

Strike "1 day" and insert "2 days"

MOTION TO REFER WITH AMENDMENT NO. 3630

Mr. MCCONNELL. Mr. President, I move to refer the House message on S. 1182 to the Committee on Banking, Housing, and Urban Affairs with instructions to report back forthwith.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the House message on S. 1182 to the Committee on Banking, Housing, and Urban Affairs to report back forthwith with instructions, being amendment numbered 3630.

The amendment is as follows:

At the end add the following.

"This act shall be effective 3 days after enactment."

Mr. MCCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3631

Mr. MCCONNELL. Mr. President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 3631 to the instructions of the motion to refer S. 1182 to the Committee on Banking, Housing, and Urban Affairs.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike "3 days" and insert "4 days"

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3632 TO AMENDMENT NO. 3631

Mr. MCCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 3632 to amendment No. 3631.

The amendment is as follows:

Strike "4" and insert "5"

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019—CONFERENCE REPORT

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the Senate the conference report to accompany H.R. 5515.

The PRESIDING OFFICER. The Chair lays before the Senate the conference report to accompany H.R. 5515, which will be stated by title.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes on the two Houses on the amendment of the Senate to the bill (H.R. 5515), to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

Thereupon, the Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of July 25, 2018.)

### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the conference report.

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

The 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 conference report to accompany H.R. 5515, an act to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

James M. Inhofe, Thom Tillis, Johnny Isakson, Orrin G. Hatch, John Hoeven, Bob Corker, James Lankford, Lindsey Graham, David Perdue, Mike Crapo, Mike Rounds, Steve Daines, Roger F. Wicker, John Boozman, Roy Blunt, John Thune, Mitch McConnell.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

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

### ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, for the information of all Senators, the next vote will be at 5:30 p.m. on Monday on cloture on the Grant nomination.

The PRESIDING OFFICER. The Senator from Maryland.

### A FREE PRESS

Mr. CARDIN. Mr. President, I rise today to talk about the importance of a free press and its role since the founding of our Nation in protecting the civil rights and civil liberties of all Americans.

I was on the Senate floor on July 12 talking about a recent tragedy—a mass shooting at the Annapolis-based Capital Gazette. A man who had a longstanding grudge against the newspaper for accurately reporting news about

him shot his way into the newsroom and killed five good people. These five men and women died doing their jobs—reporting the news and supporting a publication that is an important part of their community.

One victim in particular, Wendi Winters, fought back and worked to distract the gunman in such a way that those who bore witness to her bravery described her actions in this way:

Wendi died protecting her friends, but also in defense of her newsroom from a murderous assault. Wendi died protecting the freedom of the press.

Wendi died protecting the freedom of the press.

We think of violence against reporters as something that happens in other countries, in war zones and the like, but not here in the United States of America. All around the world, reporters work to gather facts, ask questions, and report the news in the spirit of the free, open, and transparent societies and governments that all people deserve. Too often, reporters are harassed, jailed, and even killed simply because of the nature of their work, which often exposes cronyism and corruption.

From this floor, I have stood in solidarity with the Reuter's reporters who were detained in Burma for shining a light on the horrific abuses that occurred in the Rakhine State.

I have stood in solidarity with the Ethiopian journalists and bloggers who are routinely arrested for criticizing the Ethiopian Government and exposing human rights abuses in that country.

I have talked frequently about China—a country that engages in routine censorship and online blocking, harassment, reprisals, detention of journalists, and visa delays or denials for journalists.

According to the Committee to Protect Journalists—an independent, non-profit organization that promotes press freedom worldwide—more than 600 journalists and media workers have been killed in the last 10 years while doing their jobs.

Of the member states of the Organization for Security and Cooperation in Europe, Russia remains the deadliest country for journalists. Investigative journalist Maksim Borodin, who died in April, was the latest Russian reporter to be silenced by death.

Turkey is the largest jailer of journalists in the world, and scores of media outlets have been closed since the attempted coup there. The heavy-handed measures used against media freedom in Turkey both before and during recent elections illustrate the lengths to which the government went to control the information available to voters. They also serve as a reminder of the essential role of a pluralistic media for free and fair elections.

In May, a Helsinki Commission briefing on the murder of investigative journalists examined the unsolved murders of Daphne Caruana Galizia and Jan Kuciak.

