

Russians or any other foreign power didn't interfere. Does Leader McCONNELL object to auditing our elections to make sure the outcomes are accurate? Are election audits partisan?

Making sure the States and localities have adequate resources to update and maintain election infrastructure—does Leader McCONNELL oppose that, when 21 attorneys general have said they don't have enough money now to guard their election processes and machines from manipulation by Russia or others?

So that is “our partisan wish list”—paper ballots, election audits, and money to protect us from the Russians. If Leader McCONNELL opposes these policies, fine, but let him say so. I repeat, protecting our election from Russian interference is not a Democratic issue or a Republican issue or an Independent issue, and it is not a liberal issue or a conservative issue. It is not a moderate issue. It is an issue that goes to the wellspring of our democracy and something the Founding Fathers warned about—foreign interference. James Madison, Thomas Jefferson, George Washington, and Benjamin Franklin all were worried about foreign interference in our elections, and now Leader McCONNELL calls it partisan to worry about it? Please.

If Leader McCONNELL wants to debate other legislation than what we propose and what has passed the House—legislation like the FIRE Act or the Duty to Report Act or the Prevention of Foreign Interference with Elections Act—bring it on. Let's do it. If Leader McCONNELL wants to address election security in the appropriations process, we would welcome his support on an amendment to send more funding to the States. We want to get something done on election security because this is not about party. This is a matter of national security. This is about the sanctity of elections, something for which Americans have died for generations. It is not partisan at all. It is the wellspring of our democracy.

But so long as the Senate Republicans prevent legislation from reaching the floor, so long as they oppose additional appropriations to the States, so long as they malign election security provisions as “partisan wish lists,” the critics are right to say that Leader McCONNELL and Republican Senators are blocking election security because, at the moment, that is true.

#### VENEZUELA

Mr. SCHUMER. Madam President, on one last subject, after I conclude my remarks, I will yield to my friend, colleague, and former roommate from Illinois, who will ask this body to take up and pass what I believe is a very important measure, temporary protected status for Venezuelans currently residing in the United States.

Last week, the House passed bipartisan legislation that would grant these protections—a lifeline to families

who are facing a forced return to unstable and dangerous situations in their country.

Few nations, outside wartime, have endured the economic, humanitarian, and political devastation that Venezuela endures today. Hospitals and pharmacies lack basic medicines. The rate of violent crime has risen sharply, and 300,000 children are at risk of dying from malnutrition. Venezuela clearly meets the standard for temporary protected status. The situation is too dire and too dangerous for Venezuelan nationals to return to the country.

So I am glad the House has taken action to pass these temporary protections on a bipartisan basis, and the Senate should follow suit. The President could have acted on his own to help Venezuelans living in America, but he has repeatedly denied congressional requests to extend TPS relief for them during this critical time of transition from the despotic regime of Nicolas Maduro. President Trump's inaction has compelled Congress to act.

So I salute my friend, Senator DURBIN, as well as Senator MENENDEZ, our two leaders on this issue, as they ask the Senate to take up the House-passed TPS bill. I hope, earnestly, that our friends on the other side will let it go through.

I suggest the absence of a quorum for a moment so I might confer with the Senator from Illinois.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Illinois.

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

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

#### RESERVATION OF LEADER TIME

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Michael T. Liburdi, of Arizona, to be United States District Judge for the District of Arizona.

The PRESIDING OFFICER. The Senator from Illinois.

#### VENEZUELA

Mr. DURBIN. Madam President, I want to thank the leader, Senator SCHUMER from New York, for his introduction of the remarks I am about to make. But before I do, let me preface it by saying that I couldn't agree with him more. When you take a look at this empty Senate Chamber and realize we are in session this week with the possibility of bringing important legislation to the floor, you have to ask the obvious question: Where is everybody? Why aren't we acting like a Senate? Why are we meeting and having speeches instead of debate on important legislation? What could be more important than the security of an election?

We have a lot of young people across America. We say to them: Register to vote. Your vote makes a difference. You get to choose the leaders for this country's future. Be sure and vote.

But we have to be honest with you. Your vote is under attack—first, by apathy—people don't register and they don't vote—and second, by outside foreign influence and forces.

We know what happened 4 years ago in the Presidential election. The Russians tried to invade the U.S. electoral process and change it. I know it firsthand because it happened first in the State of Illinois. Turns out someone put together a computer program that had a little opening in it, a little hole, and that is all they needed. Sitting in Moscow, these folks in front of computers were searching day in and day out for ways to get into the voters' list in Illinois, and they were successful. They were successful in invading the voting list, the official records of our State on the people who were eligible to vote. They could have done some mischievous things. They could have disrupted our election. Thank goodness they didn't, but it would have been as simple as going through and just changing the addresses, one digit in the address of every registered voter, so when that voter came to vote, the ID card or information given to the judge at the election place wouldn't match up in terms of their address with the official record. That meant they would have voted with a provisional ballot, and those ballots would have stacked up with the thousands of people who could have been victimized by the Russians in my State of Illinois.

We said very publicly—we were the first State to say publicly: The Russians have done this to us.

We didn't see any changes in the voter file. We knew they had the capacity and ability to do it, but they didn't. We have known ever since that they have been attacking our electoral process.

