



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, WEDNESDAY, SEPTEMBER 12, 2018

No. 152

## Senate

The Senate met at 3:01 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of our being, on yesterday, as we remembered September 11, we also felt gratitude for Your sovereignty over the affairs of humanity. May our lawmakers trust in Your unfolding providence to continue to sustain this land we love and guide our world.

Lord, disentangle our Senators from life's turmoil, inspiring them to focus on accomplishing Your purposes. Lord, give them the wisdom to find time to read Sacred Scriptures. Remind them that they belong to You, as You draw them daily nearer to Yourself.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. TOOMEY). Under the previous order, the leadership time is reserved.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### NOMINATION OF BRETT KAVANAUGH

Mr. McCONNELL. Mr. President, the Nation watched the President's out-

standing Supreme Court nominee last week, Judge Brett Kavanaugh, testify before the Judiciary Committee.

They saw Chairman GRASSLEY guide the committee with gracious, strong leadership and an incredible amount of patience. The chairman deserves our gratitude, as do all of the committee staff, whose hard work and dedication made it possible for Senators to thoroughly examine Judge Kavanaugh and review more pages of documents pertaining to his career than were produced for the last five Supreme Court nominees combined.

The American people also saw an extensive extremely impressive nominee. Judge Kavanaugh was candid and forthcoming, within the ethical constraints that exist for judicial nominees. He demonstrated the intellectual brilliance and thoughtful temperament for which he is so widely known. He showed exactly why he is universally acknowledged as a leading legal mind and exactly why he will make a phenomenal Associate Justice of the Supreme Court.

Unfortunately, not everyone performed as admirably or as professionally last week. Some of our Democratic colleagues repeatedly interrupted Chairman GRASSLEY, behaved rudely toward the nominee, and hauled out one dishonest partisan attack after another to try to distort his record and smear Judge Kavanaugh.

Now, this is a nominee who Lisa Blatt, a prominent litigator and self-described liberal Democrat, testified as "unquestionably qualified by his extraordinary intellect, experience, and temperament."

This is a nominee who prominent liberal law professor Akhil Amar praised as "studious and open-minded." This left-leaning academic described Judge Kavanaugh's nomination as "President Trump's finest hour."

This is a nominee whose record and reputation have revealed Democrats' partisan attacks to be futile and silly

and dishonest. At this point, dishonest attacks and half-truths are all that is left for our colleagues who made up their minds long ago that they were going to oppose Judge Kavanaugh no matter what—no matter what.

You don't need to take my word for this. The Washington Post's Fact Checker called out one of our Democratic colleagues and assigned her shameless misrepresentation of Judge Kavanaugh's testimony four Pinocchios—the strongest condemnation. This particular Senator cherry-picked from a sentence where Judge Kavanaugh was paraphrasing one side's argument in a case that came before him, stripped his description of its content, and held up the party's position in that case as though it was Judge Kavanaugh's own personal opinion.

But by trying to slime Judge Kavanaugh, the Democrats are only underscoring one of his most impressive skills—his widely acclaimed talent for thinking through all parties' perspectives and engaging fairly with the full range of views, regardless of his personal beliefs.

This and all other specious attacks that were trotted out said absolutely nothing about Judge Kavanaugh's actual record. They said a great deal about the Senators who were willing to resort to them in order to appease the far-left special interests, but I suspect that everyone who listened fairly to Judge Kavanaugh and the other witnesses came away seriously impressed with his qualifications for the Court, and I look forward to voting to confirm him here on the Senate floor in the coming weeks.

### NOMINATION OF CHARLES P. RETTIG

Mr. McCONNELL. Mr. President, on another matter, later this afternoon, the Senate will vote to advance the nomination of Charles Rettig to serve as Commissioner of the IRS. Mr.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S6115

Rettig's nomination comes at a crucial time, as the Federal Government continues to implement once-in-a-generation tax reform.

Recent memory reminds us just how important it is that all Americans get a fair shake from the agency that oversees the Tax Code. This historic new law makes it all the more important that the IRS continue to modernize and improve its technological infrastructure.

So I look forward to this nominee's getting to work on behalf of the American taxpayers.

#### APPROPRIATIONS

Mr. McCONNELL. Mr. President, we will then turn back to appropriations. This week we will vote to approve the conference report that will fund energy and water, military construction and the VA, and the legislative branch.

This week's bills contain \$147 billion for projects ranging from waterways infrastructure to military family housing, to nuclear security and much more. This legislation equips the Army Corps of Engineers to carry out harbor maintenance, inland waterways restoration, and critical flood damage reduction efforts. It enables the Department of Energy to support groundbreaking research in computing systems and energy efficiency and to step up the security of our Nation's nuclear arsenal.

The Military Construction and VA title funds overdue maintenance to operational facilities, as well as nearly \$2 billion in support for military family and personnel housing, and it expands resources for in-house VA medical services and broadens community options for veterans seeking vital treatment through funding of the VA MISSION Act.

These are national priorities with local impacts that will be felt in every one of our States.

In my home State of Kentucky, hundreds of millions of dollars will go toward training facilities at Fort Campbell and Fort Knox, infrastructure improvements in Appalachia, and environmental cleanup efforts in Paducah.

I know all Senators can tell similar stories for their own States. So we are looking forward to taking another step forward on regular appropriations and passing this conference report this week.

I want to thank Chairman SHELBY and Senator LEAHY for all they have done to keep this process going forward.

Thanks also to the subcommittee chairmen, Senator BOOZMAN and Senator DAINES; Senator ALEXANDER, who chaired the conference; and all of my colleagues on the Appropriations Committee.

So let's pass this legislation and keep making progress together.

#### OPIOID EPIDEMIC

Mr. McCONNELL. Mr. President, on one final matter, the pain that opioid

addiction and drug abuse has inflicted on families across America is almost unfathomable. Every day, 115 more American lives are lost to overdose. Synthetic opioid deaths nationwide skyrocketed six-fold from 2014 to last year alone.

Sadly, the Commonwealth of Kentucky is all too familiar with these statistics. More than 1,500 Kentuckians died from a drug overdose in 2017, and Kentucky has ranked among the top 10 States for opioid fatalities for several years.

The tragic medical trends are only one of the ways this crisis is crippling communities all across our country. These drugs eat away at economic opportunities, they erode our labor market, and they make it even harder for distressed communities to get back on their feet.

So this is nothing short of a national emergency, and that is why Congress has already passed major legislation to address it, and very soon we will take significant new action by passing the legislation that has been shepherded by Senator ALEXANDER and his committee colleagues. This landmark package combines work from 5 different committees and 70 different Senators.

I am proud that two of my bills are included—the CAREER Act, to help individuals in recovery transition back into the workforce and access housing services, and a second provision that will step up accountability on Federal efforts to combat addiction among pregnant mothers.

These are just two pieces of this comprehensive package.

It will cut the supply of illegal drugs that pour over our borders, make it easier for communities to invest in recovery efforts, extend a helping hand to families and caregivers, and provide for the longer term medical innovation we need to put this crisis in the rear-view mirror.

I am pleased to have played a part in developing this landmark response.

I am grateful to Chairman ALEXANDER and his colleagues, and I will be proud to vote for this legislation very soon.

#### THE ECONOMY

Mr. McCONNELL. Mr. President, on one final matter, it has been a rough week for our Democratic colleagues who claim that the Republican policy agenda wouldn't lay a good foundation for a strong economy, but it has been a great week for America's workers and middle-class families.

The evidence keeps piling up. Tax reform and regulatory reform have helped create the conditions for one of the best economic moments the American people have seen in recent memory, and some measures are at their best levels in decades.

Here is just a small sample:

"U.S. job growth accelerated in August and wages notched their largest annual increase in more than nine years."

Another headline reads: "Job openings hit record high."

Another: "Small business optimism surges to highest level ever."

This economy is literally flying through all-time records faster than I can come to the floor and discuss them. Many of these numbers are unprecedented. They are exactly the opposite of what some gloom-and-doom Democrats insisted would happen if this unified Republican government put our opportunity agenda into effect.

Fortunately, my Republican colleagues and I know that getting Washington, DC, out of the way helps make good things happen for the American people, and that is exactly what we will continue to do.

#### ENERGY AND WATER, LEGISLATIVE BRANCH, AND MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2019—CONFERENCE REPORT

Mr. McCONNELL. Mr. President, I ask that the Chair lay before the Senate the conference report to accompany H.R. 5895.

The PRESIDING OFFICER. The Chair lays before the Senate the conference report to accompany H.R. 5895, which will be stated by title.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5895), making appropriations for the energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes, having met, after full and free conference, have agreed to their respective Houses:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

Thereupon, the Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of September 10, 2018.)

#### CLOTURE MOTION

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

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

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 5895, an act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

Mitch McConnell, John Thune, Thom Tillis, Lisa Murkowski, Mike Rounds, Jon Kyl, Lamar Alexander, Orrin G. Hatch, John Barrasso, Mike Crapo, Bill Cassidy, Roger F. Wicker, Pat Roberts, Ben Sasse, Lindsey Graham, Chuck Grassley, John Cornyn.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Charles P. Rettig, of California, to be Commissioner of Internal Revenue for the term expiring November 12, 2022.

The PRESIDING OFFICER. The Senator from Wyoming.

REPUBLICAN AGENDA AND NOMINATION OF  
BRETT KAVANAUGH

Mr. BARRASSO. Mr. President, the Senate recently completed what was easily the most productive August in memory. We passed six appropriations bills with full debate on the Senate floor. We passed the John S. McCain National Defense Authorization Act. We confirmed 25 appointees to important jobs in the administration. We confirmed 17 Federal judges to the bench, and we set up votes for another 8 earlier this month.

When I was home in Wyoming, I talked to a number of people around the State, and they were pleased to see how much we are actually getting done. I can state that they absolutely think we should keep up this pace.

Maybe the most important thing that people expect us to deal with quickly is confirming Judge Brett Kavanaugh to the Supreme Court. I believe we are off to a good start with confirmation hearings for Judge Kavanaugh, which were held last week in the Judiciary Committee.

What people who watched the hearings learned was that Judge Kavanaugh is well respected, mainstream, and a highly qualified individual for this important job. What people also saw is that some Members of the opposite party—the Democrats in the Senate—are totally unwilling to give him fair consideration.

Senators have been given access to more than 500,000 pages of records from his time as a judge and throughout his career in public service. That is three times the amount of information that any other Supreme Court nominee has ever produced. For some nominees of the Supreme Court, these kinds of documents are very important. They can tell us a lot about how a nominee thinks and about how he or she might approach the job of being a Justice. It is especially important when that person under consideration has never

served as a judge before, and sometimes that is all we have to look at. But that is not the case with Judge Kavanaugh.

Judge Kavanaugh has served on the circuit court of appeals for 12 years, and he has written opinions in over 300 cases. If anyone wants to know what he will act like as a judge, then they can just look at how he has already acted as a judge for the past dozen years.

These documents, these opinions he wrote in the 300 cases on the court in which he is serving, are the documents that matter. They are the ones that tell us how he approaches being a judge. Senators have had access to these court opinions since the day Judge Kavanaugh was nominated 8 weeks ago. If Democrats would just take the time to read through these opinions, they would see that Judge Kavanaugh is extremely thoughtful and is independent. He is absolutely devoted to preserving the rule of law and protecting the separation of powers that is the basis of our Constitution. If Democrats don't want to read through all these documents and these decisions, well, they can focus on the 13 cases where the Supreme Court adopted Judge Kavanaugh's reasoning. That is how much respect other judges and Justices have for the careful and compelling decisions he has written.

One case dealt with a regulation put out by the Environmental Protection Agency. Judge Kavanaugh found that the Agency had exceeded its authority under the law when they wrote the regulation. Judge Kavanaugh wrote that "it is not our job to make the policy choices and set the statutory boundaries, but it is emphatically our job to carefully but firmly enforce the statutory boundaries."

The Supreme Court agreed with Judge Kavanaugh's reasoning.

One constitutional scholar pointed out that "Judge Kavanaugh commands wide and deep respect among scholars, lawyers, judges, and justices."

Another legal scholar said that Judge Kavanaugh is "one of the most learned judges in America on a variety of issues, ranging from theories of statutory interpretation to separation of powers."

A third law professor agreed. He called Judge Kavanaugh "a true intellectual—a leading thinker and writer on the subjects of statutory interpretation and federal courts."

