

Members on both sides will have a chance to offer amendments and have the Senate vote on them. So I would encourage all of our colleagues who have ideas about how to shape the healthcare policy to vote to get on the bill and then to offer amendments.

It has been 7 years since ObamaCare was passed. It is in meltdown mode. We are glad to have our colleagues across the aisle offer suggestions on how to improve the current terrible situation for so many millions of people, but I must object.

The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. I want to be clear that what we need to do is to provide certainty in the marketplace right now. What is happening because of the effort by our Republican colleagues to repeal the Affordable Care Act—which is providing coverage for literally tens of millions of people—what is happening because of this administration's refusal to guarantee those payments that would help people with the cost of their health insurance is that we are seeing instability in the marketplace. But the answer is not the proposal that was released this morning, the second or maybe it is the third draft of healthcare legislation that was done behind closed doors by our colleagues.

Earlier today, I had the opportunity to meet with two children from New Hampshire: Parker, who is 8, and Sadie, who is 10. These kids were here advocating for the children's hospitals that have meant that they can continue to live. They are kids who were born with serious health challenges. They continue to have those serious health challenges, but thanks to Children's Hospital at Dartmouth and Boston Children's Hospital, Parker and Sadie are alive today. They are smart, they are beautiful, and they are the delight of their families. They have been able to get the healthcare they need through CHaD and through Boston Children's because they are able to get covered for their healthcare under Medicaid. What our colleagues' healthcare legislation would do is dramatically cut the Medicaid funding that Parker and Sadie and so many children and old people and disabled in this country depend on in order to stay alive.

That is a mean-spirited bill. That is not the answer to the serious healthcare challenges we have in this country, and that is not what we should be doing to fix what needs to be fixed in the Affordable Care Act. What we need to do is work together.

I am disappointed that my colleagues on the other side of the aisle continue to work behind closed doors instead of having an open process. If this legislation that was introduced this morning is such a great piece of legislation, then let's go through regular order. Let's have a hearing. Let's let the people of this country weigh in and then see whether this is a healthcare bill we should pass.

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

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I would like to associate myself with the comments from the former Governor and now Senator from the great State of New Hampshire.

It is not enough to say the system is failing. It is not enough to come here and say: We can fix it if you just agree to vote the way we are voting. If you just agree, you can present any amendments you want. You can do whatever you want.

We don't even have a CBO score on this legislation. We don't know what is in this legislation. There have been no hearings so that people on both sides of the aisle can ask questions and say: What does this mean for a family on traditional Medicaid who has to rely on this to keep custody of their kids? And by the way, what does it mean if, as a result of losing their Medicaid coverage, those children are no longer able to stay at home and they become foster children because it is the only way they can get healthcare? What does it mean for those families about whom we all think we ought to have a real discussion, young people, young families who have excellent health, how they might have been disadvantaged on the exchange? What do we need to do for them? Maybe they were doing better economically than a lot of folks until they hit the cliff.

That is why I want to see my bill debated, because it can, in fact, offer opportunity. Every time we talk about this, what we hear about is how much it would cost. Well, the bottom line is that if all you do is shift the burden of these costs without any discussions with Governors, with private payers, with corporate America that is self-insured—if all we are doing is shifting costs and saying “It is now your problem,” we are not doing our job.

If you look at the Rand Corporation study, 12 percent of the population of this country has five or more chronic diseases. As a result of those unmanaged—typically unmanaged chronic diseases, what you will see is they incur 40 percent of the cost. Is that a problem? The answer is yes, that is a problem. We need to figure out how we can better manage chronic disease.

A great friend of mine, a guy named Richie Carmona, who once was the Surgeon General of this country, used to say—and I think it is true—70 percent of all healthcare costs are related to chronic disease, most of which is preventable. Where in any of these bills are we talking about prevention? Where are we talking about wellness? Where are we talking about bending the healthcare curve? We are only dumping and running with these bills. We are not doing our job, and as a result, we are frightening people in this country. We are frightening the elderly. We are frightening people who say: Right now, I can afford my health in-

surance; I am on an exchange. But when we change the ratio from 1-to-3 to 1-to-5 and reduce the amount of subsidies, then 30, 40, 50 percent of their disposable income will be used to pay for health insurance. That is the thing you are not hearing here.

So we have to come together. We have to come together with the fundamental questions of what is wrong with not just the Affordable Care Act but what is wrong with healthcare and how we fix it and how we change outcomes. We can't do that if we don't work together. This is a body that is divided 48 to 52. How do you come together if you don't come to the middle, if you don't come to the middle to compromise? You don't.