Daphne Caruana Galizia was a Maltese journalist known for her investigations into international organized crime and its connection to the Government of Malta. She relentlessly probed Maltese citizenship sales, revealed money laundering, and exposed sanctions evasion. At the Commission's briefing, her son, Matthew, described the years of harassment, intimidation, and threats she faced by those who sought to silence her. "Growing up," he said, "I thought these things were normal." She was murdered on March 16, 2017, by a bomb planted under the seat of her rental car.

Jan Kuciak investigated financial crimes, organized crime, and high-level corruption in Slovakia. He was executed by gunshot in his home on February 25, 2018, along with his fiancée. On May 6, some 3,000 people attended a holy mass in the small village where the two 27-year-olds would have wed.

I am troubled that at a time when media freedom in Slovakia is already under a spotlight, a Slovak judge is suing journalist Peter Getting for writing about Communist-era judges who handed down sentences against people for attempting to emigrate. The crimes of communism should be reported, taught, and remembered. Somewhat ironically, a law reminiscent of the Communist past is being used to thwart scrutiny of the crimes of that very era.

Unfortunately, Slovakia is not the only country where defamation or insult laws are used to limit free speech. In addition to laws that criminalize libel and make insulting the President or other officials an offense, Belarus criminalizes providing media services without accreditation and has recently moved to limit access to the media on the internet.

Here at home, Donald Trump, as a candidate and as President, has mused about taking "a strong look" at our Nation's libel laws, calling them "a sham and a disgrace."

Jason Rezaian, a reporter for the Washington Post who was falsely imprisoned in Iran for doing his job as a journalist, had this to say recently. He was talking about the attack I referenced earlier in Annapolis.

Mostly I've covered attacks on the media taking place on the other side of the world, usually in countries where the flow of information is restricted, or conditions are such that a sense of desperation or political or tribal affiliation can compel individuals to take heinous action. . . . Writing about a deadly attack that happened less than 30 miles away, in an idyllic town that I recently visited with relatives from overseas, is a new experience for me. And I have to say I don't relish the task.

We Americans have certain rights and responsibilities granted to us through the Constitution, which established the rule of law in this country. Freedom of the press is one of those most basic rights, and it is central to the First Amendment of the Constitution.

"Congress shall make no law respecting an establishment of religion, or

prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press." This precious freedom has often been under attack, figuratively speaking, since our Nation's founding.

Today, attacks on the American media have become more frequent and more literal, spurred on by dangerous rhetoric that has created an open season on harassing the media for doing its job—asking questions that need to be asked, investigating the stories that need to be uncovered, and bringing needed transparency to the halls of power, whether they are in Annapolis, Washington, DC, or elsewhere.

Then-candidate and now-President Donald Trump's rhetoric—calling the media "a stain on America" and "the enemy of the people"—certainly has caused damage.

On July 13, while Donald Trump was in the United Kingdom, he continued his assault on the media, brushing off a reporter from CNN by saying "CNN is fake news."

This was underscored yesterday by a question being asked by a White House press corps pool reporter at his meeting with the European Commission President. That reporter asked a question the President didn't like. Because the President didn't like the question being asked by CNN's Kaitlin Collins in her role as a reporter, she was told that she will be banned from the next event that is open to the press or otherwise open to all credentialed media.

Then, Tuesday, at the Veterans of Foreign Affairs, the President said to the audience there to not believe what they see and hear. The President of the United States told a crowd of veterans: Stick with us. Don't believe the crap you see from these people, the fake news. What you are seeing and what you are reading is not happening.

That is the President of the United States saying those comments—again, demeaning the press and the importance of our free press. Why is the President doing this? Earlier this year, CBS "60 Minutes" correspondent Lesley Stahl, an icon in the news business, shared comments from Donald Trump from an interview she did with him soon after his 2016 election win. Stahl recalled that she said to Trump about his attacks on the media: "Why are you doing this? You are doing it over and over. It's boring and it's time to end that."

The candidate's response was straightforward and shocking. He said: "You know why I do it? I do it to discredit you all and demean you all so when you write negative stories about me, no one will believe you."

Let that sink in for a moment. A man who was about to assume the position of President of the United States explicitly acknowledged that he was purposely working to diminish the integrity of the free press.

After the Capital Gazette shooting, Donald Trump said that "journalists, like all Americans, should be free from the fear of being violently attacked

while doing their job." But how do we interpret his sincerity when more frequently he is calling the media "fake news" or "totally unhinged" and telling the American people and the world that reporters are "truly bad people"?

Donald Trump's constant, dismal refrain needs to end. He needs to accept that one of the press's most important roles is to speak truth to power—especially his.