Finally, if it is even too much for some Democratic Senators to read through all the glowing reviews of Judge Kavanaugh's career, they could just look at what he has actually said. Look at his own simple, straightforward summary of his judging philosophy. In a speech last year, he made it very clear. He said: "The judge's job is to interpret the law, not to make the law or make policy."

This view—that the judge's job is to interpret the law, not to make the law or make policy—and every example I have seen from Judge Kavanaugh's

record is squarely in the mainstream of America's thinking today.

Despite all of this information being available, some Democrats are trying to say that they still want even more documents. They are hoping against hope that if they request another 500,000 pages, they can delay things a little longer. Well, let me assure you, it is not going to happen.

I think that most Democrats who have been making the most noise really don't want more documents. That is because so many of the Democrats complaining the loudest are the same ones who said that they have already made up their minds and made announcements that they are planning to vote against the nominee. Some were saying it before the nomination was even announced.

From the very beginning, liberal activists called on Senator SCHUMER to do everything in his power to keep this seat empty for as long as possible. There are several Senators on the other side of the aisle who have gladly taken up this challenge from the far left corners of their base.

I hope that more reasonable Democrats will reject the calls for needless delays and dangerous obstruction. I hope there are Democrats in the Senate who are willing to listen to what Judge Kavanaugh actually said during his hearing. I hope there are Democrats who are willing to read some of the hundreds of thousands of pages of documents. I hope there are some Democrats who are willing to listen to the experts who are describing Judge Kavanaugh as "one of the most learned judges" in our country.

It is clear that Judge Kavanaugh has the right approach to being a judge. It is clear that he is a person of solid character and that he has a strong intellect. It is clear that America needs Judge Kavanaugh on the Supreme Court and that it is time for Democrats to give up this pointless obstruction.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

CONFERENCE REPORT TO H.R. 5895

Mr. DAINES. Mr. President, the conference report that we are considering today is good news for our country. Along with providing funding for our veterans and supporting critical energy and infrastructure projects, it also includes \$4.8 billion for the agencies in the legislative branch.

The legislative branch portion of the conference report allocates funding in an appropriate manner. It promotes government transparency, as well as increasing security here at the Capitol Complex. This is very important.

In support of good government, this agreement includes a provision known as e-file, requiring U.S. Senate candidates to file campaign finance reports electronically, directly with the Federal Election Commission, as every other Federal candidate must do. Not

only does this provision increase transparency, it will reduce bureaucratic inefficiency and will save about \$1 million in taxpayer dollars.

This agreement also provides \$589.7 million for the Government Accountability Office to hire additional staff to bolster oversight of government programs and spending. Having spent most of my career in the private sector, accountability is a good thing. There is not enough of it here in Washington, DC. In fact, according to a report issued by the GAO, the GAO returns \$128 for every dollar invested in its budget. That is a good example of accountability and getting results for the American taxpayer. In fact, the resulting benefit of this oversight by GAO was approximately \$74 billion in documented savings for the taxpayers in 2017. That is where you get the \$128 return for every dollar invested in the agency.

The Capitol Police is fully funded at the requested level of \$456.3 million, allowing for the continued protection of visitors coming to the Capitol campus every year, as well as the Members and their staff.

These are just a few highlights of the bill, which allocates resources in a responsible way to maintain existing services, as well as providing critical investments across the U.S. Capitol campus.

Lastly, and importantly, I want to thank Senator CHRIS MURPHY, my ranking member, for working with me in a bipartisan manner throughout this process. This is my first year as chairman of the Legislative Branch Subcommittee. I would also like to thank Chairman SHELBY and Vice Chairman LEAHY for their leadership and efforts to return to regular order on a Senate appropriations bill. This is quite remarkable, but it shouldn't be. The bar has been set so low in Washington, DC, that Congress can't get their appropriations bills or spending bills passed before the end of the current fiscal year going into next year. Well, guess what. The fiscal year ends on September 30, and here we are on September 12, moving forward now on appropriations. That is a good thing for our country.

I urge my colleagues to support this conference report as we continue to move these bills forward to fund the government on time and in the right way.

I see my distinguished colleague, Senator MURPHY from Connecticut, is here as well, and it has truly been an honor to serve with Senator MURPHY to move this forward on behalf of the American people.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, let me express my thanks in return to Chairman DAINES for being such a fantastic guide and a fantastic partner on this subcommittee budget. I am excited to bring this to my colleagues this morn-

ing. I will note that he took over midstream from Senator LANKFORD, who began this process. I will also note that we didn't really get moving so quickly to a conference committee until Senator DAINES took over. I give him great credit for adding so much and being such a great partner in all of this.

I really don't need to go through all of the important initiatives Senator DAINES already did; maybe I will spend a minute doing so. I would note that we made progress on some issues that had been stalled in the Legislative Appropriations Subcommittee for a long time—such as intern pay or the requirement to file campaign finance reports online—I think because we were able to do this budget on its own, with a real process, with a real committee debate, and with a real conference committee. When these budgets get tied up in giant omnibus negotiations, it tends to be that only the top four or five issues in the omnibus get the attention from the folks in the room. These budgets are very important, but maybe because they are a little bit smaller than the budget for HHS or the Department of Defense, they go untended to.

As we return to regular order, not only do I think that is a breath of fresh air for democracy, it is not good news for anybody when the decisions over a budget get decided behind closed doors amongst a very small set of people appointed by the Democratic leader and the Republican leader. It is also good government because when we do these budgets one by one, we get to flesh out some very important and sometimes controversial issues that we might not get to address when they are all lumped together in a massive package.

I hope this is now the way we do things. I congratulate Senator MCCONNELL and Senator SHELBY for setting the tone. I know there are a couple of conference committees tomorrow on some other packages. I hope they go as well as ours did.

In this budget, we did some very good things. We have a long list of deferred maintenance here on this campus. We have 16.5 million square feet of buildings. We have millions of visitors who come to experience the U.S. Capitol. We provide \$734 million for the Architect of the Capitol to make those targeted investments.

Accountability and transparency were things Senator DAINES focused on as chairman. We will have 50 additional auditors and investigators at the Government Accountability Office. That is the office which makes sure that we are doing our job, that we are spending taxpayer dollars wisely. When they issue reports, the taxpayers save money, and now they have the ability to do more of that great work.

It also provides full funding for the Capitol Police. I want to specifically thank Senator DAINES for working with us to include in this budget an initiative that we started here in the Senate to improve protections and co-

ordination for Members' security off campus, to recognize the new and emerging threats that exist in and around Washington, DC.

Finally—I have said it before, but I will say it again—there is a breakthrough, a small amount of money to help compensate interns. Lives change when they get to experience something like working for their Member of Congress, for their Senator. It opens their eyes to a set of experiences that would not be available to them otherwise.

Under prior practice where very few Senate offices paid for those internship experiences, you had to be a child of means in order to get here. Now, hopefully, with this small amount of money we are giving to our interns, we will have a much greater pool of applicants and a much greater pool of young men and women who will be able to be here and work in our offices. I think that is good for this place, and I think it is good for the kids who are going to get to experience government. Faith in government and belief in civic participation couldn't be lower today. Giving more kids from diverse backgrounds access to the Federal Government is a very positive development.

Again, it has been a joy to work with Senator DAINES. It is great to be on a conference committee. I had heard rumors about conferences committees, and we got to sit on one and hammer out a budget with our House colleagues. I hope it sails through as we move to final debate and passage.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### FREEDOM OF THE PRESS

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

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

Mr. CASEY. Mr. President, I rise before you today to express the importance of freedom of the press both around the world and here at home. Journalists take risks—often great risks—to tell the stories of war, genocide, hunger, poverty, and corruption around the world while facing unprecedented rates of intimidation and violence.

Freedom of expression is the bedrock of our democracy, but we must not take it for granted. It is how we hold ourselves to the standards set by the Founders and hold ourselves accountable and how we protect our institutions from falling into traps set by those who seek to abuse power.

Earlier this year, I introduced S. Res. 501, a resolution recognizing threats to freedom of the press and freedom of expression. This resolution was introduced with Senators RUBIO and WYDEN, and I thank my colleagues for their leadership on this important issue.

This resolution highlights the importance of the freedom of the press, condemns attacks against journalists, and reaffirms press freedom as a priority

for the U.S. Government. This resolution is in honor of the 46 journalists who were killed in 2017 for their reporting, for the 262 journalists who were imprisoned around the world last year, and, as part of that 262, the 21 journalists who were jailed just in 2017 for “false news,” which more than doubled the 2016 record.

These journalists are mothers and fathers and sons and daughters who put their lives and, indeed, their freedom on the line to shed a light on some of the world’s toughest stories. I would like to tell the story of one of the journalists who lost his life last year, Chris Allen, while he bravely reported from a conflict area. I acknowledge Chris’s parents, Joyce Krajian and John Allen, who are here with us today.

Chris grew up in Narberth, PA, and graduated from the University of Pennsylvania. Chris’s parents say he was an explorer from an early age and had a keen interest in history. He went on to pursue his master’s degree at Oxford. He was encouraged to go to places where history was being made. Chris embraced this calling and became a freelance journalist—first in eastern Ukraine, where he embedded with pro-Ukrainian forces and reported for outlets like the Independent and the Guardian, in order to help give his audience a glimpse of the conflict up close.

His mother Joyce and his father John have shared this memory of Chris:

This desire to bring to light untold stories from uncovered regions of the world and the plights of their peoples—that’s what motivated Chris. He wanted to know the thoughts and feelings of those encountering conflict firsthand.

So said his parents.

After 3 years in Ukraine, Chris decided to embed with the South Sudan opposition forces near the Ugandan border. On August 26, 2017, we understand that Chris walked overnight with these fighters and two other journalists to the town of Kaya. Chris was killed shortly after dawn while he photographed a gun battle between opposition and government forces. Chris was just 26 years old.

In the early years of his professional life, Chris had already committed himself to the vital job of covering dangerous places and exposing stories of vulnerable people whose countries were embroiled in war. In the year that has passed since his death, despite commitments from the South Sudanese Government to investigate, Joyce and John have no official information about how he was killed, and no one has been held accountable for the loss of their son. They have seen South Sudanese Government officials smear Chris’s reputation and threaten other foreign journalists with the same fate. This is unthinkable for any parent to have to endure.

Chris Allen’s parents have more questions than they have answers. Chris and others like him have lost their lives in the pursuit of truth, with no

accountability or justice. Other journalists sit in prison today for daring to speak truth to power. We have a responsibility to advance these core American values—the values of freedom of expression and freedom of the press. These values continue to serve as an example to the world.

As I mentioned earlier, our bipartisan resolution reaffirms press freedom as a priority for the United States. What does this mean exactly?

First, advocating for media freedom should be a feature of the U.S. Government’s interactions with other governments where the media is censored, silenced, or threatened. I have had tough conversations over the years, as I know many of my colleagues have had, with foreign government officials about human rights and the rule of law. I know it can be difficult to advance these values while always cooperating on other issues like security or other political issues, but we must press these issues. Whether it is advocating for the release of two Reuters journalists who were detained under antiquated laws in Myanmar, pressing for an investigation into Chris Allen’s death, or pushing for reforms to allow media workers to operate more freely, the U.S. Government must be consistent and persistent.

Perhaps more importantly, we must model the respect for free journalism and empower journalists here at home. Investigative journalism helps to hold accountable government officials, elected representatives, business leaders, and others. It exposes fraud and waste and corruption, which corrode our society. It helps us to connect with the men and the women in uniform who serve our Nation overseas and to understand the conflicts in which they fight. It shows us the atrocities of terrorist groups like ISIS and the abuses of dictatorial regimes like that of Bashar al-Assad’s. Journalists amplify the voices of the most vulnerable among us and provide for us a window into the homes and into the hearts of people a world away.

Instead of respecting these professionals, President Trump has called them the “enemy of the people.” When we hear powerful voices denigrate tough reporting as “fake news” or bar reporters from doing their jobs by blocking access, we all must condemn it. Reporters, writers, photographers, and media workers in the United States have not been intimidated and will continue to carry the torch of core American values like freedom of the press. On both sides of the aisle, we have a responsibility to rebuke any anti-press narratives by any public officials. This narrative is not only antithetical to the values our Founders laid out in the Bill of Rights, but it is dangerous.