At the end of the day, we have not met our deepest obligation, which is to speak for those who are the least fortunate among us. We have not met our obligation to govern this country in a way that would make our Founding Fathers proud, to make our citizens proud, and that can advance this idea that the U.S. Congress can get something done in the United States of America—instead of partisan rancor.

We hold out the hope that we will at one point be able to debate these ideas that we presented. We hold out the hope that we will, in fact, meet somewhere to arrive at a better plan for the delivery of healthcare in this country.

I just want to close with one thought. There is not one organized healthcare group or advocacy group in my State that supports the Republican healthcare plan, so as we are looking at judgment on that plan, don't take my word for it. Take the medical associations' word for it, take the hospital associations' word for it, take AARP's word for it, take the consortium of large hospitals in my State, which urged a “no” vote on this legislation, take the disabled children's advocacy groups' word for it. This is not a path forward, but we are big enough people and good enough leaders that we can forge a path forward if we just find the will to do it.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

SEX TRAFFICKING

Mr. PORTMAN. Mr. President, I rise today to speak about an issue that Members on both sides of this aisle have a deep concern about, and that is human sex trafficking and, specifically, the work we have done to try to stop one website called backpage.com from selling people online.

This morning, I—along with my colleagues TOM CARPER and CLAIRE McCASKILL—announced that we have asked the Department of Justice to investigate backpage.com for criminal

violations of the law. This is a criminal referral, and it is a new development in this case. We believe there is sufficient evidence to warrant this criminal review by the Justice Department, based on the work that we have done in the Permanent Subcommittee on Investigations.

With estimated revenues of more than \$150 million a year, backpage.com is a market leader in commercial sex trafficking and has been linked to hundreds of reported cases of sex trafficking, including trafficking vulnerable women and children. Backpage has claimed that it “leads the industry” in its screening of advertisements for illegal activity, including sex ads for children. That is simply not true. In fact, we now know that this website has long facilitated sex trafficking on its site so that it can increase its profits—profits that come at the expense of those being trafficked, including children.

When victims or State authorities try to bring actions against this company, backpage has evaded responsibility by saying that it doesn’t write the ads for sex; it just publishes. Frankly, as a rule, courts have sided with the company, citing the immunity granted by a Federal law that is called the Communications Decency Act. The law, in essence, says that if a company like backpage publishes an ad someone else gives them, they are not liable, even though, again in this case, we know that this website has long facilitated sex trafficking and they know what they are doing.

We also now know that backpage has actively edited words and images, which makes them cocreators of these ads. We also know from a new report in the Washington Post just this week that, despite claims, backpage has aggressively solicited and created sex-related ads designed to lure customers. It further demonstrates that backpage is not merely a passive publisher of third-party content. They are involved. The article found that backpage workers were active cocreators of many of these sex advertisements, including those that seek to traffic women and young, underage girls.

I believe the legal consequences should be that they should lose their immunity under the Communications Decency Act, and that is why we have asked the Justice Department today to review this matter.

Let me be clear about the Communications Decency Act. It has an important purpose. It is a well-intentioned law. It was enacted back in 1996 to protect online publishers, and I support the broader legislation, the Communications Decency Act. But the law was not intended to protect those who knowingly violate the law and facilitate illegal conduct, and it was never intended to protect those who knowingly facilitate the sex trafficking of vulnerable women and girls.

We are actively exploring legislation to fix this issue once and for all. I have

been working with a bipartisan group of Senators on potential legislation, and I am hopeful that will soon be introduced in the U.S. Senate. We must protect women and underage girls and hold accountable websites that knowingly facilitate these types of criminal exploitations.

A couple of weeks ago, I was at a place in Ohio called the Ranch of Opportunity in Washington Court House. The Ranch of Opportunity opened its doors in the latter part of 2013. It is on a 22-acre site, a tranquil setting, a peaceful, spacious, and healthy environment for girls between 13 and 18 to help find healing and recovery during a residential program.

The ranch is a place of hope. As it says in its name, it is a ranch of opportunity, and a lot of the girls who spend time at the ranch have been victims of human trafficking and child abuse. In fact, I am told that the majority—roughly 60 to 80 percent—of the young girls who come through this program have been trafficked.

As I have talked to some of the girls and the staff there, of course, backpage.com comes up again and again, as it always does when I talk to survivors and victims of human trafficking. These types of crimes—sexual abuse and trafficking—are horrific, but they are happening. They are happening all over the country, and they are happening more and more. So in your community, wherever you live, sadly I will tell you that this is a problem. Part of it is because of these online traffickers. In other words, as many of the survivors of human trafficking have told me: ROB, this has moved from the street corner to the smartphone, and the smartphone is where backpage.com dominates.

