

Sullivan	Tillis	Warner
Tester	Toomey	Wicker
Thune	Van Hollen	Young

## NAYS—24

Baldwin	Gillibrand	Schatz
Blumenthal	Harris	Schumer
Booker	Heinrich	Smith
Brown	Hirono	Stabenow
Cantwell	Markey	Udall
Cortez Masto	Merkley	Warren
Durbin	Murray	Whitehouse
Feinstein	Sanders	Wyden

## NOT VOTING—7

Cruz	Hassan	Rubio
Duckworth	Heller	
Flake	McCain	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

The question is, Will the Senate advise and consent to the nomination of Jelena McWilliams to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill 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 James Randolph Evans, of Georgia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

Thom Tillis, John Cornyn, Mike Crapo, John Thune, Roy Blunt, Ron Johnson, Cory Gardner, Lindsey Graham, Pat Roberts, Johnny Isakson, John Boozman, James E. Risch, Todd Young, John Hoeven, Mike Rounds, David Perdue.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of James Randolph Evans, of Georgia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Arizona (Mr. FLAKE), the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. MCCAIN), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Hampshire (Ms. HASSAN) are necessarily absent.

The PRESIDING OFFICER (Mr. SASSE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 44, as follows:

[Rollcall Vote No. 110 Ex.]

## YEAS—49

Alexander	Gardner	Perdue
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heitkamp	Rounds
Capito	Hoeven	Sasse
Cassidy	Hyde-Smith	Scott
Collins	Inhofe	Shelby
Corker	Isakson	Sullivan
Cornyn	Johnson	Tester
Cotton	Kennedy	Thune
Crapo	Lankford	Tillis
Daines	Lee	Toomey
Donnelly	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

## NAYS—44

Baldwin	Heinrich	Peters
Bennet	Hirono	Reed
Blumenthal	Jones	Sanders
Booker	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Smith
Carper	Manchin	Stabenow
Casey	Markey	Udall
Coons	McCaskill	
Cortez Masto	Menendez	Van Hollen
Durbin	Merkley	Warner
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Harris	Nelson	Wyden

## NOT VOTING—7

Cruz	Hassan	Rubio
Duckworth	Heller	
Flake	McCain	

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 44.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of James Randolph Evans, of Georgia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

The PRESIDING OFFICER. Under the previous order, the time until 1:45 p.m. will be equally divided in the usual form.

The Senator from Nebraska.

## TRIBUTE TO VAUGHAN WEHR

Mrs. FISCHER. Mr. President, I rise today to pay tribute to my longtime scheduler and dear friend, Vaughan Wehr. After 5½ years in Washington, Vaughan is returning home to her sprawling, tight-knit family in Omaha.

Vaughan started with me as an aide in my legislative office in Lincoln. It was an easy decision to ask her to come to Washington as an original member of my team. She did a good job, she worked hard, and she was a joy

to have around. She started out in the Senate, where so many do, answering phones and greeting constituents. That is hard work, but Vaughan always did it with a smile on her face.

It didn't take long for her to take on more responsibility, first as a deputy scheduler and later as a scheduler for nearly 4 years. Throughout that time, Vaughan always did her job with a special blend of diligence and humor. She has earned a reputation in the Senate as a top scheduler and the life of any party.

It is no exaggeration to say that Vaughan has been the beating heart of my office. She has made a mark here by doing her job with love and laughter every single day.

My husband, Bruce, and I are very thankful for her service, and most importantly, we are thankful for her friendship. She is one of a kind. We wish her the very best as she returns home to Nebraska.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

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

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

## VENEZUELA

Mr. DURBIN. Mr. President, it was about 5 or 6 weeks ago that I accepted an invitation and an opportunity to visit Caracas, Venezuela. I had never been to that country before and spent 4 days. It turns out that not many Members of Congress go to this country and very few are given permission if they ask, but for some reason, I was given permission and went down there to meet with the leaders of the government and to take stock of what was happening in Venezuela.

Sadly, I have to report that Venezuela—that proud nation—is teetering on collapse. I met with President Maduro, members of his government, opposition leaders, civic and humanitarian leaders, medical experts, victims of the regime's political repression, and an American who is currently jailed on political charges in Caracas.

