If Mr. Rosenstein is true to his word, that he believes this investigation must be “fair, free, thorough and politically independent,” if he believes, as I do, that the American people must be able to have faith in the impartiality of this investigation, he must appoint a special prosecutor and get his investigation out of the hands of the FBI and far away from the heavy hand of this administration.

Mr. Rosenstein has the authority to appoint a special prosecutor right now. He may appoint a congressional authorization. This would simply be a step that he could take, as outlined in the Department of Justice guidelines and in a law passed after Watergate, to get an independently minded prosecutor who would be insulated from various pressures.

A special prosecutor is not subject to day-to-day supervision by the Attorney General or anyone else at the Justice Department. That means the special prosecutor would have much greater latitude in whom he can subpoena, which questions they can ask, and how to conduct an investigation. The special prosecutor can only be removed for good cause, such as misconduct, not to quasi-political purposes.

Third, there is built-in congressional oversight. Congress is notified whenever a special counsel is appointed, removed, or has finished with the investigation. The appointment of a special prosecutor would be a welcome step in the right direction, but it is not the only action that should be taken.

There are a great many outstanding questions about the circumstances of Director Comey’s dismissal, the status of the executive branch investigation into the Trump campaign ties to Russia, and what the future holds for these investigations.

So I will be requesting that the majority leader call a closed, and if necessary, classified, all-Senators briefing, with the Attorney General separately at which, and the Deputy Attorney General separately, at which they can be asked questions.

Some of the questions: Why was Attorney General Sessions, who had recused himself from the Russia investigations, able to have faith in the man conducting the Russia investigation? Did Deputy Attorney General Rosenstein act on his own or at the direction of the President or the White House? Are reports that the President has been searching for a rationale to fire the FBI Director for weeks true? Was Director Comey’s investigation making significant progress on a direction that would cause political damage for the White House? Why didn’t the President wait for the Inspector General’s investigation into Director Comey’s handling of the Clinton email investigation to conclude before making his decision to fire him? Was this really about something else?

No doubt, we will have an opportunity to question Mr. Comey, now a private citizen, about what happened, but we need to hear from this administration about what happened and why, and what is going to happen next. That is why, again, I am requesting that the majority leader call a closed, and if necessary, classified, all-Senators briefing with the Attorney General and the Deputy Attorney General separately, at which they can be asked these questions.

I hope the majority leader agrees with me that we need to get to the bottom of this and get a handle on all the facts so that we can grapple with them. I remind him and my Republican friends that nothing less is at stake than the American people’s faith in our criminal justice system and the integrity of the executive branch of our government.

I yield the floor.

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

Mr. MCCONNELL. 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 legislative clerk called the roll.

The result was announced—yeas 49, nays 51.

[ Rolcall Vote No. 125 Leg.]

YEAS—49

Alexander    Flake    Portman
Barrasso    Grassley    Risch
Blumenthal    Graham    Roberts
Booker    Hatch    Rounds
Brown    Heller    Rubio
Capito    Hoeven    Sasse
Cassidy    Inhofe    Scott
Cooper    Johnson    Shelby
Coryn    Kennedy    Strange
Cotton    Lankford    Sullivan
Crapo    Lee    Thune
Cruz    McConnell    Tillis
Enzi    Moran    Toomey
Ernst    Murkowski    Wicker
Fischer    Pallone    Young

NAYS—51

Balduin    Gillibrand    Murphy
Bennet    Graham    Murray
Blumenthal    Harris    Nelson
Booker    Hassan    Peters
Brown    Heinrich    Reed
Cantwell    Hertkamp    Sanders
Cardin    Hirono    Schatz
Carper    Kaine    Schumer
Casey    King    Shaheen
Collins    Kirk    Stabenow
Cousins    Leahy    Tester
Portman    Menendez    Udall
Donnelly    Markley    Van Hollen
Duckworth    McCain    Warner
Durbin    McCaskill    Warner
Feinstein    Menendez    Whitehouse
Franken    Merkley    Wyden

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 52, Robert Lighthizer to be United States Trade Representative.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Robert Lighthizer, of Florida, to be United States Trade Representative, with the rank of Ambassador Extraordinary and Plenipotentiary.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT REQUEST—AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 13 requests for committees to meet during today’s session of the Senate. They include the Armed Services Committee briefing on capabilities to counter Russian influence in cyberspace, a Banking Committee hearing in North Korea, and a Homeland Security Committee hearing on cyber threats facing America. These committees and all the other committees are doing important work; therefore, I ask unanimous consent that the 13 committees be allowed to meet.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Reserving the right to object, because of the decision last night of the President of the United States to terminate the Director of the FBI and the questions that has raised, we gathered together—the Democratic Senators—on the floor and listened as our leader at least suggested a path for us to follow as an institution facing this constitutional question. We believe it is timely, and as a result of that, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

CONGRESSIONAL REVIEW ACT RESOLUTION

Ms. CANTWELL. Mr. President, I come to speak against the Congressional Review Act resolution to overturn an important rule that has been put in place to protect the American taxpayer and to protect the health of American citizens.

For almost 100 years, the Federal Government has regulated undue waste in oil and gas fields. The story of oil and gas waste is as old as the story of oil and gas.

Early oil gushers, like Spindletop in Texas, revealed two things about oil as an emerging source of energy: First, there was a huge amount of it. Second, without rules in place, it could be easily wasted. That is why, way back in 1915, Attorney General Thomas Gregory issued a report to the public about this issue. Gregory wrote that the law at the time allowed oil companies to ‘occupy and operate any number of oil and gas tracts of public oil land without restraint upon the quantities of oil produced or the methods of production and sales of the same.”
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May 10, 2017

without rendering to the . . . government anything in return.” One can imagine that concern. Gregory went on to point out that “the incentives to speculative occupation, negligent and wasteful operation, and excess production are pronounced.”

Some of my colleagues who are not on the Energy and Natural Resources Committee may not be familiar with the law Congress passed after Attorney General Gregory put his finger on the waste problem. The Mineral Leasing Act of 1920 established our modern leasing program for oil and natural gas. More than anything else, the leasing act enshrined the principle that the public should benefit from mineral production on public lands. This seems like a no-brainer today, but it took over a decade of debate to pass the leasing act.

One of the main parts of the leasing act was a requirement to avoid wasting oil and gas. There are many environments where the amount of venting and flaring causes a big problem. The more than 500 billion cubic feet of gas that is vented or flared every year.

The leasing act is still the law, and the law says that oil and gas operators must “use all reasonable precautions to prevent waste of oil or gas developed in the land.” The law says that Federal leases must include a provision that such rules . . . for the prevention of undue waste as may be prescribed by [the] Secretary shall be observed.” The BLM’s methane rule is entirely in keeping with that history. The rule says that the outdated 1970 version of this rule needed to be updated.

The rule was put in place before the fracking took place that revolutionized the industry, before the shale plays opened, and before infrared imaging became commonplace. What has not changed since 1920 is that oil and gas companies cannot waste public resources, but let’s be clear: It was dollar signs that led to the waste provision. Overproduction would glut the market and damage the oil reserves, and wasted oil provided no return to the taxpayers.

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The rule was put in place before the fracking took place that revolutionized the industry, before the shale plays opened, and before infrared imaging became commonplace. What has not changed since 1920 is that oil and gas companies cannot waste public resources, but let’s be clear: It was dollar signs that led to the waste provision. Overproduction would glut the market and damage the oil reserves, and wasted oil provided no return to the taxpayers.

When equipment is leaky or old, oil and gas producers vent natural gas directly to the sky. If they do capture the gas but have nowhere to send it, the gas just gets burned on site. This venting and flaring causes a big problem. This photograph shows that actual problem happening.

I am sure that many citizens across the United States who have witnessed this and have been concerned about what pollutants might be entering the atmosphere. The hazardous health impacts of this are tremendous—benzene, which causes cancer—and I will talk more about that in a minute.

The amount of venting that is happening is enough gas to supply every home in the interior West—Idaho, Montana, Wyoming, Colorado, Utah, Nevada, Arizona, New Mexico—with gas left over for the Dakotas. Every home. The amount of gas we waste every single year on Federal lands would be enough to supply Tennessee forever, and there could be some left over for West Virginia.

On Federal lands, operators have more than doubled how much gas they have flared and wasted between 2009 and today, and that is the practice we are trying to stop. Under the old 1979 rule, operators had to apply to BLM to vent or flare. In practice, BLM, because they did not have a new rule in place, basically just had a “yes” or “no” answer. In 2014, the Bureau of Land Management received 25 times more applications to vent or flare than in 2005.

What was happening was that we as a Federal Government were failing in our responding and updating the act to make sure producers were living up to the intent of that earlier law, so government watched the issue and started calling for a solution.

The Government Accountability Office and the Interior Department’s inspector general concluded that the Bureau of Land Management needed to change the way the Government Accountability Office concluded in 2010 that about 40 percent of wasted natural gas on Federal leases could be economically captured with existing technology.

Some States had already taken action into their own hands. In Colorado, the State passed a strong venting and leak detection regulation, which really became the model for the national Bureau of Land Management, and oil and gas production has since increased.

There was a notion that in making sure that waste was not promulgated—that it somehow was going to slow down the industry, but it has been just the opposite. In fact, some of my colleagues and others in these areas have talked about how the United States should lead the way on new technology to stop the leakage and to prevent these flarings as a way for the industry to show technology leadership.

Also, in North Dakota, a Republican administration passed flaring restrictions after years of there being uncontrolled flaring in the Bakken. States took action, and various watchdogs got on the case. Here in Washington said the Bureau of Land Management needed to act. The BLM finally acted, and its final rule is similar to the North Dakota approach. So States have already been leaders on this methane issue. But this patchwork of State rules is not what we need; we need a Federal baseline.

It is bad enough that wasted natural gas will never have an economic use. Making the issue worse is that every cubic foot of wasted natural gas is another cubic foot that has to be produced somewhere else. What does that mean for our wallets? Research by ICF International shows that $330 million of natural gas is wasted intentionally on Federal lands every year. Over time, the public is losing billions of dollars. Over a decade, the lost royalties that have been calculated by the Government Accountability Office on wasted gas will add up to $230 million. While the amount depends on the price of natural gas, we cannot afford to give up this revenue.

A vote for disapproving the resolution will let the oil and gas industry roll back the clock to 1979. This resolution is not about the taxing of the taxpayers their fair share. It is another example of special interests trumping the public interest.

Even worse than the taxpayer issue, though, is that wasted natural gas harms public health. That is why those States took action. One of the most prevailing problems on this issue is in the Four Corners States, and my colleague from New Mexico will be talking about this shortly.

When one looks at the entire United States on a map that shows the amount of waste of methane, one can see all of this yellow coloring in the Midwest—in Ohio—and in other States, but one can see the hotspot in the Four Corners area. The Four Corners States have tried to take action—places like Colorado and New Mexico, with, obviously, Arizona and Utah being affected—because wasted natural gas basically releases a volatile organic compound. It creates ozone and smog. It also can make people sick. This pollution worsens asthma, emphysema, and increases the risk of premature death. It releases toxins, like benzene, that cause cancer. And the methane, the main constituent of the natural gas, is 25 times more powerful at trapping heat than carbon dioxide.

That is why a recent analysis by the Clean Air Task Force found that over 9 million people are exposed to these dangerous levels of air pollution from oil and gas production. That is why my colleague Senator BENNET of Colorado has been such an outspoken advocate of keeping this rule in place. It is because that corner of Colorado has faced so many impacts that they want to make sure their citizens are protected.

With the rolling back of this Federal rule, basically what one would be saying is that it is OK to continue this level of pollution—an anathema to what the people of Colorado have been asking for.

Oil and gas pollution can make rural areas seem like the middle of a city. A few years ago, NASA scientists discovered a massive cloud of methane over the Four Corners region. This is the highest concentration of methane in the Nation. After aerial surveys, NASA found that over half of the methane is from natural gas equipment, including tanks, wells, pipelines, and processing facilities. The ozone over the Four Corners is almost as bad on some days as in the city of Los Angeles—a city with 300 times as many people.
As bad as methane waste is on Federal land, this rule only targets 10 percent of that wasted by the oil and gas industry because we are targeting Federal land. It only affects a small minority of the oil and gas production. Ninety-five percent of that production is in other areas. But this rule is important to put in place because we cannot ignore the impacts on pollution, and we cannot ignore the costs to our Federal lands.

The Bureau of Land Management compared the costs and benefits of this rule without factoring in the reductions in ozone, particulate matter, or smog, and the BLM ignored the value of reducing carcinogens. We know that this particular conservative analysis shows a net benefit of between $46 million and $204 million each year. This makes economic sense to implement.

Under the very obsolete 1979 regulation that the methane rule replaces, oil and gas operators had to apply to the BLM for permits to flare natural gas. The old rules also had no specific equipment requirements.