In touring the State, I have heard over and over again about this specific link between drugs and human trafficking. I have talked to trafficking survivors who have told me that their trafficker first got them hooked on heroin and other drugs. I saw this firsthand in May, when I toured the Salvation Army of Greater Cleveland Harbor Light Complex. They have been operating in Cleveland for 65 years, providing incredibly important services to some of the most vulnerable members of society, including women who have been trafficked. It is important to know that link is there.

Both of those issues are so important to address—trafficking and what is happening in terms of the increasing heroin and prescription drug and fentanyl crisis in this country, which is now at epidemic levels. That is why the STOP Act is so important—the Synthetic Trafficking and Overdose Prevention Act, which we are trying to get passed here, as well as the Prescription Drug Monitoring Act, which is so important. There is a connection.

Human trafficking requires urgent action, and so does the opioid epidemic. On human trafficking, including sex trafficking, we are now told it is a

\$150 billion a year industry. Think about that. It is the second biggest criminal enterprise in the world behind the drug trade. Unfortunately, again, it is happening in all of our States.

Just last month, a 26-year-old man was indicted on human trafficking charges. He used backpage.com to advertise the availability of two girls, ages 15 and 17. He advertised them for sex and trafficked them out to several hotels in the area. Thankfully, in this case, members of the Central Ohio Human Trafficking Task Force rescued both of the victims, one in Columbus and one in Toledo.

Cases like this are alarming, but they are happening all over the place. At the National Center for Missing & Exploited Children, experts on this issue report an 846-percent increase in reports of suspected child sex trafficking from 2010 to 2015. That is an increase of more than 800 percent in 5 years. The organization found this spike to be “directly correlated to the increased use of the internet to sell children for sex.” Again, it is the dark side of the internet, and trafficking has now moved from the street corner to the cell phone.

To confront this problem, as chairman of the Permanent Subcommittee on Investigations, along with my colleague and ranking member, Senator CLAIRE McCASKILL, now Senator TOM CARPER, I opened a bipartisan investigation into sex traffickers and their use of the internet. The investigation began over 2 years ago. The National Center for Missing & Exploited Children now says that nearly three-fourths—73 percent—of all suspected child sex trafficking reports it receives from the general public are linked to one website, backpage.com.

According to leading anti-trafficking organizations, including Shared Hope International, service providers working with child sex trafficking victims have reported that between 80 percent and 100 percent of their clients have been bought and sold on backpage.com. Backpage now operates in 97 countries—934 cities worldwide—and is valued at well over one-half billion dollars. According to an industry analysis, in 2013, \$8 of every \$10 spent on online commercial sex trafficking advertising in the United States goes to this one website, backpage.com.

As I said earlier, they say that they lead the industry in screening; in fact, their top lawyer described their screening process as a key tool for disrupting and eventually ending human trafficking. That is not true. Despite these boasts, the website and its owners have consistently refused to cooperate with our investigations on the Permanent Subcommittee on Investigations. With regard to our inquiries, despite subpoenas for company documents on how they screen advertisements, they have also refused to provide us documents after a subpoena. As a result, this body, the U.S. Senate, last year, for the first time in more than 20 years, voted to

pass a civil contempt citation—in other words, holding backpage.com in contempt and requiring them to supply these documents and come forward with this information or else face a lawsuit and potential criminal violations. Finally, last August, after going through the district court, the Circuit Court, all the way to the Supreme Court, we were able to get their request to appeal it rejected, and we were able to get the documents.

Over 1 million documents were eventually turned over, including emails and internal documents. We went through them all, and what we found was very troubling, to say the least. After reviewing the documents, the subcommittee published a staff report in January that conclusively showed that backpage is more deeply complicit in online, underage sex trafficking than anyone ever imagined. The report shows that backpage has knowingly covered up evidence by systematically deleting words and images suggestive of the illegal conduct, including child sex trafficking. The editing process sanitized the content of millions of advertisements in order to hide important evidence from law enforcement. I encourage people to take a look at this report. They can look at it on our website and other websites here from myself or Senator McCASKILL.

Backpage CEO Carl Ferrer personally directed his employees to create an electronic filter to delete hundreds of words indicative of sex trafficking or prostitution from ads before they were published. In other words, they knew these ads were about selling girls, selling women online; yet they published them.

Again, this filter they used did not reject ads because of the obvious illegal activity. They edited the ads only to try to cover up the illegal activity. It didn't change what was advertised; it changed the way it was advertised. Backpage did nothing to stop this criminal activity. They facilitated it, knowingly.

