

politicians, and so many others are sharing food and medicine, running for office and facing the threat of arrest or exile, documenting human rights abuses in the shrinking media state, trying to run businesses in a broken economy. It is an incredible act of courage each day.

I also met with former political prisoners, political opposition members, and their families who are under constant threat or already under some kind of arrest. I would name them here, but to do so would put them in danger in Venezuela. I was moved by their dedication and humanity.

I am haunted by the comments of one group of young idealists. Over dinner Friday night in Caracas, they talked about the future. They said: If we called the same group of five opposition leaders together a year from now, we would be lucky if three showed up. Two of us will be exiled or jailed between now and then. That is what they face by being political opponents of the current regime. I fear how many of Venezuela's most talented will be sacrificed under these conditions.

The regime is also tragically holding a U.S. citizen, Josh Holt of Utah, on criminal charges. The charges are nonsense. I visited with Josh Holt in his prison. The prison is known locally as hell on earth. Josh and his Venezuelan wife have served 21 months, with no end in sight, and they still haven't gone through the criminal process. He is suffering, and he should be. It is understandable. He is clearly being held as a political hostage. I appealed to the President and every member of the government to release this young man and his Venezuelan wife and her daughter so that they could come back to the United States. Keeping Josh Holt as a political hostage will just isolate the Maduro regime even more. I am one of a bipartisan group of Members in Congress who will continue to push for his immediate release.

Lastly, I want to note that every time I go on one of these trips overseas, including to some of the most far-flung corners of the globe, I am always moved by the group of talented Americans working for us and representing us; those are the men and women in our Embassies, without exception. Under the Charge d'Affaires, Todd Robinson, our Embassy team in Caracas is a point of great pride and outstanding public service. The conditions under which they are forced to operate are extraordinarily stressful.

There was some small hope that negotiations led by the Vatican and regional leaders or most recently hosted in the Dominican Republic could lead to some kind of path forward between the Venezuelan Government and the opposition before it is too late, but all of these have failed. Some hoped years ago that a group known as the Boston Group—American and Venezuelan elected officials—might be the beginning of a dialogue and might be continued to this day, but it is increasingly

difficult to see that possibility. I met some of the Venezuelan Boston Group members. Several of them are deeply committed to this administration currently in power. Many of them talk about changes that need to be made in Venezuela. I haven't given up hope completely that there may be some voices that can move this country back to a civilized status.

Let me be clear in my concluding message to the Venezuelan Government, specifically, a message that they should proceed with an election that meets the following basic standards: All political prisoners must be released, and all candidates and parties must be allowed to compete. There must be at least 6 months for a legitimate campaign. The national election council should be restructured and led by a credible group of professionals on an evenly divided partisan basis so that it isn't loaded for one party or another. There must be no linking of food with voting or political party affiliation. The National Assembly must have its powers restored. Credible international and local election monitors must be allowed to observe preelection and actual election processes, with full accreditation and access. Going forward otherwise will only bring more suffering to the people of Venezuela and more isolation to their nation.

Republicans and Democrats don't agree on much these days, certainly not here in Washington on Capitol Hill, but we do agree that Venezuela and the consequences of President Maduro's regime continue to lead that nation down a negative path, a path of suffering.

I yield the floor.

#### CHINA AND TRADE

Mr. CORNYN. Mr. President, I preface my remarks today about China with a recent article from *The Economist*, dated March 1, 2018, which, I think, does a very good job of crystalizing what the hopes and aspirations that we in the West had for China and what the reality has turned out to be.

It points out that in March 2000, Bill Clinton divided the American opinion on China into two camps. The first, he said, was of the optimists, and the second was of the hawks and the pessimists. The optimists, as it describes it, have an eye on the future and can see China becoming the next great capitalist tiger with the biggest market in the world. That was the optimistic view. *The Economist* writes that the hawks and pessimists, who were stuck in the past, saw China as stubbornly remaining as the world's last, great Communist dragon and a threat to stability in Asia.

As this article points out, it was not an either/or. It called it a both/and. It concludes that the China of Xi Jinping is a great mercantilist dragon that is under strict Communist Party control and that it is using the power of its vast markets to cow and co-opt capitalist rivals to bend and break the rules-based order and to push America to the periphery of the Asia-Pacific re-

gion. It calls this one of the starkest reversals in modern geopolitics.