As I said earlier, the world has changed dramatically since 1979 when it comes to oil and gas production. The new rule takes commonsense approaches to stepping up our attempts to reduce this waste and prohibit the venting, except in emergencies and in some circumstances. They estimate that it will cut the venting by 35 percent. It also sets capture targets for flaring, allowing operators flexibility on how to meet those targets. The BLM estimates they will reduce flaring by 49 percent.

The rule requires operators to inspect their wells and their equipment. People may have heard unbelievable stories from California about a huge methane leakage that caused unbelievable amounts of damage. We know that we want the best equipment, that we want the best detection, and that we want a strong rule in place to stop wasting this natural gas, give the taxpayers a fair deal, and protect the American people from harmful levels of pollution. That is why we want this rule to stay in place.

With America’s increased natural gas production, now is not the time to take a very solid rule off the books—a rule that protects the American people. The technology to conduct these inspections already exists. infrared imaging and other technology has been sold commercially for decades. What we are really saying is that people just do not want to spend the money to implement them.

Fourth, the rule requires operators to replace leaky equipment, like the pneumatic controllers and pumps, and it is trying to make sure that we eliminate the methane waste.

So the final rule is in step with what the Government Accountability Office told us 7 years ago—that about 40 percent of the waste can be captured economically. BLM took those best practices and State examples, as I mentioned, including North Dakota and Colorado, and implemented a new rule. It includes Colorado’s venting and inspection and retrofitting requirements, and regulation 7. It includes North Dakota’s capture targets for flared gas in it, and it includes Wyoming’s venting and inspection requirements in the Upper Green River Basin.

Not only did the Bureau of Land Management test practices of States, but it also included a variance provision in the final rule. Any State or Tribe with equally effective regulation in place can minimize their methane waste and can apply for a variance from the Department of the Interior. There is a lot of flexibility there, I would say, for States that are trying to lead the way. But based on this careful approach, the final rule and its benefits are estimated, as I said earlier, to bring in 340 million.

So the public in those States that are most affected certainly want this rule. As more Americans understand the level of natural gas production and the wasteful venting that continues to take place, they want this rule in place as well.

Passing the resolution just after a few hours of debate and trying to undermine this rule would go against the 330,000 public comments that were collected during the process of establishing this rule. So we certainly don’t want to overturn what was a very long and elaborate process to put this very important rule in place.

Proposing more waste is not going to solve our economic challenges. Proposing more pollution is not a solution. We know that in the most recent annual poll by Colorado College, western voters said that 81 percent of them supported making sure that the Bureau of Land Management had strong methane rules. My colleagues appear not to understand how much the public wants to get this implemented. I hope my colleagues will continue to support the effort to use the Congressional Review Act resolution and instead keep this very, very important public health and economic taxpayer solution on the books.

As Mark Boiling, an executive with Southwestern Energy, a major natural gas producer, said, this resolution and trying to turn back the rule is “a huge mistake.” He pointed out that it could have “unintended consequences for oil and gas technology.”

So I want make sure this rule stays in place. Let’s keep a strong rule on the books, as I said, for the health of the American people and to make sure that taxpayers get a fair deal with these companies that are producing on Federal lands. I thank the Chair.

I yield to my colleague from New Mexico, who has been outspoken on this issue in making sure that Congress addresses the flaring and leakage of natural gas.

The PRESIDING OFFICER (Mr. Young). The Senator from New Mexico, Mr. Udall, Mr. President, if I sound a little hoarse, it is because my allergies are acting up, but I feel just fine. Let me start out by thanking Senator Cantwell. Her leadership on the Energy and Natural Resources Committee has been pretty important.

For this Congress, I think this is the very first CRA that has been turned down. We have been voting on many of them since the Congress came back in session in January. This is the very first victory we have had on denying the CRA.

When we talk about what a CRA does, it is a very blunt instrument that has only been used once until this Congress, and what it does is just blow out an entire area of the law. So if you talk about this BLM methane rule and you have a part of the law that says the government shall try to prevent waste, well, if you blow that provision of the law out, the agency can do nothing until we get to the point that the Congress acts, and sometimes we move very slowly.

So I really appreciate the leadership of Senator Cantwell, and I want to thank her so much and all of the members of her committee, in particular. Senator Heinrich, who serves on that committee and has been very outspoken on this rule, and I believe his leadership has always been acknowledged by Senator Cantwell as well.

This issue that we are debating and that we had this good vote on is about three things. First of all, it is about the waste of a natural resource that the public and the Tribes own. Let’s talk about the resource here for a second. We are talking about, to start with, natural gas. So when we think of natural gas, as many people know, what we are talking about is when you turn on your stove, and it is a natural gas stove, that is how we cook our food. Many houses run heat on natural gas, and we know now that many of our powerplants are converting over to natural gas because it is a very good fuel in terms of lowering carbon emissions. So natural gas is a big part of our energy economy. It is actually going up as coal is going down.

Look at this photograph which shows more than $330 million of natural gas wasted. This just shows us the huge power of natural gas. What was happening is that natural gas was being flared. This depicts the top one of these oil and gas operations. They are just burning that up. So rather than that energy being used at home or used in industry, it is just being wasted. On top of that, we know it has a massive climate impact.

This was a very commonsense rule. I think the thing people should understand is that several Western States, including Colorado and Wyoming, passed an almost identical rule to deal with this issue. All BLM tried to do was to use that common sense from the West, where it had already happened in several States, and put it in place for
the Nation. So this is a good, solid rule, and it is a commonsense rule, and I think it prevents waste, just like it was laid out to do.

The second point is that when we talk about this issue, it is about job creation. We are talking about here is, when you have this kind of waste, how do you prevent the waste? Well, the thing we have seen in New Mexico that occurs is that many of these oil and gas industries reach out to people who haven’t been in business, and they say: How do we prevent this waste? Well, actually, we use infrared to focus on the oil and gas operations and all of their pipes, and we can detect the natural gas waste, and then we can go about actually fixing it at all the various fittings and places where that happens. Guess what. A lot of jobs are created in that process. This is growing in New Mexico, growing in Colorado, and with this rule in place, over time, it is going to continue to grow. We are going to create some small businesses. It has already created small businesses, and it is going to be pretty dramatic on that front.

The third thing that we are here about has to do with public health. Obviously, emitting all that gas is not good for the environment and as Senator CANTWELL showed, you have a methane cloud the size of Delaware over the Four Corners area; so it is really impacting New Mexico, Colorado, Utah, and Arizona—what is the impact in terms of methane? Well, we know there are serious public health impacts. We know that asthma is impacted by this, as well as other respiratory diseases—the kinds of things that occur on a regular basis as we have that kind of methane pollution that goes into the air. As I mentioned just a little bit earlier, methane is a very, very powerful and potent greenhouse gas. So we know that by releasing it—the flaring that we talked about—it is really bad, putting that methane into the atmosphere. We are also adding to the greenhouse gases, which are warming the planet and creating, in the Southwest, as we know, catastrophic forest fires, extreme weather events, impacts on water, and impacts on agriculture. So we know that it is here now and that the Western States are in the bull’s-eye.

So let me just say that these are three compelling things that we have done today by asserting this rule. We are preventing waste, we are moving job creation, and we are acting on the part of public health.

When we have a victory like this, there are just so many people that should be congratulated—people that pulled together. First of all, just to start, Senator CANTWELL just finished, and she is our ranking member on the committee. Senator BENNET, I think, was actually the 51st, and I hope he tweets, that he can say when he called out and congratulated for having courage, for having common sense, and for stepping forward. I would just like to say about my three friends on the Republican side—Senator MCCAIN, Senator G RAHAM, and Senator HARRAM—we thank you so much for stepping forward and seeing the commonsense nature of this issue and standing to make sure that we didn’t head in the wrong direction on this.

Thinking a little bit about some of the groups that voted with us and worked with us and helped us and advised us out in the field, the groups that stood with us should to should include the Environmental Defense Fund, the National Parks Conservation Association, and the Ceres business group. We had a lot of businesses—understanding that this is a business issue and a job creator—like Taxpayers for Common Sense. We don’t always see them weigh in on regulatory issues like this. The Center for Methane Emissions Solutions, and so many environmental and public health groups, including Earth Justice, the National Parks Association, the League of Conservation Voters, the Sierra Club, and many, many others, including the Western Environmental Law Center, and are also part of that.

I thought we should talk for a second about—in addition to all of those groups—some other groups that joined us, and they are these medical and public health groups that abhor natural gas waste. Look at all of these groups in addition to the ones I mentioned. These are people who have real expertise in public health: Allergy & Asthma Network, American Lung Association, American Heart Association, the Center for Climate Change and Health, and Physicians for Social Responsibility. I have always been impressed by that group. Here you have docs who are stepping up, wanting to be socially responsible on things. There are many wonderful physicians like that in New Mexico and across the Nation, and they have organized themselves as PSR. We also have the Public Health Institute and the National Medical Association.

So we had a lot of the medical and public health groups that have stepped forward and said: We are not going to waste natural gas. Let me thank them. Also, the Western Environmental Law Center, which is in New Mexico and works on this issue, has been a pretty incredible group, hard-working, headed up by a gentleman by the name of Doug Meiklejohn, and Doug really makes a difference on all of these issues in New Mexico and, in particular, here in this case.

I would be remiss if I didn’t mention some of the groups that have pulled together—groups of ranchers, Tribes, and public health groups. We just talked about the public health groups. But there is one rancher in New Mexico whose sole focus has been this issue. His name is Don Schreiber. He appeared at a press conference yesterday here in Washington with Senator BENNET, who tweeted that out. When he came over, I was actually the 51st, and I hope he tweets, that he can say when he called out and congratulated for having courage, for having common sense, and for stepping forward. I would just like to say about my three friends on the Republican side—Senator MCCAIN, Senator G RAHAM, and Senator HARRAM—we thank you so much for stepping forward and seeing the commonsense nature of this issue and standing to make sure that we didn’t head in the wrong direction on this.

Also, we never get anything done around here on the Senate floor without our wonderful staff. I want to thank Jonathan Black, who has worked on this issue for many years. Jonathan actually worked for Senator Bingaman on the Energy and Natural Resources Committee, so he brought a lot of that expertise. We have a young man from the office sitting here with me on the floor, Sean MacDougal, helping me with these charts. Sean is a congressional fellow in our office on loan from the Bureau of Land Management, and he has brought a lot of knowledge to the table.

Mr. President, to reiterate, I oppose H.J. Res. 36—the Congressional Review Act resolution to disapprove the Bureau of Land Management’s methane and waste prevention rule. BLM’s rule prevents the unnecessary waste of a public resource and makes sure New Mexicans—and all American taxpayers—get fair value in return for commercial use of that public resource.

The rule requires oil and gas facilities operating on public and Indian lands to prevent unnecessary flaring, venting, and leaking of methane. Rigorous analysis shows that the overall benefits to the American public far outweigh the costs, and technology to implement the rule is readily available and cost-effective to industry.

The current BLM rules on natural gas waste are over 35 years old, issued in 1979. Federal watchdog agencies have been issuing reports for almost a decade—recommending that the BLM update its rules and prevent waste wherever possible. The science and technologies like horizontal drilling, the amount of gas wasted in recent years has increased significantly. From 2009 to 2013, the total...
We throw the phrase "common sense" around a lot these days when we talk about laws or regulations we like, but the BLM's waste prevention rule really is a commonsense rule.

Over the past 4 months, Congress has repealed 13 Federal rules using CRA authority. These regulations involved years of work by the agencies and were developed transparently through the public notice and comment process. Congress overturned these rules without public input, hearings, or debate.

I understand repeal of "burdensome" Federal regulations is a strong rallying cry, and I wholeheartedly agree that Federal regulations should not be overly burdensome.

The BLM's waste prevention rule is good for the American public, and the cost to industry is de minimus. In fact, there are benefits to industry from increased production and the resulting increase in revenues. The BLM's rule is one rule that should not get swept up in the political tide of CRA repeal.

Congress must loud and clear that the BLM has an obligation to prevent waste of oil and gas on public and tribal lands starting with the 1920 Mineral Leasing Act.

That act—governing leases on BLM land—requires every lease to contain provisions for "the prevention of undue waste. . . ."

Federal law obligates the BLM to make sure the public gets a fair return from profits generated by oil and gas leases and the BLM himself. The 1976 Federal Lands Policy and Management Act requires that "the United States receive fair market value of the use of the public lands and their resources. . . ."

The 1982 Federal Oil and Gas Royalty Management Act obligates these same oil and gas companies to pay the Federal Government "royalty payments on oil or gas lost or wasted."

Congress has determined that oil and gas companies extracting resources on public lands can't waste the resource, and, if they do, they must pay fair market value to the American public.

Despite Congress's prohibition against waste, tremendous volumes of oil and gas under BLM lease are wasted each year through flaring, venting, and leaks.