Why didn't we hear about it as much in the most recent election in 2018? Well, specifically because we were in the circumstance where we were fighting it. Our intelligence agencies were fighting it.

So this is a valid issue, an important issue, and it is one that I hope Leader

SCHUMER made clear to those listening to this debate. Why won't Senator MITCH MCCONNELL bring to the floor of the U.S. Senate election security legislation—bipartisan legislation—that will, in the course of passing it, make us safer when it comes to our electoral process? What is this kind of bromance between the President and Vladimir Putin? I don't understand.

But now there appears to be another party on the scene. Senator MCCONNELL is joining in this effort: Keep our hands off of Russia. Don't confront Russia. I don't understand why the Senator from Kentucky is taking that position. He should be pushing forward on a bipartisan basis to protect our election security.

Madam President, now I see my friend and Republican colleague from Utah is here, and I know the purpose of his attendance. I am about to make a statement about TPS status for Venezuelans in the United States. I will preface it briefly, make my request, and allow the Senator from Utah, if he doesn't want to stay here, to respond, and I will continue.

Last year, I went to Venezuela. It was my first time. I met with President Nicolas Maduro, and I said to him: If you have the election you plan to have, it will not be credible, and around the world, you will find the United States and many other nations will reject the outcome. You have to open up the process. Stop putting your political opponents in jail. Have a real election, a free election. Venezuela needs it, not just from a constitutional viewpoint, but your economy is in shambles, and if you want the world to join you in rebuilding the Venezuelan economy, you have to be the credible leader and you can't be if you go through with this election as planned.

That was my speech. It didn't work. He had the election as he planned it. He made sure that his opponents were under house arrest or in jail. He fixed the vote and ended up declaring himself the winner, and no one accepted it. So across the world, you find this resistance to his leadership.

There are some 70,000 people from Venezuela in the United States. They are here on visitor visas, work visas, student visas, and similar capacities. They are now being asked to return to Venezuela. But listen to the circumstances: In Venezuela—we know that it is not safe for Americans to visit. Senator MENENDEZ has spoken on this issue. He is joining me in this effort today. We are warning Americans that it is unsafe to visit Venezuela, but we are telling the Venezuelans who are in the United States that they have to go back.

What we are asking for is temporary protected status for these Venezuelans to be able to stay in the United States during the pendency of this contest that is going on about the future of that nation.

People are literally starving to death in Venezuela. They have no medicine.

It is in the worst possible situation. How can we in good conscience say to these Venezuelans who are in the United States that they have to return?

So the purpose of my effort today on the floor is to say that we should discharge from the Judiciary Committee legislation that allows these Venezuelans to stay here while we have declared it so dangerous in their home country. It is a rational and thoughtful thing to do, although, sadly, the Trump administration has sent me a letter saying they don't approve of it.

It is time for Congress to act. It is time for the Senate to act. I am going to make my formal motion at this point because Senator LEE has come to the floor.

UNANIMOUS CONSENT REQUEST—H.R. 549

Madam President, as if in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 549 and the Senate proceed to its immediate consideration; further, that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Madam President, I reserve the right to object after raising a couple of observations.

It is important to know that this bill was passed by the House of Representatives Thursday night. We just received the paperwork from the House of Representatives yesterday. This is a bill that did not pass unanimously in the House of Representatives—far from it. There were at least 158 Republicans who voted against it.

There are a number of my colleagues in the Senate who, like me, would like to see this and many other bills considered but would also like the opportunity to adequately review the legislation as passed and to propose amendments and have those amendments voted on. So passing this bill right now without that opportunity to review it, to propose amendments and have those considered, and just passing this unanimously is not the way we ought to be passing this legislation.

I am happy to work with my distinguished colleague and my revered friend from Illinois in moving in that direction, but we are not ready to pass this by unanimous consent right now. We have amendments to propose. So on that basis, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DURBIN. Madam President, I want to thank my colleague from Utah. I am sorry he objected to my request.

Why are we moving so quickly on this? Because it is a matter of life and death, that is why. Why did we decide that this is of such an emergency nature that the House has moved on this already? Because, literally, people who

are forced to return to Venezuela may face death. That is why we are moving on this as quickly as we are.

I want to thank the House of Representatives for passing this measure. It is time for the Senate to act, and we certainly have the time on the floor to achieve that.

As I mentioned, if you go to Venezuela, as I did last year, you can see literally on the streets the impact of this disintegration of their economy and the problems they are facing.

I visited Children's Hospital in Caracas, and it was heartbreaking for the medical staff to sit down at the table and tell me they didn't have the basic medicines we find in our medicine chests at home or in the clinics of America when it came to treating these children. They did not have antibiotics. They didn't have cancer drugs.

The economy in Venezuela is disintegrating before our eyes, and these people—Venezuelans in the United States, students and others—are saying they would like to remain in the United States and stay here until it is more stable in their country. Historically, there were no questions asked, and we did that. We have done it over and over again. But under this administration, whenever the word "immigrant" comes into the conversation, they freeze.

The same Trump administration has told us that the Maduro regime is unacceptable and that we have to get rid of it because of the terrible things that are happening, that the people of Venezuela should have a free election to decide their leader. This same administration will not help the Venezuelans who say they are fearful of heading home to a country that is so dangerous.