What I found there and recounted on the floor a few weeks ago was a heart-breaking set of overlapping crises—humanitarian, economic, and political. While these three inexcusable crises of the government's making continue, the people of this poor nation are increasingly suffering and leaving in desperation. It is one of the most desperate situations I have ever seen in a country that is not in the midst of a war. In my discussion with President Maduro, I urged him to help get his country out of the international isolation that it currently faces and put an end to the human suffering by starting with a clean election.

Last Sunday, there was an election. It was a farce. I asked him to release political opponents so they could run for office. I asked him to authorize parties to field candidates. I asked him to

create enough time in the election cycle so there could be a real campaign. I told him, if he didn't and went through with his election campaign, it would not be a credible result. We know the Maduro regime was using food, among its starving people, to manipulate votes. The regime had, unfortunately, no credible election monitors before or during the vote, and, of course, it rushed the election to get the result it was looking for.

I recently joined with Senator MENENDEZ of New Jersey. We said, quite simply, that Maduro should have the courage to have an open election, a democratic process. As we arrived at the airport, we noticed the great hero of Venezuela, Hugo Chavez. Hugo Chavez won his first election in a democratic manner, and I urged President Maduro to now do the same.

I was also direct in saying to him that he had to release the American, Josh Holt, who is being held in prison, in Caracas, on political charges. Why is he being held? It is that he traveled to Venezuela to be with and to marry the woman he loved and to bring her and her two daughters back to his home State of Utah? He crossed the Maduro regime, and in that process, he was arrested on charges that are outrageous. He has been held now for almost 2 years without having had a meaningful trial or a resolution of the dispute.

As the events of the last few weeks have shown, the obvious path forward for Venezuela has been rejected by the Maduro regime. Instead, it went ahead with last Sunday's widely discredited election in which his regime jailed or disqualified any meaningful opponent. It was a farce. It will only result in the further isolation and suffering of the Venezuelan people. I know President Maduro is blaming Yankee imperialists for the problems his country is facing or the opposition to his leadership. He need only look to neighboring nations in Central and South America to see that they also reject what he has done politically.

Despite stirring video pleas from the prison in which Josh Holt, the American, is being held, Maduro's regime wouldn't even meet with our top diplomat in Caracas. Todd Robinson is the Charge d'Affaires who represents the United States since we are not allowed to have an ambassador in that country. He went to the Foreign Ministry on behalf of Josh Holt when he heard about the prison riot and the danger to this American prisoner who is being held on political charges. Obviously, he got under President Maduro's skin, and he has now expelled him.

The Trump administration has been unequivocal in claiming that the Venezuelan election was a sham and also in imposing new economic sanctions in order to put pressure on the leaders in the Venezuelan Government to change. As I told President Maduro and members of his government, both parties in America may have their squabbles and differences, but when it comes to Ven-

euela, we stand together. Republicans and Democrats agree that things need to change dramatically in Venezuela if it wants to enter the family of civilized nations around the world.

President Maduro has responded not by reaching out to the opposition and not by showing any true reform but by rejecting every overture. He refuses to release Josh Holt and his Venezuelan wife and daughters to allow them to come to the United States. He still keeps Leopoldo Lopez, a political leader in Venezuela, under house arrest. I spoke to Mr. Lopez by phone and met personally with his wife. It is shameful what they are doing to him.

By restoring the power of a legitimate national assembly, President Maduro would show he is willing to move toward the Constitution which guided his country, but he refuses. He refuses to start a meaningful dialogue with the Lima Group—other nations in the region—that want to work with him toward moving Venezuela to a better day. He refuses to work with neighbors and humanitarian groups that truly want to address the suffering in that country.

It was not until the public health briefing I had in Venezuela and a personal visit to a local hospital that it really hit me and hit me hard how bad things are. This is a country—one of the few on Earth—that is not at war but that is currently facing epidemics of measles, diphtheria, and malaria. When you go to Caracas city hospitals—not to remote, rural hospitals—and ask them what they need, they tell you vaccines, antibiotics, cancer drugs—the basics. They don't have them in that country.

