

Hospitals have a chargemaster that nobody can understand, which actually inflates retail prices billable to a patient or an insurance provider, but insurers usually negotiate steep discounts to these inflated prices that consumers and the employers who pay all the bills never see. It is done behind closed doors.

More pricing transparency would address this market failure. Increased competition gives more decision making to the people who are supposed to use it.

This is why I introduced the truth in pricing act, which requires health insurers to disclose negotiated rates, including any cost-sharing obligations for consumers for healthcare services covered under their health plans. It is difficult for insured consumers to shop for healthcare services in our current, opaque, and broken market within which ObamaCare works, especially if they don't know actual prices. Insurers have the unique ability to provide this information to consumers.

Why subsidize insurance companies to pay for navigators and insurance agents when we can instead make the market work better and be more consumer-driven and transparent? This is the way we break the stranglehold that government in big healthcare has on healthcare delivery.

I ask unanimous consent that the Senator modify her request and instead, as in legislative session, the Committee on HELP be discharged from further consideration of S. 913, the True Price Act, and the Senate proceed to its immediate consideration. I ask unanimous consent that the bill 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. Does the Senator so modify her request?

Mrs. SHAHEEN. Reserving the right to object, let me say that I agree with my colleague that we need more transparency in healthcare pricing. I would argue that one of the places we most need that transparency is when it comes to the price of prescription drugs.

As I am sure my colleague knows, the cost of prescription drugs is probably the biggest cost driver right now in increases in healthcare. Yet we in Congress and the Centers for Medicare and Medicaid are stymied because they can't negotiate with the big drug companies to lower the prices of prescription drugs and to make that more transparent to consumers.

The Veterans' Administration can negotiate for the cost of prescription drugs. If you talk to any veteran about the cost of their prescription drugs and compare them to what people are paying in the marketplace, there is a huge difference because they have that ability to negotiate.

I am sure that at some point we could probably find some agreement on transparency that would make sense. I

think what my colleague is proposing is not something that has had a chance to go through the HELP Committee and, therefore, would need a further look. I would want to know what hospitals in New Hampshire, the doctors, consumers, and the insurance department in my State would have to say about that. Until I find that out, I would have to object to what my colleague is proposing, but I hope we could work together to address the challenges that my constituents—and I am sure his constituents—are facing because of the cost of healthcare.

He talked about the failure of the Affordable Care Act. Actually, in New Hampshire, we have over 90,000 people who have now gotten coverage for health insurance because of the Affordable Care Act. Through the expansion of Medicaid, we have reduced the number of uninsured in New Hampshire to half the number we had before we passed the Affordable Care Act.

What my legislation would do is help people understand what the filing period is and how to sign up for the Affordable Care Act and health insurance.

In fact, under the Affordable Care Act as it exists now, according to estimates from the administration, approximately 54 percent of Granite Staters who are shopping for coverage on healthcare.gov are eligible for a plan with net monthly premiums of less than \$75, after accounting for tax credits, and nearly 40 percent of Granite Staters shopping on healthcare.gov can find a plan with net monthly premiums under \$10.

Now, the cautionary note is that when constituents of mine or in Indiana or anywhere else in the country are shopping for plans, they need to watch out for those short-term, limited-duration insurance plans—what are commonly called junk plans—because they are not required to cover preexisting conditions. I was pleased to hear my colleague from Indiana say that for existing conditions, coverage is important.

Those junk plans are not required to provide coverage for essential health benefits, like maternity care, prescription drugs, and mental health services. If you don't pay very careful attention when you go on the healthcare.gov website, you can be redirected to third-party insurance broker sites that sell both junk plans and ACA-compliant marketplace plans. That creates further confusion for customers. What we heard is that those insurance brokers are able to charge multiple times the price for those plans for their fee than they are for plans under the Affordable Care Act.

The administration has been allowing these links to redirect consumers to sites that sell junk plans, even though the ACA expressly prohibits any health insurance exchange from making available any plans that are not qualified health plans under the Affordable Care Act.

A number of my colleagues and I have been pressing the administration to conduct better oversight of brokers to ensure that healthcare.gov customers are not being sold junk plans.

I urge consumers, when they go on the website, to make sure they stay on the healthcare.gov website or their State's official health insurance exchange website when they are shopping for coverage. Be careful when you click on links that provide assistance from third-party insurance brokers.

I encourage Granite Staters and people across this country who need health insurance coverage to take a look at their options between now and December 15, during this year's open enrollment period. There is still time to enroll. It is important to tell your friends and neighbors and your family members who may not know about open enrollment because the amount of money available for outreach has been reduced so dramatically.

When the administration was trying to repeal the Affordable Care Act and this Senate voted, Americans across the country made their voices heard. Now we need that same level of engagement to raise awareness of this year's open enrollment and overcome this administration's sabotage of the ACA.

Thank you. And if it was not clear earlier, I object.

The PRESIDING OFFICER. The objection is heard to the modification.

Is there objection to the original request?

The Senator from Indiana.

Mr. BRAUN. Mr. President, reserving the right to object, we have made progress here this evening in the sense that my colleague has brought up another topic—transparency for prescriptions.

Across the board, when it comes to hospitals and exposing their charge practices, drug companies becoming transparent and competing, health insurance companies getting rid of the secret agreements behind the scenes, and even practitioners, publish your prices in print or on the web so we as employers and consumers of healthcare can try to make the right decisions and bring costs down.

