

bases, as I have said, unfortunately, it does not always assert its prosecutorial authority. Historically, Federal prosecutors have pursued roughly 15 percent of juvenile sex offense cases, and that is clearly not enough. We have to address this black hole for juvenile justice. We have to give local prosecutors the authority they need to go after these cases on our bases with the agreement of the Federal authorities.

I look forward to my legislation being a part of the NDAA when we vote on it perhaps as soon as next week.

There is one final aspect of the Defense authorization bill I would like to touch on, and it involves how we address future threats to our national security.

I have spoken quite a bit on the floor about the threat China poses to the United States, and they are not even coy about it. They have told us what their plan is. Their plan is to grow their economy and to grow their military in a way that dwarfs the power and economy of the United States.

Let me talk a little bit about the threat. I have spoken about that threat, but let me quote the chairman of the House Armed Services Committee, who recently said that it is “in the Indo-Pacific region [where] the United States faces a near-term belligerent threat armed with nuclear weapons and also a longer-term strategic competitor.” Of course, my friend Congressman MAC THORNBERRY is talking about China, “the competitor,” and the “belligerent threat” he identified was North Korea.

That is why this year’s Defense authorization bill, among other goals, prioritizes military readiness in the region and strengthens our key partnerships there. It promotes security and stability in the Indo-Pacific through exercises with our allies and supports improving Taiwan’s defense capabilities.

Even more important, the Defense authorization bill will include legislation I coauthored, along with the senior Senator from California Mrs. FEINSTEIN, known as the Foreign Investment Risk Review Modernization Act, or FIRRMA.

This legislation will allow us to better intercept threats to our national security posed by China when its companies masquerade as normal corporate actors, but, in fact, they are an arm of the Communist Party and the leadership in that country.

As has been well documented, China is intent upon, No. 1, stealing our intellectual property, and when they can’t do that, strategically investing to get access to both the intellectual property and the know-how to be able to take advantage of all the research and development expenditures we have made in our country and to short circuit that in developing their equivalent. Our legislation will modernize the review process of the Committee on Foreign Investment in the United States and ensure that we are better protected

from these sophisticated threats and help us maintain our technological edge in the national defense realm, but, as I said earlier, the Defense authorization bill is important for reasons that hit much closer to home.

In years past, this bill has authorized needed improvements at our military facilities. It has given our troops a much needed and much deserved pay raise and updated advanced aircraft, ships, and ground vehicles. These, too, have implications in all of our States, and Texas is no exception.

So when I vote on the Defense authorization bill, I will be thinking about servicemembers back in my State in addition to all those who serve in remote locations overseas. We need to get the Defense authorization bill across the finish line for them and for our country.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

WELCOMING EVERYONE BACK

Mr. SCHUMER. Madam President, first, let me welcome you and all of my colleagues back from another productive State work period. I traveled a good deal around my State, spoke at a bunch of graduations, and found it fun and productive. I learned a lot. I am glad to be back but glad we were out in our States.

RUSSIA INVESTIGATION

First, Madam President, let me address the President’s recent comments on the Russia probe, then our negotiations with North Korea, and then healthcare.

This morning, the President tweeted that he has the “absolute right” to pardon himself and that the appointment of the special counsel is totally unconstitutional. President Trump, you went 0 for 2 on the Constitution this morning.

First, of course no President has the power to pardon himself or herself. If they did, the Presidency would function above and outside the law, counter to the very founding principles of our country. We don’t have a king. We are a nation of laws, not men. That is why the Founding Fathers created America; they didn’t like the monarchy. But if a President can pardon himself, it is virtually a monarchy, at least as far as the President is concerned. If Presidents had the power to pardon themselves, we would no longer be a democracy.

As the Department of Justice legal counsel wrote 4 days before Nixon resigned, “Under the fundamental rule

that no one may be a judge in his own case, the President cannot pardon himself.” This is virtually indisputable.

Does the President get to choose what he can pardon himself over— theft, murder, who knows? The President does not have the right to pardon himself. That is for sure.

