

quickly if they didn't want to spend the time stonewalling—I think given that, it is not responsible to advance this nomination through an affirmative cloture vote today, so I will be voting no. My hope is that over the next week or so, we can start to get some answers to these basic questions.

I will tell you, I have just gone through five townhall meetings at home in rural and urban areas. Everybody I represent at home thinks there ought to be more accountability in Washington, DC, rather than less.

Without answers to the questions I have outlined today, there is no question that with respect to accountability, the Senate, by voting cloture today, would be settling for less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I am pleased that at any moment now, we will move to invoke cloture on the nomination of Dan Brouillette to be Secretary of Energy. As folks know, he is currently serving as our Deputy Secretary of Energy. In my view, he has excelled in that role since being confirmed by this body in a strong bipartisan vote back in August of 2017. He has run the Department on a daily basis. He has been helping Secretary Perry set an agenda that has been focused on energy security and technological innovation. He has been a good partner of the Energy Committee—honest, open, and responsive. I have certainly appreciated all of his leadership.

We commend him to this body. He did very well in his nomination hearing before the Energy and Natural Resources Committee. I believe he will do very well in his new role. I encourage all Members to work with us to confirm him as soon as possible today.

#### 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 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.

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 Dan R. Brouillette, of Texas, to be Secretary of Energy, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisiana (Mr. CASSIDY), the Senator from Georgia (Mr. ISAKSON), and the Senator from Kansas (Mr. MORAN).

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

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The yeas and nays resulted—yeas 74, nays 18, as follows:

(Rollcall Vote No. 366 Ex.)

#### YEAS—74

Alexander	Fischer	Peters
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hassan	Romney
Braun	Hawley	Rounds
Burr	Heinrich	Rubio
Cantwell	Hoeven	Sasse
Capito	Hyde-Smith	Scott (FL)
Cardin	Inhofe	Scott (SC)
Carper	Johnson	Shaheen
Casey	Jones	Shelby
Collins	Kaine	Sinema
Coons	Kennedy	Smith
Cornyn	King	Stabenow
Cotton	Lankford	Sullivan
Cramer	Lee	Tester
Crapo	Manchin	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Duckworth	Murkowski	Udall
Durbin	Murphy	Warner
Enzi	Murray	Wicker
Ernst	Paul	Young
Feinstein	Perdue	

#### NAYS—18

Baldwin	Hirono	Rosen
Bennet	Leahy	Schatz
Blumenthal	Markey	Schumer
Brown	Menendez	Van Hollen
Cortez Masto	Merkley	Whitehouse
Gillibrand	Reed	Wyden

#### NOT VOTING—8

Booker	Isakson	Sanders
Cassidy	Klobuchar	Warren
Harris	Moran	

The PRESIDING OFFICER. On this vote, the yeas are 74, the nays are 18.

The motion is agreed to.

The Senator from Ohio.

#### NASA PLUM BROOK STATION

Mr. PORTMAN. Mr. President, I would like to talk about a couple of topics.

First, I thank my colleagues on the Senate Commerce, Science, and Transportation Committee for very recently approving legislation to rename the NASA Plum Brook Station in Sandusky, OH, after Ohio's own and a true American hero—the late Neil Armstrong. I now, of course, urge that this legislation be taken up by the full Senate and that we get it passed. There is an identical bill in the House. We hope to join both bills so that it may be sent to the President for his signature very soon.

The NASA Plum Brook Station is a state-of-the-art testing facility. It is near Sandusky, OH, and is a terrific facility that is doing a lot of the testing right now for both NASA and some private sector companies. It is part of the NASA Glenn complex that is headquartered in Cleveland, OH.

It is an impressive operation for a lot of reasons, but the one that is most exciting right now is their work on the Artemis Project. This is, of course, NASA's plan to put astronauts back on the Moon by 2024, including having the first woman go to the Moon. This mission will also lay the groundwork for future expeditions to the next great leap in spaceflight—that, of course, being a manned mission to Mars. It is exciting stuff.

At Plum Brook, they are already testing critical components of the rocket engines that are scheduled to carry Artemis astronauts into space starting next year. Very soon, they are going to be testing the spacecraft itself. We hope it will arrive at Plum Brook within the next few weeks where it will undergo about 4 months of testing.

This past summer, I and my colleague, Ohio Senator SHERROD BROWN, introduced this legislation to rename the facility after Neil Armstrong, and we did so on the occasion of the 50th anniversary of the Apollo 11 Moon landing, from which, of course, Neil Armstrong became world famous for being the first person to walk on the surface of the Moon.

Ultimately, Neil Armstrong was a test pilot. We think of him as an astronaut. Some know that he was also a fighter pilot and that he was a veteran of the Korean conflict. He was just an amazing individual—humble, smart. He was a very patriotic individual. How appropriate and perfect that as a test pilot, which he was during his whole post-fighter pilot career until his time as an astronaut, Plum Brook be named after him.

By the way, Neil's family agrees with that, as does NASA, and as do others we have talked to. So we are hoping that this will be a fitting way to honor a man who, for all of his accomplishments, saw himself, first and foremost, as a patriot who pushed the boundaries of flight. Therefore, the test facility is very dear to them.

I talked to him about this test facility. After one of my visits there, I went to see him at his home and told him about the progress they were making. At that time, they were trying to revamp some of the facilities there. He was really excited about it. He was a very modest man and did not want things named after him. He viewed his service to his country as the reward. That is all he ever wanted in life. That makes it all the more fitting that we, in fact, do name this after him. It is a great model for young people and, certainly, for those who are interested in avionics and spacecraft and in being astronauts. His example is one we should all look up to.

When this comes to the Senate floor for a vote, I hope all of my colleagues will support it, and I hope that it will happen very soon.

#### THOUSAND TALENTS PLAN

Mr. President, there was a very troubling report that was issued this week by the Permanent Subcommittee on Investigations. This is a tough subject. In this report, it details for the very first time how taxpayers' dollars have been used, really, over the past 20 years to fund scientific research that has then been misappropriated by one of our global competitors—China—to fuel its own economy and its own military growth.

What do I mean by that? What happened?

Every year, Federal grant-making agencies, like the National Institutes of Health—the NIH—or the Department of Energy's National Labs or the National Science Foundation, give out taxpayers' dollars for research—actually, about \$150 billion a year.

This is a good thing for us as a country. It leads to new breakthroughs in science and technology, healthcare, weapons systems, and so on. Through research grants, this money goes primarily to universities and to other research institutions across the United States. This investment has been very helpful in making the United States the world leader in scientific innovation. Again, it has resulted in some amazing breakthroughs.

Our U.S. research is built on some principles here in this country. One is transparency. Another is collaboration. Others are integrity, peer review, and a merit-based system. In fact, the open and collaborative nature of the research that is done here in the United States is one of the reasons we attract some of the best and brightest scientists and researchers from all around the world. That is a good thing. Yet, without proper protections, this research is vulnerable to theft by other countries, and that is exactly what has happened.