I do object to the original request.

The PRESIDING OFFICER. The objection is heard.

The majority leader.

CLOTURE MOTION

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

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 nomination of Dan R. Brouillette, of Texas, to be Secretary of Energy.

Mitch McConnell, John Boozman, Richard Burr, Shelley Moore Capito, John

Cornyn, Mike Crapo, John Barrasso, Roy Blunt, John Thune, Steve Daines, Thom Tillis, Kevin Cramer, Chuck Grassley, Tom Cotton, Rick Scott, Roger F. Wicker, Cindy Hyde-Smith.

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

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

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### ORDER OF BUSINESS

Mr. PERDUE. Mr. President, I ask unanimous consent that at 11:30 a.m. tomorrow, the Chair lay before the Senate the House message to accompany H.R. 3055. I further ask unanimous consent that Senator PAUL or his designee be recognized to offer a motion to concur with further amendment, the text of which is at the desk, and following 2 minutes of debate equally divided, Senator SHELBY or his designee be recognized to make a motion to table the Paul motion. Further, I ask that following disposition of the Paul motion, the majority leader or his designee be recognized to make a motion to concur in the House amendment to the Senate amendment; finally, that notwithstanding rule XXII, if cloture is filed on the motion to concur in the House amendment to the Senate amendment that the vote on the cloture motion occur immediately and that if cloture is invoked, the postcloture time be yielded back and the Senate vote on the motion to concur with no intervening action or debate.

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

#### ORDER FOR ADJOURNMENT

Mr. PERDUE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, November 21; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and that the Senate proceed to executive session and resume consideration of the Brouillette nomination.

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

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

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

#### LEGISLATIVE SESSION

##### MORNING BUSINESS

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

##### CUBA

Mr. LEAHY. Mr. President, since the onset of the Trump Presidency, the White House has issued a steady stream of executive orders to reverse the policy of engagement with Cuba begun by President Obama. Those decisions have largely curtailed travel by law-abiding Americans to Cuba who seek to participate in people-to-people exchanges, patronize Cuban private businesses, and otherwise experience Cuban culture.

Cuba is the only country in the world to which Americans cannot travel freely, other than North Korea, because President Trump apparently believes it is his sole prerogative to tell Americans where they can travel and spend their own money.

I have spoken about the need for engagement with Cuba many times. It is in our national interest because our past policy of unilateral sanctions and isolation—enforced for more than half a century—failed to achieve any of its objectives and because engagement with the people of other countries is the way we promote our values and protect our interests.

This is especially true when the foreign government is one with which we have profound disagreements, like Russia, China, Egypt, Turkey; it is a long list. But no one is proposing that we prevent Americans from traveling to those countries, and if they did, it would be strongly opposed by Republicans and Democrats alike.

Today, our Embassy in Havana is operating on a shoestring. Whereas there used to be more than 50 direct hire staff, today there are fewer than 18. The Cuban Embassy in Washington has also been reduced to a shell of what it used to be. As a result, the ability of both governments to process visas and conduct diplomacy is at a virtual standstill.

Cubans who seek visas to travel to the U.S. today to participate in educational programs, cultural, entrepreneurial, or scientific exchanges have to travel to Trinidad, Mexico, or some other country to apply at our embassies there. The cost to do so far exceeds what the vast majority of Cubans can

afford, so travel by Cubans to the U.S. has been reduced to a trickle compared to what it was before.

The White House has curtailed most air and sea travel to Cuba, so travel by Americans has also plummeted. This has wreaked havoc on fledgling Cuban private businesses, which depend on American customers. The administration seems utterly unconcerned, focused instead on punishing the Cuban Government for its support of Nicolas Maduro in Venezuela. This is nothing new to the Cuban authorities, and it empowers hardliners in the Cuban Government who opposed engagement with the United States in the first place and who are more comfortable building alliances with counterparts in Russia, China, and North Korea with whom they share a common ideology and disdain for the United States.

I recognize that the Trump administration has no reluctance to hold Cuba to a standard that it does not hold for other authoritarian regimes. In fact, if President Trump were consistent he would be praising his Cuban counterpart as a friend or great leader, the way he praises Kim Jung Un, Xi Jinping, Abdel Fattah al Sisi, Rodrigo Duterte, Vladimir Putin, Recep Tayyip Erdogan, and other autocrats.

But despite this hypocrisy, why don't we at least increase the number of consular officers at our embassies so Americans and Cubans can visit each other's countries? I understand that we have yet to determine the cause of illnesses suffered by U.S. Embassy personnel in Cuba, for which there is no evidence implicating the Cuban Government, despite kneejerk claims by some to the contrary. But the last such incident was more than a year ago, and there are certainly U.S. Foreign Service Officers who would welcome the opportunity to serve in Havana. Both governments should be working to create favorable conditions for restaffing each other's consular services so they can better serve the people of our two countries.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

● Ms. HARRIS. Mr. President, I was absent, but had I been present, I would have voted no on rollcall vote No. 358, the confirmation of Executive Calendar No. 487, Robert J. Luck, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Mr. President, I was absent, but had I been present I would have voted no on rollcall vote No. 359, the motion to invoke cloture on Executive Calendar No. 488, Barbara Lagoa, of Florida, to be United States Circuit Judge for the Eleventh Circuit.●

#### ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon