. The Senator from North Carolina.

#### CALLING FOR THE RELEASE OF PASTOR ANDREW BRUNSON

Mr. TILLIS. Mr. President, this is my third occasion on a speech that I wish that I didn't have to give on the floor of the U.S. Senate, but I promise that I am going to give a speech on this subject every week that the Senate is open for as long as I am a U.S. Senator and there is a man in a Turkish prison who I don't believe should be.

This man's name is Andrew Brunson, Pastor Brunson. He is a Presbyterian minister from Black Mountain, NC, who has been in Turkey for about the last 20 years with his wife. He raised his family there. He is a Presbyterian minister who at first just did ministry work. He didn't have a church to actually open up to the community. He just did ministry work—preached the Word and delivered the Word for the people in Turkey who wanted to hear it. It was a small church with only about 50 full-time members. It was a church that was just outside of Izmir. It was actually in Izmir proper, which is one of the larger cities in Turkey.

As of today, this man has been in prison for 586 days. He was actually taken to prison, without charges, under the emergency order after the coup in 2016. He was put in prison on October 4, 2016. For almost 17 months, he was held in a prison cell that was designed for 8 prisoners but had 21 in it. None of the other ones were Amer-

ican. None of the other ones were English speaking. Many of them were charged on either ISIS or terrorist charges or for plotting a coup attempt. He was in that prison for almost 17 months. He lost 50 pounds. His health diminished. His mental state, as anyone would expect, diminished. Yet he is a strong man of faith, and hopefully he will continue to have the strength to go through this horrible process.

We have been handling this. We have what we call casework. If somebody in North Carolina needs help, whatever that may be, we encourage them to call our office, and we open a case. We do any number of things for veterans, for military families, for seniors—anybody. If you need help in getting through to the Federal Government, you call our office. So we opened a case on Pastor Brunson about a year ago, and we have been trying to work through diplomatic channels to get him released.

About 3 months ago or 4 months ago, we heard that the indictment was going to be served on Pastor Brunson. I received word from some of the family members and people in the faith-based community that they were concerned that the American people were going to read the indictment and really judge him as guilty and turn their backs on him and have him languish in prison for what would be, essentially, a life sentence. He is 50 years old, and the charges would be up to 35 years.

It was so important for me to have him know that we cared about him that I traveled to Turkey. I got a visa to go to Turkey and made a request to go to that Turkish prison and look Pastor Brunson eye to eye and tell him that we were not going to forget about him and that we were going to do everything we could to work for his release and the release of a number of other people who I genuinely believe, in Turkey, are subject to religious persecution.

I met with him in the prison for about an hour and a half. It turns out

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

#### PRAYER

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

Let us pray.

Spirit of the living God, fall afresh on us, molding and making us according to Your will. Thank You for the favor You show us, because we belong to You and have been chosen to fulfill Your purposes. Lord, help us to grasp the significance of Your unfolding providence as You continue to sustain us with the many acts of Your faithful love.

Today, inspire our lawmakers to work to the best of their ability, striving always to do what is right for our Nation and world. Give them the wisdom in their labors to depend upon Your mercy, power, and grace, believing that You can do for them more than they can ask or imagine.

We pray in Your great Name. Amen.

#### PLEDGE OF ALLEGIANCE

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

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

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. PAUL). Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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



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that we had just found out that his first court date was going to be about 3 weeks later, so I decided to go back to Turkey 3 weeks later and be in that courtroom to hear the testimony for myself, to hear the 62-page indictment play out. I was in that courtroom from about 9 o'clock in the morning on Monday until about 10 o'clock that night. If you don't know what a kangaroo court is and you can't read it on this slide, just Google it quickly, because what I saw was a kangaroo court.

First off, you should think about the setting. It is unlike any setting you could ever imagine in the United States. It doesn't have a trial jury, but it has a three-judge panel up there, and the prosecutor is really elevated to almost being another judge. The prosecutor was up at the dais. We were in a room that was about half the size of this room. It was maybe about two-thirds the size. It was a big room. The defense attorney was off to the side about another 30 or 40 feet, and the defendant was right in front of this panel of judges and was being looked down upon. He had to testify for 6 hours on his own behalf. One doesn't have a choice in Turkey. Then they listed the charges.

Why do I say it was a kangaroo court? Let me give a summary. I am not going to cover all of the charges because my time is limited today, but let me give a summary of some of the charges.

In the time I was there, there were about a half dozen secret witnesses. The defendant didn't get to face his accusers. In Turkey, these secret witnesses can say what they want to say. The essence of one secret witness's testimony was that he knew that Pastor Brunson was involved in either plotting the coup or in working with the PKK, which is a terrorist organization fundamentally made up of Kurds, because he witnessed a light on in this church for 4 hours.

First off, in the U.S. system, I know you are probably not going to get prosecuted for 35 years for having a light on for 4 hours—at least I hope not. Yet what makes this even more challenging is that this is the church. This church only seats about 120 people. It has two very small upstairs' rooms. I know because I have been there. We took these pictures when I visited Turkey after the visit to the prison. This is the room that is alleged to have had a light on for 4 hours, but there is one problem—no window, no way to possibly see into this room. In fact, the windows downstairs are closed with storm—I am trying to think of the name—shutters, wooden shutters. There is no way you could even see in. Yet this witness had what they considered to be compelling testimony that a light had been on, and for that reason, the pastor had to have been involved in the terrorist plot or the coup.

Another of the charges that have been alleged by the prosecution is that all of the churches in America are con-

nected and that they actually work in unison in other countries to disrupt the governments of other countries. A Christian church may take the Word to people in other countries, but it is really kind of organized as an intelligence-gathering and destabilizing force on behalf of the American Government in order to disrupt other sovereign nations.

Literally, this is how they have been thinking, and this is what they have been using to prosecute him. It is a kangaroo court.

I maintain that what we have is a hostage situation here. We have President Erdogan saying: If we give him a pass, give us somebody we are trying to extradite from the United States. On the one hand, they say you have to work through the system, and we have to let justice be served. On the other hand, the President has said: If you give us somebody we are trying to extradite from the United States, then we will give you Pastor Brunson. This is a hostage situation. This is religious persecution.

I will finish with this. Turkey is a NATO ally. It is an important NATO ally. It has been in NATO since 1952. It is in a very dangerous part of the world. It has a lot of challenges that it has to deal with—the Syrian conflict and its own internal economic challenges. There are a number of challenges, and I understand that President Erdogan's job is difficult. I would like to make it easier. As a co-lead of the Senate's NATO Observer Group, I would like to actually strengthen our partnership and make safer and more secure its homeland and its threat from foreign adversaries.

Yet, today, I have a NATO ally that is behaving like no NATO ally ever has in the history of the alliance. These are the sorts of things we are supposed to be doing as members of the NATO alliance, not illegally imprisoning for 586 days a Presbyterian minister.

We will be doing the NDAA markup next week, which is the National Defense Authorization Act. I will be working with other Members and will have to put forth provisions in the NDAA, which is the last thing that I would like to do. I would like to put provisions forward that strengthen the alliance with NATO, that send a very clear signal that we want to help them secure their homeland, and that send a clear signal that we want to work together in the fight in Syria. But today I can't have that as a priority. Today my No. 1 priority is releasing Pastor Brunson. I hope everybody understands that this is something that everybody—whether you are from North Carolina, North Dakota, or any State in this Nation—should all stand as a nation saying: This is not how you treat an American citizen and certainly not a NATO ally.

I look forward, hopefully, to never doing this speech again. I hope that by next week Pastor Brunson is free and that we sent a very clear message to

all the other people in Turkey who are in prison because of their faith that this is unacceptable behavior.

Thank you, Mr. President.  
I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATION OF GINA HASPEL

Mr. McCONNELL. Mr. President, yesterday, the Senate confirmed two more superbly qualified circuit court nominees. Joel Carson and John Nalbandian are the 20th and the 21st circuit judges we have confirmed this Congress.

This morning our colleagues on the Intelligence Committee finished their consideration of Gina Haspel to be CIA Director and reported her nomination favorably with bipartisan support. Ms. Haspel's testimony and record have showcased the poise, talent, and experience that make her an excellent selection.

Senators heard about her 30-plus years of CIA experience, spanning sensitive operations from the Cold War to the Global War on Terror. That background makes Ms. Haspel an ideal pick at this particular moment, when Secretary Mattis has explained that counterterrorism and a renewed great-power competition are two of the key challenges facing our Nation.

So it is no wonder that James Clapper, President Obama's Director of National Intelligence, said: "I think the world of Gina; she is capable, smart, very experienced, well-respected by the Agency rank and file, and a great person."