Let me read what this administration, which refuses to give temporary protected status, says to people from the United States who may want to visit Venezuela. To me, it tells the whole story. Here is what the Trump State Department says about Venezuela today in the following travel advisory to American citizens:

Do not travel to Venezuela due to crime, civil unrest, poor health infrastructure, and arbitrary arrest and detention of U.S. citizens. . . . Violent crime, such as homicide, armed robbery, kidnapping, and carjacking, is common. . . . There are shortages of food, electricity, water, medicine, and medical supplies throughout much of Venezuela.

Those are the words of the Trump administration about this country of Venezuela, and when I ask that those who are Venezuelan who are in our country not be forced to return to those conditions, there is an objection not only from my friend the Republican Senator from Utah but also from the Trump administration.

Now, make no mistake, if temporary protected status is granted, that does not mean we won't ask any questions of the Venezuelans here. They will have to go through a criminal background check. If they are a dangerous person, they are gone, period. No questions. They are gone. And that is the

way it should be. But for those, for example, in my State who are university students, who have their student visas coming to an end—they are asking me: Senator DURBIN, will you allow me to stay in the United States until it is safe in my country?

Is that an unreasonable request? If it were Americans in similar plights in places around the world, wouldn't we say: Give them a break. Give them a chance to stay in a safe place.

I will close. I want to defer to my friend from New Jersey, Senator MENENDEZ, on this issue.

When I went to Venezuela last year, in Caracas, I had a meeting. It was a dinner meeting, and it was an unusual one because it was with six members of the General Assembly who are opponents of President Maduro, who is currently their leader in that country. These opposition leaders opposed him, and their lives were at stake because of it.

We had dinner in a restaurant. It was an unusual dinner. It was upstairs in a back room, and the door was closed so that no one could see us. There were six of them, and they said to me: If you come back next year, Senator, two of us will have been deported, two of us will be in prison; and two of us will have disappeared.

That is what happens to the opposition in Venezuela if you happen to oppose President Maduro. It is that dangerous.

One of those six was a man named Juan Guaido. I met him that night for the first time. Little did I know that he would step up several months ago and put his life and his family's lives on the line to say: I think Venezuela needs new leadership. Exceptional courage on his part. I met him then. I have met his wife since. They are literally risking their lives for their country. They understand how dangerous it is.

All I asked for today on the floor is for those Venezuelans who wish to stay here in safety until this political scenario plays out, that they be allowed to stay here. That is all I was asking for—temporary protected status. I am sorry that Senator LEE objected. He did note, though, that in some period of time—I hope very soon—he will reconsider that position and give us a chance to provide safety for the Venezuelans who are visiting here in the United States.

Because he is here and has been such a great ally of mine in this effort, I would like to yield the floor to my friend from New Jersey, Senator MENENDEZ.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, let me thank my colleague from Illinois, who has been a clarion voice in this regard, a strong proponent of human rights and democracy in Venezuela and in other parts of the world, but in this case, in Venezuela; who has traveled there at a time when people

could not travel—certainly from the Congress—in an effort to see if there was a pathway forward and to see the plight of the Venezuelan people. I really appreciate his cosponsorship with me on this temporary protected status for Venezuelans. His leadership is critically important, not only as the Democratic whip but also as a senior member of the Judiciary Committee that I hope can take up this legislation.

I will say this: I regret that our colleague from Utah, No. 1, objected, and No. 2, left. I would just make two observations on his comments. No. 1, there was a strong bipartisan vote in the House of Representatives. So, no, there was not unanimity, but there was a strong bipartisan vote in the House of Representatives. Secondly, this legislation has been over here in the Senate for some time. We have offered it for some time, so it is not new.

Thirdly, I would just say as to whether we get to legislate in this Chamber, that depends on the majority leader and his side of the aisle, who control the floor. We would like to see legislating take place. We would be happy to have a debate on the fierce urgency of this as it relates to this issue of TPS, temporary protected status.

I fear my colleague was unaware of what he objected to. This is urgently needed legislation that would have granted that temporary—underline temporary—protected status. This is a class of people who need to be protected, the approximately 200,000 Venezuelans currently residing in the United States.

As we all know, the Maduro regime has created an unprecedented humanitarian crisis in Venezuela that has now forced more than 4 million Venezuelans and migrants to flee their homeland—more than 4 million. Think about it. This is on the verge of becoming one of the greatest humanitarian catastrophes in a refugee situation that we have in the world—and that is something considering what has happened in Syria and other places in the world—right here in our own hemisphere.

In response to this humanitarian tragedy, last December—this has been around several months—Senator DURBIN offered the first bipartisan bill to provide TPS for Venezuelans, which we reintroduced in February. Last week, the House passed their own bipartisan version of the legislation with support of dozens of Republican Members. It is an unconscionable moral failing for the Senate not to approve this legislation.

Earlier this month, as the senior member of the Senate Foreign Relations Committee, I traveled to the Venezuela border to see the crisis firsthand. I returned convinced that we cannot afford to sit on the sidelines any longer. My colleague, I think, would not have objected to TPS for Venezuelans if he saw what I saw.

During my trip to Cucuta, I walked on the Colombian side of the Simon Bolivar International Bridge, between Colombia and Venezuela, amidst thou-

sands of Venezuelan refugees—30,000 cross each and every day—and migrants who cross into Colombia each and every day. I joined thousands of Venezuelans who were fleeing hunger as they sought food at the Divine Providence soup kitchen.

