

PROVIDING FOR THE USE OF THE CATAFALQUE SITUATED IN THE EXHIBITION HALL OF THE CAPITOL VISITOR CENTER IN CONNECTION WITH MEMORIAL SERVICES TO BE CONDUCTED IN THE HOUSE WING OF THE CAPITOL FOR THE HONORABLE ELIJAH E. CUMMINGS, LATE A REPRESENTATIVE FROM THE STATE OF MARYLAND

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 27.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 27), providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the House wing of the Capitol for the Honorable Elijah E. Cummings, late a Representative from the State of Maryland.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 27) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

BUSINESS BEFORE THE SENATE AND APPROPRIATIONS

Mr. McCONNELL. Mr. President, this week the Senate has several opportunities to make headway on important matters facing our country.

First, we will tend to a pending treaty protocol on the accession of a new member to NATO and reaffirm the importance of the alliance to the security of U.S. interests around the world. Then, we will consider yet another of the President's well-qualified nominees to the diplomatic corps. But while the Senate can take care of some of these matters on their own, much of the pressing business of the American people requires coordination with our colleagues across the Capitol.

Unfortunately, the only thing that seems to really inspire House Democrats these days is their obsession with overturning the results of the 2016 election.

In the weeks since the Speaker of the House gave in to her far-left Members' demands for an impeachment inquiry, she and other prominent House Democrats have insisted over and over and over that impeachment will not stop them from making real progress on legislation.

They say their 3-year-old impeachment parade doesn't have to block traf-

fic and bring other important priorities to a standstill. That is what they have been saying, but actions speak louder than words. We have yet to see any actual indication that House Democrats intend to make good on that commitment.

For months, we have heard the Speaker claim that she would like to get to yes on the USMCA. We have heard that her caucus is "making progress," but nearly a year after this landmark agreement with Mexico and Canada was announced, the most significant update to the North American trade policy in a generation is still waiting for the House to take action. Billions of new dollars in economic growth and 176,000 new American jobs are still waiting on House Democrats.

And that is not all. So far, even something as completely basic as funding our Armed Forces—funding our men and women in uniform—has met the same fate. Democrats have elected to stall it and block it in order to pick fights with the White House. Notwithstanding our bipartisan, bicameral agreement to wrap up the appropriations process in good faith, Senate Democrats voted a few weeks ago to block funding for the Department of Defense. No critical resources for U.S. servicemembers, no predictable planning process for our commanders, no pay raise for our all-volunteer Armed Forces—none of that was allowed to travel through the Senate because our Democratic colleagues just don't care for the occupant of the White House.

Ironically, many of these same colleagues of ours have spent recent days making loud pronouncements on U.S. foreign policy. By the sound of their comments, it almost sounds as if they are coming around to Republicans' long-held views on the necessity of American leadership all around the world. But, once again, actions speak louder, and thus far our Democratic colleagues have not even been willing to get past partisanship for the sake of job No. 1—funding our military.

So this week we will offer our Democratic colleagues a clear test. Are all the declarations that they are willing to work on important legislation just empty talk or will Senate Democrats finally do their part to move the appropriations process forward?

Soon we will vote on advancing a package of domestic funding legislation. As I said last week, I am grateful to Chairman SHELBY and Senator LEAHY for their continued conversations and hopeful they can produce a substitute amendment that will fund a number of urgent domestic priorities. Then, once we complete that work, we will vote to move forward the funding for our national defense—two big votes, two big votes, two big opportunities for our Democratic friends to show the country whether their party's impeachment obsession leaves them any room at all for the pressing business of the American people.

MEASURE PLACED ON THE CALENDAR—S. 2644

Mr. McCONNELL. Mr. President, I understand that there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The leader is correct.

The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (S. 2644) to impose sanctions with respect to Turkey, and for other purposes.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF THE REPUBLIC OF NORTH MACEDONIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following treaty, which the clerk will state.

The legislative clerk read as follows:

Calendar No. 5, Treaty document No. 116-1, Protocol to the North Atlantic Treaty of 1949 on the Accession of the Republic of North Macedonia.

Pending:

McConnell amendment No. 946, to change the enactment date.

McConnell amendment No. 947 (to amendment No. 946), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Connecticut.

HEALTHCARE

Mr. MURPHY. Mr. President, I want to tell you a quick story about a woman from Atlanta. Her name is Dawn Jones. Dawn bought what is commonly referred to in the insurance industry as a short-term health insurance plan. She brought it from the Golden Rule Insurance Company,

which is a unit of UnitedHealth, and she needed it because she needed some coverage in between jobs. She was then diagnosed with breast cancer, and she went through a heartbreaking experience, trying to get her insurance company to cover her for her \$400,000 medical bill.