You can just see on the streets of Caracas that the people are starving. They are starving. They don't have enough food to eat in that country. The inflation is so out of control that people stand in line for an hour a day to get the maximum withdrawals on their credit cards, in hard currency, because the withdrawals are worth the 60 cents they need for round trip bus fare to their places of work. At 11 o'clock at night, in the darkness, you will see people standing by ATM machines to withdraw wads of currency worth 60 cents so they can board the buses the next morning.

The expulsion of our Charge d'Affaires, Todd Robinson, was really disgraceful. He was accused of conspiring against the Venezuelan Government. What did he do? He stood up for the American prisoner, Josh Holt. That is all. Todd Robinson is one of the Nation's highly respected diplomats who carries the rank of Ambassador and has served with distinction in some of the most challenging countries in the world. I spoke with him on the phone yesterday. He is disappointed. He knows there is much work to be done in Venezuela to protect innocent people and to make sure the Americans have a strong presence in order to protect them as well, and now he is being expelled.

During my visit to Caracas a few weeks ago, I watched him try to establish a dialogue with the Maduro regime. It was next to impossible. A dialogue requires someone on the other side who will listen and respond in good faith. That was not the case. When I spoke to him—our Charge d'Affaires, Mr. Robinson—he was packing up and helping the Embassy staff prepare for his departure. He will be back in the Washington area over the weekend. I thanked him for his service in Venezuela and for his team that continues to soldier on under some of the most difficult circumstances in the world.

Until the Maduro regime stops dismantling its country's democracy and starts to address the true humanitarian crisis which exists in its country, I will continue to support U.S. and regional measures to put pressure on the Maduro regime to change. I know of no other way to do this that will not bring more suffering and death to the innocent people of Venezuela. This once great nation will not be great again until its leadership understands that the current approach—denying democracy, denying the electoral process, refusing to have an open dialogue with democratic nations around the world—will only sink them further into the abyss.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

LAW ENFORCEMENT'S LEGAL PROTECTION AGAINST RETALIATION FOR COOPERATING WITH CONGRESS

Mr. GRASSLEY. Mr. President, as I often have to come to the floor to clear things up, I am back once again.

I have been seeing reports—reports that are wrong—that individuals within our Federal law enforcement agencies who want to talk to Congress about problems they have seen on the job have a fear that if they do that, they could be punished. The reports say these individuals then want to be subpoenaed by congressional committees rather than come forward voluntarily. There is a perception that without a subpoena, they have no legal protection against retaliation for their cooperating with Congress.

That is nonsense, and that is a misrepresentation that has been fomented by the FBI's and the Department of Justice's leadership for many years under both Republican and Democratic administrations. I have worked hard to strengthen legal protections, especially for FBI employees. FBI employees have a right to cooperate with congressional inquiries just as they have a right to cooperate with the inspector general. Anyone who tells these FBI agents anything else is lying. FBI agents and all Federal law enforcement are protected if they want to provide information to the Congress. That is true whether it is by subpoena or not.

If that is news to law enforcement people, including the FBI, I would encourage you to research the law individually. It is found at title 5, U.S. Code, section 2303.

As you will see in the law, nowhere in that language do its protections require a subpoena, nor do they require the approval of an agent's chain of command or congressional affairs staff approval.

Moreover, Federal appropriations law also forbids the use of taxpayers' dollars to pay the salary of any individual who interferes with or attempts to interfere with a Federal employee's right to communicate directly with Congress.

The Government Accountability Office recently found that an Obama Housing and Urban Development congressional affairs official did interfere that way in 2013, so paying that salary violated the restrictions Congress had placed on the money. Based on that ruling, Housing and Urban Development initiated collection efforts to recover a portion of the salary paid illegally, as a debt owed back to the United States from this executive branch staffer, as a result of interfering with somebody's right to talk to Congress.

Congress has the power of the purse, and bureaucrats need to understand that funding for their salaries comes with strings attached. Federal employees cannot be prevented from talking directly to Congress—pretty plain—period.

There can be no interference with any Federal employee talking directly to Congress. I should add that you shouldn't even try.