I visited patients seeking medical care that is no longer available in Venezuela. By the way, Venezuela should be one of the wealthiest countries in the Western Hemisphere. It has huge oil and natural gas reserves, but despite that they can't get medical care in Venezuela because the hospital system has completely collapsed. When I was there in Colombia at the border, the United Nations High Commissioner for Human Rights issued a report decrying that the Maduro regime's security forces had murdered nearly 7,000 Venezuelans in the last 2 years—7,000. My colleague cannot possibly want to return Venezuelans to the cruel conditions they are fleeing. That is what temporary protected status is all about.

I have applauded—I don't find too many times in which I am in agreement with the Trump administration, but I supported their efforts on sanctions and other efforts around the Maduro regime so we can restore democracy and human rights, but how can you say and do all the things you are doing in Venezuela and then have a deportation force that wants to round up these people who have done nothing wrong and send them back to the country where 7,000 have been killed by Maduro?

These extraordinary conditions have scattered millions of Venezuelans in countries across the Americas. Today 1.3 million reside in Colombia, 750,000 in Peru, 250,000 in Ecuador, and the numbers keep growing. Colombia and its neighbors have largely welcomed Venezuelans as they flee a devastating humanitarian catastrophe.

By not approving this bill today, the United States is failing to match their efforts and failing to approve temporary protected status for the vulnerable of Venezuelans already living in our country.

For those who doubt whether TPS would make a difference for these Venezuelan families, let me share with you a few stories provided to my office by the respected Venezuelan human rights group Foro Penal.

Yuley Gomez is the mother of Luis David, a 4-year-old who has a delicate heart condition. In Venezuela, Yuley asked for help from everyone she could, but all she received was a prescription for painkillers. In a closed-door meeting, she was told privately to wait for the inevitable death of her child, a 4-year-old. Just imagine being told to wait for a son or daughter to succumb to a treatable illness. No parent would do that.

After great personal sacrifice, Yuley made it to the United States and admitted her son into Boston Children's Hospital. Three years later, David is

thriving, but he requires frequent checkups and treatments that remain unavailable in Venezuela to this day.

Then there is Leila Calderon, who resides in my home State of New Jersey. Her nephew, who once lived with her in Caracas, is a pilot in the Venezuela Armed Forces. He was wrongly arrested for plotting to overthrow Maduro. In the absence of evidence, he was released from jail, but on his way home, he received a call warning him that military counterintelligence agents were waiting for him. When he tried to hide, security forces arbitrarily arrested his mother, his girlfriend, and his father-in-law. The following day, he was detained and charged once more, again with no evidence. He remains imprisoned today.

Even Leila, who has publicly advocated for his release, has been labeled as a “terrorist” on national television by the regime thug Diosdado Cabello.

Let me share the story of Omar Acosta. His brother, Captain Rafael Acosta Arevalo, was detained on June 21, 2019, by members of the Venezuela military counterintelligence. After being forcibly imprisoned for a week, on June 28 of 2019, Captain Acosta was rolled into an arraignment hearing in a wheelchair, visibly affected by torture. He died the following day. The kind of torture that took Captain Acosta's life is one of the many dangers Venezuelans in the United States would need to fear if we don't approve TPS.

The Maduro regime's unthinkable abuses have created a full-blown refugee crisis in our own hemisphere. These extraordinary, and what we pray are temporary, conditions prevent millions of Venezuelans from safely returning home, including nearly 200,000 in our own country.

There has been a broad bipartisan support for the Trump administration's effort to confront the Maduro regime. However, as we confront Maduro, we cannot turn our back on the Venezuelan people. Unfortunately, today the Senate has chosen not to act. We could have sent legislation to the President's desk that ensures that vulnerable Venezuelans in the United States are not sent back into harm's way—into potential death or imprisonment. Instead, we did nothing.

This is a tragedy in its own right. This is what we could have avoided today. I am sure Senator DURBIN and I will continue to push forward. We will both challenge the leadership here to allow us either to have this passed or give us a vote. I think the community should know who stands on their side and whether they are willing to protect them temporarily from the enormous humanitarian catastrophe—the great risk of the loss of life or liberty that exists for Venezuelans in the United States who have fled to freedom.

We are going to go out of session the end of this week. That means all these people will languish for the summer, not knowing whether, in fact, they can be deported back to a country in which

they may well lose their life or their liberty. That is pretty outrageous. If we can't get it done this week, I hope to God we can get it done in September. If not, I worry about a continuing crisis that will only lead to greater uncertainty and create greater risk to those simply fleeing freedom and who are being, by the way, very productive citizens here while they are temporarily in our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I want to thank my colleague from New Jersey for his statement and leadership on this issue.

It is time. When you think about the circumstances, I am reminded of when I was in Caracas last year. It was 11 p.m. at night after I finished with this dinner with the opposition leaders. As I was headed back to the hotel, I saw long lines of people standing by ATM machines at 11 p.m. at night. I asked what that was all about. Well, they are facing hyperinflation in Venezuela—1 million percent, whatever it may be. Every day, these people have to stand in line to withdraw the maximum amount from their savings accounts so the next morning they have enough money to take the bus to work. That is the circumstance. The economy of this country has collapsed.