The Permanent Subcommittee on Investigations, which I chair, along with Ranking Member TOM CARPER, conducted an 8-month investigation into how American taxpayer-funded research has been taken by China—effectively stolen—to assist its own economy and its own military. China has been very open about its goals to surpass the United States as the world leader in science and technology by the middle of this century.

An important part of this effort is what China calls its talent recruitment programs. Through talent recruitment programs, China has strategically and systematically acquired knowledge and intellectual property from researchers and scientists in the United States in both the public and private sectors.

In the course of our investigation, the FBI shared with us that China plans to spend more than \$2 trillion between 2008 and 2020 toward improving its human capital, which includes re-

cruiting and developing researchers and scientists.

The Thousand Talents Plan, which was the focus of our investigation, is now in its 11th year of operation, and it is probably China's most prominent talent recruitment program. However, there are about 200 or more other talent recruitment programs as well.

Launched in 2008, China designed the Thousand Talents Plan to recruit 2,000 high-quality, overseas experts and to get their knowledge and their expertise and their research. By 2017, China had exceeded that initial goal by recruiting more than 7,000 of what they call "high-end professionals," including many from American research institutions.

Some of the U.S.-based researchers, of course, also receive taxpayer-funded Federal grant money we talked about earlier to do the same research right here in the United States. In exchange for spending part of every year working in Chinese institutions, the Thousand Talents Plan recruits are rewarded with generous salaries and research budgets, sometimes even exceeding their pay at the American research institutions where, in practice, they are working. These researchers also often get access to what is called a shadow lab in science. In other words, they provide them not just with funding, but they also say: We will provide you lab space in China.

At our hearing yesterday, the Department of Energy witness testified that China offered some of his researchers hundreds of thousands and even millions of dollars to join a talent recruitment program.

For a researcher here, the Thousand Talents Plan might seem like a good opportunity, but it certainly is not a good opportunity for the United States, especially because embedded in the language of some of these contracts these researchers sign are very troubling provisions that prevent these recruits from disclosing their participation in the Thousand Talents Plan even though disclosing foreign payments is required by U.S. regulations. Not only is this dishonest, but it is also a clear violation of the American regulations that require researchers who apply for these grants we are talking about—this \$150 billion of taxpayer money—to disclose any funding they are receiving from a foreign source. In effect, what is happening with the Thousand Talents Plan is that it is incentivizing these program members to lie on grant applications to U.S. grant-funding agencies to avoid disclosing their funding from Chinese institutions.

What is worse, in many of these contracts, researchers are often required to transfer to China the technological breakthroughs—the research—that are being developed in American labs with American grant money. There are a lot of examples we found in our 8-month study. Let me talk about a couple quickly.

In one, we learned that a Thousand Talents Plan recruit at the Depart-

ment of Energy's National Labs used the intellectual property created during his work in a National Lab to file for a U.S. patent under the name of a Chinese company, effectively stealing the federally funded research and claiming it for China.

Another Thousand Talents Plan member illegally downloaded more than 30,000 files from a National Lab—this is connected with Department of Energy funding—without authorization right before returning to China.

Once China has it, some of this research could be used to threaten the national security of the United States. As an example, the State Department witness testified at our hearing yesterday that "the Chinese Communist Party has declared the Chinese university system to be on the front line of military-civilian fusion efforts for technological acquisition for weapons research and the expansion of key scientific and engineering talent to drive Chinese innovation." That is pretty obvious. That is what all of our witnesses, in essence, said.

This is not a new problem. We found out through our investigation that the Federal Government should have known about this issue for almost two decades but has yet to do anything substantial to stop it. It is unacceptable that we have allowed this to go on as long as we have.

These talent programs are a win-win for China and a lose-lose for the United States. First, the Chinese Government and their research entities are getting research that is paid for by us. Second, it is not used by us. That research is used in China to improve their own economic and military status.

So why is it taking so long for us to do anything about this problem? I think there are a couple of reasons.

First, a lot of the U.S. research community didn't fully understand the Thousand Talents Plan and the threat it poses. Even though this one program is more than a decade old at this point, it wasn't until last year that the FBI began organizing a unified Federal response to the threat it has been posing to our universities and research institutions. We have been slow to focus on this issue, and therefore it has continued.

I appreciated the FBI's candor at the hearing yesterday, by the way, when the FBI Assistant Director testified that he wished the FBI had "taken more rapid and comprehensive action in the past." I do too.

Second, I think one reason this hasn't been stopped is that the coordination between the grant-making agencies is almost as bad as the coordination with the Federal law enforcement folks, meaning that they aren't talking to each other about problems they have had, about particular instances regarding some of the research that has been taken.

As I said, we are talking about more than \$150 billion of taxpayer money every year that goes to these agencies,

but once these funds are in the agencies' hands, we found no evidence of a unified and coordinated tracking and monitoring process to ensure that the money did not go toward the Thousand Talents Plan participants or other programs. The National Science Foundation, for instance, doesn't seem to have anyone who handles grant oversight in this regard. These research entities need to share information on these issues.

But other organizations are at fault too. We found that the State Department is on the frontlines due to its responsibilities to vet visa applications for visiting students and scholars, but it very rarely denies visas under that process.

Quite frankly, the research community here in the United States bears some responsibility too. There has been a collective failure by our universities and our research institutions to vet researchers for these conflicts of interest with other countries. Again, this is made worse by the fact that many of these researchers are receiving taxpayer funds to conduct their research here.

It is going to take a comprehensive strategy across the Federal Government to better protect our research against this threat. Our report makes a number of recommendations that, combined, will go a long way toward strengthening the security of our research networks, while preserving the shared culture of transparency and fairness.

Of course we want to continue to be the top place in the world for research, and that means that we have to be able to share and have transparency and openness, but it also means that we need to do a much better job of protecting this information from being misused.

We, of course, need to do better at getting the word out to universities, research institutions, and the general public about this threat being posed by the Thousand Talents Plan and other foreign talent recruitment plans. This means better coordination between law enforcement, the intelligence community, and grant-making agencies so that the government is on the same page on this threat.

We also need to change the research culture to preserve its openness and innovative spirit while making sure foreign researchers are properly vetted by the sponsoring organizations.

NIH, NSF, and other grant-making institutions need to standardize how they find conflicts of interest in grant applications. They don't do that now.

Members of the research community need to develop best practices for American researchers to follow so that they can determine whether receiving funds from a foreign country would compromise our principles of research integrity and threaten our national security.

Finally, we need to help the State Department do a better job in its visa

vetting process for foreign researchers. We need to do a better job of determining potential conflicts of interest before individuals who may not have the best interests of the United States at heart start working at our research institutions and using our taxpayer dollars.