In the end, she could not get her short-term health insurance plan to cover her breast cancer treatments, and here is the reason why. The insurer didn't need to cover preexisting conditions. Short-term plans do not need to cover things we traditionally think of as healthcare insurance today. The protections of the Affordable Care Act require that insurance cover you regardless of whether you are diagnosed with a serious disease, but short-term plans don't need to cover you for those things.

This short-term plan didn't cover her breast cancer, despite the fact that she wasn't diagnosed with breast cancer until after she signed up for the plan. So you may ask: Why is that a preexisting condition if she wasn't diagnosed with breast cancer until she was on this short-term plan?

Well, the insurer in this case made a very innovative argument. It said that she actually had the cancer before she signed up for insurance. So even though she didn't know she had cancer and even though she hadn't been diagnosed with cancer, because she technically had cancer before she got the insurance plan, she had a preexisting condition, and, thus, they would not cover her.

This is a pretty typical story about what happens on these short-term insurance plans in this country. They are more commonly referred to these days as junk insurance plans because, for millions of Americans who sign up for short-term insurance, they find out that it really doesn't cover much of anything.

One Golden Rule plan excludes pregnancy and provides a lifetime maximum benefit of \$250,000. That is, by the way, an incredibly low amount of lifetime coverage—\$250,000. One hospital stay for a serious illness can be over \$250,000. And the icing on the cake—this particular junk plan from Golden Rule doesn't cover a hospital room or nursing services for patients admitted on a Friday or Saturday. So good luck if you get sick on a Friday or Saturday because you are not going to get coverage on those 2 days of the week. These are junk plans because they don't cover what you need, and you, by and large, don't find out about that until you actually need the insurance.

How about a gentleman from San Antonio who actually had his short-term plan for about 6 years? He had been paying it and paying it for 6 years. Because they are technically short-term plans, he was renewing them over and over and over again, and when he was diagnosed with kidney disease, they wouldn't cover him because they went

back to his medical records and found out that he had some blood work done earlier that had shown the initial signs of kidney disease, but he wasn't diagnosed until later on.

What they said—just as they did for the woman in Atlanta—was this: Because you had signs of kidney disease when you were insured with us a year ago, we are not going to cover you now because, technically, you are on a new plan.

He had been getting a plan every 6 months every year. He didn't have any gaps in insurance, but because he technically was signing up for short-term plan after short-term plan, he didn't get covered for his kidney disease.

Over and over, we hear these stories about individuals who go on these junk plans and then find out that they can't get insured for anything—can't get insured for hospital stays on Fridays and Saturdays, can't get insured for mental health treatment, no prescription drug benefits, no coverage for maternity, and all sorts of backbending activity to try to stop people from getting coverage for illnesses.

Yet these plans are becoming more and more prolific. Why is that? The reason is that the Trump administration is using an innovative method to try to get more Americans to sign up for these junk plans, and that is what I wanted to come to the floor and talk about today.

These junk plans are a nightmare for people who get on them and then find themselves on the outside of coverage. When you sign up for health insurance, you basically think it is going to cover a set of things like hospital stays on weekends and coverage for your cancer diagnosis, but these junk plans don't cover those things.

The administration has decided to use a section of the Affordable Care Act that was designed to strengthen our healthcare system and, instead, use it to weaken the healthcare insurance system by providing for more and more of these junk plans.

Here is a little bit of legislative history. There is a section of the ACA that was set up so that you could apply to the State for a waiver to improve coverage. The waiver says that you can do some innovative things in the ACA so long as you prove that whatever you are going to do is going to provide health coverage that is just as comprehensive as what is required under the ACA, that you are not going to cost consumers any more than what they are paying under the ACA, that the number of people who are insured under the ACA in your State isn't going to go down—it is going to stay stable or go up—and you are not going to increase the Federal deficit.

Well, President Trump, in October of 2018, issued new guidance that essentially guts all of those protections for these waivers. President Trump basically says that these short-term insurance plans can be approved, even if they cost people more, even if they

don't cover things like preexisting conditions, and even if they result in fewer people getting insurance.

This October 2018 guidance allowed for these junk plans to be sold in more States to more consumers. Even worse, the 2018 guidance said that these junk plans could be sold side by side with the Affordable Care Act plans right on the same web page, disguising the fact that some plans would actually cover you for your preexisting conditions and others wouldn't.