Second, of course the appointment of the special counsel is constitutional. Never mind the fact that President Trump’s own Republican appointees made the appointment of the special counsel; this is far from the first special counsel to investigate a serious matter concerning the President. Again, if the President were beyond the reproach of any investigation, there would be no check on the President’s conduct. The President could engage in rife corruption and self-dealing without consequence. Surely, that is not what our constitutional system envisions. That is not the structure of America that the Founding Fathers set up and that we have followed for more than 200 years.

The President’s tweets are silly, farcical, and even absurd. They are not legal arguments to be treated seriously. Rather, they seem to reveal increasing desperation on the part of the President. President Trump has escalated his criticism of the Russia probe from smearing the special counsel and his team and hawking outrageous conspiracy theories to attacking the very legal architecture of our country.

Special Counsel Mueller has already issued more than a dozen indictments. He has secured several guilty pleas from top Trump campaign officials. The probe is not only legitimate; it is finding violations of the law on the part of the Trump campaign and others.

As wrong as President Trump was in his tweets this morning, you have to wonder, why is he asserting his right to pardon himself? Why is he questioning the constitutionality of an investigation in the first place? For a man who constantly proclaims his innocence, President Trump is doing an awfully good impersonation of someone who believes he has something to hide. It is hard to think of another explanation for the increasingly ridiculous and far-fetched legal theories peddled by the President and his lawyers.

The pundits and the analysts in the media are debating whether it makes smart, strategic sense for President Trump to sit down for an interview with the special counsel. They are asking the wrong question. The President’s strategy and political interests shouldn’t be the basis for whether he sits down with the special counsel.

If the special counsel requests an interview with the President as part of his investigation, the President should agree to provide testimony. If President Trump has done nothing wrong, as he so often and so loudly claims, he should have nothing to fear by sitting down with the special counsel.

NORTH KOREA

On another matter, Madam President, North Korea, over the last few weeks, we have seen an on-again, off-again routine from the Trump administration when it comes to the potential summit between President Trump and Kim Jong Un. Now that the meeting will seemingly proceed as planned, we want to make sure that the President's desire for a deal with North Korea doesn't saddle the United States, Japan, and South Korea with a bad deal.

We are all hoping the President succeeds. We are all rooting for peace. We very much hope he will be able to achieve a strong and enduring agreement because the danger of a nuclear-armed, ICBM-equipped North Korea is very, very real to the United States. But the President needs to be willing to take time to construct a good deal, and if he finds that one is not achievable, the President must be willing to walk away from the table.

In a letter to the President, Senator MENENDEZ and I strongly urged the administration to ensure that any agreement with North Korea meets five key principles.

First, North Korea must dismantle or remove every single one of its nuclear, chemical, and biological weapons.

Second, North Korea must end the production and enrichment of uranium and plutonium for military purposes and permanently dismantle its nuclear weapons infrastructure. That means test sites, all nuclear weapons research and development facilities, and enrichment facilities have to be destroyed.

Third, North Korea must continue to suspend all ballistic missile tests.

Fourth, North Korea must commit to anytime, anywhere inspections for both its nuclear and ballistic missile programs, including all nondeclared, suspicious sites. If inspectors reveal any violation, we must be permitted to implement snapback sanctions.

Lastly, any agreement between the United States and North Korea must be permanent.

If President Trump meets with Kim Jong Un and reaches a deal that meets these principles, he will have made the world a much safer place. But if he tries to reach a deal with Kim Jong Un just for the sake of reaching a deal, and if the agreement fails to live up to the principles we have laid out, then he will have been bested at the negotiating table yet again.

These five principles are the lens through which Senate Democrats will evaluate any deal with North Korea. If the deal doesn't live up to these standards, then the President should not expect Democratic support in the Senate if he tries to lift sanctions to implement an agreement.

HEALTHCARE

Finally, Madam President, on healthcare, today, health insurers in the State of Washington proposed an average rate increase of 19 percent. In my home State of New York, insurers

are requesting an increase of 24 percent, half of which they said is due to the Republicans' repeal of the healthcare coverage requirement.

Following rate increases in Virginia, Maryland, Vermont, and Oregon, these increases confirm what we already know to be a trend: The policies of the Trump administration and congressional Republicans are driving up healthcare costs for millions of Americans.