In the coming months, I will introduce bipartisan legislation that will help address some of these challenges. I look forward to working with Senator CARPER, the ranking member on the subcommittee, and other colleagues to get those initiatives to the President's desk.

Let me conclude by saying that we don't want to exclude China from contributing to scientific innovation—not at all. Advancements in the fields of robotics, medicine, energy, weapons systems, and more are things that are very important, and many of these can benefit the entire globe. But we want to have fair and transparent processes in place as we conduct this research, and our taxpayers don't want to be the ones to pick up the tab as China misappropriates our research to build up its own economy and a military designed to rival ours.

My hope is that this report is the start of a productive dialogue with China and here in Congress on how we can better build a more secure research system that continues to reward those who come to our shores to discover new breakthroughs in science, while keeping China and other nation state competitors from taking that research for their own purposes.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Maryland.

#### PRESIDENTIAL PARDONS

**Mr. CARDIN.** Mr. President, before I start my remarks, I want to underscore how valuable the Department of Defense fellows program is to our individual offices. I can tell you firsthand that Captain Ng's presence in my office has given me capacity to deal with issues concerning appointments that I have or issues that are pending in Congress of a military nature.

For those of us who have never served in the military service, having someone like Captain Ng in our office is incredibly important. I really want to underscore that and thank all of our Defense fellows for the services they are performing for our country.

Mr. President, on May 22 of this year, I stood before this body and expressed my deep concerns about the media reports that President Trump was considering granting pardons to certain U.S. military personnel who had been convicted of committing war crimes in both Iraq and Afghanistan.

Now 6 months later, President Trump has followed through with setting a very dangerous precedent, pardoning three military personnel of war crimes, two who were found guilty under the U.S. military's Uniform Code of Military Justice and one whose trial never concluded.

President Trump's pardons significantly disrupt the foundations of our own institutions, particularly the U.S. military.

First, President Trump's pardons cause confusion for our military servicemembers on what actions are acceptable on the battlefield—an already difficult task given the complexity of war. Second, he undermines the military justice system. Finally, these pardons degrade America's global standing and influence.

Stephen Preston, a former General Counsel at the Department of Defense, wrote the following in the Department of Defense Law of War Manual in June of 2015:

The law of war is part of who we are. . . . [T]he laws of war have shaped the U.S. Armed Forces as much as they have shaped any other armed force in the world. The law of war is part of our military heritage, and obeying it is the right thing to do. . . . [T]he self-control needed to refrain from violations of the law of war under stresses of combat is the same good order and discipline necessary to operate cohesively and victoriously in battle.

The Law of War Manual goes on to outline the five interdependent principles that serve as the foundation of the law of war: One, military necessity; two, humanity; three, proportionality; four, distinction; and five, honor.

These principles are pillars of American values and the guideposts we expect America's sons and daughters to operate within so they remain trusted and respected by all citizens of the world. President Trump's ill-advised pardons have placed those pillars on shaky ground. He has blurred the lines of morality for our troops and has disregarded the constitutional values the Founding Fathers set forth.

By virtue of their oath and training, members of the U.S. military are accountable for their individual and collective actions through the Uniform Code of Military Justice.

Department of Defense policy states:

Each member of the armed services has a duty to: (1) comply with the laws of war in good faith; and (2) refuse to comply with clearly illegal orders to commit violations of the law of war.

Two of these military personnel President Trump pardoned were found guilty of violating the law of war through the prescribed Department of Defense investigative and judicial processes. They violated international and domestic law, and they failed to uphold their constitutional oath. President Trump's pardons of war crimes erode the trust, confidence, and the legal and moral authority of the military justice system. He never gave the military justice system a chance to work and determine all the facts surrounding the third individual whom he pardoned.

Our own Commander in Chief has now compromised and degraded the integrity of the U.S. military judicial system—a system America relies on to maintain good order and discipline within the ranks of our millions of uniformed servicemembers.

Perhaps most important and most damaging, President Trump's actions have eroded America's moral standing and global influence.

That erosion emboldens our adversaries to cite our actions in committing and justifying their own war crimes. Have we become a country that now justifies and embraces the type of acts that occurred at My Lai during Vietnam or Abu Ghraib in Iraq? Will we continue to allow horrific acts committed by rogue actors who strategically diminish America's global standing?

Moving forward, how will other nations trust the United States to implement and enforce the law of war, as required by our own domestic laws, policy, regulations, and orders, and by the multiple treaty obligations with other countries?

Our Nation cannot tolerate crimes committed by rogue actors who violate their oaths and who turn their backs on American laws and values. If our government does not hold those individuals accountable for their actions, the United States will never recover from the strategic losses they incur. Under no circumstance is adopting the behavior of our worst adversaries ever justified, ever.

Just as we seek to hold foreign actors accountable for war crimes, we also have an obligation to hold ourselves accountable. We cannot willfully allow our institutions or the individuals who serve them to deviate from the laws and standards of conduct that underpin our great Nation, but that is precisely what President Trump has done. Our former colleague, Senator John McCain, suffered many years of torture at the hands of the North Vietnamese captors. Nonetheless, he stood in this Chamber to decry our use of the same tactics. He said: "This question isn't about our enemies. It is about us. It is about who we were, who we are, and who we aspire to be. It is about how we represent ourselves to the world. Our enemies act without conscience. We must not."

Senator McCain was correct. Great power competition with our adversaries is not just about who wins on a battlefield; ultimately, it is about preserving international recognized norms and values that uphold the rule of law, individual freedoms, and human dignity. If the U.S. fails to be the global champion of current international norms and democratic values, then our adversaries will replace those values with their own ideology predicated on intimidation, fear, and violent oppression.

The United States must not willfully commit or condone war crimes. We must bring those who commit them to justice, regardless of citizenship, affiliation, or background. Even in the fog of war—especially in the fog of war—we must so act. We must always endeavor to act with moral clarity and preserve the international norms and values that took so long and have cost so many American lives to establish.

Mr. President, I yield the floor.  
The PRESIDING OFFICER (Mr. BRAUN). The Senator from Texas.

#### SENATE LEGISLATIVE AGENDA

Mr. CORNYN. Mr. President, over the last few months, our friend and colleague, the minority leader, has railed about the lack of legislative progress here in the Senate. He believes the Senate should spend time taking up ultrapartisan bills that have passed the House of Representatives, but the truth is, we respectfully decline to take up those bills, which, in some instances, would infringe Americans' Constitutional rights, send taxpayer dollars to political candidates, and move us closer and closer to socialized medicine.

Now, our colleague likes to call these dead-on-arrival partisan bills part of the legislative graveyard, but our colleague from New York has opened up a graveyard of his own, only his isn't full of partisan legislation that could never pass the Senate, let alone become the law. No. Our friend—the Democratic leader's legislative graveyard exclusively caters to bipartisan bills.