Operators do not always use best practices when they flare and vent. Some even abuse the practice. As a result, hundreds of millions of dollars of oil and gas that are recoverable are vented and flared. That is obvious, that the BLM's decades-old guidance did not take account of current technology to reduce venting and flaring.

The GAO recommended that the BLM update its regulations to address the avoidable loss of gas on public lands.

There are other GAO reports, but I want to talk about one more.

In 2016, the GAO issued a report entitled, "Interior Could Do More to Account for and Manage Natural Gas Emissions." It detailed the BLM's highly inconsistent practices approving royalty-free venting and flaring incidents.

Looking at a random sample of operator requests to vent or flare from fiscal year 2014, the GAO found that fully 90 percent of the requests, almost half of which were for royalty-free venting or flaring. That is a lot of Federal, State, and tribal royalties lost based on incomplete records.

The GAO is charged with helping Congress make sure Federal agencies are doing the best job they can for the American public. We should not disregard repeated GAO recommendations—spanning almost a decade—for the BLM to modernize its oil and gas royalty program.

If we pass this disapproval, the BLM is foreclosed from updating these rules. In the face of the GAO report after another telling us that the BLM must do better, that would be just irresponsible to taxpayers.

Secretary Zinke has been charged to review the BLM rule as part of the President's "Energy Independence" Executive order. If, after review, the Secretary concludes that the BLM rule should be modified, the Department of the Interior can proceed to amend the rule through the public rulemaking process, but, when we have been told time and time again that there is unnecessary waste and the BLM rules need updating, Congress should allow the DOI review to go forward and not permanently prevent DOI from considering how to prevent unnecessary waste by oil and gas facilities.

Let's not forget that half the royalties from Federal leases go to State treasuries. States use these royalties for schools, roads, and infrastructure projects.

My home State of New Mexico had the second highest number of acres under BLM lease in the country, after Wyoming—over 4.6 million acres—and the second highest number of BLM oil and gas leases—over 8,000.

New Mexico has a lot at stake in the BLM's waste prevention rule.

ICF International estimates that the natural gas in New Mexico that could have been captured and marketed under BLM lease in the country, after Wyoming—over $100 million a year and would have produced $43 million in royalty payments for our State.

In New Mexico, those royalty payments are used in part for educational materials in the public schools. That is textbooks, digital materials, science supplies, art supplies, and accessible materials for students with disabilities. That $43 million would have gone a long way for New Mexico schoolkids.

Let's not forget that half the royalties from Federal leases go to State treasuries. States use these royalties for schools, roads, and infrastructure projects.

Scientists have been researching the methane 'hot spot' over the Four Corners area that I talked about earlier. The hot spot covers about 2,500 square miles—the size of the State of Delaware.

That single cloud comprises nearly 10 percent of all methane emissions from natural gas in the United States. The San Juan Basin is ranked No. 1 in per capita methane pollution in the U.S. Scientists have been researching the sources of this methane plume. When the hot spot was discovered, oil and gas companies claimed the high concentrations were caused by "natural"
sources, but researchers have found out this is wrong. They have identified 250 sources—the majority of which are oil and gas operations and include gas wells, storage tanks, pipelines, and processing plants.

Of the 250 sources, only Colorado has robust rules to prevent methane emissions. Colorado’s rules are proving successful, and the BLM incorporated provisions from those rules.

It is important to my State that the BLM’s waste prevention rule stay on the books. We don’t need that methane hot spot in our backyard and New Mexico sorely needs the royalty payments owed.

The BLM’s rule is also important for tribes. As vice-chair of the Senate Committee on Indian Affairs, I work to make sure the Federal Government upholds all its trust responsibilities. One of those responsibilities is making sure tribes get the royalties they are entitled to from private oil and gas companies operating on Indian lands.

Tribes receive 100 percent of the royalties from the oil and gas leases on their lands. The BLM estimates tribes will get up to $1.2 million more in royalties over 10 years under the rule. That is money we have a trust responsibility to make sure tribes get.

The BLM estimates the rule would reduce emissions of volatile organic compounds, or VOCs, by 310,000 tons over 10 years on tribal lands. Reducing VOC emissions means cleaner air for tribes.

The Federal Government will not be upholding its trust responsibility if the BLM rule is repealed.

I have a statement from the Navajo Nation president, Russell Begaye, detailing the reasons the tribe supports the BLM’s rule. President Begaye states that the BLM’s rule is important to reducing methane emissions and the technologies and practices to prevent waste are economically feasible.

In fact, many oil and gas operations will see a net benefit. Like the company in the San Juan Basin that got almost a fivefold return on its investment.

The BLM conducted an exhaustive cost-benefit analysis of the rule.

Looking at the average cost to a company to implement the rule, the BLM found it would be reduced by only 0.15 percent, a bit over one-tenth of 1 percent. That is minimal.

That cost does not even count the savings to industry from increased production and increased revenues.

In fact, the BLM found that net economic benefits to industry could be as much as $47 million per year—taking into account the savings from increased production and increased revenues.

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In fact, many oil and gas operations will see a net benefit. Like the company in the San Juan Basin that got almost a fivefold return on its investment.

The BLM worked with the EPA and States to ensure the rule works for them and does not impose conflicting or redundant requirements.

Just last week, the EPA announced a 90-day delay on its own methane control rule based on industry’s objections to regulation. More concerning, the EPA withdrew its information request from industry that was intended to help EPA determine how to address methane emissions from existing oil and gas sources. These EPA actions mean the BLM rule is needed more than ever to reduce natural gas waste and the proper collection of royalties.

Job loss is not an issue. So job loss is not an issue. If we don’t pass this, we won’t see any economic benefits from this.

The BLM’s methane waste prevention rule does. It creates jobs, and the proper collection of royalties.

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Finally, there is no evidence anywhere that the rule will cost even one job.

In fact, the Bureau of Labor Statistics has recorded 2,700 new jobs since November 2016, while the price of oil has stagnated. Furthermore, the Baker Hughes rig count showed 300 more rigs drilling for oil and gas since the BLM rule came into effect. This is an increase in production of over 50 percent.

Colorado issued the most comprehensive rules to date to decrease methane emissions, and not only have no jobs been lost, but jobs have been gained as new companies and technologies focused on inspection, monitoring, and compliance have opened. These are good American jobs.

In New Mexico, we have at least 11 new companies in the methane mitigation business, and I want to see that number grow.

Even if the rule were to force an operator to shut down, that company would be eligible for exemption from the requirements.

So job loss is not an issue.

Second, we hear that the BLM’s rule is duplicative and unnecessary, that the EPA’s methane rule is adequate, and that States are already regulating methane.

Here are the facts. The EPA’s rule only applies to new and modified oil and gas operations. The BLM’s rule applies also to existing facilities. This is a big difference between the rules. Making sure all current operations prevent waste is critical to making sure taxpayers get the benefit owed.

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So job loss is not an issue.
The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, I ask unanimous consent to speak as in morning business.

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

AUTHORITY FOR COMMITTEES TO MEET REQUEST

Mr. MORAN. Mr. President, all of us, every Member of the U.S. Senate, all 100 of us, whether we are Republicans or Democrats, want the U.S. Senate to function. We ought to want the Senate to be able to accomplish its work. It is a challenge all the time but learning what transpired this morning on the Senate floor, in my view, reaches another low for the Senate.

It is hard to explain, but it takes unanimous consent for committees to meet while the Senate is in session, and that is a request that is made on an ongoing basis when the Senate convenes, and it happened again this morning without exception, it is routine. The rules require that 2 hours after the Senate convenes, no committee can then meet unless there is agreement. So the majority leader today requested that the unanimous consent be granted, just like in almost every other day in the Senate, but what was different today was an objection, which was raised by the minority whip, and apparently the explanation is it is because of the firing of the Director of the FBI last night.

Now, clearly, the Senate is functioning or not functioning seems to me to be unrelated to what transpired last night relating to the Director of the FBI. So in this place, where we are trying to do the people’s work and make decisions and do good for America, the spillover over partisan politics, the spillover about playing a political game, highlighting a point has now caused the Senate to not be able to conduct hearings today. In fact, the minority Members of that hearing were instructed, requested, on their own volition—all left the hearings that were already being conducted this morning in protest over what transpired last night.

I am of a view that this is a diverse country. I am of a view that people of the U.S. Senate represent folks from across the country with different philosophies, different political parties, different people, different backgrounds. We all bring to the Senate a set of challenges that are different. It is different from another, but I have great regard and respect for every Senator’s point of view, and I would say that every Senator ought to have the ability to express their views on behalf of their constituents, but we can only do that if we allow the Senate to function. I was on the Senate floor not long ago praising the fact that we finally were successful in the appropriations process; that we passed the fiscal year 2017 appropriations bill. For too long, the appropriations process has been broken down, and we have conducted business in the United States by continuing resolution. I thought we were back on a path in which there was enough agreement, respect among Members, enough setting aside of partisan differences to actually accomplish legislation. I was pleased that we did that, but today we fall back into the pattern of what something happens, we want to make a political point. We then obstruct the ability of others in the Senate to conduct their work, to express their opinion, to gather the information they need.

This is attention—what transpired today—because this afternoon at 2:30 was scheduled a hearing by the Senate Veterans’ Affairs Committee. That hearing has absolutely nothing to do with the FBI. We have the new Secretary of the Department of Veterans Affairs scheduled to testify about the Department’s plan for modifications to a program called Choice that is important to me, my constituents, and to the veterans of Kansas. I was so pleased the hearing had been scheduled, and I had forward to the questioning and having a conversation with the Secretary of the Department of Veterans Affairs about how to make this system of Choice work for veterans who live in Kansas, from the rural side of our State to the suburban and urban side of our State, but because of a pique of anger, political posturing, and partisanship, the hearing is apparently no longer able to take place. The hearing this morning, which would only last for an hour and a half and which I guess the minority members walked out—seemed to me, at least sounded like, to be things that would be very important for us to pursue.

The Armed Services Subcommittee on Emerging Threats and Capabilities was to have a closed briefing this morning. The Homeland Security Committee was to examine cyber threats facing America, focusing on an overview of a cyber threat landscape. The list is significant in the things that we ought to be paying attention to, and yet, because of an objection, those hearings will not take place or were shortened or disrupted by only one party’s participation.

I am not here trying to create further partisanship between Republicans and Democrats. I am here trying to remind ourselves that there is value in allowing cooperation between the minority and the majority, not for our own benefit but for the benefit of the country and the citizens we represent. Everything does not have to be partisan. Everything does not have to be political.

Today we see the Senate sliding back into the habit of making things that we have really nothing to do with and weren’t the cause of taking place—apparently to make a political point and perhaps to score votes for support in a political way. We ought to all, as U.S. Senators, respect the opinions, values, and the positions of others, but we do that in a setting in which we all come together, not in which we cancel meetings as a result of a political statement.

I appreciate the opportunity to express my concerns about what has transpired and to ask for us to go back to the time in which we worked together on a daily basis and we don’t use an excuse to shut down the committee hearing process.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

AMERICAN HEALTH CARE ACT

Mr. KING. Mr. President, I rise to speak briefly about the American Health Care Act. The American Health Care Act last week in the House of Representatives. I thought a lot about this bill over the past few days and on the weekend. I talked to friends, I read about it, and I did as much analysis as I possibly could, given the fact that we don’t have a Congressional Office of Analysis of this complicated and important piece of legislation. I have concluded that it is the most ill-conceived, damaging, and downright cruel piece of legislation that I have ever seen a legislature pass in my adult life.

It drastically cuts support for Americans’ ability to obtain health insurance. In Maine—again, as near as we can tell, because we don’t have the final analysis—the preliminary numbers are this. Maine, under the Affordable Care Act, through the payments to individuals and other support, is receiving about $354 million a year coming via the Affordable Care Act. After this bill, it appears that the number is $59 million a year—$394 million to $80 million. That is almost an 80-percent cut. No one can tell me the people of Maine are going to have better healthcare with an 80-percent cut in the funds going to support their ability to do so. It just doesn’t make sense.

The way this bill works is, it is a tax on the elderly. Under the Affordable Care Act, there is a rule that policies for older people, 55, 55, 60, cannot exceed three times the rate of policies for younger people. This bill would take a $70 million a year—$364 million to $80 million. That is almost an 80-percent cut. No one can tell me the people of Maine are going to have better healthcare with an 80-percent cut in the funds going to support their ability to do so. It just doesn’t make sense.

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I have been working on this issue since I got to the Senate. I have been meeting with people throughout Maine—in hospitals and in recovery—and meeting with families and parents and law enforcement. The one thing that is clear is that treatment works and that we need it and that we do not have enough available beds in Maine and across the country.