Just yesterday, our current DNI, Dan Coats, wrote in USA Today that "she is a person of high integrity with valuable frontline and executive experience . . . who is willing to speak truth to power when required on behalf of our nation."

Gina Haspel is the right woman at the right time. Her nomination has support from national security leaders and Senators in both parties. There is no reason why her confirmation should be delayed, and I look forward to advancing it expeditiously following the committee's action.

NET NEUTRALITY

Mr. President, on another matter, over the last 20 years, the internet has yielded progress that was the stuff of science fiction just a generation ago. In so many ways it has spawned a new economy and fostered new connections across the country and the world.

In large part these successes owe to a bipartisan consensus that Washington, DC, should be largely hands-off, but, of course, like every exciting new frontier of the economy, the internet attracted attention from the crowd that prefers to regulate first and ask questions later.

In 2015 President Obama's FCC set out to fix what wasn't broken. It imposed regulations designed for Depression-era telephones on new technologies that fit in our pockets. So

much for the light-touch approach that helped the early internet grow.

Last year, under the leadership of Chairman Ajit Pai, the FCC sought to rectify this mistake and restore the rules that helped the internet flourish while still protecting consumers from abuses. The resolution Democrats are putting forward today would undo that progress. It would reimpose heavy-handed Depression-era rules on the most vibrant, fast-growing sectors of our economy. It is wrong on the merits. It is also the wrong way to go about this process.

The CRA is useful when it lets elected representatives rein in regulatory overreach by unelected bureaucrats, but this resolution doesn't seek to rein in overregulation. It seeks to reimpose it. What is worse, by using the CRA mechanism, the Democrats seek to make the 2015 rules permanent going forward. The CRA would handicap this FCC or future FCC's ability to revise the rules even if provisions were widely seen as necessary.

There is a better way to proceed. It is called bipartisan legislation. Senator THUNE has reached out to the Democrats on the committee to draft internet "rules of the road" for the 21st century—a set of rules that would safeguard consumers but still prevent regulators from stifling innovation at every turn. Already, multiple Democratic colleagues have drawn the same conclusions with regards to preemptive overcorrection by the FCC. The senior Senator from Florida and the junior Senator from Hawaii, for example, have both expressed a desire to collaborate on bipartisan legislation.

But Democrats have already made clear that the resolution today is about the elections in November. They know they will not ultimately be successful, but they want to campaign on their desire to add new regulations to the internet. This resolution takes us in the wrong direction, and we should reject it.

#### TAX REFORM

Mr. President, on one final matter, later today I will be meeting with members of an industry with deep roots in my home State of Kentucky—our bourbon and spirits distillers.

Judging by recent headlines, we will have plenty of good news to discuss. After 8 years of Democrats' policies enriching big cities but leaving small businesses behind, Republican policies are helping workers and job creators to thrive all across our country. From Louisville to Kansas City to Portland, our growing craft distilling industry is a perfect example. They are enjoying a pro-growth provision in the historic tax reform Republicans passed last year, which lowered excise taxes on beer, wine, and spirits and modernized the regulatory policy affecting each.

Interestingly enough, the Craft Beverage Modernization and Tax Reform Act even began as a bipartisan effort with 56 cosponsors here in the Senate, led by Senators BLUNT, WYDEN, and PORTMAN.

Of course, not a single Democrat showed up when it was time to vote on tax reform. But Republicans accomplished it anyway, and now the New York Times can publish stories about how the measure is making a big difference for small craft distillers.

As one such report puts it, distilling is a burgeoning source of jobs, tax revenue, and tourism dollars in every State. For example, the Kentucky Distillers' Association reported that just last year the bourbon industry accounted for 17,500 jobs and over 1 million visitors to my home State. That is a big shift from the so-called Obama recovery, when almost all the limited jobs and investment poured into the biggest cities. But it is a new day.

Now, FEW Spirits, in Illinois, has hired more workers and is replacing its overseas glassmaker with an American one. J. Rieger & Co., in Missouri, has found extra room in the budget to expand its sales team and begin selling its products further across the country.

In the Democratic leader's own backyard of Brooklyn, the New York Distilling Company recently cut the wholesale case price on its signature gin by more than 50 percent. According to one of its cofounders, Allen Katz, "the reaction from our industry peers has been jaw-dropping." In Kentucky, which is home to more than 50 distilleries, there are plenty of examples to choose from. Thanks to the lowered excise tax, Casey Jones Distillery, a small operation in Hopkinsville, is growing its team, increasing production and planning to enhance its event space. Copper & Kings, in Louisville, has been able to hire more workers and is preparing to expand its warehouse and add a new bar for guests. The Copper & Kings team recently shared with me that tax reform is "one of the most important initiatives [the Senate] could pursue to help create jobs for small businesses in Kentucky."

My Democratic colleagues failed to block tax reform last year, and now they want to just keep arguing about it. They even propose to repeal it and roll back Americans' tax cuts, but entrepreneurs across the country are loving our new 21st century Tax Code. They are using it to expand operations and to create jobs.

It is hard to argue with results—not that it has stopped our Democratic friends from trying, and I am sure they will continue to try. But Republicans will stay focused on taking steps like these and raising a glass to America's small businesses.

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

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

#### NET NEUTRALITY

Mr. MARKEY. Mr. President, today is a monumental day. Today is the day

the U.S. Senate votes on the future of the internet, the most powerful platform for commerce and communications in the history of the planet. Today, we show the American people who sides with them and who sides with the powerful special interests and corporate donors who are thriving under this administration.

Today, we vote on my Congressional Review Act resolution to save net neutrality. Net neutrality may sound complicated, but it is actually very simple. After you pay your monthly internet bill, you should be able to access all content on the web at the same speed—no slowing down certain websites, no blocking websites, and no charging you more to exercise your 21st century right to access the internet. It is as simple as that.

If that sounds like common sense, you are not alone. In fact, according to a recent poll, 86 percent of Americans support net neutrality. This isn't a partisan issue; 82 percent of Republicans support net neutrality.

Every day, we are told that this country is more divided than ever, that our differences outnumber our similarities. Well, the American people agree on net neutrality. They agree that the internet is for everyone. They agree that we cannot afford to blindly trust a few internet service providers—AT&T, Comcast, Verizon, Charter—to put consumers first. Yet, once again, the Trump administration has neglected the will of everyday Americans and given a gift to the rich and the powerful.

In December, the Trump Federal Communications Commission eliminated the very rules that prevent your internet service provider from indiscriminately charging more for internet fast lanes, slowing down websites, blocking websites, and making it harder and maybe even impossible for entrepreneurs, job creators, and small businesses—the lifeblood of the American economy—to connect to the internet.

The Trump Federal Communications Commission picked clear winners and losers when it repealed net neutrality. When the Federal Communications Commission decision takes effect on June 11, Big Telecom will have new tools to inflate profits, but Americans and small businesses that use the internet to do their jobs, communicate with each other, and participate in civic life will be left defenseless.

Don't be fooled by the army of lobbyists marching the Halls of Congress on behalf of the big internet service providers. They say that we don't need these rules because the internet service providers will self-regulate. Blocking, throttling, paid prioritization—these harms are alarmist and hypothetical, they say. Well, that simply is not the case. These practices are very real, and in a world without net neutrality, they may become the new normal. But don't just take my word for it. Let's look at the facts.

In 2007, an Associated Press investigation found that Comcast was blocking or severely slowing down BitTorrent, a website that allowed consumers to share video, music, and video game files. From 2007 to 2009, AT&T forced Apple to block Skype and other competing services from using AT&T's wireless network to encourage users to purchase more voice minutes. In 2011, Verizon blocked Google Wallet to protect a competing service it had a financial stake in developing and promoting.

There is no shortage of evidence that we need clear and enforceable rules of the road so that these discriminatory practices do not become commonplace schemes that consumers and small businesses must suffer through without any options for recourse.

This isn't the first time Congress has had to step in to protect the integrity of the marketplace. In the 1800s, we didn't have the information super-highway. We had railroads. American farmers used trains to deliver their products to consumers, and powerful railroad trusts started charging certain farmers higher rates to move their goods. Congress stepped in and passed the Sherman Antitrust Act to put a stop to this price discrimination.

Today, we have left the steam engine era, and we have moved into the search engine era. Internet service providers are the 21st century trusts controlling the channels of commerce. And in 2018, many American job creators aren't moving alfalfa seeds; they are moving kernels of ideas for the next big app, the next new startup.

Net neutrality is about continuing the American tradition of promoting competition and providing the level economic playing field we need to continue to prosper in this rapidly changing global economy. But net neutrality isn't just an economic issue; it is also central to the health of our democracy.