Indeed, the administration's national security strategy that President Trump rolled out just a couple of months ago states that China challenges American power, influence, and interests. It points out again that the hopes and aspirations of the optimists appear to have been dashed. Instead, we have one of the starkest reversals in modern geopolitics. This leads me to the subject I want to at least start talking about because it does relate to China.

Today, in the Subcommittee on International Trade, within the Senate Finance Committee, which I happen to chair, we are convening a hearing on trade issues and China. The core issue my colleagues and I will examine involves challenges to U.S. businesses, manufacturers, and service providers who are trying to get access to the Chinese market—a market that represents the second largest economy in the world. China, of course, has almost unfettered access to the United States. There are important protections in place, like the Committee on Foreign Investment in the United States, which does look at some of those investments to make sure our national security interests are not compromised.

By and large, China has open access to the United States and the U.S. market. China is the United States' largest merchandise trading partner and the third largest export market for U.S. goods abroad. Although the legitimate flow of goods and services between the United States and China has increased over the years and is, in many respects, a positive thing, statistics alone do not capture the whole story, hence the preface that I gave about *The Economist's* view of what has changed in China.

Unfortunately, while Chinese companies largely enjoy open access to U.S. markets and an economy that is receptive to foreign investment, U.S. companies are not afforded reciprocity in this regard. In his State of the Union Message, the President made that point, which is that in our trading relationships, we expect reciprocity—in other words, to treat our trading partners the same way they treat us—hopefully, to everybody's advantage.

U.S. companies that seek to do business in China often encounter—I would say always encounter—a protectionist system, one that employs predatory tactics and promotes domestic industries over foreign competitors, many of which receive State subsidies. In many cases, China has used trade as a weapon and coerced U.S. companies to enter into joint ventures or other business arrangements that require a company to hand over its key technology and know-how—the so-called secret sauce of its business—in order to gain market access.

This practice has already begun to erode America's technological advantage and undermine our defense industrial base, which is something that

should concern all of us and is the subject of a revision of the Committee on Foreign Investment of the United States, CFIUS, statute that is going to be coming out of the Senate Banking Committee and the House Financial Services Committee. It will be an updating of the CFIUS process to meet the challenges of today.

Of course, under section 301 of the Trade Act of 1974, the Trump administration is currently considering potential investment restrictions to address the harm that has resulted from China's effort to acquire sensitive technologies through investments. I look forward to working with the President and others to ensure that the proper steps are taken, but the real issues are clear, and we will be considering them in more detail at the hearing this afternoon on China's restrictive market.

Even though multiple administrations have attempted to engage Chinese leaders on their trade practices, the high-level diplomatic talks have generally yielded little progress and have often resulted in commitments with zero follow-up action. Discussions may continue in the future, but China's market access reforms are still too slow, and real barriers exist. Reciprocal treatment for U.S. companies should not be too much to ask. Indeed, it is the minimum we should insist upon. It is my hope that today's hearing will paint a clear picture of the problems that persist with access to Chinese markets and that significant reforms will follow.

#### JUDGES

Mr. President, on a second brief matter, I will mention that yesterday was the 1-year anniversary of Neil Gorsuch joining the U.S. Supreme Court.

Former Attorney General Ed Meese called Justice Gorsuch someone in the mold of the late Justice Antonin Scalia—an impartial judge who applies laws as they are written and who shows an abiding respect for the rights that are guaranteed by the Constitution.

As I have numerous times in the past, I commend President Trump on his outstanding selection, and I congratulate Justice Gorsuch on his first year of serving on our Nation's highest Court.

Let's not forget that Justice Gorsuch is not the only good news when it comes to the Federal judiciary. He is only one part of a much larger and, often, untold story. As of earlier this month, 30 article III Federal life tenure judges have been confirmed under President Trump's tenure—30. That is due, in large part, to the commitment of the Senate, under our majority leader's leadership, to making sure that this was a priority—to confirm judges who have been passed out of the Judiciary Committee here on the floor of the Senate and to maximize our floor time in order to get that priority accomplished.