So, today, we have more and more of these junk plans available to individuals and more people who are vulnerable to all of the old abuses that used to happen left and right in the healthcare insurance system, largely to people who have pretty serious illnesses.

Now, 130 million Americans have a preexisting condition. In my State, over a half million people have some sort of preexisting condition. If they sign up for one of these junk plans—either because they were marketed the plan under the belief that it would cover them or by mistake because they didn't notice the difference between the ACA-regulated plans and the junk plans on the website that they went to—they are at risk of not getting covered for their preexisting condition.

It gets even worse than that because what economists tell us is that these junk plans, which cover very little, are admittedly going to be attractive to some people who are presently pretty healthy. Young people and people who don't have any preexisting conditions may sign up for those junk plans because it doesn't really matter to them at the time that they don't get coverage for much at all; the junk plans are going to have prices that are lower, in most instances, than the plans that cover basic healthcare services. In the short term, that might be OK for the people who are relatively healthy until, of course, they get sick and find out that their junk plan doesn't cover anything. But for the people who have preexisting conditions, who can't sign up for the junk plans, and who need to be on the plans that are regulated by the Affordable Care Act, their premiums are going to skyrocket.

This is health insurance 101. As more healthy people go to the junk plans, leaving behind on the Affordable Care Act plans folks who have these preexisting conditions, their prices will go up.

The Trump administration's junk plan rule is, frankly, bad news for a lot of people who are on junk plans if and when they actually need healthcare insurance, but it is also really terrible news for the 130 million Americans who have preexisting conditions, who are likely going to see their insurance rates skyrocket.

Next week we are going to have a vote on the floor of the U.S. Senate, a vote on a resolution of disapproval for the administration's junk plan guidance. I have listened for a long time to

Members of the Senate on both sides of the aisle talk about how the one thing we agree on is that we need to protect people with preexisting conditions, and though many of our Republican colleagues might not support the Affordable Care Act, they do agree that we should support people with preexisting conditions, which I generally read to mean that we should make sure we don't pass legislation and we don't let the administration do anything that will make it even harder than it already is to live with a cancer diagnosis or a diagnosis of serious heart disease.

Yet it is completely clear that the Trump administration's guidance is going to make life a lot worse for people with preexisting conditions, for those who go on the junk plans, and for those who stay behind.

Here is a quote from an article in *The Atlantic* magazine, which did a summary of these junk plans and what they are like and, frankly, how important they are to insurance companies. The article says that these short-term junk plans "make up a high-profit portion" of the insurance industry's business.

They are largely designed to rake in premiums, even as they offer little in return. And even when they do pay for things, they often provide confusing or conflicting protocols for making claims. Collectively, short-term plans can leave thousands of people functionally uninsured or underinsured without addressing or lowering real systemwide costs.

That is the story of junk plans. They are a pretty good deal for the insurance industry, which is why they have been pushing the Trump administration to allow more of these junk plans to be sold. They are a good deal for the insurance companies because ultimately they don't require the insurance companies to pay out a lot in benefits, but they ultimately make a ton for the insurance companies in the premiums they collect.

It is time for everybody in this body who has stood up and said that they support individuals with preexisting conditions to vote that way. Next week, we will have an opportunity to stop in its tracks the Trump administration's rule allowing for more of these junk plans to be sold to consumers. Because we know the House of Representatives will join us, we now have the chance to actually do something about it and stop this erosion of healthcare for people with preexisting conditions before it is too late.

I get that the country and this Congress are rightly consumed with the ongoing scandal surrounding the impeachment inquiry and the recent heartbreaking, unconscionable events in Syria, but that doesn't mean folks in our States are as concerned with those headline-grabbing issues as we are. They still have to make their budgets balance every single month, and they are deeply worried—at least those families I talked to in Connecticut who are still struggling with serious illnesses—about our ability to

make sure the protections for preexisting conditions, which were a lifeline for millions of Americans when we passed the Affordable Care Act, are not undermined by this President. We have a chance to step up and do something about it next week.

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.

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

The PRESIDING OFFICER (Ms. ERNST). Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

APPROPRIATIONS

Mr. SCHUMER. Madam President, before I get into my main remarks on Syria, I just heard the majority leader, Leader MCCONNELL, say that he wants to see if we can do appropriations bills, that he will see if the Democrats want to legislate. Give me a break. Since we have started to legislate, we have been waiting for 6 months, 9 months. It is well-known in the country that the Senate is the legislative graveyard, that Leader MCCONNELL has not put on the floor bill after bill on major issues that affect the country and that demand attention. Most everybody knows that he is proud that he is the Grim Reaper. So now, in his asking if the Democrats want to legislate, it is all up to Leader MCCONNELL.