Over the past several months and years, Americans all over the country from all walks of life have mobilized and marched, fighting for progress and change—Black Lives Matter, the Women's March, the “me too.” movement, high school students demanding gun control, teachers calling for fair pay. Today citizens of all walks of life are carrying the torch of American activism, and they are doing it online.

In 2018, this is how the American people are organizing. This is how the American people are doing the indispensable work of an active citizenry. This is how the American people are speaking truth to power.

Asking individuals to pay extra to speak out for what they believe in, allowing companies to stifle or even block access to certain ideas—that isn't who we are as a country. It isn't consistent with the values of non-discrimination. Net neutrality is the free speech issue of our time, and the well-being of our precious democracy depends on the public having equal, unfettered access to the internet.

Today, the U.S. Senate will show its true colors. It will either heed the calls of thousands of small businesses that have written in support of this Congressional Review Act resolution and the millions of Americans who have sent letters, posted tweets, and made calls defending net neutrality or the Senate will give another present to the rich and the powerful.

The Senate will either follow the example of Governors, State legislators, and attorneys general all over the country who are fighting to save the internet as we know it or it will let President Trump, once again, break his campaign promise of putting average Americans ahead of swampy special interests. It will either stand up for the principles that have allowed the U.S. internet economy to become the envy of the world or it will make another unforced error that threatens our long-term competitiveness.

I urge my colleagues to make the decision our constituents—with one voice—overwhelmingly are asking us to make. I urge my colleagues to vote yes on this Congressional Review Act resolution to restore net neutrality, to restore the principle of nondiscrimination, to restore the protections for small startups, for individuals in our country so that they cannot be discriminated against online.

This is net neutrality day here on the floor of the U.S. Senate. Today is the day of reckoning, when the Trump Federal Communications Commission is going to have their act judged by the U.S. Senate. My hope is that before the end of this day, the Senate will vote to overturn the Trump FCC and restore net neutrality, restore the principle of nondiscrimination, restore the principle of equality, restore the principle that small software and internet startups are given the same protections that the biggest companies in our country are provided.

Today is the day. Net neutrality is the vote that will determine whether we are going to give those protections to every American.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic Leader is recognized.

NATIONAL POLICE WEEK

Mr. SCHUMER. Mr. President, this week is National Police Week. It is a time to honor the brave men and women who put their lives on the line every day to keep our streets safe.

Every morning, police officers all across the country wake up, put on their uniform praying for the kind of day the rest of us typically enjoy: a routine one. Praise God, most days

that is the case, but sometimes our police officers are asked to put their own lives at risk in defense of others. Back in my hometown, New York, we are protected by the finest law enforcement organization in the world—the NYPD. Just 2 weeks ago, two rookie New York police officers, Flavio Chauca and Jason Truglio, rushed into a burning apartment building and up nine flights of smoke-filled stairs to pull several people to safety. It was an extraordinary act of heroism—and just another day in the line of duty for the over 35,000 men and women of the New York Police Department.

All of us in Congress are indebted to the U.S. Capitol Police who spend long hours protecting us every day. We saw their bravery in action last year when a gunman attacked a congressional baseball practice. If it weren't for the grit and valor of Officers David Bailey and Crystal Griner, things would have gotten much worse.

We should all take a moment to thank the hard-working law enforcement officers at the FBI. Over the last year, our Nation's top law enforcement officers have been unfairly maligned by this President. It is unheard of, particularly on the Republican side, to be so anti-law enforcement, and it maligns the brave men and women who work under them too. Our FBI agents are patriots, just like the men and women out on the beat.

So, today, I salute the men and women in blue, particularly my friends at the NYPD and our fine Capitol Police, as we commemorate the lives of their colleagues lost in the line of duty.

NORTH KOREA

Mr. President, last night, we received reports that Kim Jong Un is threatening to pull out of a planned meeting with President Trump as a result of the routine and scheduled joint military exercise by American and South Korean forces.

After weeks of halting progress, it is a reminder that the North Korean regime has not suddenly moderated. Remember, all that has happened so far is, North Korea has announced it is closing a nuclear test site that was defunct anyway and returned American citizens they never should have detained. We are all thankful those three Americans have returned home, but it was not some major give by Kim Jong Un. Americans should never be imprisoned unlawfully by a foreign power and treated as diplomatic bargaining chips, and we, as a country, should not be giving huge kudos to a leader who does just that.

President Trump, on the other hand, made a significant concession when he agreed to meet with Kim Jong Un. We are rooting for the President's gamble, with this mischievous and dangerous regime, to work. Now that push is coming to shove, Kim Jong Un is baiting the President into making more concessions to ensure a meeting that was a concession to them in the first place.

I strongly urge President Trump: Mr. President, don't give Kim Jong Un anything for free. North Korea is threatening to cancel the summit over our joint military exercises with the South. That would be a mistake. It would be a mistake for the President to cancel this exercise, to begin making further concessions before Kim has dismantled a single nuclear weapon or agreed to a single inspector. If we show weakness—if the minute Kim Jong Un threatens, we go along, he will continue to take advantage of us. We must show strength and fortitude. By continuing these military exercises, we will do just that. I urge the President to not even blink an eye but say we are going forward with these exercises. We have seen North Korea play these games before. When North Korea wants or needs something, exercises are a problem. When they don't need something, the exercises are not a problem. Kim is clearly testing the United States and President Trump, trying to see if there is any weakness or desperation or division on our side. We must be strong. We must be resolute. This exercise should move forward.

The best way to head into these negotiations with the North is to make clear that we will not be bullied and to show strength. We have to be willing to walk away from an insufficiently robust deal, and making concessions before we even sit down at the table would send the opposite signal. To achieve an enforceable, verifiable, and enduring agreement to denuclearize the North Korean Peninsula, the United States cannot give away leverage before even getting in the room.

#### RUSSIA INVESTIGATION

Mr. President, on another matter, the Judiciary Committee report, this morning Republicans on the Judiciary Committee released the transcripts of interviews conducted as part of its investigation into Russian meddling. It was a perfunctory move, apparently intended to signal the end of the Judiciary Committee's on-again, off-again, halting investigation.

Senate Judiciary Committee Republicans are rushing to declare their investigation complete when they have barely scratched the surface. After more than a year of intermittent effort, Senate Republicans have interviewed only 12 witnesses in total. Today they are releasing the transcripts of the testimony of just five witnesses who were interviewed about the notorious June 2016 Trump Tower meeting. One of the witnesses, an infamous, Kremlin-connected lawyer, was allowed to provide only written answers—no followup questions, no probing. Astoundingly, our Republican friends decided not to even interview two of the other key participants in that meeting—Jared Kushner and Paul Manafort.

To call the Senate Judiciary Committee's Trump-Russia investigation halfhearted is too generous. It has been no different from the effort taken by

Representative NUNES. It is designed to let the President and his lawyers interfere with the Mueller probe and to get a peek at any potential evidence.

That is why the Democrats on the committee, led by Senator FEINSTEIN, have today released a document detailing the open threats of the committee's investigation—the interviews not conducted, the leads not followed. The information Judiciary Committee Democrats provided today shows one thing: Committee Democrats have made crystal clear that committee Republicans are prematurely saying “pencils down.” There is much left to investigate, many witnesses still to be heard, and many facts left to follow.

The message of Senate Republicans on this investigation is “Pay no attention to the man behind the curtain.” The American people will not be fooled. They know the difference between a genuine search for truth and a whitewash.

I remain hopeful that Senators Burr and Warner are running down every lead and every thread, but there is no doubt that the Senate Intelligence Committee's investigation will be the next target of the President's talking heads on FOX News.

#### PRESCRIPTION DRUGS

Mr. President, finally, on prescription drugs, I read a headline in this morning's Washington Post: “Trump's drug price retreat adds to list of abandoned populist promises.” That headline is spot-on. The President has repeatedly talked like a populist but governed like a plutocrat.

On taxes, the President said that his bill would be for the middle class. It turned out to be a trillion-dollar boondoggle for the rich and powerful.

On prescription drugs, it is no different. After saying that pharmaceutical companies were getting away with murder and that he would bring down prices, President Trump proposed only the policies most palatable to the drug industry.

Just today, I read about a company that proposed tripling the price of a widely used cancer drug. They ultimately backed down after a public outcry, but it shows that this problem isn't going away anytime soon.

We Democrats have proposed an independent group to go after egregious increases in drug prices, such as the one mentioned about cancer drugs today. Where is the President on this issue? He has to walk the walk, not just talk the talk.