I urge my colleagues to support S. Res. 501 this week and to speak up for media freedoms every day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### OPIOID EPIDEMIC

Mr. CORNYN. Mr. President, late this week or early next week, we will vote on a bill called the Opioid Crisis Response Act.

This is a powerful piece of legislation for which our colleague Chairman LAMAR ALEXANDER deserves great credit for shepherding through the process, but he was, by no means, alone in doing so. This bill, as he will tell you, represents the contribution of more than 70 different Senators and 5 different standing committees of the U.S. Senate. That takes a lot of careful work and a lot of determination. The bill is bipartisan, as one would expect, and that, of course, would not have happened without there having been intense collaboration. For those who like to say that bipartisanship is dead in the U.S. Senate, this bill and other bipartisan work we have done and will do is evidence that that is simply false.

In 2017, President Trump declared the opioid crisis a national public health emergency. Since then, we have seen 116 Americans die from opioid-related overdoses daily, and in places like New Hampshire, that death rate has been double the national average. In some places, coroners have asked local funeral homes to help because there has just not been enough room to store the bodies at the morgues. Let that sink in for just a minute. Coroners are asking funeral homes to help store the bodies because there is not enough room at the morgues because of the 116 Americans who lose their lives to opioid addiction each day.

People of all races and ethnicities—regardless of gender—are dying. Drugs, of course, do not discriminate. Even when people survive overdoses, they often come back only to return to the prisons of their addictions. Sometimes they rob, steal, or sell themselves in order to get their fixes for oxycodone, hydrocodone, heroin, or fentanyl—all opioids. Meanwhile, for the rest of their lives, their relationships, their families crumble. Maybe they are looking for escape. Maybe they are looking for some sort of meaning. Maybe they are veterans who are self-medicating or they have mental diagnoses that simply go undiscovered, and, thus, they try to medicate by resorting to alcohol or, in this case, to opioids. Yet the result is always the same. Their bodies can’t handle the poison, and their minds’ cravings can never be wholly satisfied. That is how the breakdown begins.

Drug addiction and the carnage associated with it is, of course, nothing new in our country. What is new are the types of drugs that are being created by those who tinker with chemical formulas in order to evade our current laws. What is also new is the extent of the tragedy. Overdoses are going up in many places—so high, in fact, that the average life expectancy for adult males in the United States has fallen. As Christopher Caldwell wrote in “First Things” last year,

“The death toll far eclipses those of all previous drug crises.”

The bill we will be voting on is our honest attempt to look this crisis in the eye, not to shy away from the ugly reality. The legislation tries, in several mutually reinforcing ways, to end what Caldwell calls the “artificial hell” of those who are addicted. It will supply States with critical funding. It will ensure that research is expedited and that patients will have access to substance abuse treatment. It will also improve detection and interdiction measures to reduce the supplies of illicit drugs that are being funneled across our southern border. I will return to the border in a moment and our neighbor Mexico’s role in this.

Part of the opioids package involves legislation I introduced with the senior Senator from California, Mrs. FEINSTEIN, called the Substance Abuse Prevention Act. It is one of the critical pieces of this broader bill we will be voting on. In addition to reauthorizing lifesaving programs, it is aimed at reducing demand. Of course, supply increases to meet the increasing demand, and we have to do something about the demand side in order to deal with this problem.

It does this first by reauthorizing the Office of National Drug Control Policy, which oversees the executive branch’s efforts on narcotics control by developing a national drug control strategy and coordinating efforts with the States.

Second, it reauthorizes one of our Nation’s most important programs for preventing youth substance abuse and keeping drugs out of our neighborhoods, the Drug-Free Communities Program.

Third, the legislation expands opioid and heroin awareness. Of course, heroin is just one type of opioid. It also improves substance abuse treatment and will hopefully result in prescribers of controlled substances being better trained and educated on the potential harmful effects of the drugs they are prescribing.

Finally, under our legislation, Senator FEINSTEIN’s and mine, the Attorney General can also make grants available that focus on substance use disorders. Some of these grants will be used to determine the effectiveness of programs that pair social workers with families who struggle with substance use disorders. We need to invest in programs that actually work, that make a quantifiable, measurable difference. So these grants will help.

Like the rest of the country, my State is no stranger when it comes to opioid addiction. According to the National Institute on Drug Abuse, Texas deaths from heroin and fentanyl—its wicked cousin—have been steadily increasing since 2010. These are real people we have lost, who have real families and real lives. Cash Owen, from Austin, TX, was only 22 years old. When he went to Westlake High School in Austin, where my daughters attended, he

liked to cook for a hobby. He later overdosed on heroin. His is just one example of another life lost to this terrible scourge.

Obviously, I come from a border State and realize, when it comes to stemming addiction, it is a two-way street. We need to do our part to try to deal with the demand side and to also prevent illicit substances from crossing our borders.

ICE—Immigration and Customs Enforcement—deserves a lot of credit when it comes to fighting the opioid crisis in America. Despite some politicians’ bizarre and irresponsible calls to abolish the agency, it continues to make great strides in protecting public health and public safety. For example, ICE initiated 3,900 cases for human smuggling just last year. It has arrested more than 4,700 members of transnational gangs who moved people and drugs across our border into the United States. It has seized more than 980,000 pounds of narcotics, including drugs such as fentanyl, a synthetic opioid. As I said, it is a two-way street.

Actually, fentanyl is worth dwelling on because it shows just how implicated Mexico is in all of this.

Fentanyl was first developed as a synthetic painkiller and anesthetic. It is 100 times more potent than morphine and up to 50 times stronger than heroin. What is happening is that enterprising drug traffickers and designers are taking pure fentanyl and cutting it with other substances—sometimes heroin, sometimes cocaine, and sometimes methamphetamine. But sometimes amateurs use cheaper fillers and less professional equipment, which makes the doses even more dangerous and the people who take it more likely to overdose.

There remains a debate on just how much fentanyl comes to the United States via Mexico. We know that some comes directly from places like China through our national Postal Service, but a sizable percentage is certainly snuck across our border, along with other illegal drugs, from Mexico.

According to the San Diego Union-Tribune, Customs and Border Patrol seized 355 kilograms of fentanyl at the San Diego ports of entry alone in 2017. By the way, a kilogram is 2.2 pounds. They seized 355 kilograms of fentanyl at the San Diego ports of entry alone in 2017.

There are fentanyl routes that run through Mexican cartel strongholds and head north across the border into the United States. They funnel an estimated 80 percent of the drug across the border.

All this is to say that we here in the United States are not alone because the Mexican Government has its hands full as well. Fentanyl seizures inside Mexico have risen sharply, with just under a kilogram seized in 2013 to more than 100 kilograms seized inside of Mexico last year. According to government data obtained by InSight Crime, in the first 6 months of this year, 2018,

Mexican authorities seized 114 kilograms.

Of course, it is not just problems with fentanyl that we share; our heroin problem in the United States is also tied directly to Mexico. U.S. officials estimate that 90 percent of the heroin used in the United States is produced and trafficked from Mexico.

From all the news regarding the opioid crisis, we know what the results are in our country, but what about Mexico? Is this a problem just for the United States, or is this a problem for Mexico as well?

In Juarez, right across the El Paso border, a rehab center treats nearly 300 patients a day, including many heroin addicts. In Tijuana, where drug use reportedly starts as early as middle school, we know they also have a big problem. We know that all across Mexico, adolescent consumption is on the rise, particularly with regard to drugs like marijuana. But it is not just marijuana, it is methamphetamine, fentanyl, heroin—you name it. In fact, according to a recent survey, the percentage of Mexican men and women between the ages of 12 and 65 who admit to using illegal drugs has roughly doubled since 2011.

Here is my point: American and Mexican carnage is related. It is actually interrelated. That is why in recent years, through programs like the Merida Initiative, we have worked together with the Mexican Government to combat this multiheaded monster. But our two governments will have to work even closer in the months and days ahead because gangs, cartels, and drug runners are all adapting, diversifying, and evolving based on new circumstances, and we need to make sure we keep up with their innovations.

In Mexico, since 2007, roughly 200,000 people have died as a result of drug-related violence. That is more than all the deaths in the war zones in Afghanistan and Iraq combined. In Mexico, 200,000 people have died as a result of drug-related violence in the last 10 years.

Now the cartels have diversified. As someone put it, they are commodity agnostic—they will do anything for money. They will ship people from Central America across the border—adults with children, or so-called family units, or unaccompanied children. They will move drugs. Now they are involved in the fuel theft business as well. Black market gasoline is now a \$1 billion industry in Mexico. They are also involved in mining, port operations, and other industries. They have multiple income streams. As I said, they are diversifying.

Meanwhile, the bloodshed continues unabated. The most violent year in Mexico’s recorded history was 2017. The armed conflict between the cartels and Mexico’s military, which started 12 years ago under President Felipe Calderon, now ranks as perhaps the deadliest war in the world apart from Syria. Mexico is second only to Syria as the deadliest war zone on the planet.

As that war continues—and by the way, we support Mexico’s waging it—we may think that the United States has been mostly spared, but that really depends on your perspective. Fortunately, we have been spared the most gruesome acts of public violence by and large, although there are certainly notable exceptions.

The U.S. Centers for Disease Control and Prevention estimates that more than 72,000 Americans died from a drug overdose last year. I wonder why we don’t read about this in the newspapers or hear about it on TV. We have somehow become numb or anesthetized to the fact that tens of thousands of Americans have taken their own lives accidentally through a drug overdose. Of those 72,000 people who died as a result of a drug overdose last year, 49,000 were associated with opioids, which include substances such as fentanyl and heroin.

The annual numbers continue to rise, with the death toll for 2017 nearly 10 percent higher than a year earlier. This problem is getting worse, not better. Experts believe the rise is attributable to opioids becoming more readily available and more potent than recent versions of the drug.

So here in the United States, we are losing lives as well. That is why the vote later this week or earlier next week on this bill is so important—it is how we will attempt to make some progress in dealing with this crisis. That is also why our partnership with Mexico must consistently be strengthened and reinforced.

Our drug problem—and ultimately the associated violence and criminality—is Mexico’s, and Mexico’s is ours.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER).

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING SEPTEMBER 11

Mr. SCHUMER. Mr. President, yesterday was the 17th anniversary of the 9/11 attacks—an event that changed my city and our country forever. I spent the morning at the 9/11 Memorial in Lower Manhattan. Two deep scars in the Earth remind us where mighty towers once stood.

I will never forget that day, nor the next: the phones—when they worked—ringing endlessly; the smell of death; the lines of hundreds of people holding homemade signs—I will never forget that—as I walked there. President Bush sent a plane, and we went to Ground Zero the day after. Hundreds of people were lined up asking: “Have you

seen my father Joe?” “Have you seen my daughter Mary?” The towers had crashed, but no one knew how many people had survived. It was awful.

Mr. President, 3,000 souls were lost in one day—one of the bloodiest days on American soil since the Civil War—people I knew: a guy I played basketball with in high school, a businessman who helped me on my way up, a firefighter with whom I went around the city to ask people to donate blood.

Seventeen years ago today, September 12, 2001, I called on Americans to wear the flag in remembrance of those who were lost, the brave men and women who rushed to find those who might still be alive. I have worn that flag every single day since. I will wear it every day of my life for the rest of my life in remembrance of those who were lost.

This year, I want to turn everyone’s attention to a harrowing statistic. By the end of 2018, we expect that more people will have died from exposure to toxic chemicals on 9/11 than were killed on that day itself. Last year, 23 current or former members of the New York Police Department died of 9/11-related diseases—the same number who died on September 11. A new tablet was recently installed at the Hall of Heroes at One Police Plaza to commemorate all the new deaths of members of the FDNY. There is now an American living with a 9/11-related illness in every one of the 50 States and 429 of the 436 congressional districts. I guess they have 436 counting the District of Columbia.

Just as we will never forget the bravery so many fallen Americans showed that terrible day, let us never forget those first responders who did survive, only to contract cancer or a respiratory illness from breathing in a toxic cocktail of dust and ash at Ground Zero.

Nearly a decade ago, I was proud, along with my colleague from New York, to pass the Zadroga Act to provide healthcare for our first responders and a victim compensation fund to help survivors who get sick and the families who lost a loved one to illness. Three years ago, I was proud to work across the aisle to make the healthcare component of the Zadroga Act virtually permanent.