On the appropriations bills, of course, we want to legislate when it is being done in a fair way. There are some bills that came out of the Appropriations Committee in a bipartisan way. I think there are four of them that the leader is thinking of putting on the floor, and we would like to move forward on those and have a vigorous process as we go forward.

There are certain bills that were not done with any consultation—the taking of money out of things like MILCON and HHS and putting it for a wall that he knows the Democrats will not go for. Those kinds of things we can't legislate until they become bipartisan, until we work together. There are certain bills—HHS, Defense, MILCON, DHS—that we can't move forward on until we have some bipartisan agreement. Yet, on the bills on which there is agreement, we would be happy to move forward. Of course, that doesn't solve the problem.

After that happens, our House colleagues—Speaker PELOSI, Chair LOWEY—have since suggested that there be a 302(b) conference because even the 302(b)s are different than these bills, and that is the right place to go once the Senate passes these less controversial bills.

I hope we can move forward. I hope we can. The first package of bills—four of the five—is not controversial. The fifth, they didn't even bring to the

floor of the Committee on Appropriations—MILCON. Yet, on those four, moving forward would be a fine thing. Hopefully, we could work out an amendment process whereby Members could offer amendments.

So we will finally legislate after 9 months, not just move judges and other appointees, and that is a good thing. I am glad that Leader MCCONNELL has finally, maybe, felt the pressure and wants to legislate.

TURKEY AND SYRIA

Madam President, let's go to Syria.

Saturday night, President Trump announced on Twitter that he was reversing his decision to host next year's G7 summit at his golf resort in Doral, FL. The President's original decision was the textbook definition of self-dealing—an outrageous move that provoked immediate and rightful condemnations. Over the weekend, multiple outlets reported that the President decided to back down only after hearing of intense opposition from members of his own party, many of whom told him privately they would not defend him on the issue.

It is obvious to almost everyone in America that you don't suggest a resort that you own as the place to have a conference. It makes no sense. Is the President so interested in making a few extra dollars—reports are that he brags what a multibillionaire he is—that he would risk violating the rules and laws of this country, the emoluments clause? It makes no sense.

It is unfortunate that this wasn't the only decision that made no sense. There is an obvious parallel between the President's decision about the G7 and his decision to precipitously withdraw our forces from Syria. Both were done in a sort of whimsical way whereby, from all reports, the President didn't consult with the experts in this latter case—with the military, the State Department, and the CIA.

Both have resulted in condemnation from across the political spectrum. In fact, last week, over 120 House Republicans voted in favor of the resolution criticizing the President's Syria policy. Leaders MCCARTHY, SCALISE, and CHENEY are hardly moderates, in the middle, who always seek compromise. These are pretty hard-nosed people, and they voted to condemn it, so it must be pretty bad. Of course, it is. Former military commanders and some of the President's staunchest allies in the Senate have echoed those sentiments.

Just like the President reversed course on the G7 after a torrent of criticism from his own party, President Trump must dramatically and drastically rethink his policy in Syria, which is far more dangerous because of one word above all else—"ISIS." By his abruptly having pulled troops out of northern Syria, the President has betrayed and deserted our partners and

allies and has created a security vacuum that our longest standing adversaries—Iran, Putin, and Assad—are exploiting. He put American lives in danger by letting hardened ISIS fighters escape captivity and regroup.

As American troops leave Kurdish areas, videos show Kurdish locals hurling rotting vegetables and shouting “America lies.” That is painful. Do you know to whom it is the most painful? Our soldiers who fought alongside the Kurds. The Kurds sacrificed some of their own people so that Americans wouldn’t have to die.

One leading Russian newspaper, which is, no doubt, part of the Putin propaganda machine, ran a column this week that proclaimed Russia’s unexpected triumph in the Middle East and that Putin won the lottery. Meanwhile, public reports suggest that at least 200 people with suspected links to the Islamic State have escaped the displacement camp in northeast Syria as a result of the Turkish invasion, and we in New York know better than anyone what a small group of bad, bad terrorists—evil terrorists—can do in untold damage to our homeland.