There is a reason why the leading newspaper in Helsinki bought 300 ads that said: "Mr. President, Welcome to the land of free press." The message is clear. They put that ad up to let Mr. Trump and Mr. Putin understand that one of the basic tenets of a democratic society is to embrace and respect the freedom of the press.

In Russia, Putin routinely jails political opponents and journalists. Here at home, we are left to wonder whether Donald Trump is more inclined to agree with Mr. Putin's view of the press than that of Thomas Jefferson, who famously said: "Were it left to me to decide whether we should have a government without newspapers or newspapers without government, I should not hesitate a moment to prefer the latter."

Jason Rezaian wrote in the Washington Post that Donald Trump "didn't create the problem of hostility to journalists, but he exploits it and exacerbates it. That's true, too, of the leaders in other countries who routinely call reporters enemies of the state, terrorists and national security threats. And we must be vigilant in standing up to these empty accusations."

After the tragedy at the Capital Gazette, Annapolis and most of the country rallied in support of the survivors of the mass shooting. They received tremendous outpourings of support, including by this body, and I know it was heartfelt. Yet the paper has reported that it has received new death threats and emails celebrating the attack. This is sick, and it is dangerous. It shouldn't happen in Annapolis, it shouldn't happen in America, and it shouldn't happen anywhere else in the world.

Journalists, like all Americans, should be free from the fear of being violently attacked while doing their jobs, both figuratively and literally. The right of journalists to report the news is nothing less than the right of all of us to know. Media freedom and media pluralism are essential for the expression of or ensuring respect for other fundamental freedoms and safeguarding democracy, the rule of law, and a system of checks and balances.

Every one of us in this body, Democrats and Republicans, has sworn an oath to support and defend the Constitution of the United States of America. As leaders of this great Nation, we have a responsibility to defend the rights of our citizens, including the freedom of the press. It is enshrined in our Constitution: "Congress shall make no law respecting an establishment of religion, or prohibiting the

free exercise thereof; or abridging the freedom of speech, or of the press.”

Just before the July 4 recess, I had the opportunity to discuss the state of media pluralism and the safety of journalists with the OSCE Representative on Freedom of the Media, Harlem Desir. The Representative plays a key role in calling out threats to and attacks on journalists, including murders and violent attacks. He also assists OSCE participating states in fulfilling their commitments by providing them with expert opinions on media regulation and legislation. Unfortunately, Mr. Desir has his work cut out for him.

In the aftermath of the tragic murders at the Capital Gazette headquarters in Annapolis, Mr. Desir sent his condolences and words of support.

That mass shooting and the other incidents I have just mentioned are all stark reminders of the incredible work journalists do every day in big cities and small towns around the world, reporting on all of the things that are important in our lives—and the dangers they face doing it.

I appreciated the sentiment from the OSCE Representative on Freedom of the Media. I am grateful to the other journalists at the Capital Gazette for carrying on their important mission even in the face of this tragic adversity. And I am grateful for journalists everywhere for their dogged pursuit of the truth.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the National Flood Insurance Program is in trouble, and everyone in this building knows it. Everyone in Washington knows it. It is fiscally unsustainable because it is by its nature structurally unsound. Yet here we are again, for the seventh straight time in just 6 years, considering a so-called “straight” reauthorization. “Straight”—yes, that is the word that Washington uses. That is the word that Washington uses when Republicans and Democrats, after burning the midday oil for 2½ days a week for a few months, decide together that a dysfunctional program, \$20 billion in debt, is, in fact, perfect. So we are planning to rubberstamp a continuation of its dysfunctional status quo. Swamp talk aside here, this is the opposite of “straight.” This is the definition of “crooked” and “swampy.”

Here are the facts. The National Flood Insurance Program creates a government monopoly that insures some of the most expensive real estate in the entire world. We are talking about homes and homeowners that the private sector would be falling all over itself to insure if given the opportunity to do so. The incentives are there for flood insurance to be a vast, profitable industry, one that creates jobs and opportunity for thousands of Americans. But, no, in our unearned but infinite confidence, Congress has assured the American people: We got this. We got this. We, as in Washington. Except the problem is, we don’t.

Congress’s answer to private insurance is \$20 billion in more debt, just a few months after receiving a \$16 billion taxpayer bailout.

Why is NFIP losing money faster than Congress can spend it? Well, because the program doesn’t charge policyholders market rates for insurance. It offers them a special, below-market rate despite the fact that we know floodplains are dangerous. That is why we call them floodplains and not puppy dog and ice cream plains. We also know for a fact that the subsidized premiums will lead inevitably to shortfalls, debt, and taxpayer bailouts.