As President Trump was giving his speech last Friday outlining his plan on prescription drugs, guess what the reaction was. The stocks of major pharmaceutical companies shot upward. That says all you need to know about how tough President Trump's plan on prescription drugs really is. Just like the issues of taxes, healthcare, infrastructure, and draining the swamp, on the issue of prescription drugs, President Trump continues to fail to deliver for the middle class.

I yield the floor.

Mr. ALEXANDER. Mr. President, today the Senate is finally voting to confirm a well-qualified nominee, BG Mitchell Zais, to serve as Deputy Secretary at the Department of Education. I worked to get a time agreement for this vote because General Zais did not deserve to be subject to the Democrats' unreasonable and unnecessary obstructions and delays. For example, General Zais was nominated on October 5, 2017, 223 days ago, and the HELP Committee approved his nomination for the first time on December 13, 2017, 154 days ago. Because the Democrats forced his nomination to be returned to the President at the end of the session in December, the HELP Committee had to approve his nomination again on January 18, 2018, after he was renominated.

It is time to confirm General Zais and give Secretary DeVos a Deputy Secretary. He has extensive experience working in education and in government. From January 2011 to January 2015, General Zais served as South Carolina's elected State Superintendent of Education. Before that, he was president of Newberry College in South Carolina for 10 years. He also served as a commissioner on South Carolina's Commission on Higher Education for 6 years. Further, after 31 years in the U.S. Army, he retired as a brigadier general. He graduated from West Point, has a Ph.D. from the University of Washington, as well as an honorary doctorate of education from the Citadel.

As Deputy Secretary, his job will be to help the Secretary manage the Department of Education, which includes implementation of the Every Student Succeeds Act. I am glad we are having this vote today. I support his nomination, and I urge my colleagues to support him as well.

The PRESIDING OFFICER. The Senator from Hawaii.

#### NATIONAL POLICE WEEK

Ms. HIRONO. Mr. President, this is National Police Week, and I join my colleagues in saluting all of our law enforcement personnel and our brave men and women who have put their lives on the line every single day to keep our communities safe.

#### NET NEUTRALITY

Mr. President, turning to another subject, net neutrality, protecting a free and open internet is something every American should care about. Restoring net neutrality protections is about more than just what shows we can watch on Netflix and Hulu. We depend on the internet for nearly everything in our lives—from staying in touch with loved ones on social media to communicating with doctors and paying our bills. It is also about preserving access to information in times of need.

Over the past month, Hawaii residents have depended on the internet to access lifesaving information and to communicate with their friends and family during a series of devastating

natural disasters. On April 15 and 16, nearly 50 inches of rain fell on Hanalei on the North Shore of Kauai, setting the record for the largest rainfall in a 24-hour period in American history. This storm destroyed many homes, triggered mudslides that closed Kuhio Highway, and damaged local businesses. That same storm also caused widespread flooding and damage on another island in East Oahu.

In an event that has drawn international attention, volcanic activity on Hawaii Island—including fissures, along the Kilauea east rift zone, around 100 earthquakes per day, lava eruptions, and significant ash fall events—has already destroyed 40 structures in the Puna community. More than 2,000 residents have been evacuated as the lava continues to flow and toxic sulfur dioxide pollutes the air.

Residents on Kauai, Oahu, and the Big Island have depended on a free and open internet to receive up-to-the-minute, lifesaving information from local media, as well as from Federal, State, and local governments.

Rules on net neutrality established by the Obama administration prevented internet service providers—ISPs—from discriminating against and blocking content. These essential protections help to ensure a level playing field for all content providers and consumers, but under the leadership of Donald Trump's handpicked Chairman, the Federal Communications Commission issued an order late last year that would completely eviscerate net neutrality protections.

Internet service providers looking to maximize profits should not be able to restrict access to information or slow speed for providers unable to pay more, particularly during a natural disaster or other emergency.

During the flooding on Kauai and Oahu and the ongoing volcanic activity on Hawaii Island, local news providers have been a critical lifeline for local residents in search of timely, accurate, and understandable information. Traditional newspapers like the Honolulu Star-Advertiser, the Garden Island, and the Hawaii Tribune-Herald, as well as online news sources like Honolulu Civil Beat, Big Island Now, and Big Island Video News have provided an essential service to the public. Through their websites and social media channels, these news sources have provided detailed reporting about the precise location of hazardous locations, where evacuees can find shelter and essential services, and where the public can make donations of clothing and non-perishable food. Television stations like Hawaii News Now, KITV, and KHON have also used their websites and social media platforms to livestream news reports that have been a critical lifeline for local residents and for their families and friends.

National and international journalists have also drawn on the work of local Hawaii journalists to report their stories to a national and international

audience. The good work of journalists at Hawaii News Now, KITV, and Anthony Quintano at Civil Beat, for example, is being seen by people across the country and around the world on CNN and NBC News, among others. The response of these local news outlets to natural disasters in Hawaii demonstrates why they are so important to the communities they serve. These news outlets depend—depend—on a free and open internet to deliver their content to consumers where and when they need it.

For an industry already facing a funding crisis driven by declining advertising revenue, the rollback of net neutrality would have a devastating impact on local news. A 2017 report by Adam Hersh at the Center for Internet and Society at Stanford University cogently summarizes what is at stake. According to his report, local news sources would be particularly hard hit if ISPs could charge access fees, block traffic from certain providers, throttle speeds, and charge fast-lane fees in exchange for preferential treatment. Huge media conglomerates would have little trouble paying for access, but local papers like the Star-Advertiser and nonprofit news sources like Civil Beat could be hard hit or even driven out of business.

In addition to the impact on local news providers, repealing net neutrality could make it more difficult and expensive for relief organizations to collect donations for people affected by natural disasters. The Pu'uhonua o Puna community center, for example, is using social media to organize a community and statewide relief response to help families affected by volcanic activity. Using their online platform, the center is coordinating donations, identifying families requiring special assistance, and connecting evacuated residents with people who can help.

Eliminating net neutrality would also have a negative impact on small businesses in Hawaii, including those hard hit by recent disasters and those affected by decreased visitor access. Small businesses depend on high-speed and high-quality internet to reach their customers and grow their businesses. We all know this.

We had a Small Business Committee meeting hearing yesterday, where it was acknowledged that small businesses depend very much on the internet and free and open access. These businesses don't have the resources to compete in a pay-to-play system on the internet.

It is because of stories like these that a bipartisan group of Senators is forcing a vote to save net neutrality. An internet service provider should not be able to restrict access, especially—especially—during a major disaster, such as those being experienced in Hawaii, just so they can make more money.

I encourage all of my colleagues to join this effort and pass this resolution to prevent the elimination of net neutrality today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank my colleague from Hawaii, and our sympathy is with the State of Hawaii as they respond to this volcanic eruption. I noticed on the news this morning that they were referencing it could be as bad as Mount St. Helens. Trust me, that had a devastating impact on our State. I hope that all Federal agencies are helping in whatever ways they can with Hawaii's natural disaster.

I also thank her for talking about the importance of net neutrality. I, too, have come to the floor to defend the open internet. It is a pro-consumer, pro-innovation rule that we have to build on because it is worth 7 percent of our GDP and 6.9 million jobs. That is what the internet economy is.

The net neutrality rules that we are fighting for today have four bright-line rules that help businesses, help consumers, and help our internet economy to grow. They are these: No. 1, don't block content; No. 2, don't throttle content—that is, don't slow it down—and No. 3, don't create paid prioritization, which is like in the Burger King ad saying: If you want the next Whopper available, pay \$15. I think they did a pretty good job of showing what would happen if you had every business operating that way. No. 4 is transparency, to make sure that you know exactly what you are getting charged for.

The Obama-era Federal Communications Commission adopted rules that basically protected consumers and businesses on those four things. Why did they do that? Because there were some who were trying to eke their way into making more money off of consumers and businesses on what is basic service.

Title II was the regulatory framework that the Obama-era FCC used to make sure that consumers were protected. They were the strongest tools available, and they helped to make sure that there was not monopolistic behavior that would harm businesses.

The rule that was established by the then-Federal Communications Commission was an open internet with the FCC being the cop on the beat. That is to say, if you have these rules, you also have to have someone who is going to enforce them, someone who is going to look at the monopolistic behaviors of cable companies or providers and say: That is unfair to consumers and businesses.

But under the Trump-era FCC, all of those rules were thrown out. That is why we are here today. I and my colleagues are saying that we want to go back to the protections of the internet that are called "net neutrality" to make sure that the FCC—instead of a passive entity that just OKs every charge that cable companies want to do—says: These are rules about not slowing down content, not engaging in

monopolistic behavior. These things are wrong, and we are going to be the policeman on the beat.