This policy is reckless, unthought out, and dangerous. It has been 3 weeks since the announcement of the President’s decision, and he has yet to articulate any plan for what happens next. As a 5-day pause on hostilities comes quickly to an end tomorrow, every Member of this Chamber ought to be asking: What is President Trump’s strategy to secure the enduring defeat of ISIS? How does the President plan to find the escaped ISIS prisoners? How does he plan to fix this mess? These ISIS people are dangerous and can create a problem right here in our homeland.

This morning, according to the New York Times, the President is now considering leaving a small force in eastern Syria. We need to know if that is true. If so, how many? What would be the force’s mission and for how long? Maybe the most pressing question is, How would a deployment in eastern Syria secure ISIS prisoners and help track down those who have escaped? This presents such a great danger to our country.

The President is flitting from one idea to the next and has no coherent, apparent strategy. His own Cabinet officials have yet to even agree on a time to brief the Senators on the administration’s plan. We have been waiting, and we want to hear from the top people—Secretary Esper, Secretary Pompeo, and CIA Director Haspel. This is serious stuff. The Congress has to be briefed. We are worried the reason we are not being briefed is that there is no strategy and that these three people who are in charge of major portions of the American Government—the military, the CIA, the diplomatic corps—don’t have any idea what the President is up to.

The quickest, simplest, and most powerful way to send that message to

the President would be for the Senate to take up and pass the bipartisan House resolution on Syria. Last week, I asked for the Senate’s consent to take it up, but unfortunately it was blocked. We are going to keep going back to it.

It makes a difference when my Republican colleagues stand up to the President. That can affect him more than anything else, so they shouldn’t duck it or be allowed to duck it. When the Republicans pressure the President, as they did on the G7, he considers changing course. So, when it comes to our national security, vital matters of foreign policy, and, yes, especially when it comes to the Constitution, the rule of law, or the integrity of our democracy, the Republicans must put the country over the party.

On Syria and the fight against ISIS, that means Leader McCONNELL and Senate Republicans should let us vote on the House resolution criticizing the President’s withdrawal.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BOOZMAN). Without objection, it is so ordered.

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

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

TRUMP ADMINISTRATION

Mr. CASEY. Mr. President, I rise this afternoon to talk about the question of impeachment, which, of course, is being debated across the country.

Evidence continues to mount regarding actions the President has taken. Of course, this issue is not only worthy of debate but also worthy of inquiry and review and even debate and discussion here in the Senate.

From the Mueller report to the recent revelations regarding the President’s dealing with Ukraine and its President, evidence indicates that the President is not only willing to take actions which, in my judgment, amount to an abuse of power—in fact, I think the behavior of the President on the phone call with the Ukrainian President was a textbook case of abuse of power. Apparently, he wants to enlist others to defend the indefensible—this behavior—and has said other things that are troubling to so many Americans.

I think it is important to provide some historical perspective on impeachment, and I will seek to do some of that today. This is by no means a full review of the history, but I think it is important to talk about some of the questions our Founders were wrestling with.

Our Founders grappled with many different questions as they debated the

Constitution itself, particularly the nature and the power of the Office of the President of the United States. As our Founders debated how to hold the President accountable during the 1787 Constitutional Convention in Philadelphia, Elbridge Gerry said as follows regarding the issue of impeachment: “A good magistrate will not fear [impeachments]. A bad one ought to be kept in fear of them.”

Consistent with Gerry’s remarks, our Constitution provides an impeachment process for “Treason, Bribery, or other high Crimes and Misdemeanors.” At the time of the drafting, our Founders’ understanding of “high Crimes and Misdemeanors” was informed by centuries of English legal precedent.

We know, as Alexander Hamilton explained in *Federalist* No. 65, impeachment should stem from “abuse or violation of some public trust.” I will say it again: “abuse or violation of some public trust.” Informed by this history, Congress has consistently interpreted the phrase broadly to mean “serious violations of the public trust”—that was one understanding—and has explained that “the phrase refers to misconduct that damages the state and the operations of governmental institutions, and is not limited to criminal misconduct.” That is an important distinction—“not limited to criminal misconduct.”

There is no requirement for a President to engage in a quid pro quo. Any kind of quid pro quo arrangement is not required for impeachment, although it is certainly an impeachable offense to engage in that kind of conduct. Rather, our Constitution merely requires “abuse or violation of some public trust,” as Hamilton spoke to.

Since Special Counsel Mueller issued his report on Russian interference in the 2016 election and, more recently, as testimony has emerged about President Trump’s conduct toward Ukraine, I have attempted to assess how President Trump’s actions fit in our historical and current understanding of what “high Crimes and Misdemeanors” means.