The medical care, which you mentioned, and I found at this children's hospital and other places, is virtually nonexistent. Diseases, which were once eradicated in Venezuela, are returning. Children are dying from diseases which long ago we believed were gone. Now they are back because there is no vaccine, nothing to treat these children.

When we ask the Trump administration, which has told us they want to get rid of Maduro, to give the Venezuelans a chance at a free election; when we ask them, will you at least show some sympathy for the Venezuelans in the United States who don't want to return, who want temporary protection until this political mess is over—when we ask them will you give them that protection, we get a letter from Mr. Cuccinelli, who is now the head of citizen services, saying: No, we are not going to do that.

How can you have it both ways? How can you say you care for the people of Venezuela, you acknowledge the terrible circumstances of their leader, Maduro, yet when it comes to those in the United States, you force them to return to this circumstance?

As you just described, for many of them, you are forcing the return to a circumstance which is threatening, if not deadly, with 7,000 already killed by their secret police and who knows how many have not been reported who could have been victims as well.

Today we made this request on the floor. A Republican Senator objected. The next time I am going to come to the floor, I will ask our Republican cosponsors to join us. This is a bipartisan effort to try to protect these Venezuela

people. If they will come join us, perhaps the leadership on the Republican side will have second thoughts and give these people of Venezuela a chance to be protected here until their country is safe.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, one final comment to my colleague. The 7,000 who have been killed by Maduro's secret police is reflective of the fact that those who are here are some of the earliest opponents of Maduro—those who tried to create change but fled. They have a heightened reason why, in fact, going back—in addition to the chaos and in addition to the danger—they are particularly threatened, at the end of the day, because they are the ones who were trying to create change and found a situation in which the threat of their life was at risk so they came to the United States.

Getting protected status—if there was ever a moment in which temporary protected status was envisioned, it is for this situation.

I yield the floor.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### SENATE ACCOMPLISHMENTS

Mr. THUNE. Madam President, I always find that the end of the July work period in Washington, DC, is a good time to take stock of the year so far.

I am looking forward to getting out of DC in the next few days and heading home to South Dakota. I am lucky enough to get to meet with South Dakotans on most weekends, but congressional recesses provide me with unbroken blocks of time to spend in the State and hear about South Dakotans' needs and priorities.

It has been a busy year here in Washington, DC, so far. In the last 7 months, the Senate has worked to confirm nearly 50 well-qualified judges, has provided funding to address the humanitarian and security crisis at our southern border, has given our military the resources it needs to defend the country, and much more.

I am proud that in May, by an overwhelming bipartisan margin, the Senate passed my bill to address illegal and abusive robocalls. My legislation would increase the financial penalties for making illegal robocalls, and it would give law enforcement more tools to go after these scammers who prey on vulnerable populations. The TRACED Act, which is my bill to address illegal robocalls, is one of more than 80 pieces of legislation I have introduced or cosponsored this year. My

robocall bill grew out of the work that I did on the Committee on Commerce, Science, and Transportation, which I have served on now for 11 years, including having served four of those years as chairman.

My serving on the Commerce Committee has given me an up-close look at the issue of consumer privacy. Last year, as chairman of that committee, I convened hearings into consumer data privacy and the accessing of millions of Facebook users' personal data by the political intelligence firm Cambridge Analytica. I also led a hearing to discuss the European Union's General Data Protection Regulation and California's new privacy-related law.

This year, as chairman of the Commerce Subcommittee on Communications, Technology, Innovation, and the Internet, I have continued to focus on consumer privacy. I recently convened a hearing to look at the use of persuasive technology on internet platforms like Facebook and YouTube and on how these technologies can be and have been abused. I believe that developing bipartisan consumer privacy legislation needs to be a priority, and it is an issue I will continue to focus on here in Congress.

Another thing on which I have focused on the Commerce Committee is paving the way for 5G technology, which is the next phase of the wireless revolution, and of ensuring that Americans in rural communities have access to the same broadband technology that residents of more urban areas enjoy.

Last year, the President signed my bipartisan MOBILE NOW Act into law, which I introduced to help secure an adequate spectrum for 5G technology. In June, I reintroduced my STREAMLINE Small Cell Deployment Act in order to address the other part of the 5G equation, and that is infrastructure. Among other things, the STREAMLINE Small Cell Deployment Act will make it more affordable to bring 5G to rural areas by addressing the cost of small cell deployment.

I am privileged to represent South Dakota's farmers and ranchers here in the U.S. Senate, and year after year, one of my major priorities has been to make sure that the needs of our Nation's farmers and ranchers have been addressed. One of my priorities right now is to push for the passage of the United States-Mexico-Canada Free Trade Agreement here in Congress. Farmers and ranchers have been through a few tough years, and one of the things they tell me they need the most is market access for their products around the globe. The United States-Mexico-Canada Agreement will preserve farmers' access to two of our Nation's most significant agricultural export markets—Canada and Mexico—and will substantially expand market access for U.S. dairy products in Canada. It will expand market access for U.S. poultry and egg producers, and it will make it easier for U.S. producers to export wheat to Canada.

Senate Republicans are ready to pass this agreement as soon as the President formally submits it to Congress. We are just waiting for the Democrats in the House, who—despite the significant steps that have been taken to address their priorities—have still not indicated they are ready to take up the agreement. I will continue to urge them to take up this agreement so that our Nation's farmers and ranchers can experience the benefits. I will also continue to push for swift conclusions to the other trade agreements the administration is negotiating.