The FCC can protect consumers and innovators, and they can make sure that internet traffic does not violate an open internet. But, as I said, the Trump-era FCC is trying to throw out these strong rules, and cable companies are already—already—starting to raise prices for higher speed.

In Vancouver, WA, Comcast recently announced that higher speed tiers would be available but only to consumers who purchase expensive paid TV-internet bundles. That is why we are here. Because while it sounds like: Why do we want to give cable companies the opportunity to throttle, block, or create paid prioritization, we also have to realize that today the internet economy is so much bigger than it has ever been; that it is a job creator and an innovator. In my State, it is 13 percent of our economy, and thousands of jobs that continue to grow every day as new applications for the internet are created.

It is so important that businesses, which are even using these apps to help run their businesses more efficiently, continue to get access to those tools. But what about an internet in which a cable provider decided to artificially slow down that website and thereby create a disincentive for the very things that are helping to make our businesses more efficient?

So we want to make sure that the FCC does its original job. What is that? Well, they are there to promote development and adaptation of communication networks in the public interest. They are serving consumers, and that is the center of their mission.

The center of their mission should not be serving cable companies. That is why courts have said to the FCC: If you want to have the authority to protect an open internet, you have to do that under title II. Basically, the court explained that if enforcing open internet principles and being a watchdog against abuses is important to the FCC's mission of promoting the deployment and adoption of communications in the public interest, then, those powers have to flow from title II of the Communications Act. So that is why the Obama-era FCC adopted those rules.

Today we know that the internet is a basic necessity. It provides access that helps our healthcare delivery system work, our education system work, our banking system work, shopping, and all sorts of things that make it a necessary tool in life today.

When a service is that essential and critical to individuals and communities and their economic success, we need to make sure that consumers have protections and to make sure that it is not abused.

In the United States, just three providers of internet access have about 70 percent of consumers. In any market with only a few players, it is essential

that we protect businesses and consumers, and that is exactly what title II does. It helps to protect us from a cable company gouging and its close cousin—paid prioritization.

Title II makes sure that the barriers to entry are not erected so that entrepreneurs or startups that want to bring new products to market aren't artificially slowed down and a larger competitor that can pay more for it can continue the access.

Just recently, we had an event with Redfin, a company that is changing the real estate market in the Pacific Northwest by helping to drive down the cost to consumers for real estate purchases. They made it very clear that Redfin was able to develop today because it had an open internet and its consumers and business partners could connect to it. But in a world where they were just starting out new and they had to pay for prioritization to get good broadband service, they may not have been as successful.

These rules—title II—give expert agencies the tools to look behind the curtain and make sure that cable companies are providing the services that do not violate an open internet.

There is a reason that cable companies don't want to follow these rules. It is because they want to make more money. I get it. They want to make more money. But I would say that with 40 percent of Americans having no choice in whom they buy internet services from, we have to be much more vigilant. These companies have several vertically integrated companies at the top, and they are seeking to amass more and more content. That could give them the tools, again, to block content, to slow it down, or to x out a competitor if they so choose. I do not want to see the FCC sitting on the sidelines and not policing this kind of environment.

I know that AT&T is now trying to merge with Time Warner. These large companies want to continue to amass content and to drive the marketplace. The American Consumer Satisfaction Index tracks consumer satisfaction, and these big companies are at an all-time low. Do consumers think they are going to do the right thing on their own? Do they think cable companies will do that?

The cable industry ranks at the very bottom of 43 industries in consumer satisfaction. In fact, it has been in the dead-last position for 5 years. So does the public think they are doing the right things when it comes to them or their businesses? I think that survey says it all. They have great concern.

One of the reasons cable companies give for why they don't want to follow net neutrality rules is because they say it will hurt their investment in networks. Well, I guess I would ask the question: Did the Obama-era FCC rules slow down investment? No, they didn't. The big cable companies continued to make investments in their networks.

In the year immediately following the FCC rule that went into place, the

entire industry showed that the total capital expenditures increased by more than \$550 million above the previous year's investment. For example, in a 2017 earnings report, Comcast, the Nation's largest broadband provider, noted that its capital expenditures increased 7.5 percent to \$9 billion and that it continued to make deployment in platforms like X1 and wireless gateways.

Likewise, AT&T spent \$22 billion on capital investments, up \$20 billion from the previous year.

In fact, 2016 represents the industry's highest single-year jump in broadband network investment since 1999.

So the notion that they are somehow going to slow down on investment is just not true. The historic growth came after companies had a full year to digest the impacts of title II and net neutrality rules being put in place by the Obama-era FCC.

So where are we today? Well, these companies continue to make money, and they want a free pass on continuing to make more. That is why our goal is not the profits of big cable companies. Our goal is to make sure that the internet economy continues to grow and the juggernaut of job creation and innovation continues to expand.

We want the internet ecosystem that has doubled as a percentage of GDP from 2007 to 2017 to continue to grow. As I said, in my State it is about 13 percent of our State's economy, and I spend practically every day in the Senate hearing about another innovation from someone in my State. It might be the farm economy and more efficient ways to produce products or get products to market or manage their livestock. It might be in telemedicine and helping someone from one side of the State to the other to get access to care. It might be as basic as connecting people to their families and loved ones, but it is the internet that we know today that is so integral to our lives.

I hope the commonsense legislation in front of us—the CRA—which would restore those Obama-era FCC net neutrality rules, passes. I hope our colleagues will understand that getting exorbitant internet fees from cable providers is not the direction the American people want to go. American entrepreneurs, innovators, and consumers cannot afford to take that hit. What they want to see is an open internet—one that continues to allow so much more of the internet economy to flourish.

Let's make sure that we say to the FCC: We don't want you folding or sitting on your hands. We want you to police the internet, and we want you to have the rules to do it.

That is why we must pass the CRA today. I hope our colleagues on the other side of the aisle will join us, because there is just too much at stake in our innovation economy.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I thank my colleague from Washington for her leadership and her articulation of a big issue before us. I too rise today ahead of a vote that is of vital importance to protecting a free and open internet.

Last week FCC Chairman Ajit Pai announced that June 11 would be the date when key net neutrality protections will officially end. This backward, misguided decision from the FCC threatens the consumer friendly internet that Americans know today—an internet that ensures equal access to content, regardless of which internet service provider you use.

Ending net neutrality could impact all of our people. In New Hampshire, our citizens are rightly concerned, with thousands of Granite Staters contacting my office to urge Congress to save these key protections.

I am pleased to join my colleagues, both Republican and Democrat, to force a vote to do just that.

Reinstating net neutrality is critical to promoting innovation, supporting entrepreneurs and small businesses across New Hampshire, and encouraging economic growth. By ensuring that our businesses can compete on the internet on an equal footing, we provide more opportunity for a wide range of businesses, from high-tech companies and startups to farming and agriculture.

On Monday, I visited Stoneyfield Farm in Londonderry, NH, to discuss the negative impact that repealing net neutrality will have on their business and countless other businesses across our State. Stoneyfield is a New Hampshire business that sells organic dairy products all over our country and relies on the internet to reach their customers. They also rely on the internet to connect with small businesses and dairy farmers that help source their products.

When I met with representatives from Stoneyfield and farmers from around New England on Monday, they made clear that they are worried about what could happen if smaller farms are charged more for access to websites and services—a potential effect of repealing net neutrality.

Farmers are already operating on pretty small margins, and they could be hurt by having to pay even more to get the kind of speed on the internet they need in order to be competitive. This is particularly troubling in rural areas, where many communities still face challenges with access to broadband.

It is not just rural communities and farmers. This decision would hurt small businesses in any number of industries across New Hampshire, all to give big internet service providers another opportunity to raise their profits.

It would be unfair to all consumers to give internet service providers the power to discriminate against certain

web pages, apps, and streaming and video services by slowing them down, blocking them, or favoring certain services while charging more for others.

Protecting a free and open internet means we are protecting the farmers who need the internet to sell their products. It means we are protecting the next great startup which needs a level playing field to compete against larger, more established companies. It means we are protecting the countless Americans who have used the internet as a mechanism to organize and civically engage online.

There has been so much energy from Granite Staters and Americans who are in favor of reinstating net neutrality because they know how much is at stake. I am grateful for their efforts to speak out because they have helped us get to this point today. I am hopeful more of my Republican colleagues will join us today to put consumers and small businesses first and to show that the U.S. Senate is in favor of a free and open internet.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SULLIVAN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. 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. CARDIN. Mr. President, I take this time to urge my colleagues to support S.J. Res. 52, which would reinstate the free and open internet. I thank my colleagues, Senator MARKEY and others, for bringing this to our attention. It deals with the Congressional Review Act to block regulation which had been suggested that would repeal the protections we have on the free internet. Let me just give a little bit of background so we can put this in context.