This is an undertaking that must be done in a considered manner and after reviewing all of the relevant information that is available. But I am increasingly convinced that Speaker PELOSI was correct in calling for a formal impeachment inquiry into President Trump’s conduct. A failure by Congress to pursue impeachment in the face of grave offenses by the President would be insulting to our Constitution and insulting to our values.

Let’s talk about the Ukraine example for a moment. Over the past several weeks, our Nation has been confronted by credible and detailed press reports, as well as exhaustive testimony, in some cases lasting 8 hours, 9 hours, 10 hours at a time, just for one witness, and this testimony has come from both career diplomats and State Department officials indicating that the

President has been employing his personal attorney to manage a shadow diplomacy agenda focused on personal vendettas and unfounded conspiracy theories in Ukraine.

In a telephone call with President Zelensky of Ukraine, President Trump—immediately after the Ukrainian President raised the issue of purchasing Javelins to defend his country from Russian aggression—asked the Ukrainian President to “do us a favor though” by working with his lawyer, Rudy Giuliani, and launching an investigation into a discredited conspiracy theory regarding a DNC server in Ukraine. To say that theory is discredited is an understatement. It has been debunked, so said a former Homeland Security Advisor to President Trump, among others.

President Trump also asked President Zelensky “to look into” Joe Biden’s son and explained that “a lot of people want to find out” about Biden—a political rival who, of course, is running for President.

After a memorandum of the phone call was released to the public, the House Intelligence Committee released a text message from the top U.S. diplomat in Ukraine, who indicated that he thought it was “crazy [for the President] to withhold security assistance for help with a political campaign.”

Other officials have since come forward, some even resigning because of their serious concerns over the White House’s handling of Ukraine policy. Michael McKinley, a former senior adviser to the U.S. Secretary of State, testified that he resigned for two reasons: “the failure, in my view, of the State Department to offer support to Foreign Service employees caught up in the impeachment inquiry on Ukraine, and, second, by what appears to be the utilization of our ambassadors overseas to advance a domestic political objective.” That is what Mr. McKinley, who just left the State Department, said.

Our Founders had the foresight to ensure that the power of the President was not unlimited and that Congress could, if necessary, hold the Executive accountable for abuses of power through the impeachment process. Surely, not every instance of Presidential wrongdoing merits impeachment. Using the vast powers of impeachment in a cavalier fashion would be an insult to our Constitution.

This inquiry is not simply about President Trump’s abuse of power. This inquiry is about our democracy and the values that the Founders agreed should guide our Nation.

Impeachment is not what anyone in this town would prefer. It is what our Constitution demands—demands—when an Executive abuses his or her power in a manner that “damages the state and the operations of government institutions.” That is from an earlier impeachment in the 1860s.

As Hamilton said so long ago—but so prescient—when there is an “abuse or

violation of some public trust,” we are summoned—summoned—by our constitutional duty to act.

To fail to act would be a dereliction of that duty, thereby inviting this executive and future executives to abuse that public trust with impunity. We should never do that.

H.R. 3055

Mr. CASEY. Mr. President, very briefly, I wanted to highlight a story that was in today’s Wall Street Journal, entitled “As Court Case Imperils Affordable Care Act, Some States Prepare Contingency Plans.” That is the headline. The subheadline is this: “Lawmakers explore ways to preserve coverage, benefits if the health law is struck down.”

This is the opening paragraph that I will read—it is not very long, but I want to read it—from the story today:

A federal appeals court decision that could strike down the Affordable Care Act as soon as this month has rattled officials in several states who are pursuing legislation to preserve some coverage in the absence of any Trump administration contingency plan.

Lawmakers in states including Louisiana, Nevada, New Mexico and California have passed bills or are reviewing action aimed at dealing with the fallout if the ACA is overturned.

That is from the very beginning of the article. I will not go further, other than to say that this is a grave matter. If a Federal appeals court were to rule in favor of the moving party on appeal—or I should say the moving party at the beginning of the suit—and affirm the district court, what would happen if that were the case? The patient protection in the Affordable Care Act would be wiped out, and it would cause not just chaos but would take away protections from people like those who have protections for a pre-existing condition and would also take healthcare coverage away from millions, if not tens of millions.

This is a critically important matter, and it deserves and warrants the attention of Members of the Senate and the House as well.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

APPROPRIATIONS

Mr. MORAN. Mr. President, thank you very much for the opportunity to speak to my colleagues on the Senate floor this evening.