Here, one might recall the old quip: “Insanity involves doing the same thing over and over and hoping for different results.” But Congress isn’t insane. We know exactly what we are doing and why. Recall the last time NFIP was reformed. It was about 6 years ago in its 2012 reauthorization. That bill, for the first time in a long time, reined in some of the program’s worst distortions. For reformers on the left and right, it was a sign of hope. The problem was, the reforms worked. NFIP and its artificially low premiums actually started to climb toward reality-based levels, market-based levels. We of course couldn’t have that, so in 2014, Congress stepped in and repealed many of those same reforms that were working—reforms that were put in place in 2012. That is the broken status quo we are being asked to perpetuate today. If this bill were any more serious, it would be written in crayon. The question is, why?

If the Flood Insurance Program is so obviously and terribly flawed, why is it so resistant to reform? Why are we so resistant to reforming it? The answer is that, like most inexplicably durable programs, this is a program that quietly serves the interests of the well-to-do at the expense of working and middle-class American families.

Proponents of the program would have us believe that the NFIP is essentially there to protect innocent victims who just happen to live in low-lying communities and they can’t afford flood insurance. But this argument is absurd.

First of all, if homeowners can’t afford to insure their homes, then in reality they can’t afford those very same homes.

Second, many of the areas Washington calls flood plains are really just property near water. Residences there are expensive for lots of reasons, but as anyone who knows anything about real estate can tell you, the biggest reason is location, location, location. These homes are expensive because lots of people want to live there, among them wealthy people who bid up the price. “Wealthy people” is another way of saying people who can afford high-risk insurance premiums without taxpayer subsidies covered by Washington, DC, over and over and over again.

In fairness, other flood plains are not necessarily home to multimillion-dol-

lar beach houses, but simply normal neighborhoods in low-lying locales. But in either case, the potential for flooding makes living in these areas more dangerous and more expensive. So in both cases, it is unfair to ask taxpayers to make expensive, dangerous homes—25 percent of which are vacation homes—artificially more affordable. It is unfair, and it is unsustainable for hard-working, poor, and middle-class American families.

The failure of the Flood Insurance Program is not an economic theory; it is not a matter of ideological speculation. It is, in fact, a fact. No amount of money will change that. The problem with NFIP, as with almost all wasteful Federal programs, is not the pricetag itself but the underlying policy. It doesn’t work as currently structured because it can’t. Yet, despite decades of failure and folly, NFIP remains unchanged as nothing more or less than a subsidy for people to live in places we know are probably going to get flooded.

It is tempting to call this a recipe for losing money. But as we know, Federal programs never actually lose money. Whether it is waste, fraud, or abuse, someone somewhere pockets that money, and in the case of the NFIP, as with so many other government programs, the winners are—well, see for yourself.

According to the Congressional Budget Office, the median value of an NFIP-insured home is about twice that of the average American home. A 2015 study by the University of Massachusetts Dartmouth found “an inverse relationship between insurance premiums paid . . . and total property value.” In other words, “The greater the average property value, the lower the average premium paid.”

Likewise, a 2016 study from the University of Michigan Law School found data “suggesting that zip codes with higher-valued homes receive higher per-policy subsidies.”

We all know there are worthy and sympathetic beneficiaries of NFIP, as there are for every government program. But in the aggregate, in the big picture, the NFIP simply redistributes money from nonwealthy people to wealthy people, from less wealthy people to more wealthy people, and to believe otherwise is to indulge in what might be called an actuarial science denial.

This isn’t alchemy. This isn’t voodoo. Actuaries already know how much flood insurance should cost. Of course, they also know how much ObamaCare, Medicare, and Social Security are going to cost, and Congress is getting terrifyingly good at ignoring actuaries—and actuarial science in general. But as with our entitlement programs, politicians just want to pretend that NFIP can magically charge less, spend more, and not leave future taxpayers holding the bag.

It is long past time to set aside this farcical, magical type of thinking. Neither former President Obama nor King

Canute a thousand years ago nor the NFIP today has the power to stop the rise of the oceans. What we can do is prepare—through mitigation, through insurance, and through proven platforms of success.

Senators HELLER and TESTER have a bill that would allow private insurers to compete with NFIP. I wholeheartedly support their bill and can cite Utah's successful embrace of private flood insurance as strong evidence in favor of that approach. Senators CRAPO and BROWN have a bill that would improve flood mapping and insist on community preparation for flooding as a condition of eligibility for NFIP coverage. This is not too much for the American people to ask, either of their affluent, flood-prone neighbors or of their sworn representatives in Congress. Nor is the amendment I am offering.