If unelected bureaucrats have so much contempt for an employee who voluntarily informs the people's elected representatives of facts necessary to do our constitutional responsibility of oversight, then we still have a lot of work to do. That kind of thinking is dangerous. It leads to irresponsible government, and is totally contrary to law. If that perception is persisting throughout law enforcement, including the FBI or, indeed, throughout government generally, then the leaders of those agencies are not doing their job. They are failing in their responsibility as leaders, they are failing the workforce, and they are failing the American taxpayer.

I don't want anyone out there to be confused. It is pretty simple. If you are a Federal employee and you want to disclose wrongdoing and waste to the Congress or you want to cooperate with a congressional inquiry, you are legally allowed to do so. You should not have to fear retaliation. No FBI agent or other government employee should be afraid to cooperate with Congress or with the inspector general.

Any FBI agent who has information to provide, or questions about their rights to provide it, should not hesitate to reach out and ask. Contact the committee. Contact the inspector general.

There are people there who can tell you more about what protections may apply to your specific situation.

It seems to me that if you know something is wrong, you have a patriotic responsibility to expose it. Transparency brings accountability, and what we don't have enough of in the U.S. Government is accountability.

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. MENENDEZ. 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. MENENDEZ. Mr. President, what is the pending order at the desk as it relates to the time of the vote?

The PRESIDING OFFICER. The vote is to occur at 1:45 p.m.

Mr. MENENDEZ. Mr. President, we are considering today the nomination of James "Randy" Evans to be Ambassador to Luxembourg. I opposed Mr. Evans' nomination in committee, and I will again oppose his confirmation on the floor.

My concerns with Mr. Evans center around his tenure on the Georgia State Election Board from 2002 to 2010. In March of 2005, Georgia passed a controversial new law requiring voters to show a photo ID in order to cast a vote.

Despite the fact that both Federal and State judges prohibited the law from going into effect, the Election Board made a decision in 2006 to send a letter to 200,000 voters with the false impression that the law would be in effect for the upcoming election. Appropriately, this action caused an uproar, and multiple voices accused the Board of defying the injunction in a deliberate attempt to mislead voters and possibly suppress minority turnout. The board subsequently mailed out a clarification letter, but the damage had already been done.

During his confirmation process, Mr. Evans unfortunately presented conflicting accounts of his involvement in this effort to suppress voter turnout. He first said he could not remember the details of how the letter was sent or who wrote it. However, other board members who served during that time period, as well as summaries of election board meeting minutes from 2006, clearly reflect that Mr. Evans and the board as a whole appeared to play a central role in drafting and distributing the letters.

These conflicting accounts trouble me. The right to express one's vote at the ballot box is fundamental to our democracy. Throughout our Nation's history, various actors have sought to systematically deny different groups of people this core right.

Those representing the United States abroad must embody and embrace our fundamental democratic values and ideals. I am not convinced that Mr.

Evans will do that. One cannot be advocating for democracy and human rights and suppressing votes here at home. I do not think he has demonstrated the judgment I would expect from our Ambassadors, and for this reason I will urge my colleagues to reject sending Mr. Evans to Luxembourg as the U.S. Ambassador.

Because my colleagues are here on the floor, although I have time reserved to speak on North Korea, I will yield, because I think they have an important action to take place.

The PRESIDING OFFICER. The Senator from Missouri.

## CONGRESSIONAL ACCOUNTABILITY ACT OF 1995 REFORM ACT

Mr. BLUNT. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2952.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2952) to amend the Congressional Accountability Act of 1995 to establish protections against congressional sexual harassment and discrimination, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. BLUNT. I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. BLUNT. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2952) was passed, as follows:

S. 2952

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; REFERENCES IN ACT; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Congressional Accountability Act of 1995 Reform Act".

(b) REFERENCES IN ACT.—Except as otherwise expressly provided in this Act, wherever an amendment or repeal is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to that section or other provision of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.).

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; references in Act; table of contents.

#### TITLE I—REFORM OF DISPUTE RESOLUTION PROCEDURES

Subtitle A—Reform of Procedures for Initiation and Resolution of Claims

Sec. 101. Description of procedures available for consideration of alleged violations.