I really come to talk about something that shouldn’t be momentous, shouldn’t be unusual, and should be routine around here. Unfortunately, as you and I have experienced, it is not routine. What is not routine is the U.S. Senate, the U.S. Congress getting its job done. Part of that job is the appropriations process, and it ought to be something we do every year on a routine basis.

Every city council, every county commission, and every school board in the State of Kansas every year passes a budget and determines the spending for that school board or that city council

or for that county commission. Yet, when we come to Washington, DC, over the years, it has become problematic and it has become difficult for us to do one of the basic things of a functioning government: to determine the amount of money to be spent, in broad terms, and then to fill in the spaces with what we should do for individual Agencies and Departments within that budget agreement.

We are poised for a vote tomorrow, a motion on cloture. What that means to folks in Kansas is this: Should we begin the process of debating, amending, and passing appropriations bills? I am here to urge my colleagues, both Republicans and Democrats, to vote yes on cloture, to bring us to the point in which we can have the debate.

I wouldn’t have thought when I came to the U.S. Senate that one of my primary tasks, at least as I saw it, would be to try to help this place function and have an appropriations process that is thoughtful, that establishes priorities, that allows every Member of the Senate to have input. That is something we ought to be able to accomplish without a lot of work, and I hope that we demonstrate that we can do that in the vote tomorrow.

The appropriations process has involved an Appropriations Committee of which you, Mr. President, and I serve on. Many of the bills have been considered and voted on. There will be four bills as a package in this motion to invoke cloture that will be presented to the full Senate tomorrow.

For the subcommittee that I chair—Commerce, Justice, Science—that appropriations bill will be a part of that cloture package. Agriculture, something hugely important to my constituents in Kansas and across the country, Interior, Transportation, Housing, and Urban Development—those four bills have passed unanimously out of the Senate Appropriations Committee in September. Every Republican on the committee and every Democrat on the committee voted in favor of them.

I know in my own circumstances, on the Commerce, Justice, Science bill, I worked closely—perhaps a better way to say it is that the ranking member of our subcommittee, the Senator from New Hampshire, Mrs. SHAHEEN, and I worked closely together—to try to find a path by which we could avoid those issues that would prevent us from finding an agreement that allowed our bill to move forward. I am pretty certain that occurred in the other three subcommittees.

Presented tomorrow is an opportunity for the Senate to take up 4 appropriations bills—4 out of 12—and those 4 are ones that were unanimously agreed to by the Appropriations Committee. I commend Chairman SHELBY and Vice Chairman LEAHY for their efforts in the full committee to bring us together to get us in a position where we have those four bills now, soon, I hope, to be pending in front of the Senate.

Why does this matter? There is a lot of work that has gone into trying to determine what those appropriations bills should say and should contain. Certainly, how much money we spend is important, but if you sidetrack the appropriations process, you eliminate the prioritization. We need to make decisions every year on behalf of the American people. Is there something that we should spend no money on? Last year it received money but not this year. It is not enough priority for us to spend enough money on this year. Are there things we are spending money on today, this year, that are about right, and are there a few things we should spend more money on?

That is a process that involves hearings. It involves witnesses. It involves testimony. It involves other Members, the U.S. Senators, and 100 of us have the opportunity to provide input as to how much money should be spent in those various areas of the appropriations bill. Are there things that are higher priorities, programs that work better than others?

We ought to care about this from a fiscal point of view—how much money we spend. Are we on a path to get us toward greater fiscal sanity, getting our books to balance? But at the same time, in the process of doing that, are we making decisions that determine that something is more important than something else because we know we shouldn't and can't spend money on everything?

That is what the appropriations process does. Maybe we didn't get it exactly right, but allowing the bills to come to the Senate floor allows 99 of my colleagues to join me in the ability to offer amendments to change those priorities. So every Member of the Senate, on behalf of their constituents back home in their home States, ought to care about an appropriations bill being on the Senate floor.

Perhaps, this is the point when I should say that if we fail to do this, what this normally will mean is that we have what we call a CR, or a continuing resolution, meaning that we are going to fund the Federal Government next year at the same levels and in the same way as we did this year.

That lacks any kind of common sense or a basis for making a good decision. Not everything is equal. Just because we spent something last year in this amount doesn't mean it is the right amount next year. If we have been doing continuing resolutions one year after another, what that means is decisions we made about spending 3 or 4 years ago remain the priorities for next year's spending.