My amendment would leave the program—broken as it is—exactly the same, only for today's purposes with one small change. It would cap eligibility for NFIP insurance at homes worth more than \$2.5 million. For anything under that, fine, they can enjoy the cut-rate premiums. But the taxpayers should not pay any amount of coverage for the top 1 percent, who can afford a new \$2.5 million beach home. All my amendment says is that people who can afford a multi million-dollar waterfront home should be able to afford to insure those homes on their own, without a government subsidy paid for by America's poor and middle class.

With the stock market near all-time highs, with a corporate tax cut driving up profits, I think it is eminently reasonable to ask multimillionaires to insure their beach houses without the welfare assistance of hard-working taxpayers who make a fraction of their income.

I urge my colleagues to support this amendment.

UNANIMOUS CONSENT REQUEST—S. 3128

Mr. President, I ask unanimous consent that it be in order for the Committee on Banking to be discharged from further consideration of S. 3128 and the Senate proceed to its immediate consideration; that the Lee amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Louisiana.

Mr. KENNEDY. Mr. President, reserving the right to object, nobody—nobody in this Chamber has more respect for the junior Senator from Utah than I do. He is whip-smart, he is honest, he is a good guy, and we almost always vote together. I have some problems I would like to point out to the Chamber with respect to the Senator's request for unanimous consent.

No. 1, it is a fact that 98.5 percent of all of the homes insured by the Na-

tional Flood Insurance Program are not owned by a bunch of rich people; 98.5 percent of those homes are located in counties with a median household income below \$100,000; and 62 percent of those homes are located in counties with a median household income below \$54,000, which is the national average. So I would respectfully disagree that the purpose and the effect of the NFIP are to help people with their expensive beach homes.

No. 2, if we adopt the motion by my distinguished colleague, the NFIP is dead on Tuesday. Let me say that again. If we do what the distinguished Senator would like us to do, on Tuesday, the 31st, the NFIP expires. The reason is that, even if I agreed with what my colleague wanted to do, we do not have time to pass this bill, get it to the House, and get it to the President in time to keep the program from expiring on July 31—and, by the way, the House has recessed.

No. 3, I agree with my colleague that this program needs to be reformed, and we all, including my distinguished colleague, have been working toward that end. We are not there yet, but we are working hard toward that end.

I slightly disagree with the proposition that we reformed the program in 2010. I think the last time we really, truly reformed the National Flood Insurance Program was never, and it is about time that we do it now.

The final point I would like to make is that the amendment my colleague is asking this house to adopt today is not just about vacation homes costing \$2.5 million. I have looked at the bill, and by my reading—and the reading of people a lot smarter than I—this bill would apply to any structure, period, that costs more than \$2.5 million. That structure would not be eligible to participate in the NFIP. It would prohibit assisted living centers, it would prohibit dormitories, it would prohibit hotels, it would prohibit apartment buildings from insurance coverage under the National Flood Insurance Program. If you can't get it from the private sector—and, in many cases, you will not be able to; that is why we have the NFIP—you are on your own. It would mean we couldn't have any more low-income housing. Low-income housing projects are required to have flood insurance from HUD. We all know that. They would be barred from insurance coverage under this amendment.

Residents of Louisiana, Texas, Florida, and Puerto Rico also know that if one of their communities is not participating in the NFIP, then Federal assistance can't be used in any of those areas.

Finally, this amendment would jeopardize the ability of communities to receive community development block grants for disaster recovery.

Let me say again, the junior Senator from Utah is absolutely correct: We need to reform this program. But we need to keep it alive. It is not going to do anybody any good to let this pro-

gram expire on Tuesday and scare 5 million-plus Americans half to death. We don't have to do that.

There is an instrument coming to us from the House. It extends this program by 4 months. It passed the House overwhelmingly. The House vote was 366 to 52. I am strongly encouraging the majority leader to bring this extension. All it does is maintain status quo for 4 months to bring this extension to the floor. Let's pass it, and let's keep this program alive.

With all the due respect I can muster, I think the purpose of this amendment is to cause the NFIP to expire, and I just can't live with that. I couldn't sleep tonight if I did. For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I stand with enormous respect for my friend, my distinguished colleague, the Senator from Louisiana. I stand also with enormous respect for the amount of care and diligence he puts into each legislative effort that he addresses in this Chamber and in the committee on which we serve together.