Next year, however, Congress must reauthorize the September 11th Victim Compensation Fund because the administrator of the fund now predicts that the funding will not last until 2020, as we had previously hoped. So many new claims are being filed because so many of these deadly cancers are now showing up. As the death tally from 9/11 continues to grow, we have to make sure the fund is capitalized with enough money to provide an ever longer list of 9/11 victims. So I want to remind my colleagues that soon we have to come together once again to do what is right for the families of the first responders and the surviving first responders themselves who, without

hesitation, risked their lives to save other lives 17 years ago yesterday.

NOMINATION OF BRETT KAVANAUGH

Now, last week, the Judiciary Committee concluded its hearings on President Trump’s nominee to the Supreme Court, Judge Brett Kavanaugh. Over the course of 2 days of questioning, Brett Kavanaugh managed to avoid definitively answering nearly every question of substance, making a mockery of his participation in the hearings. He refused to say that he believed *Roe v. Wade* was correctly decided. He refused to say that he would affirmatively uphold the existing healthcare law, including protections for over 100 million Americans with preexisting conditions.

He even refused to visit what many consider to be his extreme views on executive power and would not even say if he believed the President was obligated to comply with a duly issued subpoena.

It didn’t matter if members of the Judiciary Committee phrased the questions about already decided cases or hypothetical situations. When he got an already decided case, he said he couldn’t talk about those. When he got a hypothetical case, he said he couldn’t talk about those. He couldn’t talk about anything—anything. What the heck did we have him before us and the American people for if he refused to answer any of these questions?

So after 2 full days of questioning, the American people are no closer to understanding the kind of jurist Judge Kavanaugh would be if confirmed to the Court.

In my view, Judge Kavanaugh’s silence on crucial questions about *Roe*, healthcare, and executive power speaks volumes about his fitness for the Supreme Court. There were so many questions he failed to answer or were purposely evaded, and many times, when he did answer, his answers were totally unsatisfactory and did not answer the question.

Senators LEAHY and DURBIN, for instance, asked numerous questions about his involvement in the Bush administration controversies, including interrogations and the nominations of controversial judges, like Pryor and Pickering. Judge Kavanaugh either avoided answering or offered misleading testimony.

In 2004, Judge Kavanaugh told Senator FEINSTEIN that he didn’t know about a potential judicial nominee’s views on abortion in the vast majority of cases, but recently released emails show that he was told about and discussed nominees’ views on ideology, including *Roe*.

Judge Kavanaugh repeatedly denied knowledge of the Bush administration’s policy on detention and interrogation of combatants, but emails released last week indicate that he had meetings on the subject, reviewed talking points, and opined on legal strategy.

Judge Kavanaugh claimed that he only learned of President Bush’s

warrantless surveillance program when it became public, but an email suggests he knew about a memo justifying the White House's authorization of the program.

Judge Kavanaugh said, for instance, again, that he didn't personally work on the extremely controversial Judge William Pryor, but new records tell a different story. Emails show Judge Kavanaugh was personally involved.

So the extent and the number of these discrepancies is very disturbing, and these discrepancies were made about only the small portion of his record that Republicans have released. Given what we heard last week, who knows what is hidden in the 90 percent of Judge Kavanaugh's record that Republicans continue to hide.

I was disappointed to hear that yesterday Chairman GRASSLEY said that his committee would not examine Judge Kavanaugh's misstatements. He said it was an "executive branch decision" to look at misleading testimony, which clearly defies all logic. Clearly, the chairman of the Judiciary Committee prefers to turn a blind eye to Judge Kavanaugh repeatedly misleading his committee. He, like his colleagues, just wants to rush the nomination through.

The misleading testimony Judge Kavanaugh gave in his confirmation hearing raises larger questions about Judge Kavanaugh's fitness for the bench. Here we have a partisan attorney, involved in every major partisan legal fight for two decades and who shaded the truth about those events to a congressional committee in order to cast his nomination in a more favorable light. What does that say about his impartiality? It certainly doesn't suggest that he is simply this nonideological, nonpolitical, neutral arbiter of the law.

Part of our responsibility in the Senate is to ensure that all judges, especially at the Supreme Court level, meet the highest standard of judicial impartiality and ethics, lest the Supreme Court become simply an extension of the partisanship we experience here in Congress and his rulings be viewed as illegitimate by half the country.

So I urge my colleagues on the other side to scrutinize Judge Kavanaugh's comments to the Judiciary Committee and decide for themselves whether he was completely forthcoming, because if a nominee provides false or misleading testimony to a committee, that should weigh very heavily on the minds of every Senator when it comes time to vote to confirm or reject the nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

#### APPROPRIATIONS MINIBUS

Mr. BOOZMAN. Mr. President, sometime soon the Senate will be voting on the first fiscal year 2019 appropriations minibus. It has been a long time since we have brought conferenced bills to the floor, and I am pleased that the

Military Construction, Veterans Affairs, and Related Agencies Appropriations bill is a part of this package. This bill is the result of a bipartisan commitment to return to regular order, and I thank Chairman SHELBY and Vice Chairman LEAHY for leading the Senate in this process and providing all Members a voice in determining how taxpayer dollars are spent.

We have worked hard with our House colleagues over the past two months to develop a thoughtful and responsible conference report that took into account the input of Members on both sides of the aisle. The conference committee made thoughtful decisions about how to provide maximum readiness for the warfighters and prioritize investments at the Department of Veterans Affairs so it can take care of our veterans.

This bill provides \$97.1 billion in discretionary spending, which is \$5.1 billion over last year's level. Within that, the VA is provided a record level of resources at \$86.5 billion in discretionary funding. That is \$5 billion over last year's level and \$1.1 billion over the President's request. These resources will provide healthcare and other important benefits earned by U.S. servicemembers.

Included in the bill is \$1.25 billion more than requested for medical services and community care to support the VA's traditional community care programs as it transitions to a new and improved program. The bill includes \$8.6 billion for mental health services, \$865 million for the caregivers program, and \$1.8 billion for VA homelessness programs, including \$380 million for the Supportive Services for Veteran Families Program. It includes \$400 million for opioid misuse prevention and treatment and \$270 million for rural health initiatives.

The bill provides \$10.3 billion to support military construction and family housing needs, a \$241 million increase over last year's level.

It also funds \$921 million for overseas contingency operations and the European Deterrence Initiative, \$171 million increase over last year's level. In total, 190 military construction projects are funded to restore warfighter readiness and increase lethality of our installations within the United States and around the globe.

This bill also funds improvements to fuel logistics at Little Rock Air Force Base, in addition to a measure to move forward with development on the base's runway.

I am also pleased that the package increases funding to the Veterans History Project, an initiative led by the Library of Congress that builds an archive of oral histories and personal documents of the men and women who served our country in uniform. This is a unique collection of memories of our veterans who served from World War I to the Iraq war and other recent conflicts. It is an important program that ensures future generations understand

the sacrifices our combat veterans made to protect our freedoms. Preserving the experiences of our veterans is an honorable way to recognize their bravery and dedication to our country.

Since its beginning, approximately two decades ago, the project has collected the stories of nearly 1,400 veterans from Arkansas, and nearly 50 of those have been conducted by my office. We are training more and more Arkansans to conduct these interviews for submission to the project.

These are all things that we can be excited about related to this bill. A lot of time and a lot of energy has gone into putting this legislation together. I would like to thank Senator SCHATZ and his staff, including Chad Schulken and Jason McMahon, and Chairman CARTER and Ranking Member WASSERMAN SCHULTZ and their staffs for working hard to address the needs of our servicemembers and our veterans.

I would also like to thank very much my own staff, including Patrick Magnuson, Jennifer Bastin, Joanne Hoff, and Carlos Elias for their dedication and hard work in moving this bill through the committee process, to the Senate floor, and through conference negotiations.

Finally, I want to thank Chairman SHELBY and Vice Chairman LEAHY, along with Chairman FRELINGHUYSEN and Ranking Member LOWEY, for the dedication and leadership they provided throughout this bipartisan process.

I strongly urge my colleagues in the Senate to support final passage so we can get this bill to the President's desk.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

#### NOMINATION OF CHARLES P. RETTIG

Mr. MENENDEZ. Mr. President, I rise today to oppose President Trump's nominee for Commissioner of the IRS, Mr. Charles Rettig. Now more than ever, the American people need government officials who are willing to stand up and speak truth to power. Unfortunately, Mr. Rettig failed to convince me that he is up for that part of the job.

During his time before the Senate Finance Committee, on which I serve, Mr. Rettig gave me no indication that he would protect New Jerseyans facing the threat of double taxation under the tax bill passed by this Congress and signed into law by President Trump late last year, nor did Mr. Rettig express any respect for the rights of States to administer their own constitutionally upheld charitable contribution tax credit programs. Instead, Mr. Rettig left me all but certain that he would be a rubberstamp for this administration's politically motivated tax policies and would allow a backdoor tax increase on countless middle-class families. At a time when we need independence and impartiality at the IRS, that is absolutely unacceptable.

As we speak, the Treasury Department and the IRS are trying to make sense of the deficit-exploding corporate tax cuts rushed through Congress by the Republican majority last December—tax cuts that, according to the Congressional Budget Office, will drive us toward trillion-dollar annual deficits by 2020 and by undermining the Affordable Care Act, eventually will strip 13 million Americans of their health care coverage.

As the IRS attempts to implement these misguided policies, corporations are pulling every string to rig the Tax Code in their favor. Apparently, it wasn't enough for them to get a massive trillion-dollar tax windfall from President Trump. So now they are amassing armies of accountants and legions of lobbyists to get even more out of the IRS. That is why drug companies are rushing to reclassify their cash stocked overseas as assets so they can pay a fraction of what they would otherwise owe. That is why oil companies are drilling into the law to find new loopholes in the way we tax foreign profits. CEOs want no stone left unturned, no loophole left unopened.

But there is one group that is not getting any special access or sweetheart deals, and that is middle-class families like those in my home State of New Jersey. I have said before and I will say again that the Trump tax bill was one giant hit job on New Jersey's middle class and that of States similarly situated.

You would think that with \$1.5 trillion in tax cuts, Republicans could have cut taxes for everyone. Yet, under the Trump tax plan, 40 percent of New Jersey taxpayers will either face an average tax increase of \$2,100 or get no tax cut at all. That is because Republicans gutted the State and local tax deduction, which 1.8 million homeowners across my State alone depend on to avoid being taxed twice on the same money. These people aren't high rollers. They weren't born into multimillion-dollar trust funds. They are middle-class families who work hard for everything they have.

As you can see, 83 percent of New Jerseyans who deduct their property taxes make under \$200,000 a year. Nationwide, half of all taxpayers who claim these deductions make under \$100,000. In New Jersey, the average deduction totals about \$18,000 per filer—far above the arbitrary cap imposed by Donald Trump and his corporate-sponsored Republican Congress. It means the average New Jersey taxpayer who itemizes their returns could lose \$8,000 in deductions this year alone.

Even the President's own top economic adviser agrees. Larry Kudlow made this quote before he was Director of the National Economic Council, which means the quote is really clear and unvarnished in its truthfulness. He said:

When you end the state and local deduction, because rates are still relatively high, you are going to hurt a lot of different peo-

ple. So the internal logic was not good and this is not a true tax-reform bill.

Only in Washington could Republicans borrow \$2 trillion from China to cut taxes for big corporations and still need to hike taxes on New Jersey families and families like New Jersey families in other States in order to pay for it. That is exactly what Republicans did by capping the State and local tax deduction and hitting our middle class with an even higher property tax burden.

But we New Jerseyans aren't known for being pushovers. That is why, last December, several mayors across our State allowed homeowners to prepay their 2018 property taxes before Trump's harmful policies took effect in January. That is why, back in May, I proudly joined Governor Phil Murphy as he signed a new law to shield homeowners from higher property tax burdens.

Under this program, homeowners who contribute to a State-approved charity may receive a property tax credit worth up to 85 percent of those donations. In this regard, New Jersey didn't reinvent the wheel with this new law. It was modeled after existing tax credit programs on the books for at least 32 other States. All of those here in red offer tax credits to residents who contribute to certain charities.

In our case, we are not shielding families from higher property tax bills but making sure New Jersey has the resources needed to keep cops on the beat, firefighters on the job, and New Jersey schools on the cutting edge.