We ought to avoid the continuing resolution. We ought to do our work. Tomorrow's vote puts us on a path to do that. Again, we are only on that path if the Members of the Senate decide that this is something we are going to proceed to accomplish.

Fiscal order, prioritization of spending—I also think that Congress over

the years has deferred too often to Federal Agencies and Departments. I tell my constituents that I know the American people are not satisfied with the nature of Congress as an institution and perhaps not satisfied with even their own Senator or U.S. Congressman or Congresswoman, but we are the closest thing that you have to the ability to make your will known and cause and effect in Washington, DC.

Someone can visit with me and someone can visit with every U.S. Senator and have a consequence here. It is through this process, if you allow us all to participate in the legislative process, that we can take our constituents' will and bring it to Washington, DC, on their behalf.

In the absence of that, it just means the Departments, the Cabinets, the Cabinet Secretaries, the Agency heads, the Bureau chiefs, and the people who work within the bureaucracy have more say if we don't do appropriations bills than elected officials representing Kansans and the people of 49 other States.

This is a way we can bring the people of the United States into decisions made in Washington, DC. When we defer, when we do a continuing resolution, it means it is more likely that no person within the bureaucracy has any reason to pay any attention to our interests. A constituent brings me a problem and says: Something is going on at the Department of Interior, and this is what we are seeing, and this is how it affects us. Could you help solve that problem? Can you get somebody's attention at the Department of Interior? Could you get somebody's attention at the Department of Commerce?

If we don't do appropriations bills, our ability to influence people at the Department of Commerce—the power of the purse strings—disappears. It means that we have less ability not only to determine how money is to be spent but to be able to tell an Agency head or a Cabinet Secretary: This makes no sense. What you are doing to folks back home is very damaging to them. Let us explain to you.

If human nature, being what it is, says that if you are the person or if you are the organization—in this case, the U.S. Senate—that determines how much money an Agency, Department, or Cabinet Secretary gets within their realm of authority, you are going to be much more likely to listen to a Member of Congress and help us solve problems on the behalf of our constituents.

The appropriations process matters greatly. I think we are poised for the opportunity to demonstrate that this place can work, it can represent the American people, and we can allow all of our colleagues to have input in the appropriations process, which has been ongoing since last year.

I hope the conclusion tomorrow by my colleagues is that this is a worthy endeavor. The U.S. Senate ought to return to the days in which we did 12 appropriations bills on an annual basis

and allowed the American people their input in the appropriations process.

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF NORTH MACEDONIA

Mr. MENENDEZ. Mr. President, I come to the floor to express my support for ratifying the Protocol to the North Atlantic Treaty of 1949 on the Accession of North Macedonia. In light of the Kremlin's ongoing aggression against the United States, against Ukraine, and against many of our democratic allies, today's vote sends an important signal that we are serious about standing up to Moscow. A strong NATO is critical to the security of the United States, and supporting NATO's expansion is one of the most important things this body can do to protect our Nation.

This historic vote would not be happening without the Prespa Agreement between Greece and North Macedonia, which resolved the two countries' name dispute and came into force in February. I want to acknowledge the hard work of these countries, as well as the tireless efforts of American diplomats, to make Prespa a reality.

North Macedonia has already made notable contributions to the security of the U.S. and of NATO. North Macedonia has deployed more than 4,000 troops to Iraq in support of U.S. efforts there, and in 2018, North Macedonia boosted its contribution to Afghanistan by 20 percent.

It actively supports the international counter-ISIS coalition and has also supported missions in Kosovo. This history of partnership with the U.S. on important security issues speaks strongly in favor of North Macedonia's inclusion in the Alliance.

NATO is strongest when all of its members contribute, and I am glad that North Macedonia is committed to hitting the target of spending 2 percent of its GDP on defense by 2024. The government has already made great progress towards that target, and we must hold them to that promise.

I also want to stress the importance of all NATO members spending 2 percent of GDP on defense. Our allies have increased their defense spending since 2014 in response to a clear and growing threat from the Kremlin. We must work to make sure that trend continues, and we must do it as partners, not as bullies.

We must also remember that belonging to NATO is about more than military capabilities. NATO was established as a club of democracies that abide by a certain set of principles. When the Clinton administration was considering new members, former Secretary of Defense William Perry laid out some criteria for inclusion in this group: individual liberty for citizens, democratic elections, the rule of law, economic and market-based reforms, resolution of territorial disputes with neighbors, and civilian control of the military.