

United States Circuit Judge for the Eleventh Circuit.

LEGISLATIVE SESSION

Mr. McCONNELL. Madam 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. Madam President, I move to proceed to executive session to consider Calendar No. 175, Marvin Kaplan.

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 Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2020.

CLOTURE MOTION

Mr. McCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant 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 Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2020.

Mitch McConnell, Chuck Grassley, Marco Rubio, Deb Fischer, John Cornyn, Susan M. Collins, Lamar Alexander, Roy Blunt, Luther Strange, Pat Roberts, James Lankford, Bob Corker, Richard C. Shelby, John Barrasso, Joni Ernst, Orrin G. Hatch.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

HEALTHCARE

Mr. SCHUMER. Thank you, Madam President.

First, on the matter of healthcare. I sincerely and truly hope the events of last week are a turning point. I hope they steer this body toward a period of greater bipartisanship. We sure could use it because the problems in our healthcare system did not end last week. We Democrats know that the Affordable Care Act wasn't perfect. We want to keep what works—and there

are a lot of good things in it—and we want to fix what doesn't. We have a lot of work to do on that front.

Our first order of business should be to stabilize the individual market and then both parties should work together through regular order through committees to discuss other improvements. Chairman ALEXANDER and Ranking Member MURRAY have indicated they want to work together, have public hearings, and do this the right away. I am hopeful Chairman HATCH, Ranking Member WYDEN, both of whom have proven themselves willing and able to work across party lines, also will be willing to work closely together to address broader problems with our healthcare system.

Let me repeat. The first order of business should be to stabilize the individual market, which has been racked by uncertainty.

Right now, as insurers prepare to lock in their rates and plans for 2018, the Trump administration is dangling a massive sword of Damocles over the heads of millions of Americans, threatening to end payments the administration is supposed to make that would lower deductibles and out-of-pocket costs for so many Americans. These payments are critical to keeping healthcare costs down and keeping the markets stable. Remember, AHIP—the largest trade group of insurers—has said the uncertainty about these payments is “the single most destabilizing factor in the individual market.” That is not CHUCK SCHUMER or some Democrat saying it, it is the insurers saying it. Make no mistake, by refusing these payments, President Trump is sabotaging our healthcare system. He is actively trying to make it collapse, taking out his political loss on the American people. That is not being Presidential; that is small, it is vindictive, and it will hurt millions of Americans he has sworn to help.

In Pennsylvania and North Carolina, insurers have filed two separate sets of possible rates for 2018; one if the payments are made and one if they are not. If the payments are not made, premiums would be 20 percent higher.

Let's repeat that. If the payments are not made, if President Trump follows through on his vindictive idea of not making the payments, premiums will be 20 percent higher for the people of North Carolina and Pennsylvania. So if President Trump does not guarantee these payments permanently, Americans will have to pay a Trump tax on their premiums next year.

Let me say that again. If President Trump does not guarantee these payments, Americans will be paying a Trump tax of 20 percent higher premiums.

President Trump has a responsibility to make our healthcare system work, and millions of Americans will hold him accountable if the system implodes on his watch, if insurers leave the markets on his watch, or if their premiums go up 20 percent or more on his watch.

Of course, we in Congress could remove the uncertainty hanging over the market and take the decision out of the President's hands. We can and should guarantee these payments as soon as possible, before the insurers set their rates for next year. I urge my Republican friends to join us on Senator SHAHEEN's bill to guarantee these payments and prevent President Trump's premium tax from going into effect. Republican Senators ALEXANDER, COLLINS, HATCH, PORTMAN, and JOHNSON have all spoken about the need to do this. I hope they will help us move forward. We could get this done very quickly and show the American people that we are able to work together on healthcare in a very bipartisan way, to help keep costs down for so many ratepayers.

SANCTIONS BILL

Now, Madam President, on the matter of Russia sanctions. I was very proud last week, as nearly every Member of Congress, save five, voted to pass legislation for sanctions on Russia, Iran, and North Korea; that there was such bipartisanship on that issue. According to reports, the President will sign the legislation.

These are tough sanctions. They will have a real effect on Russia, and they are more than justified. President Putin violated the sovereignty of Ukraine, aided and abetted human rights abuses in Syria, and attacked the very foundation of our democracy by meddling in the 2016 election.

Just as importantly, the sanctions bill gives Congress the ability to review any decision to weaken, dilute, or lift sanctions on Russia. President Putin will not be able to get out from under the sting of these sanctions without the consent of Congress.

Let this be an unequivocal message to Mr. Putin and any other nation that is thinking of interfering in our elections: If you interfere with our elections, which we hold sacred, you will be sanctioned. Those sanctions will be severe.

RUSSIA INVESTIGATION

Finally, Madam President, a word on the investigation conducted by Special Counsel Mueller.

Since the beginning of the investigation of Russia's meddling in our elections both here in Congress and in the executive branch, the heavy hand of the administration has never been far away. We know that the administration solicited the help of the chairman of the House Intelligence Committee to beat back reports in the press about Russia's interference in our election, and that was after 17 intelligence agencies said that it happened. The President fired FBI Director Jim Comey and admitted on national television that he was thinking about “this Russia thing” when he did it. Then, after Special Counsel Mueller was appointed to lead the investigation, allies of the administration went on television to defame his character, to sully his reputation—a shameful ploy to degrade a man with

one of the most sterling records of non-partisan public service that a man can have in this country.

On Twitter, the President routinely berates and humiliates his former friend—maybe he still is a friend; who knows—his Attorney General, his great ally in his campaign. Jeff Sessions was one of President Trump's earliest friends, one of his first supporters in Congress. Not only does that get to character—I cannot imagine any American likes the way Senator Sessions was treated, whether you agree with him or disagree with him—but it also raises questions about whether the President wants the Attorney General to resign so that he can appoint a new Attorney General who is willing to fire Special Counsel Mueller.