The IRS has consistently respected these programs. Back in 2011, the Chief Counsel of the IRS released an advisory memo clarifying that State tax credits do not—I repeat—do not prohibit taxpayers from writing off the full value of their charitable donations from their Federal taxes. In other words, getting a tax credit doesn't mean you made more money, and thus you shouldn't be taxed more as a result. That is what is happening across the land in all of these 32 States.

It is not just the IRS that upheld these programs. This issue has gone before the U.S. Supreme Court, and the Supreme Court ruled that these tax credits are not considered things of value but rather amount to “the government declin[ing] to impose a tax.”

So let's review. The IRS never had a problem with the 32 other States who had charitable deduction tax credit programs on the books—never. The IRS never had a problem; that is, until New Jersey and States like New Jersey decided to create one—until New Jersey and similar States decided to create one. As soon as New Jersey and other States established this perfectly legal tax credit program, the IRS suddenly decided to reverse course. All of a sudden, they are willing to go to court over this and challenge a well-established precedent.

Apparently, the Trump administration is so intent on sticking it to New

Jersey and States like New Jersey that they are willing to jeopardize all of these programs in all of these States—all of them, all of them.

Let me give a few examples of these programs that will be endangered if Mr. Rettig fails to stand up for the rights of States. In Alabama, there is a program that offers families a 100-percent tax credit for contributing to private school scholarship funds. In Missouri, there are several very worthy programs that offer tax credits for contributions—one for shelters for domestic abuse survivors, another for donations for campuses focused on the STEM fields. There are tax credits for donating to State colleges in Indiana, water conservation in Colorado, and public road construction in Arkansas. There are similar programs in Missouri, Kansas, and Georgia.

I could go on and on, but here is the bottom line: At least 30 State tax credit programs are now in jeopardy because the Trump administration changed the rules in the middle of the game—changed their previous counsel's decision, changed course from what the Supreme Court said.

I have heard a lot of lip service from my colleagues about States' rights over the years. They are all about States' rights—until it comes to States like New Jersey and their rights.

Some say that President Trump and the Republican Congress capped the property tax deduction because they have it out for so-called blue States. But at the end of the day, the States most affected by this foolish policy aren't red States or blue States; they are America's blue-chip States, America's innovation States, America's economic powerhouse States.

New Jersey didn't become an economic powerhouse by accident. Our success wasn't born overnight. It is the result of the priorities we set and the investments we make.

Take it from Kathryn, a constituent of mine from New Jersey. She wrote to me after she saw what happened with the tax bill:

My husband and I pay nearly \$13,000 a year in property taxes to the town of Oradell. For this, we receive excellent services and have reputable public schools. I pay taxes to the state of NJ which support our infrastructure, other cities, and necessary programs.

I am fine paying what I already pay. That being said, I feel very strongly that it is unacceptable to be taxed on taxes that I already pay.

Kathryn is right. She is right. It is no coincidence that New Jersey claims more in State and local tax deductions than other States in the Nation and also has some of the best schools in the Nation. We pay for them. Yet, with the Trump tax scam, Republicans want us to pay for them twice.

The Federal income tax system has historically allowed taxpayers to deduct the taxes they pay at the local level. This is one of the longest standing deductions in the Nation's history—to deduct from their Federal returns—and for good reasons. States

that invest in education, infrastructure, and opportunity for all have higher per capita incomes, enjoy more prosperity, and rely less on Federal handouts. These are the types of investments that make New Jersey a great place to live, work, and raise a family.

You don't have to take my word for it. Earlier this year, Save the Children named New Jersey the No. 1 place in America to raise a child. I want it to stay that way.

In New Jersey, we invest in public schools because we know that they prepare students to compete in high-paying fields like biotechnology, sustainable agriculture, and medicine. In New Jersey, we invest in public health and law enforcement because we know we are all better off when our streets are safe and our families are healthy. In New Jersey, we invest in mass transit and infrastructure because we know it connects workers with opportunities to climb the income ladder.

We do these things for a reason. New Jersey is stronger when we open the doors of opportunity for as many people as possible. We see it here: State investments, better education, higher wages, a stronger middle class, top three States by SALT deduction. They also do incredibly well in educational achievement and income. There is a clear correlation.

But the Republican Congress has put these job-creating, economy-growing, opportunity-expanding investments in the crosshairs by gutting the property tax deduction. In the process, they are threatening the validity of legitimate programs operating in 30 other States.

The Federal Tax Code has always worked to ensure that Americans don't pay taxes twice on their hard-earned money; that was until Donald Trump came along. Then Republicans abandoned their so-called fiscal conservatism, and together they passed a tax scam that subjects hundreds of thousands of New Jerseyans, and many more in other States, to double taxation.

For as long as I can remember, I have heard my Republican colleagues preach about protecting, not punishing, success. But the Republican tax law is a tax on New Jersey's success, slamming hundreds of thousands of families with higher property tax burdens, not in a few years, not in a decade—no, right now—now. It is not fair, and it is not right. It is wrong to force New Jersey families to pay more just so that big corporations and wealthy CEOs can pay less.

In the end, I can't in good conscience support this nominee. He will not protect New Jersey's middle class—and those in other States like it—from higher property tax bills. He will not respect perfectly legal State-based programs like those 32 other States that offer tax credits in return for contributions to nonprofits that do critical work in their communities. He will be nothing more than a Republican rubberstamp for President Trump's po-

litically motivated tax policies. The last thing we need is an IRS that is politically weaponized.

Whether you want to take a stand against double taxation or you don't agree with the Trump administration's politically motivated assault on the rights of States to set their own tax policies, I hope Republicans and Democrats alike will join me in voting down this nomination. Taxpayers in New Jersey and across the Nation deserve better than tax policies that knock the knees out from underneath them and an IRS Commissioner who kicks them while they are down.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I intend to address the Senate on the topic of Bosnia and Herzegovina, but I want to observe that the distinguished leader may be coming in just a moment for a unanimous consent request. If he does, I will be happy to yield during the middle of my remarks so he can take care of that item of business.

#### BOSNIA AND HERZEGOVINA

Mr. President, it is important for this Senate and this country to once again be interested in Bosnia and Herzegovina. During my time in Congress, and particularly since joining the U.S. Helsinki Commission, which I now chair, the Western Balkans have been an ongoing concern of mine. Although our relationship with all of these countries of the Western Balkans is important, the United States has a specific interest, a particular interest, in Bosnia and Herzegovina. We need to concentrate more on that.

I had the opportunity in July to lead a nine-member bicameral delegation to Bosnia. The delegation sought to see more of the country and to hear from its citizens, rather than meet only in the offices of senior Bosnian officials. We visited the small town of Trebinje in the entity of Republika Srpska, and we visited the city of Mostar in the entity of the Federation. Then, we went on and visited in Sarajevo, the capital, engaging with international officials, the Bosnian Presidency, and citizens seeking a better Bosnia.

Bosnia was a U.S. foreign policy priority when I came to the House in 1995. In less than a decade, Bosnia had gone from international acclaim while hosting the Winter Olympics to the scene of the worst carnage in human suffering in Europe since World War II. The conflict that erupted in Bosnia in 1992 was not internally generated. Rather, Bosnia became the victim of the breakup of Yugoslavia and the extreme nationalist forces this breakup unleashed throughout the region, first and foremost by Serbian leader and war criminal Slobodan Milosevic.

At this point, I will be happy to yield to the distinguished majority leader for whatever purposes he would choose.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, I thank my friend from Mississippi. I will be brief.

#### ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that notwithstanding rule XXII, the cloture motion on the conference report to accompany H.R. 5895 be withdrawn; that if cloture is invoked on the Rettig nomination, all postcloture time be yielded back and the Senate vote on the nomination; further, that if the nomination is confirmed, the motion to reconsider be considered made and laid on the table and the President be immediately notified of the Senate's action; that the Senate then resume legislative session and resume consideration of the conference report; that there be 10 minutes of debate equally divided in the usual form; that following the use or yielding back of time, the Senate vote on adoption of the conference report; and finally, that S. Con. Res. 46, correcting the title of H.R. 5985, be considered and agreed to, and the motions to reconsider be considered made and laid upon the table.

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

Mr. McCONNELL. For the information of our colleagues, these will be the only rollcall votes during this week's session.

The PRESIDING OFFICER. The Senator from Mississippi.

#### BOSNIA AND HERZEGOVINA

Mr. WICKER. Mr. President, back to the subject of Bosnia, the carnage and tragic conflict that occurred in the early 1990s was more than about Bosnia. It was about security in a Europe just emerging from its Cold War divisions and the international principles upon which that security was based. For that reason, the United States, under President Bill Clinton, rightly exercised leadership when Europe asked us to, having failed to do so themselves. The Clinton administration brokered the Dayton peace agreement in November 1995 and enabled NATO to engage in peacemaking and peacekeeping to preserve Bosnia's unity and territorial integrity. That was the Bosnian peace agreement.

Almost a quarter of a century later, after the expenditure of significant diplomatic, military, and foreign assistance resources, the physical scars of the conflict have been largely erased. As we learned during our recent visit, the country remains far short of the prosperous democracy we hoped it would become and that its people deserve. Mostar, a spectacular city to visit, remains ethnically divided with Bosniak and Croat students separated by ethnicity in schools, even inside the same school buildings. Bosnian citizens, who are of minority groups, such as Jews, Romanis, or of mixed heritage, still cannot run for certain political offices.

This is 2018. They can't run for State-level Presidency, simply because of their ethnicity. Neither can Bosniaks and Croats in Republika Srpska or

Serbs in the Bosnian Federation run for the Presidency because of their ethnicity, in Europe in 2018. Nor can those numerous citizens who, on principle, refuse to declare their ethnicity because it should not replace their real qualifications for holding office.

This goes on despite repeated rulings by the European Court of Human Rights that this flaw in the Dayton-negotiated Constitution must be corrected. In total, well over 300,000 people in a country of only 3.5 million fall into these categories despite what is likely their strong commitment to the country and to its future as a multi-ethnic state. This is simply wrong, and it needs to end.

In addition, youth employment in Bosnia is among the highest in the world, and many who can leave the country are doing so, finding a future in Europe and finding a future in the United States. This denies Bosnia much of its needed talent and energy.

Civil society is kept on the sidelines. Decisions in Bosnia are being made by political party leaders who are not accountable to the people. They are the decision makers. The people should be decision makers. Corruption is rampant. Ask anyone in Europe, and they will tell you, Bosnia's wealth and potential is being stolen by corruption.

General elections will be held in October with a system favoring the status quo and resistance to electoral reforms that would give Bosnians more rather than fewer choices.

The compromises made two and a half decades ago in Dayton to restore peace and give the leading ethnic groups—Bosniaks, Serbs, and Croats—an immediate sense of security make governance dysfunctional today. Two-and-a-half-decades-old agreements make governance inefficient today in Bosnia. Collective privileges for these groups come at the expense of the individual human rights of the citizens who are all but coerced into making ethnic identity their paramount concern and a source of division, when so many other common interests should unite them. Ethnically based political parties benefit as they engage in extensive patronage and corruption. Beneath the surface, ethnic reconciliation has not taken hold, and resulting tensions can still destabilize the country and even lead to violence. Malign outside forces, particularly Vladimir Putin's Russia but also influences from Turkey and Gulf States, seek to take advantage of the political impasse and malaise, steering the country away from its European and Euro-Atlantic aspirations.

As a result of these developments, Bosnia and Herzegovina is not making much progress, even as its neighbors join NATO and join the EU or make progress toward their desired integration.

In my view, we should rightly credit the Dayton agreement for restoring peace to Bosnia. That was 25 years ago, but it is regrettable the negotiators did

not put an expiration date on ethnic accommodations so Bosnia could become a modern democracy. As one of our interlocutors told us, the international community, which has substantial powers in Bosnia, has steadily withdrawn, turning over decision making to Bosnian officials who were not yet committed to making the country work and naively hoping the promise of future European integration would encourage responsible behavior. That has not happened.

Of course, we can't turn back the clock and can't insert that expiration date on the Dayton agreement, but having made a difference in 1995, we can and should help make a difference again today. It is in our national security interest that we do so.

I suggest the following. The United States and our European friends should state, unequivocally, that Dayton is an absolute baseline, which means only forward progress should be allowed. Separation or new entities should be declared to be clearly out of the question.

