

healthcare. Unfortunately, what I have seen on the other side of the aisle and in this administration is that they are fighting to take it away. There is a clear distinction between the two, and I think the American public is tired of it.

We all should be working in a bipartisan way to make sure that everyone in this country has access to affordable healthcare. I will continue to vote for comprehensive and affordable healthcare in this country, and I will continue pushing to strengthen the Affordable Care Act and reduce prescription drug costs for Nevadans. I will keep fighting to ensure that Americans stay safe and healthy, and I will assure you that I will keep talking to my colleagues so that, hopefully, one day we will be fighting for the same thing, which is to ensure that everyone in this country, no matter your background or where you live, has access to affordable healthcare when you need it—when you need that coverage and you want to protect a loved one.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

PRESIDENTIAL PARDONS

Mr. REED. Mr. President, I rise today to express my concerns about the President's recent interference in war crimes cases involving members of the U.S. military and the President's inappropriate public statements regarding these cases.

The President has the power to pardon, but he has a responsibility to use that power wisely, not recklessly. The way he has gone about it in this instance does a real disservice to our troops and the entire American military justice system.

Good order and discipline are critical and time-honored traits of the U.S. military, not only to enable military readiness and effectiveness but also to ensure that military men and women remain firmly tethered to our Nation's moral and ethical principles in the most demanding wartime environments.

A few have argued that the President has the authority to pardon, but that is a false defense. The issue is that the President's intervention in these cases sends a damaging message to the world, our adversaries, and, most importantly, our men and women in uniform. The Commander in Chief's actions should make us safer and stronger in the world, but President Trump's actions do not.

The cases in which the President intervened fall far outside of the norm. The President's pardon authority has traditionally been reserved for non-violent infractions, including draft evasion and desertion. I am aware of no other instance in which a President has intervened to grant clemency for violent crimes committed while in uniform, especially for war crimes including murder.

Especially concerning is the President's decision to intervene in a case

prior to its even going to trial—an action that I believe is an insult to our entire system of military justice.

Just this morning, the President again intervened—via tweet—to stop a Navy administrative review process that could have resulted in the removal of a servicemember from the Navy SEALs, despite the fact that the servicemember was previously found guilty of posing for photos with a dead ISIS fighter. We must expect more from our military men and women, especially those in our Special Operations forces.

Regrettably, President Trump has repeatedly advocated for a return to torture, stating that we should “take out the families” of terrorists and expressing his view on standards of military conduct by saying: “You have to play the game the way they are playing the game.” The President's statements are reminiscent of former Vice President Cheney's embrace of the “dark side” of counterterrorism—the very kind of thinking that underpinned later abuses at Abu Ghraib and the CIA's use of torture as part of its so-called Detention and Interrogation Program.

President Trump tweeted in October that “we train our boys to be killing machines, then prosecute them when they kill!”

No, Mr. President, the U.S. military does not prosecute its own for carrying out lawful missions in service to our Nation. We do not train our troops to kill indiscriminately. We do not train them to attack noncombatants. We do not train them to violate the Geneva Convention and the rule of law because we want our troops to be protected by those same standards. To think or say otherwise is to go against discipline, the selfless service of so many, and the history of our military.

As former Chairman of the Joint Chiefs of Staff GEN Dempsey wrote in May:

Absent evidence of innocence or injustice the wholesale pardon of US servicemembers accused of war crimes signals our troops and allies that we don't take the Law of Armed Conflict seriously. Bad message. Bad precedent. Abdication of moral responsibility. Risk to us.

I couldn't agree more.

Some have claimed that the President's intervention in this case has somehow improved the morale of our military and given them more confidence on the battlefield. On the contrary, President Trump's disregard for our military justice system risks undermining the confidence of our servicemembers in the rule of law—especially those who are courageous enough to bring allegations of war crimes to light and testify against their teammates.

By substituting his judgment for that of commanders and military juries, the President may also inadvertently increase the risk to our U.S. personnel overseas. When we do not hold our military personnel to appropriate standards of conduct, it makes it more likely that they will face similar

abuses on the battlefield and less likely that we will be able to hold our enemies accountable.

There is no one with more credibility and no one with the service and sacrifice who can say it any better or more authentically than former Senator John McCain, who stated:

This is a moral debate. It is about who we are. I don't mourn the loss of any terrorist's life. What I do mourn is what we lose when by official policy or official neglect we confuse or encourage those who fight this war for us to forget that best sense of ourselves. Through the violence, chaos, and heartache of war, through deprivation and cruelty and loss, we are always Americans, and different, stronger, and better than those who would destroy us.

Those are the words of John McCain.

I believe the President's actions minimize the honorable service of all U.S. servicemembers who have served with discipline and distinction since 9/11 and have answered our Nation's call throughout the history of this country.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

HONDURAS

Mr. LEAHY. Mr. President, I have spoken previously about the alarming rates of corruption, violent crime, and impunity in Honduras. While Honduras is by no means unique in this regard, it is a serious concern given the challenges it poses not only for the people of Honduras but also for the United States.

Every week, my office receives word of another assassination in Honduras of a social leader, environmental activist, indigenous rights activist, journalist, or trade unionist. Rarely does a week go by that we do not hear about threats against these individuals. Rarely does a week go by that we do not receive reports of arbitrary and prolonged imprisonment of critics of government policies or practices. While the murder of Berta Caceres on March 3, 2016, captured the world's attention, that outrageous crime was but one of many targeted killings of Hondurans