This is a terrible disease, but the most tragic thing of all is when someone finally reaches the point at which he is ready to ask for help and he is told “Sorry, there is a 3-week wait” or “There is a 3-month wait.” That is when lives are lost and families are destroyed by the very system we are trying to help.

Treatment does work. I have met with people for whom it has worked and changed their lives. I have a friend in Portland named Andrew Kiezulas, who is a former student of mine, who worked at the National Institutes of Health. Andrew was a drug-addicted person, so they were able to get him into treatment, and he has been sober ever since 2009. He is successful, and he has a family. His parents did not give up on him, even though he was not going to help, that he was a lost cause, and they got him into treatment, they received a call that he could not get into treatment, that he would be out of money and they would have to pick it up themselves. They said no, we are going to help him. They got him into treatment. He is doing fine. They have been successful. They have reduced the problems in his life. They have reduced the issues that were going down, I would be OK with it. But it is not going down; it is going up. It is getting worse, and we have to deal with it.

I want to talk for the remainder of my time about opioids and what this bill would do on that.

We are in the midst of a crisis in Maine and across the country. It is the most serious public health crisis in my adult life. In Maine, with regard to substance abuse and overdose deaths, you can see what has happened in the last 5 years. More than one person a day is dying of an overdose. And it is only going to get worse. We have turned ourselves inside out in this country in order to deal with the threat of terrorism, for example, which was entirely appropriate. Yet, if we had a terrorist that was killing 37,000 people a year across our country, and we were just sort of going along, business as usual?

Getting treatment for substance abuse disorder is not easy, but this bill, the American Health Care Act, which is a misnamed bill—should be the American Take Away Health Care Act—only makes it worse. The most serious public health crisis that the Federal government has ever faced is the opioid crisis in the history of this country, and the administration is talking about gutting the Office of National Drug Control Policy—the highest level to be working on this problem in a coordinated way in the Federal government. Here we are, in the midst of the most serious drug crisis in the history of this country, and the administration is talking about gutting the very office that is supposed to lead the fight. It would turn the Department of Defense. It makes no sense. It is moving in absolutely the wrong direction.

Preventing this healthcare bill—or non-healthcare bill—in the House of Representatives, which will drastically cut Medicaid, drastically cut reimbursements for health insurance, drastically limit the availability of coverage—this is what I call the figleaf by the administration in the way, drug addiction could be one—and drastically eliminate the essential benefits provisions of the Affordable Care Act, we are just making it worse.

The Office of National Drug Control Policy has the Drug-Free Community Support Program, which administers small grants to small towns. That can make a real difference. Last fall, 18 Maine programs each received $125,600, and the PDC’s 2014 national evaluation of the Drug-Free Community Support Program, which administers small grants to small towns, showed that the program had a significant decrease in the 30-day use of prescription drugs for youth in communities with one of these programs.

Prevention is one of the things we need to work on, and it is one of the things we need to understand. Yet talking about this problem is not going to solve it. Treatment is going to solve it. Money for treatment is going to solve it. It would mean money to fund treatment to solve it. Detox centers are going to solve it. More resources to law enforcement are going to solve it. More resources to the Coast Guard, in order to interdict drug shipments coming into this country, are going to solve it.

There is no single answer, but at the core is commitment. Passing this bill from the House, which drastically undermines all of those elements of treatment and prevention, and then talking about dismantling the Office of National Drug Control Policy, which has led this fight in the entire Federal Government, is beyond comprehensiveness in the midst of where we are.

If this graph were doing this, if it were going down, I would be OK with it. But it is not going down; it is going up. It is getting worse, and we have to deal with it.

As we work through this issue of healthcare—hopefully we are going to start with a blank sheet of paper over here—I hope we will bear in mind that one of the most serious health problems in this country today is opioid.
abuse. This is not all about ideology, and it is not about policy. It is about people. It is about Matt, and it is about Andrew. It is about the thousands and millions of people across this country who are struggling, who want to lead productive lives, and who want their communities to contribute to the common good. All they need is to have that moment when treatment is available, when a helping hand is available, when caring is available to help them escape the throes of this terrible disease and rejoin their communities and their families. That is what we have to keep in front of us as we work here in this body. We can make a difference in people’s lives, but in leaving them behind, we will certainly not do so.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. (Mrs. Ernst.) The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is considering the Lighthizer nomination.

Mr. LEAHY. I thank the Chair.

FIRING OF JAMES COMEY

Madam President, I couldn’t help but think, with the discussions earlier today, that the President’s dismissal of FBI Director James Comey is so inappropriate that it is hard to know where to begin.

In less than 4 months, this President has pushed our country to the edge of a constitutional crisis—a crisis that in many ways seems more complex, and potentially more threatening, than the one instigated by President Nixon’s order to fire the special prosecutor who was investigating Watergate.

First, I think we can easily dismiss President Trump’s transparent pretext for dismissing FBI Director Comey.

President Trump claims to have removed the FBI Director because of his unfair treatment of Secretary Clinton. This does not pass the laugh test, and we know it is not true. President Trump celebrated Director Comey’s mistakes in handling the Clinton email investigation. He encouraged leaks from the FBI. He pressed Director Comey to release more embarrassing evidence. He even praised Director Comey after the Director’s misguided letter to Congress last October. Yet, now, the President would have us believe that these same events compelled him to fire the FBI Director more than 6 months after it occurred. This unbelievable claim, if it was not so sad, would be laughable.

The truth is that the President removed the leading FBI Director in the midst of one of the most critical national security investigations in the history of our country and, certainly, one of the most critical in my 42 years in the Senate—a sprawling inquiry that implicates senior officials in the Trump campaign and administration.

The press is now reporting that President Trump weighed firing the FBI Director only a week after he became enraged at Director Comey’s statements and actions in the Russia investigation. There are even reports that his firing may have been precipitated by grand jury subpoenas issued to associates of President Trump’s personal attorney and Deputy Secretary Ad
dvisor. I have no doubt that we are going to learn more disturbing details as to the President’s true motivations. I am willing to bet anything that none of them will be because of the feeling that the FBI was too tough on Secret
ty Clinton.

I am also troubled that Attorney General Sessions played a role in Director Comey’s firing. The Attorney General had supposedly recused himself from the Russia investigation for a good reason: He was a central figure in the Trump campaign that is now under investigation. And he provided false testimony to the Judiciary Committee to hide his contacts with Russian officials. It is beyond inappropriate for him to then recommend the firing of the official overseeing the Russia investigation.

I ask: Does anyone really believe that President Trump is interested in getting to the bottom of Russia’s interference with our elections? Based on his past performance, does anyone believe the Attorney General is interested in getting to the bottom of Russia’s interference with our elections? Does anyone believe that the White House will allow investigators to follow the facts without interference or obstruction at every turn?

In fact, a quick review of President Trump’s Twitter account, where he does most of his deep thinking, would dispel any such illusions.

This is the same White House that interfered with the House Intelligence Committee’s investigation—interference so strong that the Republican chairman in the House investigation had to recuse himself.

This is the same White House that reportedly sought access to the highly classified FISA Court surveillance order that purportedly authorized surveillance of Trump associates. This is the same White House that demanded the FBI Director and the Department of Justice issue perfunctory statements to clear President Trump’s name.

Even the President’s letter informing FBI Director Comey of his dismissal indicated the President had directly asked the FBI Director whether he was under investigation—three times. That should never happen. No President should be asking such a question. It is astonishing, but it should also be informative. It is clear that any credible investigation must take place outside the political chain of command.

That is why I and others have said for months that a special counsel must be appointed to lead the Russia investigation. A special counsel, unlike an FBI Director or a Deputy Attorney General, cannot be fired by the President. The American people must have confidence that ours is a government of laws, not of the whim of a President—any President.

Frankly, our Nation is at a precipice. This is a counterintelligence investigation into the campaign and administration of a sitting President. There is evidence that that campaign colluded with a foreign government that is an adversary of ours to sway our Presidential election. Now, the President has fired the lead investigator, FBI Director Comey, under what any fairminded person would say is absurd and false pretenses.

There are several inquiries underway into Russian interference and collusion with Russia in the elections, but the President has fired the head of the only investigation that could bring criminal charges. In fact, it has just been reported that this morning after Director Comey asked for additional funding for the investigation. None of this is normal—it is something I have never seen in Republican or Democratic administrations—and we cannot treat it as such.

President Putin’s goal, as we now know, last year was to undermine our democratic institutions, to corrode Americans’ trust and faith in government, and to sway the outcome of the election in favor of Trump. If we do not get to the bottom of Russia’s interference in our democracy, Putin will be successful. The President appears to be content with that result. But I know, in talking with many Republican Senators as well as Demo
cratic Senators, that they are not content with it.

We have to understand, in our great democracy, in the greatest Nation on Earth, that we cannot allow any country to try to interfere in our elections. We know the Russians wanted to do that. We know President Putin wanted to do that. We know he wants to do it in many other countries. I think we owe it, not only to ourselves but all these other countries, to stand up and say: We know what you are trying to do; here is how you tried to do it. America won’t stand for it, and we hope none of our democratic allies will.

Democratic Senators and Republican Senators are above the supremacy of the rule of law. No person, no Presi
dent, should be above the supremacy of the rule of law. I believe we fulfill our duty to the country if we stand united in calling for a truly independent investi
gation. There simply is no avoiding the fact that this cascading situation now demands the appointment of an independent special counsel to pick up the pieces of these investiga
tions. How we respond at this moment
is a test of our commitment to the separation of powers. It is a test of whether the Senate can truly be the conscience of the Nation, as it should. This is not just a scandal. The President’s actions are neither Republican nor Democratic. They are authoritarian. This is not just a scandal. This is an undoing of the ties that bind our democratic form of government. All of us—both sides of the aisle—must now put country over party.

In my years here, I have worked with both Republican and Democratic Presidents. I have worked with them and supported them, notwithstanding their parties, in what I felt was in the best interest of this country. I feel privileged that Vermont has allowed me to serve long enough to become, as my predecessor was, dean of the Senate. But I have also, in deciding to stay here as a Senator, always had the abiding faith that you can and should be the conscience of the Nation. This great Nation deserves no less. That means we set aside party labels and adopt just one label—United States Senator.

With that, let us make sure there is a clear, full, thorough investigation to try to understand how we can deal with our elections; a full, clear, thorough, honest investigation into if Russia has ties to anybody in our government; and, a full, clear, honest understanding of how we make sure that never happens again, to either Republicans or Democrats.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

UNANIMOUS CONSENT REQUEST—AUTHORITY FOR COMMITTEE TO MEET

Ms. COLLINS. Mr. President, this afternoon, the Senate Special Committee on Aging is scheduled to hold the second part of a two-part series of hearings that we are holding to explore the impact of isolation and loneliness on the health and well-being of our seniors. The name of our hearing for this afternoon is Aging With Community: Building Connections that Last a Lifetime.

In other words, under the first hearing that we had 2 weeks ago, we learned that isolation of our seniors is associated with a greater incidence of depression, diabetes, and heart disease. We also learned that the health risks of prolonged isolation are comparable to smoking 15 cigarettes today.

Well, this afternoon is the second part of our investigation of this issue, and we had planned to hear from four experts who were going to tell us how you can build a better sense of community for our seniors, how you can make sure that our seniors are connected to community. I want to indicate that we have four witnesses who, at their own expense, have flown in to participate in this hearing this afternoon. One of them, Lindsay Goldman, is the director of the National Academy of Social Insurance's Center for Health Policy and Demography, and she is coming from Rye Brook, NY. Another is from Dover-Foxcroft, ME. A third is from Springfield, PA, the fourth is from Miami, FL.

Each of these witnesses was chosen in connection with my staff’s consultation with the Democratic staff of the committee. As you can see, they represent the States of New York, Maine, Pennsylvania, and Florida, and they include the State of the Democratic leader, to go back home and waste all this travel money and not help us better understand how we can deal with an issue that ought to concern all of us—we are going to be prohibited from holding this official hearing this afternoon. I am baffled by this. This has nothing to do with the firing of Mr. Comey. It has nothing to do with the Intelligence Committee’s ongoing and successful investigation of Russian influence on our investigations. It has nothing to do with the healthcare debate that is rolling this Congress.

This is a hearing that has to do with the health and well-being of America’s seniors. It is not political in any way, and to ask these four witnesses, who have come from four different States, including the State of the Democratic leader, to go back home and waste all this travel money and not help us better understand how we can deal with an issue that affects the health and well-being of our seniors is just plain wrong.

Therefore, I make a request that the Aging Committee be permitted to meet at 2:30 p.m. today for its hearing, Aging With Community: Building Connections that Last a Lifetime. I ask unanimous consent that the committee be allowed to meet.

The PRESIDING OFFICER. Is there objection?

The Democratic leader, Mr. SCHUMER. Given that we have no path forward on the horrible and momentous events of last night from the majority, I am constrained to object.

