

who have willingly and courageously fought on our behalf.

Now we can build on those efforts by passing the Department of Veterans Affairs Accountability and Whistleblower Protection Act. As the name implies, this legislation will enhance accountability measures at the VA and better enable the Department to remove—to remove—employees who are failing to meet the standards expected of them.

This bill, in conjunction with the continued administration efforts like those Secretary Shulkin announced yesterday, will further improve medical services offered to our veterans at VA facilities all across our country. It was unfortunate to see this legislation held up in a previous Congress, but I am proud that the Republican Senate has made its passage among our top priorities.

I once again recognize Veterans' Affairs Committee chairman JOHNNY ISAKSON and Senator RUBIO for the part they played in moving this very important bill forward and remaining vigilant on behalf of America's veterans. I know we are all eager to advance it today and send it on down to the White House for the President's signature.

#### NOMINATION OF COURTNEY ELWOOD

Mr. MCCONNELL. Now, Mr. President, one final matter, today we will confirm Courtney Elwood, the nominee for general counsel at the Central Intelligence Agency. As Chairman BURR pointed out at her hearing, Ms. Elwood has an impressive legal background. She graduated from Yale Law School before clerking under Chief Justice William Rehnquist on the Supreme Court, and she served as a former advisor to both Vice President Cheney and President Bush, as well as to the Attorney General.

In her role at the CIA, Ms. Elwood will be providing sound legal advice to Director Pompeo, ensuring accountability at the Agency as a whole, and overseeing a number of priorities that are key to supporting our Nation's intelligence community. Her nomination has already earned bipartisan support. I am sure that once she is confirmed, she will serve our country well in this new role.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### INFRASTRUCTURE

Mr. SCHUMER. Mr. President, first I want to talk about infrastructure. This week, the administration is laying out a few "proposals" on infrastructure. So far, it has been a major disappointment. President Trump pitched a trillion-dollar infrastructure plan in his

campaign and continued to mention it in the days after the election. We Democrats welcomed the idea.

One of my first conversations with the President after he was elected was about infrastructure.

I said: You called for a trillion-dollar infrastructure program.

He said to me: At least that.

I said: Sounds good to me. Let's work on it.

We have made overtures to the White House saying we would be willing to work with the President on infrastructure. I said it to the President directly several times. Democrats have been pushing for new money for infrastructure for a very long time. We even put out our own proposal, a trillion-dollar infrastructure plan, hoping it would spark a discussion.

We Democrats continue to welcome a serious and constructive dialogue on this issue, but unfortunately the President continues to disappoint. We sent our plan several months ago, and we have heard nothing for those months. Now the President seems to be intent on pushing forward an infrastructure plan on his own, one with few details, that is mostly private sector driven—that means tolls—and with minimum investment, and that would ignore a huge section of our infrastructure. The President doesn't seem to be talking to anyone but a few people in his inner circle. Some of them are financiers. Of course, they have been financing private sector infrastructure for a long time, but that is not the way we have worked in America since Henry Clay, a former—not quite a Republican. We didn't have any then, but he was a Whig—the predecessor party—and he came up with this idea of internal improvements. I remind my dear friend, the majority leader, Mr. CLAY was from Kentucky.

Internal improvements were supposed to connect what was then the east coast with the far West—Kentucky, Tennessee, Ohio—with roads over Appalachia, and ever since, we have had bipartisan support on the Federal Government building infrastructure and putting in the dollars for it but not from President Trump, at least thus far.

The President's plan is a recipe for Trump tolls from one end of America to the other. That is not what the American people are crying out for. They don't want more tolls. They want us to rebuild our crumbling water systems, bridges, schools, roads, broadband, not finance new tollroads.

Unfortunately, the President surrounds himself with bankers and financiers. These are folks who used to work at investment banks. They look at infrastructure as an investment to be made by corporations in the private sector, but infrastructure has never been a business investment.