I wish to respond to a couple of points. My colleague is absolutely correct. Most of the people—the overwhelming majority of people who get insurance under this program—are not wealthy. It is one of the reasons this is a limited-purpose amendment. This amendment would deal only with properties, new properties, to be insured worth more than \$2.5 million.

The idea is, if you can build this structure, a home, or otherwise worth more than \$2.5 million, there can and ought to be a way—there is a way for you to provide for the assurance in the event of a flood, for the addressing of whatever flood damage is done as a result of that. Anyone who has the ability to afford such a structure can address that structure without having to be subsidized by America's poor- and middle-class families.

Secondly, I would like to respond to the suggestion that the purpose of this amendment is somehow to kill the NFIP program. If that were the purpose of it, we wouldn't even be having this discussion. We would simply be entertaining means by which to block their reauthorization of that program. Yes, the House of Representatives has adjourned just moments ago, but, yes, the House of Representatives has a pro forma session scheduled for tomorrow, and there are means by which the House of Representatives could and, I believe, would pass this amendment, this reauthorization, with the amendment intact.

The House of Representatives has, in fact, in the very recent past, passed far more aggressive, far more significant reforms than this, and I believe they would do so in their pro forma session by their version of unanimous consent. This is not intended, nor would it have the effect of shutting down NFIP altogether.

Finally, let me say this. Ten months ago, when we were asked to give another so-called clean reauthorization of this program, we were promised—I was promised by many distinguished Members of this body there would be reforms that we would put in place before the next reauthorization. It hasn't happened, and, in fact, we haven't had significant reforms for 6 years.

It is, in fact, time to reform the program, and, on that point, I am very pleased that my friend and distinguished colleague from Louisiana and I agree on that point—reforms are needed.

We can't continue to kick the can in perpetuity. As St. Augustine is quoted as saying during his conversion to Christianity, "Lord grant me chastity, but not yet."

If we are always kicking the can, if we are always saying, yes, we need to be righteous; yes, we need to do the right thing, but not yet, when will we ever get there? If not us, who? If not now, when? It saddens me that we can't pass even this minor reform today.

I yield the floor.

Mr. KENNEDY. Mr. President, with respect, I reassert my objection.

The PRESIDING OFFICER. The objection is noted.

The Senator from Hawaii.

#### HEALTHCARE

Ms. HIRONO. Mr. President, last year, around this time, millions of Americans were mobilizing, marching, calling, and writing with a simple, straightforward demand. They demanded the U.S. Senate stand up to Donald Trump and protect the nearly 30 million Americans who were at risk because the Republican Party was hell-bent on destroying the Affordable Care Act, the ACA.

With a vote on repealing the Affordable Care Act looming late in the evening, I came to the Senate floor that night intending to stand with the thousands of Hawaii residents who wrote or called my office with a sense of urgency to save their healthcare.

I wasn't scheduled to speak that evening. I had already spoken many times previously about the importance of healthcare. As the debate wore on, much of it focused on healthcare in the abstract. I felt compelled to talk about the immediacy of healthcare because of what I was experiencing.

Two months earlier, I had been diagnosed with kidney cancer during a routine examination. It is a moment everyone dreads, but it is also a moment nearly every family in this country has experienced at some point. Even as I reckoned with what came next—two surgeries and now ongoing immunotherapy—I knew I was fortunate. I had health insurance that allowed me to focus on my treatment rather than worrying about whether I could afford the care that would save my life.

Every American deserves the same peace of mind because healthcare is a right, not a privilege just for those who

can afford it. During my treatment, I was heartened by the kind words of support by my colleagues from both sides of the aisle. Many share stories about how cancer touched their lives. For some, it was a personal battle. For others, it was a child, a parent, or a spouse.

I was touched by their compassion. It meant a lot to me to know so many people were pulling for me. I was dismayed that evening on the Senate floor because the empathy my colleagues showed me did not extend to the millions of people who would lose their healthcare if the ACA was repealed that night.

I rose that night and implored my Republican colleagues to show the same compassion to the American people that they showed me by voting against the repeal of the Affordable Care Act.

In a dramatic late-night vote, we joined together across party lines to save healthcare for millions of Americans, but the fight was not over. There was the hope that we could come together to improve our Nation's healthcare system.

We got off to a good start, with Senators MURRAY and ALEXANDER's good-faith negotiations on a plan that would have helped stabilize insurance markets and provide a path forward to strengthening our country's healthcare system.

Instead of embracing this bipartisan effort and proposal, Donald Trump and Republican leaders doubled down on their efforts to destroy and dismantle the ACA, no matter the consequences.