Being a Member of Congress doesn't just allow you to push for legislation. It also gives you an important platform on which to advocate on your constituents' behalf with the President and his administration. This year I was able to help persuade the Department of Agriculture to move the hay and grazing date to September 1 of this year for cover crops on prevent plant acres. This will allow farmers and ranchers in Northern States like South Dakota to sow cover crops without worrying that they will not be able to harvest or graze them before the winter weather sets in.

Both here in Congress and with multiple Presidential administrations, I have been advocating for higher blends of ethanol for more than a decade, and I was very pleased this year to know the Trump administration moved to lift the ban on the year-round sale of E15, which is a 15-percent ethanol blended fuel. This is a big win for American consumers, for our growing energy independence, and especially for U.S. corn producers, including those back home in South Dakota. Corn producers are thankful that the President delivered on his commitment to the year-round sales of E15.

Yet it is still a tough environment for agriculture. That is why we need to update the EPA's emissions modeling to reflect ethanol's 40-percent reduction in life cycle greenhouse gasses, which will boost its export potential. Most pressing, the administration needs to curb the issuance of small refinery waivers, which are, in part, forcing ethanol plants to slow down, idle, or shutter across America's heartland. This is critical to our seeing through the President's commitment to farmers.

Throughout my time in the Senate, I have been proud to advocate for Ellsworth Air Force Base, which is near Rapid City, SD. I have spent years working with the other members of the South Dakota delegation in Ellsworth and with community leaders to build up Ellsworth. Among other things, our efforts have resulted in the expansion of the Powder River Training Complex into the largest training airspace in the continental United States. Undoubtedly, it is partly thanks to this airspace that, this May, Ellsworth was chosen as the first home for the future B-21 bomber, and it will host both training and operational squadrons. I

am very proud of Ellsworth for receiving these exciting new missions, and I look forward to there being more great developments for Ellsworth in the future.

I have worked on a lot of other bills this year to make life better for South Dakotans and for the American people. I have introduced tax reform bills to help small businesses, to update the Tax Code for the 21st century economy, to encourage charitable giving, and to permanently protect family farms from the death tax. I have introduced legislation to strengthen the agricultural economy, to support the Second Amendment, to help States like South Dakota—those that have low unemployment rates—to address workforce shortages, and much more. There is a lot more to come.

This fall, I look forward to working with my colleagues to continue building on the economic progress that we have made, to tackle our Nation's infrastructure needs, and, among other things, to lower healthcare costs.

I am proud to represent the people of South Dakota here in the U.S. Senate, and I will continue to do everything I can to address South Dakota's priorities and to expand opportunities for South Dakotans and all Americans.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The Senator from Maine.

#### PRESCRIPTION DRUG COSTS

Ms. COLLINS. Mr. President, I rise to highlight the bipartisan work that is underway in the Senate to help Americans who struggle with the high cost of prescription drugs. This problem particularly affects our seniors, 90 percent of whom take at least one prescription drug. It is critical that we continue to build on the momentum of this important pocketbook issue that, I believe, bridges the partisan divide.

Since 2015, as the chairman of the Senate's Special Committee on Aging, I have chaired eight hearings on drug pricing, and we have heard so many heartbreaking stories from people who struggle to afford the medication that they need.

I will never forget standing in line at the pharmacy counter in Bangor, ME, where I live, when the couple ahead of me received a prescription drug and the unwelcome news that the couple's copay was going to be \$111. The husband turned to his wife and said: "Honey, we simply cannot afford this." They walked away and left that needed prescription on the drug store counter. I told the pharmacist I didn't mean to overhear but that I just happened to be the next in line. I asked him how often this happens, and he gave me the terrible news that it happens every single day.

At a hearing on the skyrocketing price of insulin, we heard compelling testimony from Paul Grant, a father of four who lives in New Gloucester, ME, who discovered one day, because the 90-day supply of insulin for his 13-year-old

son with type 1 diabetes had tripled to more than \$900, that he had to resort to paying out-of-pocket for a much lower cost insulin from Canada without his receiving any credit toward his insurance deductible.

At our hearing on the cost of treating rheumatoid arthritis, Patty Bernard, from Falmouth, ME, testified that her out-of-pocket costs soared from \$10 to \$3,800 per month for Enbrel when she transitioned from employer-sponsored insurance to Medicare. She simply could not afford this expense and had to switch to a different drug that was not self-administered. This switch required her to go to her doctor's office once a month for a 2½-hour infusion, and it did not work nearly as well for her.

At another hearing, we heard from Pam Holt, who was diagnosed with multiple melanoma. Ms. Holt is among the 1 million Medicare beneficiaries who have annual out-of-pocket prescription drug costs that exceed \$5,100, which places her in the catastrophic part of Medicare Part D. Seniors still pay 5 percent of a drug's cost above that threshold, and Ms. Holt had to refinance her home to be able to afford her treatment. The price of her medication is staggering at more than \$250,000 per year, and this is not an optional cost. These are costs that are necessary to preserve the lives and well-beings of, in particular, our seniors.

These stories of Americans like Paul, Patty, Pam, and millions of others who find it extremely difficult to afford the exorbitant costs of the medications they need in order to maintain their health or the health of their loved ones have motivated Congress to act on a bipartisan-bicameral basis.