Now, it is full of commonsense and critically important legislation that would actually make the lives of the American people better if only our friend from New York would stand down. Today, we had a chance to kick the can down the road once more when it comes to Federal funding because our colleagues across the aisle have put government funding bills 6 feet under.

Over the summer, as you will recall, we came to a bipartisan agreement on spending caps, a bicameral agreement to guide the appropriations process. We had a deal. It provided a roadmap for negotiations this fall, and we all promised to work hard and in good faith and stay away from poison pill policy riders. But, unfortunately, that promise was not kept, and our colleagues can't seem to put politics aside long enough to even fund the government.

And why? Because of a disagreement over .3 percent of Federal spending—0.3 percent. They have twice blocked vital funding for our military. They have blocked funding for mental health programs, for border security, for grant programs for schools—all over these petty disputes. So here we are, almost 2 months into the fiscal year, and we haven't sent a single appropriations bill to the President's desk, not one.

Well, with the government set to shut down at midnight tonight, at least we passed a bill to keep the trains running for 1 more month. Maybe this was the least bad choice we had in light of these broken promises. The stopgap funding bill carries through December 20 and provides another opportunity for our colleagues across the aisle to make good on their August commitments to fund the government through the end of the fiscal year, using the normal appropriations process.

I hope that good faith negotiations can resume and we can fund the re-

mainder of the fiscal year by Christmas because the last stocking stuffer we want to give the American people is another government shutdown. And it is particularly important for us to fund our military in an increasingly dangerous world where weakness is indeed a provocation for the bullies and authoritarians who want to take advantage of the lack of American leadership, in this case because Congress simply refuses to do its job to fund the military.

Well, I would be wrong to say it is all bad news. I am an optimist by nature. It reminds me of the story of the little boy who comes down Christmas morning and finds a pile of manure under the Christmas tree. He asked, "Where is the pony?" I am an optimist by nature. Yesterday, we did manage to make some small progress when we unanimously passed a bipartisan bill that I introduced with Mr. MERKLEY, the Senator from Oregon, to ban the sale of riot control material to the Hong Kong police force.

As freedom-seeking protesters on the other side of the globe risked life and limb for the freedoms we too often take for granted, we cannot condone police brutality. Admittedly, this is a small but important step to show we stand with the people of Hong Kong, but I find this ironic. The minority leader is fine with passing incremental bills to support the people of Hong Kong, but when it comes to passing incremental bills to support the American people, he objects.

I think the best example is the legislation that I have introduced to bring down prescription drug prices. Last week, I came to the Senate floor with my friend, colleague, and cosponsor, Senator RICHARD BLUMENTHAL of Connecticut, to ask that our bill to reduce drug prices be passed. No one else had an objection other than the Democratic leader.

The premise of the bill was pretty simple: prevent drugmakers from gaming the patent system to monopolize the market. Our bill strikes a delicate balance of protecting innovation while encouraging competition, and it would be a win for every American who has felt the pain or sticker shock at the pharmacy counter. This bill, amazingly, passed the Judiciary Committee unanimously. I served on the Judiciary Committee my entire time on the Senate, and it is famous for its contentiousness, and we passed it unanimously. Every Republican and every Democrat voted for it. So you can imagine my optimism, my hope, that the bill would sail through the Senate, meet up with welcoming arms in the House, and then get to the President for his signature, but I guess I should have known better.

Our Democratic colleagues have continued to throw up roadblocks for things as critical as funding the military, so why would they let this bill that would bring down prescription costs for consumers, why would they

let it pass? So right on cue, the Democratic leader came to the floor and he objected. He was the only person out of 100 Senators to object. He did not object because of the substance.

As a matter of fact, he called it a well-intentioned and good bill, but he objected. He certainly did not object because it was a partisan bill. The bill has six Democratic cosponsors, including the minority whip, the Senator from Illinois, and the ranking member of the Health, Education, Labor, and Pensions Committee, Senator MURRAY from Washington State.

So the only reason I can think of that he would object is because he doesn't want to see anyone whose name happened to be on the ballot in 2020 score a win. Well, how unworthy of the U.S. Senate is that sort of thinking? We should not be thinking in terms of who is going to win or lose politically if we pass good legislation. We ought to be doing the Nation's work and working together in a bipartisan basis, not trying to bring the 2020 election here to the Senate floor.

But this bill isn't the only one that is subject to these kinds of politics, unfortunately. Critical legislation to support victims of domestic violence and sexual assault have also gotten caught up in this way of thinking. After months of bipartisan negotiations to reauthorize the Violence Against Women Act, our Democratic colleagues simply walked away from the negotiating table. Rather than reaching a compromise, building consensus on a bill that could pass both Chambers and become law, once again, our Democratic colleagues chose the partisan path and walked away from the table. They have introduced a near replica of the partisan House-passed bill for VAWA, the Violence Against Women Act, which they know doesn't stand a chance of passing here in the Senate because it is not a consensus product.

That is not news to our friends on the other side of the aisle. They understand that this is more about the issue than it is solving the problem, the political issue. I think they turned their back on bipartisan talks, not because they had a better solution, which is what we ought to be about, but because our friend and Democratic leader doesn't want to give any Republican colleagues who are leading the negotiations, like the Senator from Iowa, Ms. ERNST, allow her to get a win.

This is really, again, unworthy of the Senate to think in those petty sorts of terms. I think we should concentrate on who would win if we passed the Violence Against Women Act, which would be the many victims of domestic violence and sexual assault. We ought to be thinking about them and whether they would win if we passed bipartisan legislation.

Now, I believe the Senator from California, Mrs. FEINSTEIN, wants to come back to the negotiating table. She told me that herself yesterday, but I also believe the Democratic leader probably

isn't going to let that happen. Like me, Senator ERNST is on the ballot next year.

Again, the minority leader has demonstrated his focus on politics rather than substance and doing what actually will help the American people: no bills to lower drug prices, no bills to support victims of domestic violence, nada. He can't afford to let any Republican bills pass because it might just hurt his chances of becoming the majority leader after the 2020 election.

I think it is a shame that the partisanship in the House has now infected the Senate and prevented us from passing bills that would make the American people's lives better. I hope our friends on the other side of the aisle have a great Thanksgiving break, and I hope that he will use that time to reconsider why it is they are here in the first place, why we are all here.

We are all here to make the Senate work for the benefit of the American people and not to engage in these unworthy petty political games leading up to the 2020 election.

#### UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. President, on another matter, before election year politics completely halt the work of the Senate, here we are, 1 year before the election, one item I am really hoping we can deliver for the American people in addition to the ones I mentioned is the USMCA, the U.S.-Mexico-Canada Trade Agreement.

This trade agreement, as we know, will replace NAFTA, or the North American Free Trade Agreement, and help drive our trade relationship with Mexico and Canada into the 21st century. When you consider the number of American jobs that depend on trade with Mexico and Canada, the U.S. Chamber of Commerce cites a figure of 13 million jobs—13 million jobs that depend on that trade with Mexico and Canada.