The PRESIDING OFFICER. Objection is heard.

Ms. COLLINS. Mr. President, I see the Democratic leader is rapidly leaving the floor, so he obviously does not want to hear anything more about our hearing, but this makes no sense whatsoever.

This is an example of the dysfunction of the Senate. How does it make sense that the Aging Committee, which operates in a completely bipartisan manner, is being prohibited from holding a hearing that is important to our seniors and that has nothing to do with the issues that are in the news today?

I just don’t understand why we are being prohibited from proceeding to do our work, to do our important jobs on an issue where we have four experts from four different States, including the State of the Democratic leader, including a witness chosen by the ranking Republicans and the committee, and none of that matters. We are being prohibited from holding this hearing.

Mr. President, it is a great disappointment to me—and I am sure it is going to be a great disappointment to our seniors and the committee members—that we are going to have to cancel this hearing for reasons that are totally unrelated to the subject of this hearing.

Mr. President, I yield the floor.

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 was, to say the least, shocked last night when I heard that President Trump had dismissed FBI Director Comey from his position as the Director of the FBI. To make this decision, President Trump crossed the line. I have tried to understand what was going through the President’s mind at the time he dismissed Mr. Comey. It is clear that he had memorandums written by the Department of Justice that were released at the time, but there is also a clear indication that President Trump had been considering this decision for over a week and that after he had reached the decision to fire Mr. Comey, he needed grounds from the Department of Justice and that information was supplied to Mr. Trump for his decisionmaking. This was Mr. Trump’s decision.

At the time he dismissed Mr. Comey, President Trump’s associates had been involved in the investigation being done by the Department of Justice. This is a criminal investigation that is being done by the Department of Justice because of Russia’s interference that involved Mr. Trump’s associates and, that information was supplied to Mr. Trump for his decisionmaking. This was Mr. Trump’s decision.
According to news reports, President Trump was also upset over the amount of media coverage that the FBI Director and the investigations were attracting, and the White House asked DOJ officials to come up with reasons. It is clear that the decision to fire Mr. Comey was a personal decision in that was reached by President Trump and that it was known by him at the time that it would compromise the investigation that is being done by the Department of Justice.

I have been approached by others in their saying that Mr. Comey was not popular with Democrats or Republicans and that he had done things during his term as Director that had upset a lot of us, which is true, but the Director of the FBI has a 10-year term for a reason—a term that is longer than the two terms of the President of the United States. This is not a partisan position.

The FBI is not required to be popular with either Democrats or Republicans. What the FBI needs to do is to uphold the law of the land for all Americans, and no one is above the law. That is what we expect from the Director of the FBI.

President Trump has compromised the integrity and independence of the FBI. At this point, what can we do? I would suggest, with regard to the criminal investigation that is being done by the Department of Justice, that there is only one course of action that maintains the credibility of that investigation, which is that it is incumbent upon the Department of Justice to name, as soon as possible, a special prosecutor to take over that role.

If that is not done, in my view, it will be difficult to have the confidence of the American people that that investigation is not being directed by those who were supposed to be the subject of that investigation. I think it would also compromise the nomination process of the next Director of the FBI. If we do not have a special counsel named, then there will be so much focus on how that next Director will handle this investigation that we really will not have attention paid to the other responsibilities and talents of that individual to be able to handle the FBI's broad jurisdiction.

If that is not resolved—the investigation and the appointment of a special prosecutor—it is difficult to see how we are going to have a truly bipartisan process for maintaining support for the FBI.

I urge the Deputy Attorney General to name, as soon as possible, a respected person as an independent prosecutor to take over this investigation. There are deeper concerns than just the President of the United States' hampering a criminal investigation in which associates of his are involved because it also involves a country that is not a friend to the United States. All of this was triggered by Russia's involvement in our democratic election system. We know that Russia was directly engaged in trying to compromise our election system by calling into question the confidence of our system and trying to tilt the scales in favor of one of our candidates. Russia made contacts with Americans in order to further its game at bringing down our democratic system.

This is not unique to the United States. Russia has used similar tactics in other elections of democratic countries. In the Montenegro election, we saw that Montenegrins were counting on their government's accession into NATO and that Russia exported individuals into that country to try to disrupt that election. They were not successful, but they tried. Just recently, in the French election, we saw how Russia got directly involved in trying to help one of the candidates that it believed would help pull France away from the EU and create a vacuum for Russia's influence, but the French voters turned that down. It was not successful and does not mean Russia will not continue to try to bring down democratic systems of government.

Mr. Trump's casual and consistent dismissal of the facts, as laid out by the entire Intelligence Committee, about what happened in the United States should set off alarm bells. It cannot be business as usual.

Yet, today, President Trump and Secretary Tillerson met with Foreign Minister Lavrov. Today of all days, they decided to meet like nothing has happened, but a lot has happened. Did we see any indication that the purpose of that meeting was to raise our strong objections to Russia's interference in our election system or Russia's compromising Americans to try to help in regard to its campaign against our free election system or Russia's engagement and encroachment into other countries? Did we really hear a commitment by the President of the United States that we should not tolerate that type of behavior by Russia? No. Business as usual.

The President wants to establish a friendlier relationship with Russia.

Russia has not just tried to bring down free election systems; they have invaded other countries. We know about the active campaign in Ukraine, the annexation of Crimea, the Russian presence in Moldova and Georgia. I met with the Prime Minister of Georgia today, and he can tell you firsthand about how their country is trying to deal with the Russian presence in their sovereign country.

We all know about Russia's engagement in other parts of the world. Their engagement in Syria is bringing about serious challenges to trying to resolve the crisis in that country. The Russian Government supporting the Assad regime, war crime activities targeting humanitarian convoys, targeting hospitals and the use of chemical weapons are all of that is facilitated by Russia. That is well known, but it might be not as well known that Russia is ambitious in going into many more parts of the world. Russia is now engaged in Afghanistan. We have had one of our longest wars ever in Afghanistan and our commitment to the people of Afghanistan to have a democratic government. So Russia is now engaged with the Taliban, trying to upset Russia's ability to bring all of the parties together in unity in the government.

That, to me, is totally counter to history. We know about Russia's presence in Afghanistan. Does anyone believe that Russia is really successful in maintaining peace in that country?

Then we see Russia's fingerprints in Yemen, trying to get a naval base on the Yemeni coast, showing no concern for the humanitarian crisis that has been created in that country. We see Russia's presence in Libya, supporting General Haftar, who has committed his own human rights violations and war crimes and has disrupted the Government of National Accord, which is our best chance for peace in Libya.

We see Russia's presence in Nicaragua sending troops and establishment to that country and now building a major compound that many believe is being built to spy on the U.S. compound. That is Russia.

So to President Trump: It is not business as usual with Russia. There is a reason we need an independent commission to investigate what Russia was doing in the United States because Russia is trying to create space where they can expand their influence, and expanding their influence is for values that are just the opposite of ours—a corrupt government, no respect for human rights, no respect for democratic institutions, and opposition to a free press. That is what Russia is trying to expand. We know that in their involvement in the United States, they are trying to find a way to expand that opportunity.

So it is for all of those reasons it cannot be business as usual, and when the President of the United States interfered with a criminal investigation that was precipitated by Russia's engagement in the United States, every American should be alarmed. Every American should be asking what we can do to make sure we have an independent review so we can take steps to protect our national security.

It is not acceptable for the Senate to say business as usual. We need to come together and facilitate the independent review of potential criminal involvement of Americans in facilitating the Russians and what they were doing, and we need to have an independent review of all of what Russia was doing in this country so we can take the necessary steps to protect our national security.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.
Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DAINES. Mr. President, I ask unanimous consent to display water samples from the State of Montana on the Senate floor.

The PRESIDING OFFICER. Is there objection?

With no objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—AUTHORITY FOR COMMITTEE TO MEET

Mr. DAINES. Mr. President, today our friends across the aisle have decided to hold up Senate committee meetings. Because the Democrats object to the dismissal of James Comey from the FBI, they have chosen to play politics and prevent scheduled hearings from occurring. That means everyone who has taken time to fly to Washington, DC, to testify before Congress on important issues will be blocked from occurring. That means everyone who has taken time to fly to Washington, DC, to testify before Congress on important issues that face the Nation will not be heard.

One of those scheduled hearings is in the Energy and Natural Resources Subcommittee on Water and Power, of which I am a member. This hearing was going to investigate the Dry-Redwater and the Musselshell-Judith Rural Water Systems. This is a critically important issue to Montana.

This hearing was going to focus on water issues from MT. These are water samples from different families in the Circle, MT, area. This is from the Arenssons’ tap. This yellow-tinted water here is from the Goods’ tap. This cloudy sample here is from the Hance’s tap.

These are all from Circle, MT. This is from the Carlsons’ tap. You probably can’t see it—perhaps on camera and on the floor—but there is particulate in here, floating, something you wouldn’t want to drink. This is water from the Rosena’s tap. These samples all came from a small town in Eastern Montana, Circle, MT, and the image here to my left is from Roundup, MT. This unacceptable, unclean tap water is in the homes of Montanans and North Dakotans right now as we speak.

The mayor of Harlowton, MT, a town of about 1,000 in rural central Montana, is here today to testify. I met with him just yesterday. He came to our Montana committee. He spent over $1,000 on a flight. He spent almost $600 on hotel accommodations, not to mention the cost of other incidentals. Now the Democrats will not let him speak.

Why? As the chairman of the Senate Western Caucus, it is shameful—as other witnesses have spent thousands of dollars—to prevent improving water quality in our States. The Arizona witness, for example, spent $2,400 and 3 days out of the office to come back and testify today. The North Dakota witness spent $1,300.

Yes, the FBI needs to regain the trust of the American people. In fact, Senator SCHUMER on November 2 said: "I do not have confidence in [Comey] any longer," and on that very same day, House Minority Leader NANCY PELOSI said: "Maybe he’s not in the right job."

But this water, as we can see these samples from the many has nothing to do with the FBI. There are over 36,000 Americans spread across Montana and North Dakota without access to clean water. If the mayor of Flint, MI, flew here to testify about the quality and challenges facing their water system, no one would say that he is hearing. Frankly, this is just another sign of the marginalization of rural Montana and rural America. I was sent here to fight for rural Montana, to stand for rural America, and that is what I will continue to do. This hearing needs to happen today.

Mr. President, I have a request for the Energy Committee to meet at 2:30 p.m. today. I ask unanimous consent that the committee be allowed to meet.

The PRESIDING OFFICER. Is there objection?

The Senator from Hawaii.

Ms. HIRONO. Mr. President, reserving the right to object, these are not a Republican or Democratic cannabinoid. These are not a Republican or Democratic concern. These are not a Republican or Democratic issue.

This attempt, intended to derail and disrupt the FBI’s ongoing investigation into Russia’s attempt to disrupt or interfere with our democracy and the Trump team’s ties to those attempts, should be a matter of national concern, bipartisan or Democratic concern. We need a bipartisan call for a special prosecutor who will conduct an impartial, thorough investigation, untainted by political consideration.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DAINES. Mr. President, if I could respond to my colleague from Hawaii.

The folks who have been derailed today are the men and women who have appealed to our colleagues across the country to be here from very small communities across our country. They have taken time away from work and their families to be here to show our committees what is going on in rural America and the unacceptable quality of water.

Water is basic. We have water samples here that I think would be shocking to most Members in this body. I am just saddened to see that Democrats are going to derail these hearings this afternoon. Yes, let’s have a fight about the FBI and the firing of Comey. We can have a good-spirited debate about that. But why are we preventing these folks from rural America, who have traveled thousands of miles, to testify today at our request.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

UNANIMOUS CONSENT REQUEST—AUTHORITY FOR COMMITTEE TO MEET

Mr. HOEVEN. Mr. President, I have a request for the Indians Affairs Committee to meet today at 2:30 p.m.

First, we have a markup in the Indian Affairs Committee. The two bills we are marking up are Democrat-sponsored bills. The first one is Senator TESTER’s bill, from the State of Montana, which would provide support for Native languages. I guess the summary is that it would support the education of Indian children. I believe it relates to Native languages in that educational capacity. So that is one of the bills, Senator Tester’s bill.

The other bill we are marking up is Senator Tim Kaine’s bill, also a Democrat-sponsored bill. Native I have is this: To extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe—Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, the Monacan Indian Nation, and the Northern Neck Indian Tribe.

The reason that is significant, that is something that both Senator Kaine and Senator Warner—both Senators from Virginia—have been working on for some time. The reason it is timely for us today is because the Tribes in the Commonwealth of Virginia are hoping to have these Tribes recognized before this birthday celebration for Pocahontas. It is a timely issue.

Obviously, we can’t advance the bill to the Senate floor unless we mark it up. At the request of those two Democratic Senators from the Commonwealth of Virginia, we are scheduled to mark up those bills and get them to the floor and try to do it in a timely way because of the celebration they are trying to get prepared for. Everybody knows the story of Pocahontas and why that would be a big celebration and certainly a big deal in the Commonwealth of Virginia.