The Senate's Committee on Health, Education, Labor, and Pensions, for example, recently approved the Lower Health Care Costs Act, which incorporates more than 14 measures to increase drug price competition and uses market forces to do so. It includes major provisions from the Biologic Patent Transparency Act, which is a bipartisan bill that I coauthored with Senator Kaine and is also cosponsored by Senators Braun, Hawley, Portman, Shaheen, Stabenow, Paul, and Murkowski. It is intended to prevent drug manufacturers from gaming our patent system.

Patents play a key role in encouraging what can be billions of dollars of investment to bring new drugs from the lab table to a patient's bedside, but the patent system should not be misused to prevent lower priced generic drugs from coming to market once an initial patent has expired. Our bill requires an earlier and greater disclosure of the web of patents that is held by biologic manufacturers, thus making it easier for their competitors, which are known as biosimilar companies, to develop more affordable alternatives without their being stymied by the filing of last-minute new patents that are

intended simply to keep competition out of the marketplace.

It is particularly important that we look at biologics. They have been miracle drugs for many Americans, but they are also the most expensive category of drugs, accounting for approximately 40 percent of total drug costs.

According to former FDA Commissioner Scott Gottlieb, if all of the biosimilars that have been approved by the FDA were successfully marketed in the United States in a timely fashion, Americans would have saved more than \$4.5 billion in 2017. This is an expert calculation from the former FDA Commissioner.

Instead, what happens in too many cases is that the biosimilar competitor is available now in Europe or in Canada but not in the United States.

The HELP Committee package also includes the CREATES Act, which addresses anti-competitive practices of companies that delay or even block access to a sufficient quantity of the brand name drug to conduct the bioequivalency test required by the FDA as part of the generic drug approval process.

This addresses one of the problems identified by a major investigation that the Aging Committee undertook in 2016, examining the explosion in prices of off-patent prescription drugs for which there still is no generic equivalent. What we found in some cases is that the brand name manufacturer was making it extremely difficult for the generic competitor to buy up a sufficient quantity of the drug to do these bioequivalency tests that are required as part of the generic approval process. That is just plain wrong.

Due to the provisions in the bill to spur competition, the CBO—the Congressional Budget Office—estimates that “the entry of certain generic or biosimilar products could be accelerated by one or two years, on average.” This would make a tremendous difference and would reduce consumer as well as Federal and private insurance spending for prescription drugs.

The point I want to make is that this is just allowing the market to operate as it should, with competition, transparency, and an end to the obstacles and the gaming of the system that prevent lower priced pharmaceuticals.

In addition, the Lower Healthcare Costs Act contains several important provisions to shed light on what is currently a complex and opaque system. In fact, I cannot think of any other product we buy where the price is so opaque and lacking in transparency and in which there are such variations in what the cost may be from plan to plan, from pharmacy to pharmacy, from manufacturer to manufacturer, and that is due to a very complex system that I am going to refer to.

At the Aging Committee's hearing on the high cost of insulin, the American Diabetes Association spoke about the lack of transparency when you trace insulin from the manufacturer to the

pharmacy counter. Keep in mind that insulin was first isolated nearly a century ago, in 1921 in Canada, and the discoverers provided it for only a dollar because they wanted to make it widely available.

The ADA chart illustrated the complexity and the perverse incentives in the supply chain for prescription drugs, and what was clear was that rebates are a key problem in driving up the cost of insulin.

There is a system here that is rife with conflicts of interest. If the manufacturer has a high list price, then the pharmacy benefit manager, who is negotiating on behalf of the insurer, has an incentive to choose that manufacturer's version of insulin rather than another manufacturer's because the pharmacy benefit manager is usually compensated by getting a percentage of the list price.

Well, obviously, the manufacturer wants to have its version of insulin chosen to be offered by the insurer to its customers. So here we have this system, which is rife with conflicts of interest and incentives that encourage higher prices because then the middleman is going to make more money, and that discount that the middleman—the pharmacy benefit manager—is negotiating almost never makes it to the pharmacy counter, to the patient who is purchasing the prescription drug.

Sometimes part of that does, indeed, go to the insurer, which can use it to lower overall premiums slightly, but we are talking about trying to help the person who desperately needs the drug and who is buying it at the pharmacy counter.

As cochairs of the Senate Diabetes Caucus, Senator Jeanne Shaheen and I, as well as Senators Cramer and Carper, have introduced legislation to address the flaws in the system and to hold PBMs and manufacturers accountable.

We have come up with a bill that would help to reduce the price of insulin, and what a benefit that would be for the parents of children who have type 1 diabetes, for whom insulin is literally a matter of survival. It would also help those older Americans with type II diabetes, some of whom are insulin dependent.

Another significant change included in the Lower Healthcare Costs Act requires significantly more disclosure on the costs, the fees, and the rebate information associated with PBM contracts. It also includes an amendment that was offered by Senator Baldwin, which I supported, to require more reporting of drug prices to the Department of Health and Human Services and a justification for why prices have increased.

These provisions all build on a law that I authored last year to block pharmacy gag clauses.