If such a scenario were to pass, we would have a constitutional crisis on our hands. The Senate should remove even the possibility of its coming about. So, in the tradition of the Senate, I expect that we will hold pro forma sessions throughout the upcoming recess to prevent a recess appointment from being made.

The fact that President Trump continues to meddle with the Department of Justice and impede the Russia investigation gets to a larger question: If President Trump has nothing to hide, nothing to fear, why not let Special Counsel Mueller do his job, follow the facts, and finally get to the bottom of the matter?

On a matter as important as foreign interference in our elections, the American people deserve a thorough and impartial investigation into the facts. President Trump should come nowhere near it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

VENEZUELA

Mr. NELSON. Madam President, we have chaos in Venezuela. It is a protracted crisis in Venezuela, which took yet another turn for the worse yesterday.

Venezuelan President Nicolas Maduro pushed ahead with a vote to form a constitutional assembly despite the vehement opposition of the Venezuelan people and overwhelming international criticism. It became a sham vote. Only about 10 percent of the population voted. The opposition stayed home. Plain and simple, the vote was illegal, and it was rigged. Once again, on the streets and at the ballot box, the Venezuelan people have made themselves heard loud and clear. Two weeks ago, more than 7 million Venezuelans voted against even holding this vote, and, yesterday, millions of people stayed home.

Maduro wants to rewrite Venezuela's Constitution so that he can cling to power, and yesterday's vote was only the latest attempt to undermine, if not to completely undo, Venezuela's democracy. He continues to crack down on protesters, killing more than 100 and injuring and arresting thousands more. His thugs have raided homes and terrorized the opposition's families. He has tried to strip the National Assembly of its powers, undercut the Attorney General, and he has co-opted the courts. His thugs attacked the National Assembly and injured opposition lawmakers. He blocked a lawful referendum to recall his election.

His cronies steal the country's money and enrich themselves. All the while, the Venezuelan people suffer. The people go hungry; children are malnourished; there are no staple products—no medicines, no medical supplies for the people. Of course, you know who gets the food and the medical treatment. It is the privileged few—the Maduro ones whom he protects. This is Venezuela's tragic reality.

Maduro has made himself a dictator, and he and his cronies are bent on turning Venezuela's once vibrant democracy and once vibrant economy into a Cuban-style regime. Nevertheless, the Venezuelan people, in the face of violence, oppression, and deprivation, continue to fight for their democracy—for the little bit of freedom they have left. They are doing everything they can—at great risk to themselves and their families—to save their democracy and, thus, to save their country. The task just got a lot harder.

The issue before us is what we can do to support them since Maduro has now installed himself with this fake referendum on the National Assembly. What can we do to keep Maduro from being the dictator he is?

What we need to do is to condemn the National Assembly as the sham that it is. It also means the United States increasing the pressure on the Maduro regime. I just spoke this afternoon with the Treasury Department. The United States announced a little earlier this afternoon that it has frozen Maduro's assets. I expect at least two other countries to follow suit—and probably more after they do. This is an important step, and I hope that it is the first in what will be the strongest possible economic sanctions to stop Maduro. It is time that we consider cutting the imports of Venezuela's oil also.

What have we done thus far?

There was already a group of Maduro's cronies—some in the private sector, some in the government—on whom the sanctions have been slapped. You ask: What does that do? What good does that do? Listen, all of these cronies of Maduro's love to come to Miami. They love to have offshore bank accounts and all kinds of assets stashed overseas—if not in the United States, perhaps in some of those other

countries that are going to follow suit. We should do that with his cronies.

What we have done today with the announcement by the Treasury Department is to freeze Nicholas Maduro's assets, and if other countries will follow suit, they are going to freeze his assets as well.

Maybe we should take the next step. The next step is that Venezuela exports a lot of its oil to the United States. It is such a heavy, dirty crude that a good part of that has to go to the refineries in the United States because those refineries are the ones that are capable of refining that heavy, dirty crude. Maybe we just ought to stop our imports of Venezuela's oil and absorb that percentage of loss of oil that is coming into the United States from Venezuela as, clearly, on the world marketplace, oil is fungible. Maybe that is what we ought to do because we are now dealing with a Cuban-style dictator who is the head of Venezuela.

I think, in going forward, that the United States must insist on the release of all political prisoners and the rule of law and that Venezuela has to go back to when it was a thriving democracy. That was back when they respected human rights and the people had some freedoms. As the United States, we ought to help rally the nations of the Organization of American States and rally the support of the world to bring about a meaningful end to this crisis because it is just going to get worse and worse.

The violence that you have seen on the TV yesterday and today is going to continue. As you continue to squeeze the people, to starve them, to take away all semblance of human decency, what do you think they are going to do? They are going to revolt, and the violence is not going to stop.

There is a role for Congress, and there is an opportunity for the Congress to lead. The President's budget eliminated the funding for democracy programs in Venezuela that supported the old National Assembly and civil society and those same democracy programs that promoted human rights and the encouraging of an independent media.

Recently I wrote to the Senate Appropriations Committee, along with a number of other Senators, urging that the committee continue that funding for those democracy programs in Venezuela. In May, this Senator joined Senators CARDIN and RUBIO and seven others in introducing the Venezuela Humanitarian Assistance and Defense of Democratic Governance Act. That bill addresses the many aspects of the crisis in Venezuela.

It codified targeted sanctions on regime officials—something we are now implementing—and thank goodness for this announcement today by the administration. I give them kudos for that. That act would authorize badly needed humanitarian assistance. It would back OAS efforts to bring about an end to the crisis, and it funds election observation organizations and