Secondly, U.S. policymakers should also remind everyone that the international community, including NATO, did not relinquish its powers to Bosnia but simply has chosen to withdraw and exercise them less robustly. We should seek an agreement to resurrect the will to use these powers and to do so with resolve if growing tensions make renewed violence a credible possibility.

Next, the United States and Europe should adopt a policy of imposing sanctions on individual Bosnian officials who are clearly engaged in corruption or who ignore the Dayton parameters, Bosnian law, and court rulings in their work. Washington has already done this regarding Republika Srpska President Milorad Dodik, and just recently, Nikola Spiric, a member of Bosnia's House of Representatives. However, the scope should be expanded, and European capitals need to join us in this regard.

Senior U.S. officials, as well as Members of Congress, should make Sarajevo a priority. I hope more of our Members will visit Bosnia and increase our visibility, demonstrate our continued commitment, and enhance our understanding.

Bosnia may not be ready to join NATO, but its Membership Action Plan should be activated without further delay. As soon as this year's elections are over in Bosnia, the international community should encourage the quick formation of new parliaments and governments at all levels, followed immediately by vigorous reform efforts that eliminate the discrimination in the criteria for certain offices, ensure that law enforcement more effectively serves and protects all residents, and end the corruption in healthcare and so many other violent areas of daily life.

Our policy must shift back to an impetus on universal principles of individual human rights and citizen-based government. Indeed, the privileges

Dayton accorded to the three main ethnic groups are not rights but privileges that should not be upheld at the expense of genuine democracy and individual rights.

We, in my view, have been far too fatalistic about accepting in Bosnia what we are not willing to accept anywhere else. We also underestimate what Bosnians might find acceptable, and we should be encouraging them to support leaders based on credentials, positions, and personal integrity, not based on ethnicity. There should no longer be a reason why a Bosniak, Serb, or Croat voter should be prohibited by law from considering a candidate of another ethnicity or a multiethnic political party. All candidates and parties would do well to seek votes from those not belonging to a single ethnic group. This may take time and perhaps some effort, but it should happen sooner rather than later.

Let me conclude by asserting that greater engagement is in the interest of the United States—the economic interest and the national security interest. Our country is credited with Bosnia's preservation after the country was almost destroyed by aggression, ethnic cleansing, and genocide. Thank God our country was there for Bosnia.

Our adversaries—notably, but not exclusively, Russia—would like nothing more than to make an American effort fail in the end, and they would ensure that its repercussions are felt elsewhere around the globe.

Current trends in Bosnia make the country an easier entry point for extremism in Europe, including Islamic extremism. If we wait for discrimination and ethnic tensions to explode again, our engagement will then become a moral imperative at significantly greater cost.

The people of Bosnia, like their neighbors throughout the Balkans, know they are in Europe but consider the United States their most trusted friend, their most honest friend. They want our presence and engagement, and given the tragedies they have experienced, they have earned our support and friendship.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, today I want to talk about some of the positive steps the U.S. Senate is about to take in pushing back against—

Mr. WHITEHOUSE. Mr. President, if the Senator will yield for 1 minute, I would like to make a unanimous consent request that at the conclusion of Senator PORTMAN's remarks, I be recognized, and that at the conclusion of my remarks, Senator SMITH be recognized.

The PRESIDING OFFICER. Is there an objection?

Mr. PORTMAN. There is no objection.

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

Mr. WHITEHOUSE. Thank you. Thank you, Senator PORTMAN.

## OPIOID EPIDEMIC

Mr. PORTMAN. I thank my colleague, and I am going to talk about him in a second and the work we have done with regard to pushing back against the opioid epidemic that has hit our States. In this body, every single Member is affected by it, and our country is affected by it in very significant ways.

Because of the dangerous hurricanes that are approaching our coast, it looks as though the vote we had expected tomorrow and the debate we had expected tomorrow on the opioid package may be postponed based on what I just heard from the majority leader. But in the next several days, the Senate is expected to take up comprehensive legislation that comes from four or five different committees in Congress to fight the addiction crisis, to help our communities combat some of the deadliest aspects of this crisis nationally. This help is urgently needed.

Let's start with talking about how Congress got here.

First, just a couple of years ago, we passed two bills in Congress that were historic and are making a difference. One is called the Comprehensive Addiction and Recovery Act, or CARA; the other is called the 21st Century Cures Act.

CARA, which I coauthored with my colleague SHELDON WHITEHOUSE, who is on the Senate floor with us—he spoke just a moment ago—provides resources directly to evidence-based prevention, treatment, and recovery programs. These are nonprofit programs. For the most part, they are able to apply to the Federal Government directly for grant money. They are doing things that are innovative and new to try to get at this problem, and in many respects, they are working and making a difference.

This year alone, there will be about \$608 million spent on these programs that offer innovative solutions to this stubborn problem that is affecting everyone in this Chamber.

The Cures legislation, 21st Century Cures legislation, this year will be \$500 million annually. That goes directly to the States, and the States then give grants to various programs in those States.

In my home State of Ohio, for instance, \$26 million has come each of the last 2 years. Sadly, Ohio is one of the hardest hit States in the country, so we have a larger grant allocation than some States that have not had as many overdoses and deaths and rates of addiction that are as high as we have had.

I was a very strong supporter of the 21st Century Cures funding, and I applaud Senators ALEXANDER and MURRAY, as well as Senator BLUNT and other Appropriations Committee members on both sides of the aisle for their work on that.

Of course, with regard to the CARA legislation, it is actually working out there. I have now had the opportunity to see how it is working. I have been to

about a dozen CARA grant recipients in Ohio over the last year alone. I have seen new and powerful ways that the communities back in Ohio are helping to turn the tide of addiction.

Last month, as an example, I visited the Whitehall fire station outside of Columbus, OH. They are doing something innovative for a fire station. They have opened their doors and partnered with another organization. They get CARA funding, and the other organization gets Cures funding to provide immediate help for those who are coming in and are seeking it or have overdosed; Narcan has been applied and has reversed the effects of these overdoses. Yet that gap that so often occurs in our communities doesn't occur there because it is seamless. People can go right into treatment.

The program, again, was made possible by this CARA grant. It opens the doors of the fire station, and it is working.

I was there at a time when, just coincidentally, an addict came in. His name was Blake. Blake was, as he described himself, a heroin addict, and he had heroin on his person. I had the opportunity to speak with Blake and offer him some words of encouragement. I had an opportunity to ask him why he was there and what had happened in the past. He said that he had been to three treatment programs. They hadn't worked. He had gone straight from a short-term treatment program right back to the streets. The gap had occurred.

He also said that he was ready, and he appreciated the opportunity to go straight into a treatment program, which he had not had before.

I had a chance to speak with him, and I told him to stay in touch with me, to let me know what is going on. Last week, he called, and Blake said that he is now in a 3-month treatment program in Portsmouth, OH. He is optimistic; he is confident. He believes that because of this approach, he has an opportunity now to get clean, to get back with his family and get back to work.

This is what is often needed: a seamless transition from immediate medical attention—the application of Narcan to reverse the effects—to treatment, to longer term recovery in order for people to overcome their addiction. That is what CARA and Cures prioritize, and that is why these programs are so important.

Once again, we will see in the funding this year that those programs have been held up. The good parts of the programs, in particular, are being used as an example for the entire country.

Despite the legislative progress we have made, and despite what I see back home with communities beginning to make a difference, overall, the situation is not getting better; it is getting worse. You might ask: Why is that?

Well, I believe it is for one simple reason, and that is the advent of new drugs, particularly less expensive and

more powerful synthetic opioids that have come into our communities in the last few years. The new data from the Centers for Disease Control and Prevention, CDC, show that overdose deaths increased 9 percent from 2016 to 2017, the last year for which we have data. My home State of Ohio had a 9½ percent increase in overdose deaths.

In total, CDC estimates that 72,000 Americans—72,000 Americans—died last year from overdoses, the No. 1 cause of death for Americans under the age of 50. Over 48,000 of those overdose deaths were caused by opioids, and about 30,000 of those were caused by synthetic forms, particularly fentanyl. That is more than 60 percent, so this is the big issue right now.

Two-thirds of the overdose deaths in my home State of Ohio are being caused by synthetic opioids, fentanyl. Columbus, OH, unfortunately had a number of deaths over a short period of time, all due to fentanyl. There were about 20,000 fentanyl overdose deaths in 2016, meaning there has been a 50-percent increase in just 1 year.

When you go from 2013 to 2017, there has been an 850-percent increase just during 5 years—an 850-percent increase in fentanyl overdose deaths in our country.

The opioid crisis has continued to tighten its grip around communities across our country, and the emergence of fentanyl has presented a new challenge in turning the tide of this epidemic. Just as we were making progress, this more deadly, less expensive scourge has come into our families, our communities, our States. That is why we need to take action—and take action this week.

I would like to thank the majority leader, Senator MCCONNELL, and the Democratic leader, Senator SCHUMER, for agreeing to bring this legislation to the floor.

I would also like to thank Chairman LAMAR ALEXANDER for his good work in bringing together all of the different proposals from these four or five committees I talked about and negotiating with all sides to come up with consensus legislation. This should be non-partisan, not just bipartisan. This is something that is attacking our communities at their core.

I would like to thank and commend the several committees that have held public hearings and contributed legislative ideas to this mix. That includes the Judiciary Committee, the HELP Committee, the Finance Committee, and others.

This bipartisan consensus package puts politics aside and does what is right for our communities. It includes some additional legislative priorities I have been working on over the past couple of years that I believe are going to make a real difference in this fight.

Earlier this year, again with Senator WHITEHOUSE and others, we introduced CARA 2.0, the next version of the Comprehensive Addiction and Recovery Act. A number of those provisions are included in this package.

One is a national quality standard and best practices for recovery housing. It is critical for people, as they transition out of treatment and into longer term recovery, to have this housing. But it also needs to meet these higher standards because of many examples where it has not and has failed those individuals and families.

The legislation also authorizes support for high school and college students to help children and young adults recover from substance abuse disorders. We have had amazing models in Ohio for this, like the Collegiate Recovery Community at Ohio State. Columbus is now opening its first recovery high school next year.

Finally, CARA 2.0 contributed the opioid legislation that includes \$60 million for a plan of safe care for babies born dependent on drugs. Their mothers are addicted, and they are born with neonatal abstinence syndrome. It is a very sad situation, but it is a reality in my State and in so many others.

To further help these newborn babies, the legislation includes what is called the CRIB Act, which is bipartisan legislation I coauthored that helps newborns suffering from addiction get the best care possible in the best setting possible to get the love and support they need to be able to recover.

It will also help ensure that babies born with neonatal abstinence syndrome get the help they need in their early stages of development, so they can live up to their God-given purpose in life, which is not to live with this.

The legislation before us also reauthorizes a number of important programs that have a proven record of success, like drug courts, like the drug-free communities prevention grants, like the high-intensity drug trafficking areas, where law enforcement can better coordinate at every level. These are all positive strides that will help improve what is working in combating this epidemic and provide more resources to help some of the most vulnerable groups affected.

But, colleagues, I think the most important and immediate difference in turning the tide on this opioid epidemic will come from a bill that is called the STOP Act. It is a bipartisan bill that I coauthored with AMY KLOBUCHAR from Minnesota. It will combat the scourge of fentanyl we talked about earlier. This issue of an 850-percent increase in this one kind of drug coming in, causing more and more overdoses—synthetic opioids—has to be addressed; 81 Americans are dying every single day. That is the best data we have from last year. This year, unfortunately, it is likely to be even higher. It is a new poison flooding our communities.

The STOP Act will close a loophole that drug traffickers have been using to ship fentanyl into our country. Unbelievably, fentanyl is actually manufactured primarily in China, and it pri-

marily comes into our communities through the U.S. mail system. You might think this comes overland from Mexico or somewhere else, but this is coming in through our mail system, primarily from China.

We conducted an 18-month investigation into this in the Permanent Subcommittee on Investigations, which I chair, and we revealed just how easy it is to purchase fentanyl online and have it shipped to the United States.

Based on our undercover investigation, these drugs can be found through a simple Google search, and overseas sellers we accessed essentially guaranteed delivery if the fentanyl was sent through the U.S. mail system.

To be clear, they guaranteed delivery if it is sent through the U.S. mail system, not if it is sent through other carriers, like private carriers—FedEx, UPS, DHL, and others.