Infrastructure has been something the government has invested in for decades and even centuries because the benefits of infrastructure have great—

what the economists call externalities. The benefits for having a good highway is not just for the people who use the highway, but if a factory locates nearby because it can get its goods there more frequently and quickly, that is a benefit. A road itself might not generate short-term profits, but a factory might locate nearby and bring jobs and economic vibrancy to an area. The private sector might not build high-speed internet all the way out to the house at the end of the road if there isn't a profit there, but our rural people are as entitled to high-speed internet as our people in urban areas and, I might add, there are large parts of my city, New York City, where that last mile isn't done because there are poorer residents and it is less profitable.

That is why there has always been the role of government to stimulate infrastructure investment, to provide support for necessary maintenance and construction which the private sector would ignore. To connect that house at the end of the road to high-speed internet so children living in it can learn, thrive, and benefit in a global economy benefits America, even if someone isn't making a huge profit immediately from the building of that broadband. It is the same with the highway, the same with the bridge, the same with water and sewer, the same with the school with internet.

The bottom line is, if the President wants to sit down with Democrats, of course we want to do it, but if he continues to take this path with a plan cooked up by Wall Street advisers, it will not succeed or it will result in such a small measure that it will not be effective.

Again, I say to the President—there is talk, I read in the newspapers—they want to do this by reconciliation, no Democratic votes, just 52 Republican votes in the Senate. The same problem they had with healthcare, the same problem they are having with tax reform, will repeat itself with infrastructure if you don't do it in a bipartisan way.

Our colleagues constantly remind us that ObamaCare didn't work because it was done by one party, but now they are letting Trump lead them to do the same thing on just about every major issue. It is a formula for failure President Trump is advocating. He hasn't been down here in Washington that long. It is up to our Republican colleagues to teach him that working in a bipartisan way is the only way you can really get things done.

So my view is, we need bipartisan ship, but the President might not get—just remember that many Republicans are very negative, initially at least, with a private sector-driven infrastructure bill because they represent rural areas.

Here is what a Republican Senator from Wyoming, Mr. BARRASSO—fine man—said: "Funding solutions that involve public-private partnerships do not work for rural areas."

My friend, the Republican Senator from West Virginia, has said: "As a person who represents an almost all-rural State . . . I'm concerned about how we are going to be able to incent the private dollars to go to the less-populated, less-economically developed areas of our country, because the investments are just as important."

The bottom line is this, an investment bank infrastructure plan like the one the President is proposing is a sure loser in Congress. A Goldman Sachs infrastructure plan just will not work, except for a few. It would turn over a public good to the whims of private finance, who will not build infrastructure where America needs it. They will build it where they can make a buck, and that means tolls paid by working Americans and middle-class Americans. That means rural areas will not get the support they need. That means any project that can't generate user fees or taxes—like repairing our schools or water sewer systems—will not get done.

There is no free lunch. When the private sector wants to finance infrastructure, they naturally—that is our free enterprise system—want to get repaid, but who is going to repay them? The average American: the truckdriver who is scratching out a living, the salesman or saleswoman who is scratching out a living, the family who is going on vacation and has to stop every 30 miles for another big toll, the small business that depends on roads to get the goods to and from that business location.

If the President truly wants to rebuild our Nation's infrastructure, he has to approach this issue in a bipartisan way. There are several Republicans who don't want the Federal Government to spend any more money on infrastructure, but the majority of Senators of both parties probably do. The President needs to sit down with Democrats and work something out if he wants to get something done. He hasn't sat down with Democrats. He doesn't seem to want to. There are even reports that the President is considering doing infrastructure on reconciliation. That means just Republican votes, a huge mistake.

Republicans have been tied in a knot here in Washington. The President has been tied here in a knot in Washington because he insists on going at it alone.