When you consider actions being taken by China to counter our interests all around the world, our reliance on North American partners is becoming increasingly important. The USMCA is not only an opportunity to strengthen North America's position on the global stage, but it is important, as I suggested, to our economy right here in the United States.

Earlier this year, the International Trade Commission provided some insight into what we can expect to see if this trade agreement is ratified, as it should be. The USMCA is expected to have a positive impact on every sector of the U.S. economy. Within 6 years, we are looking at 176,000 new American jobs and an increase in American gross domestic product of more than \$68 billion. That is bigger than the proposed Trans-Pacific Partnership trade agreement.

We can also look forward to more than a \$33 billion increase in exports and more than \$31 billion in imports. We know that many of those exports

and imports travel across the border in Texas because we share 1,200 miles of common border with Mexico, and we have many ports of entry in our State.

In 2018 alone, Texas exported nearly \$110 billion in goods to Mexico and imported more than \$107 billion from Mexico. With the increased trade and travel we expect to see once the USMCA is ratified, we need to make sure that our ports of entry, through which these goods flow, are prepared. We have been working with the administration on this, and I have requested funding to prioritize Texas's ports and make sure they are safe and efficient.

I am also hoping the USMCA will include provisions from a bill I introduced earlier with another border State Senator, our friend Senator FEINSTEIN from California. This would improve the North American Development Bank, sometimes called the NAD Bank, which invests in our border communities and particularly in the infrastructure.

For every one NAD Bank dollar that has been invested in a project, that successfully leveraged \$20 in total infrastructure investment using public and private sector dollars.

Throughout NAD Bank's 25-year history, they have taken on projects that have improved air and water quality, updated infrastructure, and increased cross-border trade. NAD Bank brings Mexico and the United States together to finance these projects to improve trade and travel and quality of life on both sides of the border.

This legislation that Senator FEINSTEIN and I have introduced would authorize the Treasury Department to increase its capital and provide additional authority to fund critical projects. I have been working with my friend and Democratic colleague from Laredo, TX, Congressman CUELLAR, to make sure that these provisions are included in the final text of the USMCA. My hope is we will be able to take those provisions up as well as the entire agreement and ratify it soon, but it depends on Speaker PELOSI. Everybody is waiting for her to show the green light and for the House to act. I am concerned that as we get closer and closer into an election season, it is going to be harder and harder for the House to even pass this bipartisan trade deal.

I read today that she is not predicting they will even be able to get it done before the end of the year. I note that she made that comment roughly on the same day the House adjourned for 10 days. The House does not appear to be in any hurry, to be sure. In fact, they have dragged their feet for many months on something that is vitally important to our economy and job creation right here in the U.S.A.

Texans enjoy a strong trading relationship with our southern neighbor, and I am confident the USMCA will continue to propel that relationship forward as well as continue to grow our economy and create jobs and more opportunity for the American people.

I yield the floor.

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

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

#### DEFENSE APPROPRIATIONS

Mr. VAN HOLLEN. Mr. President, right now, as we are gathered here on the Senate floor, the Senate and House conferees are in the process of trying to negotiate a final agreement on the NDAA. That is the National Defense Authorization Act. One of the key issues in the final discussions over the NDAA involves a provision designed to protect the integrity of American elections against outside interference from Russia or any other adversary. It is a provision based on bipartisan legislation that Senator RUBIO and I introduced over a year ago to deter Russian interference in a future American election. The legislation is called the DETER Act, the idea being: Let's deter Russia from attacking our democracy.

I believe it would be grossly negligent for the conferees to the National Defense Authorization Act to bring back to the House and the Senate a measure that does not include a provision to defend our democracy from Russian interference. The entire Senate must share that sentiment because we unanimously voted on a resolution just a short time ago to include such a provision in the National Defense Authorization Act.

I have in my hand a copy of that resolution. It was S. Res. 330. It instructs the managers on the part of the Senate on bill S. 1790—that is the National Defense Authorization Bill—to require certain measures to address Federal election interference by foreign governments.

It goes on to instruct the Senate conferees to require the appropriate official of the executive branch, after each Federal election, to promptly submit to Congress a determination as to whether the Government of the Russian Federation, or any other foreign government, has interfered in such election and a detailed assessment of any such interference that identifies, to the maximum extent practicable, the individuals responsible for the interference and to promptly impose sanctions on any foreign government that has been determined to have interfered in a Federal election, including specified individuals and entities within the territory of the government.

That is what the U.S. Senate unanimously voted on to instruct our conferees to the National Defense Authorization Act negotiations. What I just read is the guts of the idea in the bipartisan DETER Act that Senator RUBIO and I have introduced.

Here is what we know. We know that Russia interfered in the 2016 election.

How do we know that? It was the unanimous verdict of the entire U.S. intelligence community, including the leaders of intelligence agencies appointed by this President. It was also the bipartisan verdict of the Senate Intelligence Committee—a committee that painstakingly documented the fact that election systems in all 50 States were targeted by Russia in 2016—to different degrees but in all 50 States. In fact, that Senate Intelligence Committee report was the first public—the first public—acknowledgement of how extensive the Russian efforts were to interfere in the 2016 elections.

We know the Russians did this in 2016. We know that Vladimir Putin sees interfering in our elections as a way to divide us against one another. We know that Vladimir Putin fears democratic forms of government and wants to undermine public confidence in those democracies.

How do you undermine public confidence in those democracies? By attacking the election process so that people doubt the validity of the outcome of an election. When that happens, if the public loses faith in the outcome of our elections, then we have really undermined the legitimacy and confidence in our democratic system. That was 2016.

The measure I am talking about doesn't relate to 2016. It relates to the future. Here is what our intelligence community just informed the country about within the last few weeks. I am holding in my hand a statement that was released on November 5, just a few weeks ago. It is from Attorney General William Barr, Secretary of Defense Mark Esper, Acting Secretary of Homeland Security Kevin McAleenan, Acting Director of National Intelligence Joseph Maguire, FBI Director Chris Wray, U.S. Cyber Command Commander and NSA Director GEN Paul Nakasone, CISA Director Christopher Krebs. Here is what they said 2 weeks ago.

Our adversaries want to undermine our democratic institutions, influence public sentiment and affect government policies. Russia, China, Iran, and other foreign malicious actors all will seek to interfere in the voting process or influence voter perceptions. This document is not about the past; this document is about the future, about our future elections, including the 2020 election, which is now less than a year away.

We know in 2016 the Russians attacked our electoral process. We now have all of the leaders of Federal Government intelligence agencies and law enforcement telling us they predict Russia will do it again in 2020.

We have a Russian missile headed for our democracy, and the question for all of us is, What are we going to do about it? What are we going to do to protect our democracy and the legitimacy of our electoral system?