I told the story about the pharmacist who was so frustrated because so many people, day after day, were unable to afford the copays or the deductibles on



their needed prescription drugs. Well, I met with a group of community pharmacists who told me how the system worked, and they told me that there were actually gag clauses in their contracts where they were prohibited from sharing with the consumer whether it was cheaper to pay out-of-pocket rather than through insurance.

Well, I am pleased to say, in working with former Senator Claire McCaskill and DEBBIE STABENOW and others, we were able to get gag clause prohibitions enacted into law last year. According to one study, banning these gag clauses could help Americans save money in nearly one out of four prescription transactions. So this is significant legislation.

I talked recently to a pharmacist in Maine who said what a relief it was to her to now be able to volunteer to her patients that there may be a less expensive way for the patient to purchase needed prescription drugs.

One out of four—nearly one out of four—prescription transactions could benefit from the laws that we wrote last year.

Another bill that I authored in 2017 will promote more competition from lower priced but equally effective generic drugs, and it is already showing promise. To date, the FDA has granted nearly 200 application requests under the new, expedited pathway that my law provides, and 10 have been approved. That is a much faster pace than in the past.

As cochair of both the Senate Diabetes Caucus and the Congressional Task Force on Alzheimer's Disease, I know all too well from listening to families in Maine and across the country that the path toward finding new discoveries and treatments is often long and difficult and that success can be elusive, but we must continue our efforts. When pharmaceutical companies start twisting around the incentives that were designed to encourage innovation and, instead, distorting them into obstacles to competition, Congress simply must act, and that is exactly what we are doing.

I want to applaud the work of the HELP Committee. All of us contributed to the bill, and we were ably led by Chairman LAMAR ALEXANDER and Ranking Member MURRAY. I also want to recognize the hard work of Senator GRAHAM and Senator FEINSTEIN on the Judiciary Committee for the bipartisan package of reforms they produced last month.

Finally, I want to salute the Finance Committee chairman, CHUCK GRASSLEY, and the ranking member, RON WYDEN, for taking bipartisan actions just last week in passing the Prescription Drug Pricing Reduction Act. That has many important provisions in it that will require more disclosure. It includes a bill that Senator CASEY and I have authored, as well as many other important provisions, including putting a medical inflation cap on certain pharmaceuticals.

I know how much the Presiding Officer personally cares about this issue, and he has contributed greatly to this work as well. My hope is that we can build upon this momentum, that we can seize the moment when three different committees of the Senate have all been successful in reporting to the full Senate three bipartisan bills.

Our HELP Committee bill was reported by a vote of 20 to 3. That is remarkable consensus.

Let us bring all of these bills to the Senate floor this fall—or certainly by the end of the year—so that we can deliver real results to the American people by lowering the price of prescription drugs.

We would then be very proud of listening to our constituents and addressing a problem that affects millions of Americans.

I yield the floor.

VOTE ON MICHAEL T. LIBURDI NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Liburdi nomination?

Mr. GARDNER. 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 legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisiana (Mr. CASSIDY), the Senator from Georgia (Mr. ISAKSON), and the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 53, nays 37, as follows:

[Rollcall Vote No. 236 Ex.]

#### YEAS—53

Alexander	Gardner	Portman
Barrasso	Graham	Risch
Blackburn	Grassley	Roberts
Blunt	Hawley	Romney
Boozman	Hoeven	Rounds
Braun	Hyde-Smith	Rubio
Burr	Inhofe	Sasse
Capito	Johnson	Scott (FL)
Collins	Jones	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sinema
Cramer	Lee	Sullivan
Crapo	Manchin	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Perdue	

#### NAYS—37

Baldwin	Carper	Durbin
Blumenthal	Casey	Feinstein
Brown	Coons	Hassan
Cantwell	Cortez Masto	Heinrich
Cardin	Duckworth	Hirono

Kaine	Peters	Tester
King	Reed	Udall
Leahy	Rosen	Van Hollen
Markey	Schatz	Warner
Menendez	Schumer	Whitehouse
Merkley	Shaheen	Wyden
Murphy	Smith	
Murray	Stabenow	

#### NOT VOTING—10

Bennet	Harris	Sanders
Booker	Isakson	Warren
Cassidy	Klobuchar	
Gillibrand	Paul	

The nomination was confirmed.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The bill clerk read the nomination of Peter D. Welte, of North Dakota, to be United States District Judge for the District of North Dakota.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisiana (Mr. CASSIDY), the Senator from Georgia (Mr. ISAKSON), and the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 68, nays 22, as follows:

[Rollcall Vote No. 237 Ex.]

#### YEAS—68

Alexander	Gardner	Peters
Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hassan	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rosen
Burr	Hyde-Smith	Rounds
Capito	Inhofe	Rubio
Carper	Johnson	Sasse
Collins	Jones	Scott (FL)
Coons	Kaine	Scott (SC)
Cornyn	Kennedy	Shaheen
Cortez Masto	King	Shelby
Cotton	Lankford	Sinema
Cramer	Leahy	Sullivan
Crapo	Lee	Tester
Cruz	Manchin	Thune
Daines	McConnell	Tillis
Durbin	McSally	Toomey
Enzi	Moran	Warner
Ernst	Murkowski	Wicker
Feinstein	Murphy	Young
Fischer	Perdue	

#### NAYS—22

Baldwin	Cantwell	Duckworth
Blumenthal	Cardin	Heinrich
Brown	Casey	Hirono