Again, as we debate this on the Senate floor, I think Senator Daines made some strong points, and I would certainly encourage our colleagues across the aisle to consider what I just described as far as those markups.

In addition to those markups, we also have a hearing on several bills. The first one is a McCain bill, and it is to amend the PROTECT Act to make Indian Tribes eligible for AMBER Alert grants.

Everybody knows what the AMBER Alert Program is and how important that program is to protect our young people when they get abducted. The reason Senator McCain, from Arizona, is bringing this bill forward is because there was an abduction in Arizona, and the AMBER Alert went out late. I
think the AMBER Alert went out a day late.

Senator McCaskill has this PROTECT Act so we can make sure the AMBER Alert is working in Indian Country, and you certainly can understand how important it is that we do that. I am allowed to have a hearing on the bill again so we can advance the bill to the Senate floor for consideration.

The final bill that we would have a hearing on in committee, if we are allowed to have a Murkowski bill, Senator Murkowski from Alaska. It would provide the conveyance of certain property in this State.

You have to realize that the witnesses—and I think certainly the good Senator from Hawaii will appreciate this—had to come here from Alaska, which is quite a lengthy trip. When the Senator travels back home to Hawaii, that is a long trip. It is certainly a beautiful place but a long trip to get there. Of course, it is not inexpensive to travel from Alaska to Washington, DC.

Those witnesses will be out their costs to come here if we are not able to have the hearing, and we would have to reschedule it. That certainly creates a cost problem which is certainly unfair and not what they would want to have had happen on the part of their government.

I am putting that in human terms. Again, we are talking about two Democratic bills and we are talking about two Republican bills. We are talking about constituents who have traveled a long way to come here to have the hearing and the markup.

Again, these are issues we should be able to work on in a bipartisan way. I would certainly ask for that consideration. At this point, I ask for unanimous consent that our committee be allowed to meet.

The PRESIDING OFFICER. Is there objection to the unanimous consent offered?

The Senator from Hawaii.

Ms. HIRONO. Mr. President, reserving the right to object, of course we acknowledge the importance of the matters raised by my colleague from North Dakota and, representing my State, the State of Hawaii, yes, there is support for education of Native people, of Native children, which I hope will include Native Hawaiian children. That is important as well as recognizing various bills and the other matters that were raised by my friend from North Dakota.

However, as I mentioned, these are not business-as-usual times. The untoward firing of the FBI Director, who was conducting an ongoing investigation into possible communications between the Trump campaign and Russian interests, raises serious questions that must be addressed. We must have a transparent and open-minded investigation into the matter.

This is not a Republican or a Democratic concern. This is a threat to our democracy. We know Russia did this. We know we need to get to the bottom of this. We need to get to the bottom of the Trump team’s ties to these efforts, and this thinly veiled attempt by President Trump to derail or disrupt these investigations cannot be sustained or supported.

We continue to ask for a bipartisan call for a special prosecutor who will conduct an impartial, thorough investigation, untainted by political considerations into the Russia-Trump matter. Therefore, Mr. President, I object. The PRESIDING OFFICER. Objection is heard.

The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise to address President Trump’s stunning dismissal of FBI Director Comey yesterday evening. We know the Russians interfered in the 2016 election. We know the Russians did so in order to undermine confidence in our democracy. We know the Russians carried out this attack with the goal of bene-fiting the campaign of Donald Trump, whom the Kremlin preferred to win the election. These facts have been confirmed by our intelligence agencies.

What we don’t fully yet understand is all of the reasons why, all the reasons why the campaign of Donald Trump and whether associates of the President or members of his campaign assisted in the Russian operations to sway the election in his favor.

These questions are the subject of an ongoing counterintelligence investigation, an investigation conducted by the Federal Bureau of Investigation and, until last night, an investigation led by James Comey.

As former Director Comey recently testified to the House Intelligence Committee, “The FBI, as part of its counterintelligence mission, is investigating the Russian government’s efforts to interfere in the 2016 presidential election—and that includes investigating whether Trump campaign officials had any links between individuals associated with the Trump campaign and the Russian government and whether there was any coordination between the campaign and Russia.”

The timing of Director Comey’s dismissal raises serious questions, and President Trump’s decision to abruptly fire the man leading an investigation that could implicate the Trump administration should shock the conscience of every American. It is clear that no man or woman is above the law and who has faith in the fair and impartial pursuit of justice.

The White House attempted to preemptively dispel any suspicion by announcing that President Trump fired the Director “based on the clear recommendations” of Attorney General Jeff Sessions and Deputy Attorney General Rod Rosenstein. The White House released several documents to back up that claim: a letter from President Trump to a Special Counsel firing him; a letter from Attorney General Sessions to President Trump, recommending that Comey be fired; and a memo written by Deputy Attorney General Rosenstein, which cited the Director’s handling of the Hillary Clinton email investigation as damaging the FBI’s reputation and credibility. These documents create more questions than they answer: questions from President Trump to Director Comey firing him. President Trump, ever eager to put distance between the Russian inquiry and himself, wrote: “While I greatly appreciate you informing me, on three separate occasions, that I am not the ‘target’ of an investigation, I nevertheless concur with the judgment of the Department of Justice that you are not able to effectively lead the Bureau.”

Again, we know the FBI is conducting a criminal investigation into whether members of the Trump campaign coordinated with the Russians in their efforts to influence the election. Director Comey confirmed that before he was fired. Whether President Trump is involved in these efforts to interfere with the Bureau or whether investigators are merely scrutinizing his advisers and associates, the President’s clumsy attempt at misdirection does little more than remind us of the many unanswered questions about his actions and people’s connections to Russia.

Second, Attorney General Sessions’ letter to President Trump. The Attorney General writes that based on his review of Deputy Attorney General Rosenstein’s memo, which cites the Director’s handling of the Clinton email investigation, that Attorney General Sessions has concluded that the FBI requires new leadership and a fresh start. Attorney General Sessions recommended that Director Comey be fired.

Attorney General Sessions should not have had any involvement in this decision at all. On March 2, the Attorney General called a press conference to announce: “I have now decided to recuse myself from any existing or future investigations of any matter relating in any way to the campaigns for president of the United States.”

The reason Attorney General Sessions made that announcement was because news reports revealed he had provided misleading testimony in response to a question that I asked during his confirmation hearing; that Attorney General Sessions had falsely stated: “I did not have communications with the Russians.” In fact, he had met with the Russian Ambassador during the campaign twice.

Having provided misleading testimony under oath about a matter that could potentially be the subject of a criminal investigation by the FBI, Attorney General Sessions was forced to recuse himself.

I find it deeply troubling that Attorney General Jeff Sessions—who misled the Judiciary Committee about his communications with the Russian Ambassador and who pledged to recuse himself from this investigation as a result—betrayed that pledge by involving
himself in the decision to fire the Director of the FBI, who was leading the investigation into Russia's interference in our elections, including whether members of President Trump's campaign were involved in that interference. Attorney General Sessions was a member of Trump's campaign, as was Deputy Attorney General Rosenstein, who misdirected the committee on whether he had met with the Russians, and he did that under oath. That is why he recused himself, and yet he inserted himself in this firing.

Firing the FBI Director, Deputy Attorney General Rosenstein's memo, which asserts that Director Comey's handling of the Clinton email investigation caused the public to lose confidence in the Bureau. Director Comey spoke publicly about the Clinton email investigation twice, in July and October of last year.

Setting aside whether Director Comey's decision to discuss the investigation was unorthodox or broke with Justice Department and FBI protocols, his actions were well known to both President Trump and Attorney General Sessions, and both of them celebrated his actions at the time. After Director Comey wrote to Congress on October 28, in fact the FBI recovered additional emails and would therefore reopen its investigation into Secretary Clinton, then-Candidate Trump praised his decision. He said: "What [Comey] did was the right thing. What he needed was to make the move that he made in light of the kind of opposition he had."

Appearing on FOX Business Network, then-Senator Sessions said that Directer Comey "had an absolute duty, in my opinion, 11 days [before an election] or not, to come forward with the new information that he has and let the American people know that, too."

If President Trump or Attorney General Sessions objected to the timing of Director Comey's handling of the Clinton email probe cast suspicion on the extent to which they relied on the Deputy Attorney General's purported rationale. Further, and this is important, if Deputy Attorney General Sessions were truly concerned that Director Comey's handling of the Clinton email investigation had damaged the reputation of the Bureau, then why not wait for the conclusion of an investigation by the very respected DOJ inspector general into Comey's campaign contributions in the election—his decisions—an investigation that had been underway since January?

The shifting positions of President Trump and Attorney General Sessions lead me to believe something else is going on here, that this is not about Hillary Clinton's emails but about turning the page on Russia. In fact, last night, a White House spokesman said so. Appearing on FOX News, White House Deputy Press Secretary Sarah Huckabee Sanders was asked how Director Comey's firing would affect the Russia investigation. She replied:

When are they going to let that go? It's been happening all along, frankly, it's getting kind of absurd. There's nothing there. It's time to move on. Frankly, it's time to focus on the things the American people care about.

The American people care about whether a hostile foreign government influenced our election. They care about whether advisers and associates of the President helped that foreign government do that.

The events that have occurred over the past 24 hours are deeply, deeply unsettling. As my Republican colleague Senator FLAKK said last night:

I've spent the last several hours trying to find an acceptable rationale for the timing of Comey's firing.

And I can't either. In my view, the timing and the circumstances surrounding Director Comey's dismissal are very suspicious. For example, just this morning, it was reported that Director Comey recently asked the Justice Department to provide additional resources for the Russian investigation—a request that purportedly he made personally to Deputy Attorney General Rosenstein. This raises grave concerns about the Trump Justice Department's ability to conduct a full, fair, and impartial investigation. In order to address these concerns, Attorney General Sessions and Deputy Attorney General Rosenstein should come to the Senate and explain their involvement to all of the Senators in this body.

In the wake of what I believe was a politically motivated decision to remove Director Comey, I no longer have confidence that the Department of Justice can fulfill its obligation to resolve this matter impartially. The situation now calls very clearly for the appointment of a special prosecutor to oversee the investigation into whether associates of the Trump organization or former members of the Trump campaign had knowledge of or participated in the Russian attack on our democracy.

I join my colleagues' calls for an independent inquiry so the American people can learn the truth about the individuals who conduct this investigation will follow the facts no matter where they lead.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I am here today to speak on a different topic, but before the Senate from Minnesota leaves, I want to thank him for his statement and for his observations, which are dead-on about the need now for an independent special counsel take a look at what has happened here. I am very grateful for that, and I believe that is the conclusion others in this Chamber, Republicans and Democrats working together, will reach as well, as they let sink in what has actually transpired over the last 24 hours.

CONGRESSIONAL REVIEW ACT RESOLUTION

May 10, 2017

Mr. President, earlier today, in a public good sense, a bipartisan majority voted to block an effort that would have wasted taxpayer resources, polluted our air, and accelerated climate change. I thank my colleagues who voted that way, in particular the Republicans who crossed the aisle to join us in this vote. Today, we showed that Washington can still come together to put the public above the powerful. Today we showed that, in the Senate at least, a majority still exists for common sense, for public health, and for good stewardship of public resources.

Before this morning, the Trump administration and some Members of Congress sought to undo a rule from the previous administration that had been a win for taxpayers, for businesses, and the environment. Across the country, oil and gas companies pay royalties to extract from Federal and Tribal lands. Each year, these companies remove around $300 million worth of gas because of inefficient operations, from leaky pipes to excess burning, to faulty vents.

By preserving this rule, we will give taxpayers roughly $300 million in new revenues every year, but more importantly, this rule helps us conserve our communities could use to invest in schools or to build roads, bridges, and tunnels. Actually, the idea that we are giving the money is not right. The taxpayers will earn the royalties to which they are entitled as a result of these public lands.

This is a win all the way around. For public health, it reduces toxic pollutants in the air we breathe. For businesses, it cuts waste and expands their bottom lines. For the planet, it curbs leaking methane, which is up to 80 times more potent than a greenhouse gas and accelerates climate change. In fact, without the proper protections, natural gas can burn as dirty as coal, and the benefits that we have gotten from natural gas would be dramatically reduced.

Thanks to bipartisan cooperation, this rule will remain in place. I want to recognize Colorado’s leadership in the fight against climate change. Thanks to bipartisan cooperation, this rule will remain in place. I want to recognize Colorado’s leadership in the fight against climate change. Thanks to bipartisan cooperation, this rule will remain in place.
Critics also argued that Colorado’s rule would kill jobs. Once again, the facts tell a very different story. In Colorado alone, 41 different companies put people to work to repair pipes, monitor pollution, and develop technologies to reduce emissions. Our experience showed that the rule spurred new jobs and technologies, reduced pollution, and protected the planet, all while failing to reduce energy production as critics alleged. Those facts were critical in preserving the rule this morning.