First of all, we should harden our election system. We should make it more difficult for Russia to break into our voter registration files. Certainly, we should make it more difficult for

them to break into voting machines. We should also make sure we build more defenses to prevent the Government of Russia from using social media to mislead and confuse voters. We should do all those things to better defend our election system, but I am of the view—and a lot of folks who have followed Russia and Vladimir Putin for a long time—that the best defense is a good offense. We can harden our systems here, but that doesn't stop Russia and Vladimir Putin from trying to break into our election systems. It doesn't prevent Russia and Putin from trying to use our social media to influence our voters. The only way to prevent them from trying is to let them know in advance that there is a big price to pay if they get caught.

Right now it is cost-free for Russia to interfere in our elections. In fact, it is a net benefit because Putin divides us. Putin leads voters and citizens to question the legitimacy of our democracy. He is winning in this current calculus. We need to change his calculus. We need to make it clear that the cost of interfering in our elections far outweighs these benefits that he is gaining.

That is what the DETER Act is all about. What the DETER Act does is set up a process whereby, if we catch Russia interfering in our future elections, including the 2020 elections, there will be automatic, swift, and very stiff economic penalties—not penalties on a couple of oligarchs but penalties that will hurt his economy, penalties on his banking sector, and penalties on part of his energy sector. If we adopt this provision, then we are making it very clear in advance to Vladimir Putin that if he interferes, and we catch him, there is a very stiff price to pay.

The whole purpose of this act is not to impose sanctions; it is to avoid sanctions by making it clear upfront what the costs will be if Putin interferes in our elections. The whole point is to use the threat of automatic, swift, and tough sanctions to discourage and deter the Russians from interfering in the first place.

I haven't heard anybody provide one substantive argument for why we should not do this to protect our democracy. I can think of no more important place to include this provision than the national defense authorization bill because if the national defense authorization bill is not about defending our democracy, I am not sure what it is about.

So the question is, Why are we still debating this in the conference committee for the national defense authorization bill? I can't figure out who is opposing it other than the fact that somebody is. It was told it was the Republican Senate leader and the chairman of the Senate Banking Committee who are opposing this provision. If that is the case, they really need to come to the Senate floor and explain this because the Senate unanimously instructed Senate conferees to adopt just



such a provision—unanimously. That includes the Senate majority leader and the chairman of the Senate Banking Committee. They didn't object. Yet somehow now we are in the middle of a conference committee on defending our country, which I thought meant also defending our democracy, and we have these folks who don't want their fingerprints on it who are somehow trying to defeat this measure.

Here is what I have to say. If this provision is not included in the NDAA, it would be grossly negligent because we know from our own intelligence community 2 weeks ago that the Russians are coming to attack our elections again, and we are going to pass a defense authorization bill where we sit on our hands and do nothing about it? That would be outrageous.

This measure needs to be in the NDAA bill. I will tell you, if it is not, I am going to be here on this floor regularly asking for unanimous consent to bring this bill up for a vote. I am going to have the majority leader have to come down here regularly, or whomever he wants to designate, to object to a unanimous consent agreement for a provision to defend our elections.

I hope it is included in the Defense authorization bill. That is the place it should be. If it is not, I will be down here every day, and the clock will be ticking down day by day for the 2020 election, our Intelligence Committee will continue to warn us about Russian interference, and I am going to want to hear in public—in public—why some of our colleagues don't want to take action to defend the integrity of our democracy; why they want to allow Putin to have his way cost-free. That is a question I will be asking every day. I hope I don't have to ask it every day. I hope we do what the Senate already instructed our conferees to do, which is to include it in the National Defense Authorization Act.

I yield back my time.

The PRESIDING OFFICER. The Senator from Alaska.

#### TRIBUTE TO ROSIE HABEICH

Mr. SULLIVAN. Mr. President, it is Thursday. I know the pages know this, and many people watching know this, but it is that time of the day in the Senate when I come down on the Senate floor and talk about somebody who makes my State a very unique and special place—and it is an opportunity for me to talk a little bit about what is going on in Alaska right now, particularly before the holidays—somebody we refer to in Alaska and here in the Senate as the Alaskan of the Week.

Before I get into this very special Alaskan, I will give you a little weather update. A lot of people like to understand what is going on. Winter has come. It is coming to Alaska. Snow has arrived throughout much of the State. In Southcentral Alaska it has come. Anchorage is covered in snow. A lot of people are getting ready to undertake winter. Sports and activities on Monday in Utqiagvik, the northernmost

point in North America—it used to be called Point Barrow—the Sun rose and set for the last time until January 23. So it is going to be dark up there, but they are used to that. They are great people. The community has now officially settled in for a bit of a dark Arctic winter, but they have been doing that for a millennium.

It is a winter wonderland right now throughout Alaska. So I always encourage people watching, watching on TV, to come on up. Summer, winter, fall, spring, come on up and visit. You will love it. It will be the trip of a lifetime.

As I mentioned before, I think I come from the most beautiful State in the country, but it is also a place made up of the most important, caring, wonderful, generous, and supportive people anywhere. Some of these people have had ancestors living in Alaska for thousands and thousands of years. Others arrived more recently but immediately found a home in a community that they were supportive of and was supportive of them.

Let me introduce you to Rosemary Habeich. Her friends call her Rosie. She is an extraordinary Alaskan who has done extraordinary things for our people. She is our Alaskan of the Week.

What has she done? What is extraordinary about Rosie?

Let me just mention one off the top, which is pretty remarkable—fostering over 50 Alaskan children with her husband, Eben Hobson, Jr. I should add here that Eben is the son of the first mayor of Alaska's North Slope Borough and someone who has also fought for the rights of Alaska Natives throughout his life. He deserves mention, as well as his wife, as a legendary Alaskan.

Not only did Rosie and Eben foster all these children, they adopted three, and raised five of their own children. That is a crowded household but a kind, loving, supportive and warm household—a place of love.

I can say here that the recommendation for Rosie to be our Alaskan of the Week comes from our First Alaskans Institute fellow, Elizabeth Ahkivgak, who is right here with me and who has done a great job in my office.

Elizabeth is one of dozens and dozens of children Rosie and Eben took into their bright home and loved them so much so they could love themselves.

Let me tell you a little bit about Rosie, our Alaskan of the Week. She was born in Idaho. Like too many Americans, unfortunately, she actually came from a broken home. Her mother was battling an illness and sometimes was too sick to handle Rosie and her siblings.

It was during one of those bouts of illness that Rosie herself briefly became a foster child. That experience, the experience of visiting her mother in an institution, and the kindness of neighbors who stepped up and helped during those very difficult years would form the basis of Rosie's steadfast be-

lief that helping others in your community throughout your State is a higher calling.

Eventually, Rosie moved with her family to Fairbanks when she was just a young girl. Those were good years for her and her family. She thrived in Alaska, went to college, and became a social worker for the State. Eventually, her work took her to Utqiagvik—as I mentioned, formerly Barrow, AK—where she fell in love both with her husband, Eben, and with the community.