Last October, Donald Trump announced he would halt all cost-sharing reduction payments that helped keep plans more affordable. In December, congressional Republicans eliminated the ACA's individual coverage requirement as part of a massive tax giveaway to the wealthiest 1 percent of the people and corporations in our country—a tax break, by the way, they didn't even ask for.

With that, 10 million Americans stand to lose their coverage, and millions more will see their premiums rise as a result. Earlier this year, the Trump administration made it easier for insurance companies to offer minimal—minimal—insurance plans to consumers. These plans are called junk plans for a good reason because they don't require insurers to cover some pretty basic essential health service benefits—things as basic as annual physicals, trips to the emergency room, or prescription drug coverage. In other words, your junk plan will not provide coverage if you really get sick.

Two weeks ago, the President announced a draconian cut to the ACA's navigator program—a program that helps people sign up for healthcare coverage. In Hawaii, funding for ACA navigators is a particularly critical tool for outreach to the COFA community, and these are citizens of the Republic of the Marshall Islands, the Federated States

of Micronesia, and the Republic of Palau living and working in the United States as part of our Compacts of Free Association with these countries.

COFA citizens live, work, and pay taxes in the United States but face significant health challenges and difficulty accessing healthcare.

Under current Federal law, COFA citizens are ineligible for Medicaid. They are, however, eligible for subsidized healthcare coverage under the ACA. This is where the navigator program comes in. This program helps our COFA citizens navigate the enrollment process in their own language and helps to ensure they have access to the healthcare they need. Without access to the navigator program, the already underserved COFA citizen community will face new challenges accessing the care they need.

Last month, the Trump administration joined Texas and 19 other States suing to invalidate the ACA's core protections for Americans with preexisting conditions—illnesses like diabetes, asthma, or cancer. If the President and Texas prevail in this lawsuit—which will end up before the Supreme Court—nearly one in four Americans with preexisting conditions will be at risk of either losing their healthcare coverage altogether or find it unaffordable.

Healthcare is one reason I have deep reservations about the nomination of Brett Kavanaugh to serve on the U.S. Supreme Court. Judge Kavanaugh was nominated by a President who has openly bragged about all the things he has done to gut the Affordable Care Act and who expects his judicial nominees to share his views.

In our democracy, every elected leader faces a reckoning with their voters. This year, the American people are sending us a clear message to protect their healthcare. They are standing up and speaking out because healthcare is not just some abstract concern for them. It is deeply personal for all of us. It is why healthcare is a top concern for our constituents all across the country—whether they are Republicans, Democrats, Independents, pro-Trump, or anti-Trump. Health insurance impacts every single one of us.

This is not a game. Lives are at stake. Our constituents are watching and demanding we listen and act to safeguard their healthcare, and they will hold us accountable if we do not.

I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Massachusetts.

#### FEDERAL WORKFORCE

Ms. WARREN. Mr. President, I want to start by thanking Senator BROWN for organizing time for our speeches today and, of course, for his tireless fight on behalf of working people in this country.

I rise today to join Senator BROWN and my other colleagues in standing with Federal workers in Massachusetts and all around the country—Federal

workers who are under attack from all sides by the Trump administration.

There are nearly 30,000 Federal workers in Massachusetts alone, and almost a quarter of them are veterans—thousands of men and women who have put themselves in harm's way to protect us and then come home and continue serving their communities in the Federal workforce. These Americans work at agencies like the Social Security Administration, to help older Americans receive the benefits they have earned, and they work at the VA, where they help us fulfill the promises that we have made to our veterans. They help to keep our communities safe, and they help them recover after a disaster hits. They fight deadly diseases and work day in and day out to improve the health of our fellow citizens. Those are just a few examples.

But ever since taking office, President Trump has attacked these public servants, attacked their paychecks, attacked their working conditions, and attacked their retirement security in just about every way he could think of—freezing their pay and proposing draconian cuts to their wages and their hard-earned retirement benefits.

His latest assault, in the form of three Executive orders, undermines collective bargaining rights that have protected Federal workers' voices in their workplaces since the Civil Service Reform Act of 1978 passed this Senate 87 to 1. These orders disrupt the bargaining processes that Federal workers have used for decades, and they interfere with the ability of unions to represent their members. For example, one of President Trump's Executive orders severely cuts down on the time that unions can spend helping their workers navigate the process for filing a workplace sexual harassment claim or getting whistleblower protections in order to report fraud and corruption in the government.