Because of what we did this morning, the national standard we preserved, our State will not suffer from higher methane pollution coming across the border from other States. That would have hurt tourism in one of the most visited States in the country, and it would have been deeply unfair to the people of Colorado, to kids with asthma and seniors who need clean air to breathe. As the next generation of Americans, of Coloradans who deserve a healthy planet.

Now that Congress has spoken, the administration should listen. My colleagues and I will vigorously oppose any attempts by the Department of the Interior to bypass, somehow administratively, the decision that has been made today. All of us need to remain vigilant to ensure that this common-sense protection remains in place, protecting Americans, protecting our environment, and granting us the ability to come together and put fact over ideology and put the public good over narrow interests.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

Mr. SCHUMER. Thank you, Mr. President.

First, I want to thank my colleagues from Colorado for his outstanding remarks and, even much more important, the work on the methane CRA. Much is happening today, and not many people paid much attention, I guess, because they were so busy, but this is the first CRA to go down, and it is probably the most important one that came before us. So the fact that it wasn’t voted on means the people of America and the people of the world can breathe a sigh of relief because methane—one of the great causes of global warming—will not be released into the atmosphere as easily.

RUSSIA INVESTIGATION

Mr. President, now on the topic of the day, this morning the Democratic caucus discussed the circumstances of Mr. Comey’s dismissals by the White House. There are many questions to be answered and many accounts to be taken. We will be pursuing several things in the coming days and weeks that we decided in our caucus, and we will have more to say about those next steps in the days ahead, but there are three things our caucus agreed must be done.

First, Mr. Rosenstein should not be the one to appoint the special prosecutor. That responsibility should go to the highest serving career civil servant at the Department of Justice. Second, the President should be more easy to testify before the Senate. Third, Attorney General Sessions and Deputy Attorney General Rosenstein should brief all Senators on these events separately and in a classified setting, if necessary, and they should do it soon because the questions are just swirling about, and there are more every day, almost every hour.

Let me go over each.

First, it is the overwhelming view of my caucus that a special prosecutor should now be appointed to conduct the investigation into the Trump campaign’s ties to Russia. Mr. Rosenstein cannot be the one to appoint him.

Serious doubts have been cast on Mr. Rosenstein’s impartiality for two reasons: First, there are many reports that Director Comey met with Deputy Attorney General Rod Rosenstein last week to make a request for more resources or help with the investigation into the Trump campaign’s ties to Russia. That would make the timing of this firing even more suspect. Second, Mr. Rosenstein signed his name to a highly politically charged memo for Director Comey’s dismissal and made no complaint about the involvement of the Attorney General, who had recused himself from all matters relating to the Russia investigation, in recommending the firing of the man who was leading it.

It is hard to believe that a seasoned prosecutor without bias would have allowed Sessions to be a part of this. It is also hard to believe a seasoned prosecutor would write such a memo, which seems highly political—not in the kind of language and not with the kind of annotation that prosecutors normally write.

These facts make it clear that the decision to appoint a special prosecutor should go to the highest serving career civil servant at the Department of Justice. Mr. Rosenstein and other political appointees appointed by the President, when there is a request to investigate, should not be the ones making a special call on a prosecutor, lest that decision be seen as influenced or, worse, made at the direction of the administration.

We need to assure the American people that they can have confidence in our criminal justice system to conduct the Russian investigation impartially. The best and only way to do that now would be for a career civil servant at the Department of Justice to be the one who decides on a special prosecutor. It should not be a political appointee who makes such a decision.

My friend, our great senior Senator from the State of California, brought this up in our meeting. Senator Feinstein’s call that the appointment be made by someone who is a career civil servant, not a political appointee, has the widespread support of our caucus and is the only fair way.

Second, we have also learned that Mr. Comey will no longer be appearing before the Intelligence Committee tomorrow. In his stead will be the Acting FBI Director, Andrew Freeh. There are so many unanswered questions that only Mr. Comey can answer. We Democrats hope and expect that he will still come before the Senate in some capacity.

I for one salute Senator BURR and Senator WARNER for inviting him to testify next week before the Intelligence Committee. It is the right thing to do. We ought to hear from Mr. Comey. At this moment of profound doubt about the reasons and timing of the Comey firing, the President and about the status and progress of a very serious investigation into the Trump campaign and Russia by his agency, we require answers.

Third, the recent revelations about the Rosenstein appointment and all the demand that the Attorney General and the Deputy Attorney General—Attorney General Sessions and Deputy Attorney General Rosenstein—brief the Senate and answer questions because of so many things swirling from last night’s firing. That briefing could be classified if necessary—it may be part classified, part not—and each briefing should be done separately.

Let me speak plainly. The prospect that a campaign for the Presidency of the United States colluded with a foreign power in order to win our Nation’s highest office is as grave a topic for an investigation as there could be. It gets right to the heart of the pillar of our democracy: the faithful elections of our representatives. And the fact that Mr. Rosenstein and Attorney General Sessions were involved in this firing when there are so many questions swirling about means they must come before us to answer questions. I hope Leader MCCONNELL will understand the need for that and answer the plea I made this morning about this.

Furthermore, the fact that Mr. Rosenstein—which came out after I made my request—made Mr. Rosenstein, by all reports, had a meeting with Director Comey where Comey asked for more resources makes it all the more important for Rosenstein to come because that might be the reason Comey was fired—because he was pursuing the investigation in an appropriately—yes, that might be the reason Comey was fired. He was pursuing the investigation in a rehearsed way that was very much needed.

So what we are seeking—the only thing we are seeking—are assurances that this investigation will be carried out in an impartial, independent way; that we get all the facts and we get to the very bottom of this. All we are seeking is some assurance that the subject of this investigation is not able to...
influence it or. God forbid, quash it. The topic of this investigation itself is very serious. The possibility that the investigation is being impeded or tampered with is even worse. That threatens the integrity of our criminal justice system and the hallowed American belief in rule of law. I believe this rise far above party labels. I believe it rises far above partisan politics. I have been heartened that several Republicans have expressed concerns. I hope we expect our Republican friends will join us in these efforts to make sure this investigation is conducted in the manner it deserves. We want Congress’s role to be nonpartisan, looking at the good of neither political party but, rather, the good of our dear country. These are tough and serious times. We cannot shirk from our responsibilities, neither Democrats nor Republicans. I hope everyone in this Chamber will listen to the occasion. I thank my good friend from Minnesota for allowing me to speak. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

FIRING OF JAMES COMY

Ms. KLOBUCHEAR. Mr. President, I join in the minority leader’s remarks and his plan for moving forward, which is a bipartisan plan and a plea for our colleagues to work together.

America is not like some countries where people are all of the same ethnic background or practice the same religion. America is an idea. America is an ideal—a something that is grounded in our democracy.

Way back centuries ago, our Founding Fathers were concerned about foreign influence on our democracy. They were concerned at the time about Great Britain. Well, now we have another concern, and that concern is Russia. It is not just the Democrats’ concern. As one of our colleagues, Senator RUBIO, has noted in the past, maybe this was not an attack on one political candidate in one party, but next time it will be the other party. That is why we must join together and handle this correctly and in the spirit of our democracy and our Constitution.

I have known Director Comey for a long time. We were classmates at the University of Chicago Law School. He was well liked in our class, and he earned the respect of the agents he supervised and the law enforcement he worked with. It is clear to him that I didn’t agree with how he handled the email investigation regarding Secretary Clinton, but nevertheless this man is a hard worker and someone of integrity. Just because someone doesn’t agree with how an investigation is handled, even if it is in a big way, doesn’t mean this person should be fired.

FBI Directors have 10-year terms for a reason; that is because we want them to be independent from political influence.

All Americans, including those who have criticized Director Comey for whatever reason in the past, should be very troubled by the timing of this firing.

Let’s look at the past week. We started the week on Monday, when Former Director Clapper testified in front of the Senate about the Russian threat to our democracy and the fact that the Russians feel empowered and that he believes they will do it again and again. We also were on the heels of the French cyber attack, where their elections were attacked and where Russia was trying to get involved in their elections.

Former Acting Attorney General Sally Yates testified, and she made very clear that she had not just given a heads-up to the administration that their National Security Advisor was compromised by the Russians—no. She had two formal meetings over at the White House. She outlined in detail how she had gone over to the White House and voiced her concerns.

When I asked former Director Clapper and former Acting Attorney General Yates whether this was material for blackmail—when you have a high-ranking official saying one thing on a tape recording that the Russians know he had and then another to the Vice President of the United States—if that was material for blackmail, they said yes, definitively yes, that he had been compromised.

Yet, as it became clear, the White House then allowed the National Security Advisor, General Flynn, to stay on for 18 days, including being part of an hour-long conversation between the President of the United States and Vladimir Putin. So that is what happened on Monday.

We know what was going to happen tomorrow, Thursday, which is that Director Comey was going to testify in his capacity as the FBI Director in front of the Senate Intelligence Committee. We were wondering who was going to be asked about Russia. Of course, I commend Senators BURR and WARNER for inviting him again next week in his capacity now as a private citizen.

Yet, when you look at what has happened here—the Yates and Clapper testimony on Monday, the Comey testimony expected on Thursday—what is sandwiched in between? It is the firing of the FBI Director. By the way, this is the same FBI Director who had the audacity to tell the truth before Congress when he was asked whether President Obama had wiretapped the Trump Tower, as alleged by President Trump in a tweet at 6 in the morning. The FBI Director truthfully answered, no, that it did not happen. That is also something that has happened in the past month.

Today we learned that just days before he was fired, Mr. Comey asked senior officials at the Justice Department for more resources in order to carry out the Russia investigation.

Now, what are our colleagues saying about this? I think it is very important to note that the two Senators who are privy to the most classified information—Senator MCCAIN, as chair of the Armed Services Committee, and Senator BURR, as chair of the Intelligence Committee—have both expressed serious concerns about what has happened. Senator MCCAIN was disappointed, and Senator BURR, the Republican chair of the Senate Intelligence Committee, said:

I am troubled by the timing and reasoning of Director Comey’s termination. I have found Director Comey to be a public servant of the highest order, and his dismissal further confuses an already difficult investigation by the Committee.

Senator FLAKE said:

I have spent the last several hours trying to find an acceptable rationale for the timing of Comey’s firing. I just can’t do it.

The reasoning the White House is using for Director Comey’s firing is bizarre, and that is why I believe Senator BURR said that his dismissal further confuses an already difficult investigation.

The memo provided by Deputy Attorney General Rosenstein cites old justifications. These are quotes from letters that I remember from the Presidential campaign, and they are used in the letter as a justification.

The answer, I believe, is that the justification that is provided in the memo is a pretext. The fact that Trump’s termination letter to Director Comey strangely discusses the fact that he had been compromised.

If the administration found Director Comey’s conduct during the election to be so problematic, why now—right, smack in the middle of the advancements of this Russia investigation?

The answer, I believe, is that the justification is provided in the memo is a pretext. The fact that Trump’s termination letter to Director Comey strangely discusses the fact that Director Comey informed the President that he was not under investigation in the context of the Russia investigation sheds light on what this is really about; that Director Comey was seeking the truth.

Senator BURR said that Director Comey has been more forthcoming with information than any FBI Director he can recall in his tenure on the congressional intelligence committees. In firing Comey, President Trump has cast doubt about the dedication and viability of any further investigation into the foreign interference of our democracy.

Why was Attorney General Sessions, who had recused himself from the investigation on Russian interference, able to influence the firing of the man at the helm of the Russia investigation?

That is one of the questions we want answered and why, by the way, we believe it is important to have a closed-door briefing with the Deputy Attorney General and his predecessor.

Did Deputy Attorney General Rosenstein act on his own or at the direction of Attorney General Sessions or the White House?

Are reports that the President had been searching for a rationale to fire the FBI Director for more than a week true?