Look at the entire Trump administration agenda. President Trump ran against both the Democratic and Republican establishments—a populist, if you will, but he has thrown his lot, since he has become President, with hard-right conservatives and is now pursuing an agenda entirely through the partisan process Republicans once decried—healthcare, reconciliation; taxes, the same. Now infrastructure? The one area where we kept the President out of it, the appropriations process worked swimmingly well. Leader MCCONNELL and I, Senators COCHRAN and LEAHY, and the House Members got together in a bipartisan way and we

worked it out. We each thought we had some victories. It worked, but I had to stand at this desk and tell our Republican colleagues to keep the President out of it because it will bullocks everything up. Fortunately, they did. Maybe we can do that again.

I would say to the President: Mr. President, you can spend your entire first-term agenda trying to jam through partisan bills. That would be a shame because America needs to get moving again. On infrastructure, this is an issue where we really have some common ground. That is why Senate Democrats put forward a trillion-dollar infrastructure plan that would create millions of jobs and actually fix our crumbling roads and bridges, invest in every corner of America, with particular attention to rural America.

We stand ready and willing to work with the President on that plan or something similar that actually achieves what he promised on the campaign trail.

#### HEALTHCARE LEGISLATION

Mr. SCHUMER. Mr. President, another matter: healthcare. According to reports, Republican Senators were planning to use the State work period last week to rewrite their healthcare bill. Well, now we are back in session, and unfortunately my friends on the other side of the aisle don't seem to be any closer to having a bill. If they do have one, they are hiding it and going down the same path as House Republicans—drafting a bill that will impact tens of millions in secret, no transparency, no committee hearings, no debate.

Even with all this secrecy, more and more Republicans seem increasingly pessimistic about finding a Republican-only bill that can get 50 votes in the Senate. Over the weekend, the senior Republican Senator from North Carolina, Mr. BURR, said: "I don't see a comprehensive health-care plan this year."

Just yesterday, Senator THUNE, a member of the Republican leadership, said the Republicans may rush a healthcare bill to the floor before they know if it has the support of their caucus.

Well, my friends on the other side of the aisle are learning how difficult it is to refigure our healthcare system under a process with only votes from one party—the so-called reconciliation process—and do it in a way that actually improves our healthcare, not devastate it, as the House bill would.

I hope my Republican friends will realize the only way we will get votes necessary to pass a healthcare bill is to drop repeal and work with Democrats to improve our healthcare system, not to sabotage it. We stand ready and willing to work with our Republican colleagues to further stabilize the insurance markets, build on the progress we have made in healthcare. In fact, we are running out of time before the 2018 rates are locked in.

Most insurance companies are saying they are raising rates because of the uncertainty Republicans continue to inject into the market. The President has not come out permanently for cost-sharing, which would reduce premiums and keep people in the market. They just sort of do it one at a time, and that is going to make the markets worse.

The public already unfortunately will blame those in charge—our Republican friends and the President—for the mess, as much as they would like to look past—as much of our colleagues on the other side of the aisle want to point fingers. People want something done now. They don't want fingers of blame pointed back at what happened 5 years ago or 8 years ago.

We Democrats don't want to tear everything down and start over again. Let's keep all the progress—the 20 million more Americans insured, the kids who can stay on their parents' plan, the protections for folks with pre-existing conditions—and find ways to make even more progress on bringing down costs for consumers and improving the quality of care.

I yield the floor.

#### RESERVATION OF LEADER TIME

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Courtney Elwood, of Virginia, to be General Counsel of the Central Intelligence Agency.

The PRESIDING OFFICER. The majority whip.

#### HEALTHCARE LEGISLATION

Mr. CORNYN. Mr. President, I came to the floor to talk about other matters, and I will get to those in a moment. I can't help but be struck by the Democratic leader's sudden interest in addressing healthcare reform.

It is a fact that even if Hillary Clinton were elected President of the United States, we would be revisiting the failed promises of the Affordable Care Act. For example, premiums, since 2013, have gone up 105 percent in the individual market. Those are people who don't have employer-provided coverage or aren't on Medicare or Medicaid. Small businesses and individuals who have to go out and purchase their