It is easy to see why they prefer the Postal Service for shipping these deadly synthetic drugs. The Postal Service has a weaker screening standard than do the private carriers.

After 9/11, Congress passed a law requiring carriers like UPS, FedEx, and DHL to get what is actually called electronic advance data on international packages entering the United States. This electronic advance data allows law enforcement to have a chance to stop this poison because they can find out where the package is from, what is in it, and where it is going. They can then use good data, use algorithms that they have come up with to determine which packages are suspect and pull them off the line.

I have seen this. I have seen U.S. Customs and Border Protection do it at distribution centers for these private carriers. I have also seen, unfortunately, that the Postal Service is not doing what they should be doing.

Without the information identifying packages, it is next to impossible; it is like identifying a needle in a haystack.

Fentanyl is 50 times more potent than heroin, and it is relatively inexpensive. It is so deadly that as little as 2 milligrams, equal to a few specks of salt, is enough to be fatal. Drug users and dealers have moved to fentanyl as a more accessible, less expensive alternative. I am told that 1 gram of the deadly mixture of heroin and fentanyl can cost about half as much on the street as 1 gram of heroin alone.

Drug users seeking a less expensive and stronger high are seeking it out, and drug dealers are mixing it into a number of other street drugs. No street drug is safe because the fentanyl is being mixed. It is being laced into all kinds of other drugs, often unknowingly to the person buying the drug.

To give you an idea of how deadly this drug is, recently police in Columbus seized 2.2 pounds of fentanyl, which is equal to about 3½ cups—a small enough amount to fit in a plastic bag in your kitchen. That 2.2 pounds of fentanyl is enough to kill 500,000 people, roughly the population of the city of Cleveland.

Because of its extreme potency, deadly doses can be shipped in small packages that are almost impossible to identify without having the necessary information and screening devices in the Postal Service. The U.S. Postal Service system isn't required to do it yet. As a result, they have chosen not to do so. Only recently, under congressional pressure, have they begun getting this data on some packages entering the United States.

Even so, last year, based on their testimony, they say they have received data on 36 percent of the international packages. That is a step in the right direction. By the way, that still means that over 318 million packages are coming here with no screening at all.

Even when they have identified drugs—packages that are likely containing drugs—only 80 percent are given to law enforcement. So 20 percent is still going into our communities. This needs to be changed. It is a glaring loophole. Everyone knows it. It undermines the safety and security of our country in fundamental ways.

The STOP Act will significantly disrupt the flow of fentanyl into the United States by simply holding the U.S. Postal Service, a Federal agency, to the same standards as private carriers. It will require the Postal Service to collect advance electronic data immediately on 70 percent of packages entering the United States by the end of the year and 100 percent for China. Then, it will require 100 percent of international packages in the United States by the end of 2020.

It is a commonsense solution to address the most urgent and deadliest aspects of the opioid epidemic we face. At the very least, it will increase the risk of sending these drugs into our country and raise the street price of fentanyl. That is why it has such broad bipartisan support. There is a growing momentum behind this legislation, and I look forward to the Senate's passing it in the next several days as part of the broader legislation we talked about earlier.

It will not solve the crisis, but it will act as a tourniquet to stop the flow of fentanyl in this country and it will allow comprehensive programs, such as CARA and the Cures legislation, to be prioritized and to function and to allow Americans to live up to their full potential and to allow our communities to heal.

I look forward to President Trump's signing this legislation into law—both the broader opioid legislation and the STOP Act—so it can begin making a difference in communities in my home State of Ohio and all around the country.

I yield back.

The PRESIDING OFFICER (Mr. LEE).  
The Senator from Rhode Island.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am delighted to be joined today by my colleague Senator TINA SMITH of Minnesota. Both my home State of Rhode

Island and her State of Minnesota are heavily involved in the booming renewable energy sector.

President Trump has called climate change a hoax, but no matter how much his administration may try to prop up the old, dirty, dangerous, polluting fossil fuel industry, there is no denying the clean energy revolution.

The rapid growth of renewables has been underway for decades, but it has really accelerated in the last several years. It took global wind and solar developers 40 years to install the first 1 trillion watts of power generation. A recent estimate from Bloomberg found that the next trillion will be installed within 5 years. That is 40 years for the first trillion and 5 years for the second. Part of the reason is that lower costs of renewables mean that building out the second trillion will cost half as much as the first trillion.

This chart shows the year-to-year costs of generating energy from wind, from Lazard. Since 2009, the costs for onshore wind have dropped by two-thirds. Onshore wind costs are down two-thirds in basically a decade.

Here is the same chart for solar power. Utility-scale solar costs have dropped 86 percent over the same time period. "In some scenarios," writes Lazard, "the full lifecycle costs of building and operating renewables-based projects have dropped below the operating costs alone of conventional generation technologies such as coal or nuclear."

When you look at the drop in solar costs compared to other resources, you see how dramatic the change has been. This graphic is from the World Economic Forum.

The renewable industry in America has grown to 3.3 million jobs—more than all fossil fuel jobs combined. AT&T has been a leader in this, adopting the World Wildlife Fund's Corporate Renewable Energy Buyers' Principles and signing up under that for 220 megawatts from an Oklahoma wind farm and 300 megawatts from a Texas wind farm, one of the largest corporate renewable purchases in history. So, congratulations, Texas and Oklahoma, for the new home State renewable energy jobs, and AT&T, for your leadership.

In Rhode Island, the Governor's 2018 Rhode Island Clean Energy Industry Report has shown that clean energy jobs have risen by 2 percent since 2014, bringing over 6,600 new clean energy jobs and bringing us to nearly 16,000 Rhode Islanders working in clean energy, and it is projected to continue to grow. We lead also on energy efficiency, ranking third on the American Council for an Energy-Efficient Economy's 2017 scorecard.

In Senator SMITH's State of Minnesota, the public utilities commission has required since 1993 that there be a social cost of carbon standard for new infrastructure at \$43 per ton of carbon emitted. Minnesota leads in being a State whose public utility commission

is factoring the cost of carbon into its decision making rather than making the general public pay for what the carbon-producing utilities should be paying for.

Other States are powering forward. I saw Mr. BENNET on the floor. His State of Colorado Public Utilities Commission just unanimously approved an Xcel Energy program to build out a cleaner energy mix and retire older fossil fuel units. Specifically, they are going to retire 660 megawatts of operating coal, close it down, and replace it with \$2.5 billion in new renewables and battery storage. The initial request for bids brought in a flood of new renewable energy proposals below the cost of existing coal and natural gas facilities.

Now, here, because of the politics, political funding, Citizens United, and all the trash that is unleashed in our politics, there is a sharp political divide on climate change and renewable energy brought to you by our fossil fuel friends. But out in the real world, some of the most Republican States are actually at the forefront. The Department of Energy last week released a report showing that Texas is leading the Nation in generation, with over 22 gigawatts of wind capacity. Right behind them are Oklahoma and Kansas, with more than 5 gigawatts of installed wind capacity. Just over 6 percent of the nation's electricity in 2017 was wind nationally, but if you go to Iowa, Kansas, Oklahoma, and South Dakota, they all have more than 30 percent of their power coming from clean wind power.

Oklahoma is at 32 percent. Kansas is at 36 percent. Iowa is at 37 percent. South Dakota is at 30 percent, and North Dakota is at 27 percent.

Mr. President, I ask unanimous consent to have the Department of Energy reports printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TEXAS, OKLAHOMA, AND IOWA LEAD THE  
NATION

WASHINGTON, DC—Today, the U.S. Department of Energy (DOE) released three wind energy market reports demonstrating that as wind installations continue across the country and offshore wind projects move beyond the planning process, technology costs and wind energy prices continue to fall. The reports cover three market sectors: land-based utility scale, distributed, and offshore wind.

Highlights from this past year include larger, more powerful wind turbines and lower technology costs and wind power prices for on land and offshore applications, as well as U.S. distributed wind capacity crossing the 1 gigawatt (GW) threshold.

The 2017 Wind Technologies Market Report, prepared by DOE's Lawrence Berkeley National Laboratory, found the following:

The U.S. wind industry installed 7,017 megawatts (MW) of capacity last year, bringing total utility-scale wind capacity to nearly 89 GW.

In total, 41 states operated utility-scale wind projects. Texas leads the nation with over 22 GW of wind capacity, while Oklahoma, Iowa, California, and Kansas have more than 5,000 MW.

Another 13 states have more than 1,000 MW.

In 2017, wind energy contributed 6.3 percent of the nation's electricity supply, more than 10 percent of total generation in 14 states, and more than 30 percent in four of those states—Iowa, Kansas, Oklahoma, and South Dakota.

Bigger turbines with longer blades are enhancing wind plant performance. Wind projects built in the past few years have seen capacity factors increase by 79 percent compared to projects installed from 1998 to 2001.

The average installed cost of wind projects in 2017 was \$1,611 per kilowatt (kW), down 33 percent from the peak in 2009-2010.

The U.S. wind industry supported more than 105,000 jobs and saw \$11 billion invested in new wind plants in 2017.

The 2017 Distributed Wind Market Report, prepared by DOE's Pacific Northwest National Laboratory, highlights the following:

In total, U.S. wind turbines in distributed applications reached a cumulative installed capacity of 1,076 MW. This capacity comes from roughly 81,000 turbines installed across all 50 states, Puerto Rico, the U.S. Virgin Islands, and Guam.

In 2017, Iowa, Ohio, and California led the nation in new distributed wind capacity installed as a result of large-scale turbines installed by commercial and industrial facilities and electricity distribution utilities.

Thirty-five percent of distributed wind projects installed in 2017 were at homes, and 25 percent were agricultural installations.

U.S. manufacturers of small wind turbines and their supply chain vendors are located in 27 states.

Between 2015 and 2017, U.S.-based small wind turbine manufacturers accounted for more than \$226 million in export sales.

The 2017 Offshore Wind Technologies Market Update, prepared by DOE's National Renewable Energy Laboratory, found the following:

The U.S. offshore wind industry recently took a leap forward as commercial-scale projects were competitively selected in Massachusetts (800 MW), Rhode Island (400 MW), and Connecticut (200 MW).

New York, New Jersey, and Maryland also have offshore wind projects in the development pipeline.

The U.S. offshore wind project pipeline has reached a total of 25,464 MW of capacity across 13 states, including the 30 MW Block Island Wind Farm commissioned in 2016.

In Europe—where most offshore wind development has occurred to date—recent offshore wind project auctions have continued the trend of developers committing to lower electricity prices for projects that will be operating in the 2020s.

New offshore wind turbines are being developed with 10-12 megawatts of capacity (compared to an average capacity of 2.3 MW for land-based turbines and 5.3 MW for offshore wind turbines installed in 2017). As a result, demand is increasing for specialized ships that will be able to install these very large turbines in U.S. waters.

About 60 percent of the U.S. offshore wind resource lies in deep waters. Developing a project in deep waters requires wind turbines on floating foundations.

In the U.S., floating offshore wind projects have been proposed off the coasts of Maine, California, and Hawaii.

Mr. WHITEHOUSE. Mr. President, amazingly, this report comes from the same Energy Department currently pushing coal bailout proposals, but that is what you get from helpless, weak leadership from this administration that will not face up either to the scientific reality of climate change or

the economic reality of energy markets.

FERC, the Federal Energy Regulatory Commission, has just finalized a rule for energy storage that could spur as much as 50 gigawatts of additional energy storage across the United States, and that could be a conservative estimate if renewables prices keep along those trajectories we showed before. That FERC rule on energy storage, by the way, is unanimous and bipartisan. The ISO system operators, like ISO-New England, are doing their best to remove obstacles that had kept renewables from competing fairly in capacity auctions and dispatch decisions. This is saving consumers money.

It was reported by Utility Dive that during the July heat wave in New England, distributed solar, which can reduce demand during peaks, saved customers some \$20 million.

This is reliable stuff out in Iowa, where Midwestern is the ISO. They figured out the algorithms to treat wind as reliable baseload power, and the FERC storage rule will further enable this transition.

As you can imagine, the fossil fuel industry is not letting this go without a fight. They are up to their usual political mischief to try to protect their \$700 billion annual subsidy that they get from polluting for free. Their shady tactics are just as would be expected.