She found in Utqiagvik that if you had a good idea and were willing to do the work and see it through, you could succeed with the help of others, and she did succeed.

At various points during her time in the North Slope Borough of our great State, she worked as the director of the city's rec department, director of the health department, and executive director of the Alaska Eskimo Whaling Commission. She also sat on the board for the Rural Alaska Community Action Plan. She was a public health nurse and was appointed director of the North Slope Borough Health Department by two different mayors. That is an impressive resume, as you see.

She now spends much of her time in Anchorage, where she volunteers for a group called Friends in Serving Humanity, or F.I.S.H.—a church network that feeds the hungry. On many days, you can find her in different communities handing out meals and food boxes often paid for out of her own pocket.

Rosie gives her all to everything she does, but one of her truly lasting contributions to Alaska and to her community is how she has taken in so many children across the State who need a home, who need support, and who need love. She took in siblings. She took in infants. She took in teenagers. She took them from all backgrounds, from all across the State, and she loved them. She was patient with them. She intuitively understood what they needed and when they needed it. Some of the children she took in were horribly abused, most others were homesick, and some were confused.

In Alaska, getting running water to households across the State has long been a major challenge, one we are still working on today. If you can believe this—this is certainly one of my passions in the Senate—we have over 30 communities in Alaska with no flush toilets, no water and sewer—in America. Many of the children who came to Rosie were from these kinds of households and these kinds of communities. Many had never flushed a toilet in their lives.

She was sensitive to all this. One of the first things she did when a child came to her was to teach her how a faucet and a bathroom and a toilet worked. Then she fed them. Rosie's cooking is renowned. She listened to them and loved them.

This is how one of her former foster children described the experience of walking into Rosie's home:

Imagine coming from a place with nothing—absolutely nothing, [poverty]—and you walk into a normal house, filled with normal things that people and the rest of America take for granted—a warm house, a flush toilet, food on the stove, adults who speak to you [kindly]. It was like visiting a toy store for the first time. It was like visiting a different planet. It showed us what [a good] life could be like.

Not all of Rosie's kids made it out of a life of challenges and dysfunction and abuse, but many of them have. Many have broken the cycle of violence in their families for the first time. Some of them, along with their biological children and the ones she has adopted, are now doing great things for our State and our country. They are successfully running businesses. They have joined the military. They have worked at high levels of government. One of them, who is sitting right here next to me on the Senate floor, works in my office. We are lucky to have Elizabeth.

All of them, regardless of where they are now “have a place in my heart,” says Rosie. Why does she do it? Why has this woman given herself to so many others and changed so many lives?

She tells a story about a time when her mother was sick and had to go back into the institution, leaving her to take care of her four younger siblings. It was Christmastime, and Rosie literally had nothing. So the neighbors got together, left boxes of presents at the door of their house, and brought over Christmas dinner when she was young and needed help. “That’s the way life is supposed to be,” Rosie said. “You’re supposed to recognize when people have less than you, and you are supposed to help them out. It doesn’t matter if you’re looking at it through a biblical lens, or through karma, or through Buddha. Giving is fundamental.” That is her quote: “Giving is fundamental.”

All the Senators here today are heading home and heading back to the great States they represent for Thanksgiving, which we will be celebrating next week—a uniquely American holiday that all of us love and cherish so much. I know I certainly do. Rosie and Eben's story and commitment to others are exactly the kinds of things we as Americans should be thankful for as we are celebrating Thanksgiving next week. Giving is fundamental. I know I am thankful for what they have done.

Their household will be full this holiday season—friends, family, children. At some point this season, she will make her famous apple sausage stuffing, a recipe she learned from her own foster mother and one she has passed down to foster kids all across the great State of Alaska. It is made with love and with kindness and with thanksgiving.

Rosie, thank you for all you have done. From the bottom of my heart,

thanks for your spirit, your generosity, and your example as we head into Thanksgiving weekend, for touching so many lives across Alaska. Congratulations on being our Alaskan of the Week and happy Thanksgiving.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

#### HEALTHCARE

Ms. CORTEZ MASTO. Mr. President, I have spent 3 years in the U.S. Senate. During this time, I can tell you the No. 1 issue when I am home—and I suspect it is in your State, as well, and across this country—is the cost of healthcare in this country and to be sure that everybody in this country, no matter your party, your religion, where you live, urban or rural area, has access to affordable healthcare not only when it is needed but also for preventative purposes to give you peace of mind.

Unfortunately, what we have seen is high cost; inability to get access to it, oftentimes when you are in a rural community; and a fight here in Congress. Instead of working together to solve this problem, we are too far apart in presenting a solution—in coming together for a solution.

It is open enrollment season for healthcare right now, which means Americans have an opportunity to get new healthcare coverage or change the coverage they have.

In Nevada, the State is running a new exchange website and working hard to make sure every Nevadan gets covered at NevadaHealthLink.com. I thank our fantastic exchange director, Heather Korbolic, and her team for all they are doing.

I want to encourage all Nevadans to get coverage. I don't think people realize how much help there is for individuals to get coverage at Nevada Health Link. If you want healthcare, please, please reach out by the December 15 deadline to learn more about the opportunities that are available to you to be able to afford it.

Open enrollment is a good time for us to reflect on how far we have come, thanks to the Affordable Care Act, and to take stock—to take stock—of the threats to that coverage. Unfortunately, I have watched in Congress as Members of the Republican Party, particularly this administration, try to sabotage the Affordable Care Act at every turn.

At the end of October, the Senate held a vote on Senator WARNER's resolution to overturn this administration's damaging and dangerous rule expanding so-called junk plans. My Democratic colleagues voted in favor of the resolution because they know how important healthcare is to our constituents. Yet, unfortunately, nearly all of the Senate Republicans voted against it. They voted to allow Americans to buy skimpy, low-benefit plans that send us back to the dark days of health coverage in America by allowing insurers to sidestep the patient protections in the Affordable Care Act.

These junk plans don't cover essential services like prescription drugs,

emergency room visits, mental healthcare, and maternity care. They don't prevent insurers from discriminating against people with preexisting conditions. There are about 1.2 billion of them in Nevada alone.

My colleagues on the other of the aisle argue that these junk plans are low cost. Well, they cost less than some plans, but that doesn't mean they are cheap. They may have high deductibles or exclude coverage of costly services, and, by law, more of the money they collect in premiums can go toward the insurers' profits. But when you realize that these plans provide barely any benefits, you can see, for most people, the plans are no savings at all.

What is more, because insurers often use deceptive marketing practices, people who purchase these plans don't always know just how skimpy their coverage is. Sometimes patients don't realize that their plans leave out much needed procedures until after they have racked up huge bills.