Internet service providers—known as ISPs—are basically utility companies that provide internet service to our constituents, to our businesses, and to America. Without the protection for net neutrality, these utilities have the ability to block or throttle content on the internet or charging what is known as being in the fast lane, charging more. So this is a debate between whether we are on the side of the big utility companies that provide internet service and their special interests or the individuals and small businesses of America to guarantee them equal access to this critical service. Let me give one example, and there are many that can be given.

I am sure, in every one of our communities, we have a lot of small businesses. They recognize that they can now do business on the internet, and they have an opportunity to compete with the large companies that do most of their business through the internet.

In Baltimore, in Maryland, I have small shop owners. One I am particularly familiar with sells bikes. This

shop owner now is using the internet in order to get to customers so he can show his wares on the internet and be able to compete against one of the large, giant retailers that does a lot of business on the internet.

If a consumer in Baltimore goes onto that bike shop's website, and if the product that consumer is interested in will not pop up within a couple seconds, the consumer is gone. There has been study after study that shows that about 3 seconds is the maximum attention span of a consumer shopping on the internet.

The large store that has access to the fast-service broadband will have an incredible advantage over our small businesses if we allow the utility that provides the internet service to discriminate against the smaller users. That is what this debate is about. It is about protecting individual consumers, and it is about protecting small businesses.

There is a reason why, in 2015, the open internet order was passed to protect utilities that provide internet service from blocking or slowing down internet service.

Broadband internet service is a public utility. It is interesting that almost half of the consumers have no choice in whom they have to provide their internet service. They have basically one internet provider to choose from. Competition does not exist. So this is not a matter of competition; this is a matter of preventing discrimination.

I have had the honor of being the ranking member of the Small Business and Entrepreneurship Committee, and I can tell you, on behalf of the small businesses of Maryland and around the Nation, on behalf of farm owners around the Nation, they need to have access to the internet, and they depend upon net neutrality. Fifty-six percent of the small business owners oppose the FCC's repeal of net neutrality; 70 percent of small business owners feel they are at a disadvantage compared to a large corporation due to their size and market power. The internet gives them that capacity to try to equalize that disadvantage.

John Duda is co-owner of Red Emma's, a cooperative bookstore and restaurant in my hometown in Baltimore. He summed it up best by saying:

I don't have the money to pay an internet service provider to guarantee my website will load quickly for all users, so I'm concerned the end of net neutrality means customers will buy from retailers that have the resources to pay for faster service. Additionally, if my internet service provider slows load times for—or blocks access to—my web content, we'll be up against more than just larger book sellers or restaurants—we're suddenly competing against any website that loads quickly because those are the ones that will draw people's attention.

This is a matter of economic survival for small businesses. Everybody wants to make sure they have access and that we have superhighways for broadband. We have that in Maryland, and we need the last mile to make sure you can get connected. Absolutely, we have to do



more to make sure all communities have access to internet service, but, like healthcare, if you don't have quality care, access is not going to help you. You need to be able to have reliable broadband service.

Net neutrality has lowered the barriers to starting and growing a small business, and that is undeniably good for our economy. We all brag about the fact that small businesses are the growth engine of America and more jobs are created by small business, innovation, et cetera. Let's make sure we give small business what they need. Let's preserve net neutrality.

As FCC Commissioner Jessica Rosenworcel put it, "For the first time, small business could think big and consumers could shop small, from anywhere in the world." Think about that for a moment: Small businesses can think big because they have access to the internet, and consumers can shop anywhere in the world and shop in small companies anywhere in the world. The loss of net neutrality jeopardizes that progress.

In every State, community, and home across our Nation, Americans expect the water coming out of their tap to flow on demand and be safe to drink. They expect the lights in their homes to go on thanks to the utility company that provides the electricity. And, yes, they not only want but need to have access to broadband internet in the very same way. This is a utility, and it needs to be regulated as such.

These providers should not have the last word in what any American can see on the internet. Access to the information vital for our democracy and our economy to function must be preserved.

Congress has a chance to put consumers and small businesses first and prevent the FCC from bowing to corporate interests instead of serving the public interest. I urge my colleagues to vote for S.J. Res. 52.

Mr. President, 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. WYDEN. 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. WYDEN. Mr. President, it is important for everybody to understand how things work today and what net neutrality is all about. What net neutrality is fundamentally about is that everybody gets a fair shake with respect to using the internet. After you pay your internet access fee, you get to go where you want, when you want, and how you want. There are no special deals. There are no priority lanes for those with deep pockets to get more content and get it faster than everybody else. That is not the way it works today. Everybody gets a fair shake on an open and free internet because of net neutrality.

What Mr. Pai, the head of the Federal Communications Commission, and his allies want is something very different. Under their vision of how things would work online, there would be toll booths all over the internet, and those higher costs would, one way or another, come out of your pocket. That would work a hardship on millions of Americans, on millions literally but especially on small businesses, seniors, and students. Everybody would be affected by a new approach that would establish toll booths all over the internet.

My view is that there is no vote this body is going to take in 2018 that will have a more direct impact on the wallets of Americans than the one that is going to happen in a few hours. This is the last chance to protect the free and open internet that comes about with real net neutrality. The fact is, if we don't do it, the Trump Federal Communications Commission and Chairman Pai want to turn the lights out on the system I described today where, after you pay for your internet access, you go where you want, when you want, how you want. That is what we have today. Without what we are doing here, Chairman Pai at the Federal Communications Commission can change that and take money away from typical Americans to line the pockets of their friends at the big communications monopolies, Big Cable.

If Republicans in Congress allow this administration to get away with repealing net neutrality, Americans can certainly expect to be charged more for Netflix, for music services on Spotify, and for video game downloads—for example, on PlayStation.

This isn't some academic policy question that is going to show up years from now. Certainly, there are matters we talk about where that could be the case. This is where the Trump Federal Communications Commission could hand big cable companies more power and take more money out of the pockets of the American people next month.

I am very appreciative of my colleague ED MARKEY for the extraordinary leadership role he has taken. He and I have enjoyed teaming up since the days when we began in public service. Senator MARKEY was then Congressman Markey, and he introduced the first net neutrality bill in the House. I had the honor of partnering with him when I introduced the first net neutrality bill in the Senate. Both of us said, literally, more than a decade ago, that we needed communications policies that were rooted in the principle of nondiscrimination—transparency, openness, and freedom for all online. Here we are, back in this fight once again, to pass the Markey resolution, which, in effect, will ensure that what my colleague has sponsored today and sought to do a decade ago, on which I partnered with him, will actually get done.

Everybody understands that you have to pay a fee to get access to the

net. The question at the heart of this debate that you have to keep coming back to is this: Once you pay that fee, shouldn't everybody get a fair shake? Shouldn't we be able to say in America that once you pay that fee, you ought to be able to go where you want, when you want, and how you want? As the Trump FCC wants to do, should you be able to say that the big cable companies should be able to hot-wire the system—to rig the internet—for the benefit of those who can afford to pay more?

I would say, because I have been listening to my friend talk about this, that their vision is, really, something along the lines of an information aristocracy, whereby, if you have deep pockets, you are going to have access to a technology treasure trove, but the typical American, with his vision, is kind of on his way to digital serfdom. That is why it is so important to understand what Chairman Pai and the FCC are up to, which is special deals for special interests and more power—significantly more power—for those with deep pockets.

What the people who are opposed to real net neutrality have cooked up is a scheme called paid prioritization. I say to Senator MARKEY that I have called this effort that of erecting tollbooths online. What it means is that if you are among the fortunate few, you get faster download speeds and more content. If you are a big, established company, guess what. You can stifle the competition. You can squash the competition. Those opportunities aren't going to be available to an entrepreneur who is just starting out in his garage somewhere. For a family that is barely staying afloat, what it sounds like they are interested in is giving them second-rate internet service. I think Senator MARKEY and I remember that it was not that long ago when big chunks of America had dial-up, and people seemed to wait forever to get online.

Mr. Pai is going to tell you with a straight face that these big cable companies have the best of intentions and that they are sort of going to go along with all of this voluntarily because it is just the right thing to do. Yet my question is this: If the cable companies are just going to go along with net neutrality, why is Mr. Pai working so hard to get rid of it? It doesn't really stand up. I always say at home, because people ask what it means for us—and they have gotten to meet the charming William Peter Wyden, aged 10—that there is about as much chance that the cable companies will voluntarily go along with net neutrality as the likelihood that William Peter Wyden and his sister will voluntarily limit the number of their desserts. It is just not going to happen. In particular, if Mr. Pai says he believes in real net neutrality, the Markey resolution will give him a chance to actually show that. But we all know that he doesn't see it that way.

I just opened all townhall meetings in Oregon, most of them in rural communities, and I know the distinguished Presiding Officer of the Senate represents a lot of rural terrain. I am telling you that people in those rural areas understand what is at stake for rural America here. For rural America, without the Markey resolution, it will mean the net will move along at snail's pace. It will mean that rural businesses could have a harder time in getting off the ground and reaching customers. I talked to ranchers, for example, about just this issue. It will mean rural healthcare could miss out on technological marvels that could have the potential to save lives.

This is particularly important because Senator MARKEY and I have teamed up on a lot of the efforts to improve American healthcare. We have led the fight to show that we are updating the Medicare guarantee so that it will not be just an acute care program but will focus on chronic illnesses. Senator MARKEY and I have led the effort for more care at home and for greater access to telemedicine. All of those technological marvels really depend on rapid access to the net. If you are in rural America and you have had a stroke, rapid access to the net may be something that will save lives and that will ensure those rural providers will be able to get connections to parts of the country that will have, for example, a neurologist available who will be able to help.

The Markey resolution and its passage should not be an issue seen along partisan lines. I don't see it as a political question. The bottom line of the debate is that if the resolution goes down, the stuff Americans do on the internet today is going to cost them a whole lot more tomorrow. It is not going to take place years from now and be some kind of an abstract question. It is going to be on Americans. Those extra costs will come out of their pockets, and it will cost them a lot more in a hurry.

I close by thanking my colleague from Massachusetts for all of his leadership. It has been my privilege to team up with him. I guess it becomes almost bicameral since the two of us started this in the House and the Senate.

I urge my colleagues to support the Markey resolution and do the right thing. Support the consumer and small businesses. Let's not hand more power and profit to the big cable companies at the expense of Americans, from sea to shining sea, who cannot afford more money to come out of their wallets and go to the big cable companies.

I see my friend on the floor.

Mr. MARKEY. Will the Senator yield?

Mr. WYDEN. I am happy to yield.

Mr. MARKEY. I thank the Senator.

Mr. President, I wanted to follow up on that very important point that the Senator was making, which is that these big companies are all saying: You

don't have to worry because we don't have any intention of discriminating.

Then we say: Well, that is what net neutrality says, that you should not discriminate, that you should treat everybody equally.

Then they turn around and say: Oh, you can trust us, but take the rules off the books that we say that we agree with and that we are going to abide by.

From my perspective, they are trying to have it both ways, but the way they really want to have it is with no rules at all. Then, they will be free to go back to displaying conduct which we know, in the past, they have engaged in.

Does the Senator agree with that assessment?

Mr. WYDEN. Mr. President, my colleague from Massachusetts is probably being too logical for a lot of this discussion, whereby the special interests continue to shroud their real agenda, which is what my friend from Massachusetts has described. Clearly, with this effort the big cable companies, with their hopes riding on Mr. Pai, would like to go back to yesteryear, when they could gouge the consumer, when they could stick it to the person of modest means.

I think my colleague has summed it up very well. If Mr. Pai and his allies were really going to present us with a real net neutrality plan, I know we would be interested in hearing about it, but they have never been interested in that. What they have been interested in is taking a whole lot of legalisms and murky language to try and fool the American consumer. The bottom line is Mr. Pai and his allies would like to set up these tollbooths across the country and start with a policy that, one way or another, is going to cost the typical consumer more.

I look forward to my colleague's remarks.

Mr. MARKEY. Mr. President, I thank the Senator because, I think, that is what he identified 12 years ago when he introduced a net neutrality bill here in the Senate and what I had identified over in the House. We worked together on it at that time, and the need just continues, especially as we get deeper and deeper into this internet era. It is almost like oxygen for somebody now, especially for young people, young entrepreneurs. They need to know that they can gain access to the web in order to start up their new software or internet companies, but they shouldn't have to first raise money to pay exorbitant fees to the big broadband companies. First, they should be free to innovate and not worry that they be can be discriminated against.

Whether it is in Portland, OR, or in Springfield, MA, it is the same principle for which we have been trying to stand up for all of these years. It was the law until December of 2017, when Ajit Pai and the Trump FCC took it off the books. That is what the debate is about today: Are we going to put those rules, those nondiscriminatory rules, back on the books?

Mr. WYDEN. Mr. President, my colleague has said it very well. It is what I saw last week in these nine townhall meetings, and almost all of them were in rural Oregon.

People joked and asked: RON, why are you here? We have more cows than people.

I said: My hometown is Portland. I love Portland.

My only frustration, as my friend knows, is I didn't get to play for the Trail Blazers.

I am not a Senator from the State of Portland. I am a Senator who represents every nook and cranny of Oregon, however small. What I would say to my friend and, I hope, to my colleagues—because the Senate represents a lot of rural terrain—is what I heard in places like Burns and Prairie City last week. If they have to pay more for less content, which, I think, could easily happen under these trickle-down telecommunications policies of Mr. Pai's, then it is not just going to be Portland, OR, and Springfield, MA. It is going to be rural America—literally, from sea to shining sea—that is going to wake up very soon and find its bills going into the stratosphere.

Mr. MARKEY. Mr. President, by the way, whether it is Burns or the Berkshires, there are rural parts in every State. We have them, as well, in Massachusetts. They have the same right of access to a free, unfettered internet as do the people who live in Cambridge, MA, or in Portland, OR. The rural parts in every State are entitled to it. The rural businesses, the farmers should all be able to rely upon—have a guarantee—its being free, open, and that they are not going to be discriminated against.

That is why I wanted to get up and thank the Senator for his historic leadership on this issue. He was there at the dawn of this whole era, and he continues to ensure that the internet is infused with the values that, I think, our Nation wants to have reflected.

Mr. WYDEN. It has been a privilege to work with my colleague. This has been bipartisan—especially making sure the kinds of policies that can come about with real net neutrality and making sure rural communities get a fair shake complement other work we are doing that represents the future. My colleague and I have talked about the fact that in our efforts to update the Medicare guarantee, for years and years both political parties have missed what Medicare has become.

Back when I was director of the Gray Panthers—the senior citizens—Medicare had two parts, Part A for hospitals and Part B for doctors. If you broke your ankle and went to the hospital, that was Part A of Medicare. That is not Medicare any longer. Today, Medicare is cancer, diabetes, heart disease, strokes, and chronic pulmonary disease—all of these chronic conditions. What my colleague has done—and I am so appreciative of the fact that we can work together on this. We said: Let's

update the Medicare guarantee. Medicare is not a voucher, a slip paper you give to people. It is a guarantee of basic services. So Senator MARKEY and I and others of both political parties have come along and said: Let's give people more care at home. Let's expand the role of telemedicine so that if you are in Burns or Prairie City, OR, or other small towns in America, you can have access to these technological marvels when you don't have a neurologist or a specialist.

Make no mistake about it, what Mr. Pai is looking at is a prescription for trouble for rural healthcare because they, like so many of the people they serve, are going to face the prospect of those toll booths, and they are going to pay more, in many cases, for less.

So I look forward to working with my colleague and listening to his remarks.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, 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. MARKEY. 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. MARKEY. Mr. President, as we conclude this part of the debate, I will just take note of the fact that the American Association of Retired People today has come out in favor of the open internet order, which is the restoring of net neutrality principles, which follows on what the former head of the Gray Panthers, the Senator from the State of Oregon, Mr. WYDEN, raised today—the need to ensure that everyone gets the full protection of net neutrality rules.

The votes we are about to cast are nothing short of the most consequential votes on the internet in the history of this body. We will take the important step to reaffirm the principles of nondiscrimination online or we will allow a few companies to control how we access the internet. We will stand up for the small app developer with a bright idea to change the world or we give another gift to the powerful corporate interests and their lobbyists in the District of Columbia. We will take a stand to protect our online economy or we will say goodbye to the internet as we know it.

In 2018, essentially every company is an internet company. In my State of Massachusetts and in every other State, tech underpins the economy of the United States today. In 2017, almost half of all venture capital in the United States was invested into internet and software startups. That is over \$34 billion.

This is working. This is capitalism at its best. This is small business being able to receive the capital it needs in order to start new companies in our

country. Small businesses are the ones that hire new people who do innovation. That is what the venture capital industry is indicating by pouring money into these smaller companies under a regime of net neutrality.

So we found the secret recipe. When we take a democratized platform, with endless opportunity for communication, and add American ingenuity, the result is economic growth and innovation. What we are doing is working. With net neutrality protections in place, there is no problem that needs fixing.

This fight began when Senator WYDEN and I introduced net neutrality as legislation back more than a decade ago. I introduced it, Senator WYDEN introduced it, because we knew then the internet was the most powerful and pervasive platform in the history of the world. Since then, the importance of the internet has skyrocketed, and the movement to protect it has followed suit. Millions of Americans are raising their voices for net neutrality because they know the power of the internet. They know it can categorize staggering commercial growth, they know it can create endless connections, and they know it can change the course of civilization in fractions of a second.

A vote against net neutrality is a vote to change the fundamental character of the internet. A vote for net neutrality is a vote for America's future. I urge each and every one of my colleagues to vote yes on this resolution.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Thank you, Mr. President.

I have been recognized to close the debate on this motion. In a few moments, we will be voting on the motion to proceed to this resolution. I will be voting no and urge my colleagues to do so.

This debate is about a free and open internet, and it is also about a thriving and innovative internet. We can have both. For decades, we have had both, and we can continue to do so if we are smart about this.

Does every Senator in this Chamber believe in a free and open internet? Yes.

Does every Member of this body want to prevent blocking and the throttling of the internet? The answer is a resounding yes.

Does any Member of the Senate advocate, as my friend from Massachusetts just suggested, that a company or two gets to set the rules for the entire internet? Absolutely not.

Do all Senators and all Congressmen want the internet to be a source of innovation and job creation and prosperity as it has been for a quarter century? I hope so.

I hope we all want this information superhighway, this technology superhighway to continue its success. I hope we all want the internet to continue being that phenomenal platform for

market competition, health advancements, investment, technological progress, efficiency, and safety. I hope we all want this.

If we all want this great engine to keep going, it is important to ask how all this happened in the first place. How did we get here? How did we arrive at this point in our Nation's history, with a dynamic internet economy that is truly the envy of the world?

The answer lies in the creativity and ingenuity of the American spirit. This has allowed the internet to thrive under the light-touch regulatory framework that has governed the internet for most of its history.

Let's revisit a little of that history. It was in 1996. I was a freshman Member of the House of Representatives at this time under a Democratic President, under a Democratic administration. Our country was at a crossroads on how to govern this new thing called the worldwide web, the internet. No one could have imagined the success of the internet we have today, but policymakers had the foresight not to regulate these new emerging information services like the services of a bygone era.

Instead, in 1996, during the Clinton administration, a very deliberative, thoughtful decision was made not to impose title II rules—the same rules from the 1930s that were modeled for the Bell monopolies, that were modeled for a time during the Great Depression. That was the pivotal decision that allowed this great internet economy to thrive and to be the success it is today.

Now let's fast-forward to recently, to 2015. That was the year the FCC made an ill-advised decision to change all that. Despite explosive growth, new applications, services, and consumer choice that the internet was delivering to Americans, the FCC imposed these title II rules, and that is what we are debating today. Almost immediately we saw a chilling effect on investment and innovation. U.S. companies were right to be uncertain about the archaic title II regulations and how they would apply to modern technology.

Fortunately, this misguided action was reversed last year. The FCC lifted the 2015 regulations and restored the light-touch regulatory framework that has benefited consumers for almost two decades and has resulted in this great success. Today, some in Congress are trying to give the government more control again, applying utility-style regulations that would threaten the internet as we know it. We should reject these efforts.

Let me say this: Many of my colleagues correctly, on both sides of the aisle, have been calling for bipartisan legislation to enshrine the net neutrality principles into law—legislation which I support, legislation which Members of the minority party have supported. If this resolution passes today, it will amount to merely a statement, nothing more.

Senator THUNE will give Senators an opportunity to pass bipartisan legislation today. I hope we will do that. I hope, once this statement is made, we will move on to enshrining net neutrality principles into a law that protects consumers and promotes innovation.

Graham	Lee	Sasse
Grassley	McConnell	Scott
Hatch	Moran	Shelby
Heller	Paul	Sullivan
Hoeben	Perdue	Thune
Hyde-Smith	Portman	Tillis
Inhofe	Risch	Toomey
Isakson	Roberts	Wicker
Johnson	Rounds	Young
Lankford	Rubio	

## NOT VOTING—1

McCain

The motion was agreed to.

## LEGISLATIVE SESSION

The PRESIDING OFFICER (Mrs. ERNST). Under the previous order, the Senate will resume legislative session. The Senator from Massachusetts.

## PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION—MOTION TO PROCEED

Mr. MARKEY. Madam President, I move to proceed to the immediate consideration of Calendar No. 406, S.J. Res. 52.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 406, S.J. Res. 52, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Restoring Internet Freedom."

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MARKEY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 96 Leg.]

## YEAS—52

Baldwin	Hassan	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Sanders
Brown	Jones	Schatz
Cantwell	Kaine	Schumer
Cardin	Kennedy	Shaheen
Carper	King	Smith
Casey	Klobuchar	Stabenow
Collins	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murkowski	Wyden
Gillibrand	Murphy	
Harris	Murray	

## NAYS—47

Alexander	Cassidy	Daines
Barrasso	Corker	Enzi
Blunt	Cornyn	Ernst
Boozman	Cotton	Fischer
Burr	Crapo	Flake
Capito	Cruz	Gardner

favorite sites, divvying up the internet into packages like cable TV.

Why was this so important? Because if large cable and internet companies were allowed to do this, the internet wouldn't operate on a level playing field. Big corporations and folks who could pay would enjoy the benefits of fast internet and speedy delivery to their customers while startups and small businesses, public schools, average folks, including communities of color and rural Americans, could well be disadvantaged. Net neutrality protected everyone and prevented large ISPs from discriminating against any customers.

That era—the era of a free and open internet—unfortunately will soon come to an end. In December, the Republican-led FCC voted to repeal the net neutrality rules, and on June 11 of this year, that repeal will go into effect. It may not be a cataclysm on day one, but sure as rain, if internet service providers are given the ability to start charging more for preferred service, they will find a way to do it.

So the Democratic position is very simple: Let's treat the internet like the public good that it is. We don't let water companies or phone companies discriminate against customers. We don't restrict access to interstate highways, saying: You can ride on the highway, and you can't. We shouldn't do that with the internet either. That is what the Democratic net neutrality CRA would ensure.

We appreciate that three Republicans joined on the motion to proceed to our resolution. We hope more will come with us.

Where do Republicans stand on this issue? Why haven't we heard much from them on this issue, when it is a typical issue that protects the middle class, working families, and average Americans from big special interests taking advantage of them?

I suspect our colleagues are kind of quiet on this issue because the arguments made by opponents of net neutrality aren't very convincing. Some opponents say that net neutrality is an unwarranted and burdensome regulation—something that hampers the internet. I would remind those critics that net neutrality has been on the books for several years and the internet is working just fine. Furthermore, the net neutrality rules were upheld by the courts as appropriate consumer protection.

Yet we will hear too many of my Republican friends say that we shouldn't restore net neutrality through this CRA because we need bipartisan legislation to deal with this issue. That argument is a duck. It is a dodge. It is a way for my Republican friends to delay.

Democrats are happy to do bipartisan legislation to enshrine net neutrality into law, but the legislation is going to take time. In the meantime, we must ensure consumers have a safety net right now, and this CRA is the quickest

## PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 52) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Restoring Internet Freedom."

The PRESIDING OFFICER. Pursuant to the provisions of the Congressional Review Act, 5 U.S.C. 802, there will be up to 10 hours of debate, equally divided between those favoring and opposing the resolution.

Who yields time?

If no one yields time, time will be equally divided between the sides.

The Democratic leader.

Mr. SCHUMER. Madam President, as the minority, we typically cannot move legislation on the floor without the consent of the majority leader. But under the rules governing congressional review, any group of 30 Senators can petition to discharge a CRA—a Congressional Review Act—from the committee and bring it to the floor subject to a majority vote. That is what Senator MARKEY has just done with the CRA on net neutrality, and the vote that just concluded means the full Senate will now consider it, because I believe there were 52 votes in favor.

For the first time in this Congress, the majority will be called to vote on an issue that I suspect they would rather avoid.

Net neutrality is a complex issue, but an incredibly consequential one. At stake is the future of the internet, which until this point in our history, has remained free and open, accessible and affordable to most Americans. That fundamental equality of access is what has made the internet so dynamic—a catalyst for innovation, a tool for learning, a means of instant and worldwide communication.

To ensure the internet stayed that way, the Obama-era FCC instituted net neutrality rules to prevent large internet service providers from segmenting the internet into fast and slow lanes, from selling faster service to folks who could pay and slower service to others—we didn't want that—and from charging customers more for their fa-