What did they do? Well, afraid to erode their profits—they were afraid because, as Mr. Ferrer said, in his words, it would “piss off a lot” of customers. They began deleting words. Beginning in 2010, backpage automatically deleted words including “lolita,” referencing a 12-year-old girl in a book sold for sex, “teenage,” “rape,” “young,” “little girl,” “teen,” “fresh,” “innocent,” “school girl,” even “amber alert”—and then they published the edited versions of those ads on their website. They also systematically deleted dozens of words related to prostitution. This filter made these deletions before anyone at backpage even looked at the ad.

When law enforcement officials asked for more information about the suspicious ads, backpage had destroyed the original ad posted by the trafficker, so the evidence was gone. This notion that they were trying to help law enforcement flies in the face of the

fact that they actually destroyed the evidence that would have helped law enforcement.

We will never know for sure how many girls and women were victimized as a result of this activity. By backpage's own estimate, the company was editing 70 to 80 percent of the ads in their adult section by late 2010. Based on our best estimate, this means that backpage was editing more than one-half million ads a year—more than one-half million ads a year.

At a hearing on the report, the backpage CEO and other company officials pled the Fifth Amendment, invoking their right against self-incrimination rather than responding to questions we had about the report and its findings.

We also heard powerful testimony from parents whose children had been trafficked on backpage. One mother talked about seeing her missing daughter's photograph on backpage. She frantically called the company to tell them that it was her daughter—they finally found her—and to please take down the ad. Their response: Did you post the ad?

Her response: Of course I didn't post the ad. That's my daughter. Please take down the ad.

Their response: We can take it down only if you pay for the ad.

Talk about heartless.

Based on our report, it is clear that backpage actively facilitated sex trafficking taking place on its website in order to increase profits at the expense of vulnerable women and children. Then, after the fact, they covered up the evidence of these crimes.

What is happening to these kids is terrible. It is not just tragic. To me, it is evil.

No one is interested in shutting down legitimate commercial activity and speech. As I said earlier, the Communication Decency Act plays an important role, but we want to stop this criminal activity.

I see some of my colleagues are here to speak. I appreciate their allowing me to finish, but I urge all of my colleagues on both sides of the aisle to join me in reforming these laws to be able to protect these innocent victims, these children.

I yield back my time.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, before the chair of the Permanent Subcommittee on Investigations leaves, I also would like to put into the RECORD that, recently, in a raid that was performed in the Philippines, some very interesting documentation was seized about backpage, according to news reports, and the FBI was immediately called.

I think there is an opportunity to use that information to advance the investigation and to continue to expose the participation of backpage, not just as a billboard or as a want ad but as a knowing participant in the trafficking

of children—not just in our country but globally.

I thank the chairman.

FUTURE ACT

Mr. President, today I am joined by my colleagues from West Virginia and Rhode Island. We are kind of a motley group. We are talking about something that has brought us together with a level of excitement and bipartisanship. I would like to say that it is not just bipartisanship but really coming across the ideological barriers we frequently experience here to try and talk about an issue that is near and dear to our hearts, which is maintaining an opportunity for our coal miners and our coal industry to continue to do what they have done for generations—and that is to produce electricity that fuels this economy in the United States of America—but also recognizing that regulatory certainty is one of the key values we need to establish. In order to provide that certainty, we need to address concerns of other Members of our caucus who have in no small measure a lot of concern about what is happening with CO₂ emissions and what those emissions are doing environmentally.

I want to just kind of introduce this concept. Back in 2008, we passed something called 45Q, which was a provision that would allow for tax credits similar to what we have for wind and solar. Wind credits are production tax credits, and solar credits are investment tax credits. To provide for tax credits, \$10 and \$20—\$10 if you are injecting into a formation or you are enhancing oil recovery, \$20 if you are injecting into a geographic formation to store the carbons as CO₂—those credits have proved to be, albeit used, but somewhat anemic to jump-start the technology, to jump-start the opportunity to see wholesale carbon sequestration.

We also know that since 2008, we have seen new technologies coming. I know my colleague from Rhode Island will talk about carbon utilization. We are expanding beyond just carbon sequestration—carbon capture and sequestration—to carbon utilization. It is a hugely important part of this puzzle. We believe that if we provide these tax incentives to our industries, if we provide these tax incentives to our innovators, it will drive technology that will have the benefit of guaranteeing that we will see a diverse fuel source in America that includes coal and includes natural gas. We always want to point that out, wherever we represent coal States. I know West Virginia is in proximity to huge natural gas fields. We know that we may be faced with a carbon challenge in natural gas, and the ability to capture CO₂ behind natural gas-fired power may be an essential ingredient for regulatory certainty into the future.

We are excited about this bill. We have 25 cosponsors who will advance and continue to talk about it and continue to grow colleague support. We hope this show of bipartisanship, this ability to work across the aisle, this