Was his firing influenced by any recent developments in the investigation, like the issuance of grand jury
warned the administration that the
were misled.
President. He lied to the Vice Presi-
dent—was not truthful with the Vice
Flynn, the National Security Advisor—
talked to a senior Russian official
a member of the Trump transition
posed sanctions on Russia for its un-
on the very day President Obama im-
know—the "why."
question, that is what I really want to
our democracy apart. We need to know
that make them think we are serious
message does that send to Russia? Does
the investigation, has been fired? What
the FBI Director, who is conducting
role of bringing the truth out. How can we call it vigilance, when
the FBI Director, who is conducting
the investigation. This is different than the special pros-
We owe it to all American people to get to the bottom of what is going on
here. It is our job to get to the bottom of this because the President of the
United States—President Trump—can-
not fire the Justice Department. We need to know the
full extent of the Trump campaign's
contact with the Russian Government
during the campaign and transition,
including what was said and what was
done and who knew about it.
That is why, on January 4, I stood
with Senator CARDIN and with ADAM
SCHIFF and ELIJAH CUMMINGS, of the
House of Representatives, and called
for an independent commission. Now,
this is different than the special pros-
cut toward the President. It would help us because it could get to
the bottom of what has happened, with
to protect our
criminal investigation. It could have recommenda-
tions, just like the 9/11 Commission
had, on how we could improve our laws.
It could have recommendations on
what we could do if the media gets hold of
information that is the result of a
cyber attack from a foreign govern-
ment. It could have recommendations of
what political parties and campaigns
could do—perhaps even in agreement—
when they get access to information
that is a result of a cyber attack
against the election.
It was not that long ago when cam-
paigns would come upon debate infor-
mation and other things and would
simply put it in an envelope and send it
back to the other side. We can do this
but that is not going to come out of
some simple piece of legislation or
from the work that the Intelligence
Committee is doing.
That is why I believe we need this independent commission as well as a
special prosecutor to look into all contacts between Trump aides and surro-
gates and Russian officials during the
campaign, transition, and administra-
tion. This prosecutor must be fair and
independent and totally unattached to
either political party.
In addition to the independent
commission, we also need our congressional
committees, as I mentioned, to con-
tinue to exercise their oversight au-
thority.
Since the election, we have heard a lot
about the three branches of govern-
ment and our system of checks and bal-
ces. One of Congress's fundamental
jobs, as I told a group of students in my
office today, is to closely oversee the
executive branch in order to ensure
that the law is being properly followed
and enforced. This shouldn't just be
things that students learn from their
Senators when they come in during
school trips or be what they learn from
a textbook. This is actually our job.
This means that in addition to this
independent, 9/11-style Commission, we
must make sure our congressional
committees continue to investigate
Russian interference in our political
system. We have subpoena power.
We need to use it.
Some of my colleagues on both sides
of the aisle understand the importance
of doing our jobs in order to get to the
bottom of this. As I mentioned, we
have the Intelligence Committee inves-
tigation, but we also have the Judici-
ary subcommittee, on which I serve,
led by Senators GRAHAM and WHITE-
house. They are the ones who held the
hearing with Sally Yates and Director
Clapper this week.
This is an unprecedented time in our
country's history. We are witnessing
a singular moment of constitutional and
democratic unease. In recent months,
foundational elements of our democ-
ocracy, including the rule of law, have
been questioned, challenged, and even
undermined.
Several of my colleagues have com-
pared the President's action to Presi-
dent Richard Nixon's firing of special
prosecutor Archibald Cox, who was in-
vestigating Watergate. Even then, Mr.
Cox was replaced by a new special
prosecutor. Today, we have no special
prosecutor to determine whether the
President's campaign colluded with a hostile
foreign power. Some in Congress are
continuing to resist any serious inves-
tigation. For that reason, our democ-
ocracy may be in even greater peril. The
night he was fired, Mr. Cox defended
his decision to conduct the Watergate
investigation as he saw fit rather than
to yield to the President's order that he
limit his request for tape record-
ings.
Cox said: "Whether ours shall continue to be a government of laws and
not of men is now for Congress and, ul-
ther American people."
He is right. The American people deserve a thorough, independent investigation into the extent of Russia’s interference in the 2016 Presidential election.

This is not a partisan issue. Americans care now. And why should they get those answers? They should get those answers from this Chamber, because we, as Members of the Senate, cannot be fired. I yield the floor.

The PRESIDING OFFICER (Mr. TOOMY). The Senator from Texas.

RUSSIA INVESTIGATION

Mr. CORNYN. Mr. President, I was listening with interest to our friend and colleague from Minnesota talk about the Russia investigation. I agree with her 100 percent that it is our responsibility to get to the bottom of what exactly happened with respect to Russian involvement in our elections, much as they got involved in the elections in France, using the combined process commonly known as active measures. Active measures are a combination of cyber espionage, propaganda, and a use of social media through paid trolls who can then actually try to raise the visibility of some of the falsehoods. We need to know where that becomes part of the mainstream media and becomes accepted as part of the debate in democratic societies.

I believe we share a bipartisan and universal commitment to get to the bottom of what happened in our last election.

I would note that there are two members of the Senate Judiciary Committee who actually serve as members of the Senate Intelligence Committee, which is actively involved in a rigorous bipartisan investigation. That would be myself and Senator FEINSTEIN, the ranking member of the Senate Judiciary Committee, who is also the former chair of the Senate Intelligence Committee.

Senator FEINSTEIN has said recently that there is no evidence of collusion between the administration and Russia. I think she would share with me a commitment not to stop there but to find out where the facts take us. Indeed, thanks to Chairman BURR and thanks to Vice Chairman WARNER, our bipartisan Senate Intelligence Committee has unprecedented access to raw intelligence, from the National Security Agency, the CIA, and from all sources of the intelligence community. We have access to some of the most sensitive intelligence gathered by the U.S. Government. I think that is due to the credit and leadership of Chairman BURR and Vice Chairman WARNER that our committee has remained bipartisan and we are leaving no stone unturned to get to the bottom of what exactly happened.

So I know people are concerned, and I share that concern. We need to come up with a program of countermeasures to deal with this because the Russian Government has been amping up their game for some time now, and now they are operating at certainly dangerous levels when it comes to trying to interfere in our most basic democratic institutions, like our elections.

I would say, as far as the Department of Justice is concerned, that Rod Rosenstein should be held accountable by a vote of 94 to 6. That is probably the only Trump nomination so far since he has been President that has enjoyed such broad bipartisan support. It is because of his distinguished record, most recently as the U.S. attorney in Baltimore.

I remember hearing from our Senators from Maryland, for example, Democrats who were praising Rod Rosenstein and saying he was exactly the kind of person we needed in this sensitive job as Deputy Attorney General.

But now our colleagues seem to forget their very own conviction and vote on Rod Rosenstein, and now they say that he can’t possibly have some how an appearance of a conflict of interest, making it necessary to appoint a special counsel, which, by the way, also then reports to the leadership at the Department of Justice.

I think we owe it to Mr. Rosenstein a chance to demonstrate that he is capable of leading that investigation at the Department of Justice, understanding that our role here in the Congress is not to pursue a criminal investigation and case. That is the job of the Department of Justice. Our job, in parallel fashion, is for oversight reasons and to let the American people and ourselves know exactly what happened. That is why the investigation of the bipartisan Senate Select Committee on Intelligence is so important, in addition to the hearings we are having in the Judiciary Committee, on which the Senator from Minnesota and I happen to serve as well.

So we do need to get to the bottom of what happened, and I am confident we will. It is our duty, and we will get the job done.

HEALTHCARE LEGISLATION

On another topic, Mr. President, last week our colleagues in the House took the first necessary step to deliver on our campaign promises for the last three elections to repeal and replace ObamaCare. Why is that important? Well, because of the impact of ObamaCare on premiums and deductibles, for all. Millions of people, literally, are now being priced out of the insurance market, and their insurance, even though they have the policy, is really unavailable to them because they have, for example, such high deductibles. We know insurance companies continue to pull out of the marketplace, and people are reduced to little or no choices when it comes to where to buy their insurance, because, frankly, ObamaCare was over sold and underdelivered.

The President told you like your policy, you can keep it. Well, that proved to be false. He said: If you like your doctor, you can keep your doctor. Well, that didn’t turn out to be true, either. He said that a family of four would save an average of $2,500 on their premiums, and that didn’t prove to be true, either.

So like most command and control from Washington, DC—notwithstanding, perhaps the most of our colleagues across the aisle to deliver affordable healthcare to the American people—it simply failed to do so, and it is in serious distress—even a meltdown.

So we would invite our colleagues across the aisle—our Democrat friends—to join with us to help rescue the American people from this failure of the Affordable Care Act.

The House passed a bill last week—the American Health Care Act. It is not a perfect bill. I dare say the Senate is going to take up a bill of its own, and we will try to work with our House colleagues to try to get legislation to the President and signed into law that will rescue the American people and will finally deliver on our promise of affordable premiums, better access, and real choice.

But it is really not enough to just stand back and criticize those who are actually trying to rescue those who are in harm’s way as a result of the failures of ObamaCare. That, so far, is what our friends across the aisle are doing. They are not lifting a finger to help the people hurt today by ObamaCare. We would challenge them to get involved and to work with us.

Many of our colleagues have come to the floor and talked about stories they have heard from their constituents back in their States and the harm that the Affordable Care Act has caused. Premiums have skyrocketed. Millions have been kicked off their healthcare plans. The economy is saddled with billions of dollars in new regulations. Employers are laying people off or not hiring new people because, frankly, they don’t want to suffer the additional financial burdens of ObamaCare.

Instead of having more access to more health insurance options, Texans—the people I represent—have less of both.

The bottom line is ObamaCare has failed, and it is up to us to provide some relief to the people who are being hurt by the failure of ObamaCare. We invite our colleagues to work with us to do that.

Since the creation of ObamaCare, I have been hearing regularly from my constituents back home in Texas how they need relief from the healthcare law. They need it now. A letter, a phone call, or conversation produces similar themes. One of my constituents, for example, is a woman who was paying about $300 a month for her health insurance, but under a span of just a few months, that premium skyrocketed to $900. I don’t know many people who can withstand that kind of increase in their expenses for healthcare.
She wrote to me and said: “This has to stop—and quality, flexible plans need to return for individuals.” I agree with her.

Another wrote in to say that before ObamaCare her daughter was getting what she needed to be adequate healthcare insurance for about $190 a month with just a $50 deductible. Now that has gone up to a payment of almost $400 a month—roughly, doubled—with a deductible of more than $6,000. What just people supposed to do with a deductible of $6,000 which says you have to pay $6,000 before your insurance pays a penny? It is essentially no good to most hard-working, middle class families.

So ObamaCare does not equal healthcare that is affordable or better for Americans. It is simply not working.

In fact, in Texas, if you have a gross income of about $24,000 a year, under ObamaCare, you could end up spending about 20 percent of your total income on healthcare costs alone—30 percent of your gross income on healthcare and related costs.

Fortunately, thanks to the passage of the American Healthcare Act, or the AHC Act, which passed the House last week, we have the beginning of a path forward to provide a lifeline to those people who are simply priced out of the market today—the 30 million people who don’t have insurance—and those who simply can’t use the health coverage they have under ObamaCare.

So I look forward to working with our Senate colleagues—hopefully, all of our Senate colleagues, if they are willing—to help improve the House bill and to get it passed in this Chamber and signed by the President.

This is not something we can do without the support of every Republican Senator, but my hope is that we would do this with the help of more than just 50 Republicans.

Our goal to repeal and replace this bill has been, of course, no secret.

We need legislation that will reform Medicaid. With the American Healthcare Act, we have the first major healthcare entitlement reform in a generation, without eliminating anybody who is currently covered by Medicaid today.

We also need to do away with ObamaCare’s job-killing taxes, like the individual and the employer mandate. I remember, in Tyler, TX, a few years ago, meeting with a single mom who worked in a restaurant who told me that her hours had been cut from 40 hours a week to less than 30 hours a week because her employer didn’t want to pay the employer mandate and so basically had to cut people from full-time work back to part-time work. So what did she do? She had to get another job as a single mom, working in a restaurant in Tyler, TX. That is the sort of unintended consequence of ObamaCare.

Then there is the medical device tax—something the Presiding Officer has led on—which is a tax on innovation. This isn’t even a tax on income. It is a tax on gross receipts. I have had some medical device companies from my State tell me they have had to move their operations to Costa Rica in order to avoid the medical device tax, which has crippled their ability to innovate and invest in their business. Then there is the tax on investments and the tax on prescription drugs. Middle-income Americans and our job creators need and will get massive tax relief when we repeal and replace ObamaCare.

So that is what 52 Members of the Republican conference are working on and what we would like to work on with our colleagues across the aisle, if they are willing to help. We welcome their ideas. Actually, a bipartisan solution would be preferable to one done strictly along party lines. But all Members of the Republican conference are at the table working on that today. There is no denying that our country can’t afford another one-size-fits-all approach to healthcare. The American people need relief from the unworkable, unsustainable system that President Obama promised—or delivered, which is very different from what he promised. I am confident that we can get there by working together to responsibly provide relief and, in doing so, empower individuals to deliver more options and competition and responsibly help those who need care to have more access to it.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 35, Rachel L. Brand to be Associate Attorney General. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Jeffrey A. Rosen, of Virginia, to be Deputy Secretary of Transportation.

Mitch McConnell, John Cornyn, Tom Cotton, Dan Sullivan, Sheldon guaranteed. The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

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

The legislative clerk read the nomination of Rachel L. Brand, of Iowa, to be Associate Attorney General.