President Trump's attacks on these public servants and their rights undermine important government services and the rights of all American workers, and they are part of a clear pattern. Despite his campaign rhetoric from 2 years ago, the President's track record on standing up for workers has been absolutely miserable. From the day he nominated Andrew Puzder, an executive who delighted in mocking and belittling his own low-wage workers, to run the Labor Department, this administration has delivered one gut punch after another to American workers.

But that was only the beginning. In the Trump administration, workers in all sectors and all industries and in all parts of the country are under repeated attack. President Trump has signed laws, ended commonsense protections, and nominated anti-union and anti-worker judges—all of which undermine the rights of American workers in more ways than I can possibly count.

He has rolled back rules designed to make sure that Federal contractors don't cheat their workers out of hard-

earned wages. He has delayed safety standards that keep workers from being exposed to lethal carcinogenic materials, and he has made it easier for employers to hide injuries and deaths that their workers suffer on the job.

He has opened the door for shady financial advisers to cheat hard-working Americans out of billions of dollars in retirement savings.

He has put anti-worker corporate attorneys on the National Labor Relations Board, which has now mowed its way through a giant wish list of areas where giant companies were begging to be left off the hook for violating workers' rights.

For the Supreme Court, he nominated Neil Gorsuch, a union-busting judge who was the deciding vote in the 5-to-4 Janus case, which was also an attack on public servants, nurses, teachers, firefighters, and police—the culmination of a years-long campaign by rightwing billionaires to damage unions.

The list goes on. After a year and a half of corporate tax cuts and rolling back commonsense protections for workplace safety, collective bargaining, retirement security, and more, we know that President Trump's promises to fight for American workers aren't really worth much of anything.

Like all of the attacks on working families that we have seen from this administration, President Trump's rolling back the rights of Federal workers will lower wages, worsen conditions, hurt retirement security, and squeeze middle-class families all around the country even tighter than before. But that is not all. By attacking the Federal workforce, President Trump is making it harder for them to do their jobs. That means he is undermining services that our seniors, our veterans, and Americans from all backgrounds rely on every single day.

In Massachusetts and here in Washington, Federal workers are saying: Enough is enough. So they are joining together, standing up, speaking out, and they are refusing to back down. Like so many Americans, I am grateful for their service to our country and to our communities, and I am proud to stand and fight shoulder to shoulder with these dedicated public servants, with their families, and with their communities all around the country. I am proud to stand with them. Powerful interests have been trying to break the backs of working people and their unions for decades, but we are here to say: We are not going away. We are going to fight, and we are going to win.

I yield the floor.

## EXECUTIVE SESSION

### THE TREATY WITH THE FEDERATED STATES OF MICRONESIA ON THE DELIMITATION OF A MARITIME BOUNDARY

### THE TREATY WITH THE REPUBLIC OF KIRIBATI ON THE DELIMITATION OF MARITIME BOUNDARIES

### EXTRADITION TREATY WITH THE REPUBLIC OF SERBIA

### EXTRADITION TREATY WITH THE REPUBLIC OF KOSOVO

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following treaties en bloc: Calendar Nos. 2, 3, 4, and 5. I further ask unanimous consent that the treaties be considered as having passed through their various parliamentary stages up to and including the presentation of the resolutions of ratification; that any committee-reported conditions, declarations, or reservations be agreed to as applicable; that any statements be printed in the RECORD; further, that when the resolutions of ratification are voted upon, the motions to reconsider be considered made and laid upon the table; that the President be notified of the Senate's action, all en bloc; and that following the disposition of the treaties, the Senate return to legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The treaties will be stated.

The senior assistant legislative clerk read as follows:

Treaty document No. 114-13A, The Treaty with the Federated States of Micronesia on the Delimitation of a Maritime Boundary.

Treaty document No. 114-13B, The Treaty with the Republic of Kiribati on the Delimitation of Maritime Boundaries.

Treaty document No. 115-1, Extradition Treaty with the Republic of Serbia.

Treaty document No. 115-2, Extradition Treaty with the Republic of Kosovo.

Mr. McCONNELL. Mr. President, I ask for a division vote on the resolutions of ratification en bloc.

The PRESIDING OFFICER. A division vote has been requested.

On treaty document Nos. 114-13A, 114-13B, 115-1, and 115-2, Senators in favor of the resolutions of ratification will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division vote, two-thirds of the Senators present having voted in the affirmative, the resolutions of ratification are agreed to en bloc.

The resolutions of ratification are as follows:

TREATY DOCUMENT NO. 114-13A

*Resolved, (two-thirds of the Senators present concurring therein),*