Paving the way for junk plans is just one way Republicans are undermining the Affordable Care Act. The Trump administration and 18 Republican State attorneys general are trying to get the Fifth Circuit Court of Appeals to overturn the entire Affordable Care Act in a case called *Texas v. United States*. This is just the latest and one of the most dangerous of over 100 Republican attempts to get rid of the Affordable Care Act in Congress and the courts.

If the Fifth Circuit overturns the Affordable Care Act, Americans will lose the peace of mind and protections they have told us so many times that they want. The last thing Americans need is for us to turn back the clock to a time when they couldn't get healthcare for preexisting conditions or they couldn't get insurance to cover essential health needs.

This summer, I met with Ashby Belows and Charlie Bell, two Nevadans with juvenile diabetes. Both girls are doing well now, but their parents worry that when the girls are no longer on their parents' plan, they might opt to ration their insulin. Think about that—ration their insulin. Unfortunately, it is a common practice among people who cannot afford the often sky-high cost of insulin, and it can be deadly. In fact, one out of seven Americans knows someone who passed away in the last 5 years because they couldn't afford treatment for a medical condition.

Senate Republicans have told their constituents that they will protect Americans' healthcare, and President Trump has said he has a plan to provide Americans with healthcare. Well, where is it? I mean, the only plan we have seen is an attempt to sabotage the Affordable Care Act and rip away coverage from hundreds of thousands in Nevada and millions across America.

My Democratic colleagues and I are fighting to ensure that everyone in this country has access to affordable



healthcare. Unfortunately, what I have seen on the other side of the aisle and in this administration is that they are fighting to take it away. There is a clear distinction between the two, and I think the American public is tired of it.

We all should be working in a bipartisan way to make sure that everyone in this country has access to affordable healthcare. I will continue to vote for comprehensive and affordable healthcare in this country, and I will continue pushing to strengthen the Affordable Care Act and reduce prescription drug costs for Nevadans. I will keep fighting to ensure that Americans stay safe and healthy, and I will assure you that I will keep talking to my colleagues so that, hopefully, one day we will be fighting for the same thing, which is to ensure that everyone in this country, no matter your background or where you live, has access to affordable healthcare when you need it—when you need that coverage and you want to protect a loved one.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### PRESIDENTIAL PARDONS

Mr. REED. Mr. President, I rise today to express my concerns about the President's recent interference in war crimes cases involving members of the U.S. military and the President's inappropriate public statements regarding these cases.

The President has the power to pardon, but he has a responsibility to use that power wisely, not recklessly. The way he has gone about it in this instance does a real disservice to our troops and the entire American military justice system.

Good order and discipline are critical and time-honored traits of the U.S. military, not only to enable military readiness and effectiveness but also to ensure that military men and women remain firmly tethered to our Nation's moral and ethical principles in the most demanding wartime environments.

A few have argued that the President has the authority to pardon, but that is a false defense. The issue is that the President's intervention in these cases sends a damaging message to the world, our adversaries, and, most importantly, our men and women in uniform. The Commander in Chief's actions should make us safer and stronger in the world, but President Trump's actions do not.

The cases in which the President intervened fall far outside of the norm. The President's pardon authority has traditionally been reserved for non-violent infractions, including draft evasion and desertion. I am aware of no other instance in which a President has intervened to grant clemency for violent crimes committed while in uniform, especially for war crimes including murder.

Especially concerning is the President's decision to intervene in a case

prior to its even going to trial—an action that I believe is an insult to our entire system of military justice.

Just this morning, the President again intervened—via tweet—to stop a Navy administrative review process that could have resulted in the removal of a servicemember from the Navy SEALs, despite the fact that the servicemember was previously found guilty of posing for photos with a dead ISIS fighter. We must expect more from our military men and women, especially those in our Special Operations forces.

Regrettably, President Trump has repeatedly advocated for a return to torture, stating that we should “take out the families” of terrorists and expressing his view on standards of military conduct by saying: “You have to play the game the way they are playing the game.” The President's statements are reminiscent of former Vice President Cheney's embrace of the “dark side” of counterterrorism—the very kind of thinking that underpinned later abuses at Abu Ghraib and the CIA's use of torture as part of its so-called Detention and Interrogation Program.

President Trump tweeted in October that “we train our boys to be killing machines, then prosecute them when they kill!”

No, Mr. President, the U.S. military does not prosecute its own for carrying out lawful missions in service to our Nation. We do not train our troops to kill indiscriminately. We do not train them to attack noncombatants. We do not train them to violate the Geneva Convention and the rule of law because we want our troops to be protected by those same standards. To think or say otherwise is to go against discipline, the selfless service of so many, and the history of our military.

As former Chairman of the Joint Chiefs of Staff GEN Dempsey wrote in May:

Absent evidence of innocence or injustice the wholesale pardon of US servicemembers accused of war crimes signals our troops and allies that we don't take the Law of Armed Conflict seriously. Bad message. Bad precedent. Abdication of moral responsibility. Risk to us.

I couldn't agree more.

Some have claimed that the President's intervention in this case has somehow improved the morale of our military and given them more confidence on the battlefield. On the contrary, President Trump's disregard for our military justice system risks undermining the confidence of our servicemembers in the rule of law—especially those who are courageous enough to bring allegations of war crimes to light and testify against their teammates.

By substituting his judgment for that of commanders and military juries, the President may also inadvertently increase the risk to our U.S. personnel overseas. When we do not hold our military personnel to appropriate standards of conduct, it makes it more likely that they will face similar

abuses on the battlefield and less likely that we will be able to hold our enemies accountable.

There is no one with more credibility and no one with the service and sacrifice who can say it any better or more authentically than former Senator John McCain, who stated:

This is a moral debate. It is about who we are. I don't mourn the loss of any terrorist's life. What I do mourn is what we lose when by official policy or official neglect we confuse or encourage those who fight this war for us to forget that best sense of ourselves. Through the violence, chaos, and heartache of war, through deprivation and cruelty and loss, we are always Americans, and different, stronger, and better than those who would destroy us.

Those are the words of John McCain.

I believe the President's actions minimize the honorable service of all U.S. servicemembers who have served with discipline and distinction since 9/11 and have answered our Nation's call throughout the history of this country.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. FISCHER. 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

Mrs. FISCHER. 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.

#### HONDURAS

Mr. LEAHY. Mr. President, I have spoken previously about the alarming rates of corruption, violent crime, and impunity in Honduras. While Honduras is by no means unique in this regard, it is a serious concern given the challenges it poses not only for the people of Honduras but also for the United States.

Every week, my office receives word of another assassination in Honduras of a social leader, environmental activist, indigenous rights activist, journalist, or trade unionist. Rarely does a week go by that we do not hear about threats against these individuals. Rarely does a week go by that we do not receive reports of arbitrary and prolonged imprisonment of critics of government policies or practices. While the murder of Berta Caceres on March 3, 2016, captured the world's attention, that outrageous crime was but one of many targeted killings of Hondurans