My home State has filled two appellate vacancies, as well as two district

vacancies so far. Additionally, five accomplished lawyers are waiting for hearings for Texas district vacancies, and two more are waiting to be confirmed for those vacancies. So is Andy Oldham, who is an accomplished lawyer who has been nominated to fill the third seat on the Fifth Circuit since President Trump has become President. I hope we will continue to move all of these judicial nominees and many more across the country very soon.

I know there is a lot of focus on the executive branch and the legislative branch, but I believe the judiciary is the bedrock of our government as it ensures that equal justice is available to all, no matter what one's station in life. It is the rule of law that enables all of our other freedoms to be possible. It enables our economy to flourish, and it creates opportunities for our people so that they can pursue their dreams. That is how important I believe the judiciary is, and we should never forget it.

Yesterday, President Trump took another important step in this area when he announced he would be nominating David Morales to fill one of the vacancies I just mentioned, this one in Corpus Christi, TX, in the U.S. Southern District. David has extensive experience in working for the Texas attorney general and the Governor, as well as in the University of Texas system. He was recommended by Senator CRUZ and my Federal Judicial Evaluation Committee—a bipartisan group of the best and brightest lawyers the State of Texas has to offer. David was recommended to us by what we call the FJEC. It performs a great service not only to Senator CRUZ and me but to the public, generally, in its vetting of these potential nominees for judicial service and its recommending them to us. David Morales will bring more than 23 years of complex litigation and agency dispute resolution to bear.

I hope our colleagues will join me in making sure his nomination is swiftly considered and that he is confirmed.

I think David and the other Texans whom President Trump has nominated will make excellent additions to our courts. They are the kinds of people we should want in our courts—those who will impartially ensure that justice is done and the law, as written, is followed no matter who the litigant is or the type of controversy at issue.

#### FIGHT ONLINE SEX TRAFFICKING ACT

Finally, Mr. President, for the skeptics who like to say that nothing good ever gets done here in Washington, I will mention one other item and the real positive consequences of a bill we just passed and that is being signed into law by the President today—the Fight Online Sex Trafficking Act, FOSTA.

The effort to pass it was led by our colleague, the junior Senator from Ohio, Mr. PORTMAN. I and others were honored to serve as original cosponsors of this legislation in the Senate. We

have been working on this issue since at least 2012, when I introduced a resolution, along with a bipartisan group of my colleagues, that called for backpage.com to cease its facilitation of human trafficking, including of children, and prostitution by eliminating the adult section of the website. We had to pass this law because, when it would go to court, under the Communications Decency Act, it was able to claim that Congress had not carved out a provision for trafficking, just merely for child pornography. Thus, it had escaped our attempts to bring it to justice in the past.

This important legislation goes along with a bill we passed in 2015, called the Justice for Victims of Trafficking Act, which refocused our efforts on fighting the sex trade here in the United States by targeting those who purchased human trafficking victims, providing services to the survivors of this crime, and giving law enforcement new tools to target the organized networks that are responsible for commercial sexual exploitation. That was just a few years ago. Yet, just this last month, as I said, we changed section 230 of the Communications Decency Act to allow State attorneys general and victims to seek justice against websites that knowingly assist or facilitate commercial sexual exploitation and child sex trafficking.

The good news is that since that time, a grand jury in Arizona has indicted 7 people, who are affiliated with backpage, on 93 counts of money laundering, facilitating prostitution, and other crimes. The indictment alleged that the website essentially operated as a highly lucrative online brothel.

After we passed FOSTA, the Fight Online Sex Trafficking Act, some websites announced major policy changes and shut down sections that may have helped to enslave and entrap young women. So it has not just been the indictment and, hopefully, the conviction of people who facilitated backpage over the years, but it has also had a deterrent effect on other websites that have done similar things and has encouraged them, in their own self-interests, to shut down those sections that have helped to facilitate human trafficking.

Backpage has now been seized by Federal law enforcement. It can no longer serve as an open forum for the exploitation of children and the purchase of human beings for sexual slavery. These are all positive signs that the law we have enacted is making a real difference, ensuring that this malignant conduct does not go unpunished. The prosecution and dismantling of backpage has sent a clear message to the pimps and the buyers responsible for sexual slavery, resulting in the shutdown of many other sites involved in the commercial sex trade. This includes message boards where individuals post accounts of the sexual assaults of women and children as if they were reviewing a restaurant menu or product.