President Trump promised the American people that healthcare would be "far less expensive and far better" but once again has failed to deliver. Instead of "far less expensive and far better," Americans have gotten health coverage that is far more expensive and will be far worse, and it is a direct result of Republican policies and President Trump's actions.

President Trump has deliberately sowed major uncertainty in the marketplace. He will start offering expanded junk insurance plans, and congressional Republicans repealed the coverage requirement in their tax bill. Each of those actions, taken separately, have destabilized our healthcare system. Taken together, these policies are causing chaos, skyrocketing rates, and the return of dark days in which people with preexisting conditions faced higher premiums, denied care, and medical bankruptcy.

On healthcare, as on many issues, President Trump made bold promises but has failed to deliver the results that middle-class Americans need and expect. On healthcare, he has swung at the ball and struck out.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

"GASPEE" DAYS

Mr. WHITEHOUSE. Madam President, the night spanning June 9 and 10 marks the anniversary of a key chapter in American history—one whose first shots spurred our Nation on toward independence from Britain, yet one that remains unfamiliar to most Americans today, which is why I come here each year to tell the tale of the *Gaspee* Raiders.

I encourage my colleagues and all students of history to explore this chapter in more depth, in histories such as "An Empire on the Edge" by Nick Bunker or "The Burning of Her Majesty's Schooner *Gaspee*: An Attack on Crown Rule Before the American Revolution" by Steven Park.

Here is the tale in brief form.

It is 1772. Tensions between England and the Colonies have grown increasingly strained. Rhode Island is a seafaring, trading colony, without much regard for His Majesty's taxes. King

George III stations the revenue cutter HMS *Gaspee* under the command of Lieutenant William Dudingston, in Rhode Island waters. The *Gaspee*'s mission: to interdict smuggled goods and enforce the payment of the Crown's taxes.

Lieutenant Dudingston was an arrogant sort, who quickly became infamous for destroying fishing vessels, seizing cargo, and flagging down ships only to harass, humiliate, and interrogate the colonial sailors. According to Gabriel Weis in his 1916 "Guide to Newport, Rhode Island," "This unprincipled ruffian had ruthlessly ravaged the Rhode Island coast for several months, destroying unoffending fishing vessels and confiscating everything he could lay hands on."

Rhode Island seamen and traders chafed at the harsh tactics of Dudingston. A number of them delivered a petition seeking relief against the *Gaspee* to Rhode Island Chief Justice Stephen Hopkins, later a signer of the Declaration of Independence. On this occasion, Hopkins provided a legal opinion saying that British officers were obliged to present their orders and commission to Rhode Island's Governor before entering local waters, asserting a measure of colonial sovereignty.

Dudingston, of course, refused such an impudent notion and threatened to hang any man who tried to oppose the *Gaspee*. His first mistake, in the winter of 1772, was to seize a sloop named "Fortune," along with its cargo of rum and sugar, from Nathanael Greene, the wealthy son of a Quaker minister. As Daniel Harrington wrote in the *Providence Journal* last year, "the patriotic fervor . . . sweeping the colonies [had] seemed to elude [Nathanael Greene] until Dudingston snagged his Fortune and ignited the righteous spirit of resentment that now consumed him."

After first suing Dudingston for the return of his ship—and winning—Nathanael Greene would join the Revolutionary cause, ultimately commanding Rhode Island's army and then rising in General Washington's ranks to become the commander of the Southern Campaign of the Revolutionary War. During the war, General Cornwallis wrote to his wife: "That damned Greene is more dangerous than Washington."

Thank you very much, Lieutenant Dudingston, for igniting Nathanael Greene's righteous spirit.

Dudingston's various provocations continued until they reached the breaking point on June 9, 1772, when he set his sights on the sailing vessel *Hannah*, traversing Narragansett Bay from Newport to Providence. The *Gaspee* ordered the *Hannah* to stop and allow a search. On board the *Hannah*, Captain Benjamin Lindsey refused and continued on his course to Providence, ignoring warning shots fired by the *Gaspee*. Knowing that his *Hannah* was lighter and had a shallower draft than the *Gaspee*, Lindsey raced up Narragansett Bay and over the shoals off Pawtuxet