Start with the fossil fuel industry. They put in front of them the U.S. Chamber of Commerce and the National Association of Manufacturers to screen what is really the dirty fossil fuel industry. Those two groups put in front of them some fake consumer group called the Consumer Energy Alliance, and that fake Consumer Energy Alliance put in front of it something called Kentuckians for Solar Fairness, all in an effort to fight rooftop solar for individuals in Kentucky. That is the kind of nonsense the fossil fuel industry gets up to to try to defend itself. But despite that, you can't stop progress. You can't deny costs. You can't win against energy that is cheaper, reliable, and carbon-free. It is time for us to wake up, throw our weight into clean energy, and move forward into the future, rather than let the fossil fuel industry condemn us to a dirty past.

With that I yield to my colleague, Senator SMITH.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. SMITH. Mr. President, I ask unanimous consent to be allowed to continue with my remarks.

The PRESIDING OFFICER. Without objection.

Ms. SMITH. Mr. President, I rise today to join my colleague Senator WHITEHOUSE as he takes to the Senate floor to speak on climate change for the 219th time.

Mr. WHITEHOUSE is the Senate leader on climate change, and his foresight, actions, and determination on this issue are remarkable. I am very proud to join him today.

Climate change is a dire threat to our environment and to our children's future, and yet, if we rise to the challenge of responding to climate change, it will offer us major economic opportunity. The clean energy transition is already creating jobs, reducing the cost of generating electricity, clearing the air, and improving our health.

The old idea that responding to climate change comes at the expense of the American economy is outdated and inaccurate. The clean energy economy is the economy of the 21st century. We see this every day in Minnesota, which is a national leader in the clean energy transition.

The climate is rapidly changing, and these changes are caused by human activities that release greenhouse gases. I know this because it is what science shows us.

In Minnesota, we take special pride in the severity of our winters, but Minnesota winter temperatures have increased by 6 degrees since 1970. More than our pride is at stake. Agriculture and forest pests that were once held in check by severe winter cold are now thriving. Summer temperatures are on a pace to make Minnesota as warm as Kansas by the end of the century. Some models suggest that changing climate and spreading pests could eliminate Minnesota's iconic evergreen forests by 2100.

Urgent action is needed to limit further climate change. If we don't reduce greenhouse gas emissions to near zero by 2060, the world will cross a dangerous warming threshold—a threshold that the United States and other nations have pledged to avoid.

I am deeply worried about these threats, and so are our children, but I am also hopeful because I have seen how tapping into the abundant wind and sunshine is building a new energy economy that is clean, green, and full of opportunity.

Here is just one example. Shortly after becoming a Senator, I visited the Vetter family farm near Mankato, MN, and saw firsthand how renewable energy can provide new sources of income for farmers. The Vettters raise hogs, but they also farm the sun through a 14-acre community solar garden. The Vettters inspired me to become a champion for the energy title in the Senate farm bill, which provides Federal support for rural renewable energy projects.

Just 3 years ago, Minnesota wasn't much of a player in solar energy, despite the fact that we had nearly the same solar potential as Houston, TX. However, new State policy has led to strong growth and solar energy development. The State began a community solar garden program in 2013, and Minnesota now has enough solar energy to power nearly 120,000 homes. During the first quarter of 2018, Minnesota was fifth in the Nation for solar installations.

Now Minnesota is a model, but the Southeastern United States and almost

all of the western half of the country has as much or more sunshine than Minnesota and lots of opportunity.

Minnesota is new to solar, but we have long been a national leader in wind energy. Today, nearly 20 percent of our electricity comes from wind turbines. Like solar, the fuel costs for an installed turbine are zero. So wind energy is sheltered from the ups and downs of fossil fuel prices. Wind energy is also a rural economic engine. A single industrial-sized turbine can bring a family farm \$4,000 to \$8,000 in lease revenue each year.

My State is home to the two largest wind and solar installation companies in the country—Mortenson Energy in the Twin Cities and Blattner Energy in rural Avon. Together, they have installed renewable energy capacity across the country equivalent to 100 coal plants.

Clean energy brings good jobs. For example, wind energy technician is one of the fastest growing jobs in the country, with an average salary of \$54,000, and it doesn't require a 4-year college degree.

Jobs in Minnesota's clean energy sector are growing twice as fast as jobs in other parts of our State's economy. Employers report they are having trouble finding the skilled workers they need to fill these jobs. To address this problem, I have introduced legislation to help employers partner with high schools and community colleges so students can gain the skills they need to get these jobs.

Last year, renewable energy contributed 25 percent of the electricity generated in Minnesota. Nuclear power, which also does not release greenhouse gases, contributed an additional 23 percent. From a climate change perspective, Minnesota is already halfway to being a 100-percent clean energy State, and we are not slowing down. Xcel, our largest utility, is on track to deliver 60 percent renewable and 85 percent clean energy by 2030. Great River Energy, which serves many of our rural electric co-ops, is committed to 50 percent renewables by that same date. Why are they doing this? Well, it is not all about saving the planet. Wind energy has become the cheapest way to add new electricity to Minnesota's electric grid. Yes, Minnesota is windy, but so is every State in the middle of the country. And, as Senator WHITEHOUSE described, most coastal States have tremendous wind power potential through offshore wind farms.

This summer, the McKnight Foundation released a groundbreaking analysis of what decarbonizing Minnesota's economy would mean. If Minnesota continues to move away from fossil fuels and toward clean energy, we can achieve a dramatic reduction in greenhouse gas emissions by 2050. That would mean an electric mix that includes at least 91 percent clean energy. That would mean total energy bill savings of \$600 to \$1,200 per Minnesota household each year. It also would

mean 20,000 more jobs in our State compared to a “business as usual” scenario, with continued reliance on fossil fuels.

Given all of the upsides, it is disheartening that the President continues to do everything in his power to slow down the clean energy transition. He would rather take us backward than have America remain a world leader pushing forward. He is pulling the United States out of the Paris climate agreement. He is taking steps to roll back auto fuel efficiency standards and trampling on the rights of States that want to maintain rigorous targets. He has tried repeatedly to keep uneconomic and polluting coal plants open—a move that, if successful, would cost American taxpayers and electric bill payers billions of dollars a year.

In a recent attack on clean energy, President Trump has proposed replacing the Clean Power Plan with an alternative that would actually increase greenhouse gas emissions and, by the administration’s own calculation, cause up to 1,400 additional deaths per year due to air pollution. Just yesterday, the Trump administration proposed to weaken rules that limit the release of methane—a potent greenhouse gas.

Instead, the Federal Government can and should partner with States to encourage the spread of clean energy. The Federal Government should help States lead and not hold them back.

First, we should set national clean energy targets. These should be a floor, not a ceiling, setting States free to innovate and adopt the best way to meet energy emission reductions given their local resources, local economies, and local sensibilities.

Second, the Federal targets should be technology neutral. The goal is to reduce greenhouse gas emissions. In one place, this might mean wind power; in another, nuclear power. Some States have great hydropower resources, while others might choose to utilize carbon capture and storage upgrades to existing coal plants.

Third, we should work with States to enhance the interstate transmission system. I have talked a lot about what Minnesota is doing on clean energy. States like California and Hawaii and many others are certainly also leading the way. With transmission, the Texas grid expansion provides a potential national model. That expansion is helping bring clean electricity from the windy western part of Texas to the large cities in the east.

Fourth, the Federal Energy and Regulatory Commission must properly account for greenhouse gas emissions when it approves projects. It should allow States to value their nuclear plants as zero-emission sources. As the original fleet of nuclear plants retires, it is imperative that they be replaced with non-emitting power sources.

Last, the Federal government should expand support for cutting-edge energy research at our National Labs and at

State universities. The Federal Government also needs to recognize that the discoveries in the lab only help if they are actually deployed. We must help States and utilities take risks on new, potentially game-changing technologies. To those ends, I recently introduced legislation to help fund both research and initial deployment of new energy storage technologies.

We have everything to lose if we fail to meet the challenge of climate change. We owe our children and the next generation a better alternative.

I again thank Senator WHITEHOUSE for his leadership on this issue and for inviting me to join him today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, the Senate is a bit behind in terms of the schedule. I ask unanimous consent, as the ranking Democrat on the Senate Finance Committee—we will be voting on Mr. Rettig here shortly—that I be allowed to speak for up to 15 minutes at the conclusion of my colleague Senator BENNET’s remarks.

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

The Senator from Colorado.

Mr. BENNET. Mr. President, I ask unanimous consent to complete my remarks.

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

#### THE ECONOMY

Mr. BENNET. Mr. President, in recent weeks, President Trump has gone around the country touting the strength of the economy. He said:

Our economy is the strongest it has ever been in the history of our country, and you just have to look at the numbers to know that.

The numbers do tell us that the economy is strong and getting stronger, and that is a good thing, but they also tell us that the economy has been strengthening since 2010—after President Obama acted to save us from another Great Depression and when some Members of Congress wouldn’t lift a finger to help him.

During President Obama’s term, even as the economic data showed more and more investment and more growth, the other side talked down the recovery because, even though it was good for America, it didn’t help them win elections. As a candidate, this was Donald Trump’s specialty. He was a master of this in September 2016—long into the recovery—when he said: “This is the weakest so-called recovery since the Great Depression.” The Great Depression wasn’t a recovery; it was the Great Depression. We were coming out of the great recession.

He even questioned the government’s monthly jobs report, at one point calling it “total fiction.”

“Nobody has jobs. . . . It is not a real economy. It is a phony set of numbers. They cooked the books,” he said of the government’s report. “Don’t believe those phony numbers when you hear 4.9

percent or 5 percent unemployment. The number’s probably 28, 29, as high as 35. In fact, I even heard recently 42 percent.” He campaigned on that.

Now that he is President, Donald Trump’s attitude has changed. This month he said that we have the strongest economy in the history of our Nation. It turns out that he loves those jobs reports that he criticized so readily under President Obama:

JUST OUT: 3.9% Unemployment. 4% is Broken! In the meantime, WITCH HUNT!

If you only read the President’s twitter feed—which I don’t recommend—you could be forgiven for believing that the economy was collapsing under President Obama but is now roaring back under his administration. As usual, the truth is not nearly as partisan.

If we ignore the hyperbole and exaggeration and review the actual history, the trends are clear. The economy was shrinking and shedding jobs when President Obama took office. He stepped in and made difficult decisions, and soon after, the economy began growing, adding jobs and gaining strength. And it has continued under President Trump, I am pleased to say.

Let’s look at the record.

Last week, President Trump celebrated the almost 4 million jobs created since the election. In the first year and a half of President Trump, the economy created an average of 189,000 jobs a month. That is good. Compare that to the last year and a half under President Obama when the economy created 208,000 jobs a month. Unfortunately, we have lost some ground since the Obama administration, but we are still making progress. This chart demonstrates that.

This chart also demonstrates that despite President Trump’s deficit-busting tax cuts and higher spending, job growth has actually slowed under his administration. The same is true for wages. I don’t take any pleasure in this, but, as you can see here, average hourly earnings grew at a rate of 1.3 percent during the course of President Obama’s last 18 months; they grew by 1.1 percent during President Trump’s first 18 months. That growth has slowed.

Last week, President Trump also said that we have more people working today than at any point ever in history. That is true, but it has been true since May of 2014. In fact, the private sector has added jobs for 102 months straight—the longest streak on record, and 80 percent of that streak was during the Obama administration.

As in other parts of his life, when it comes to jobs, President Trump is once again coasting on his inheritance.

President Trump said:

Economic growth last quarter was 4.2 percent, and as you people know, it was headed down, big. And it was a low number. A very low number. It would have been, in my opinion, it would have been less than zero. It was heading to negative numbers.

First, the economy did grow by 4.2 percent last quarter, but it grew by the

same rate for several quarters in 2015 and 2016 under President Obama.

There is not a single economist who thought we were “heading to negative numbers” at the end of the Obama administration. In fact, when asked, a surrogate for this administration couldn’t name a single economist to back up the President’s claim.

Most recently, on Monday, President Trump tweeted:

The GDP Rate (4.2%) is higher than the Unemployment Rate (3.9%) for the first time in over 100 years!

Even FOX News had to call him out on that one. They pointed out that since 1948, GDP growth has been higher than the unemployment rate 63 different times. This is not the first time; it has happened 63 times.

The one thing that actually has happened for the first time during the course of this administration is that it is the first time in American history that the unemployment rate is falling and our deficit is going up. That has never happened before. It is hard to do that. The level of irresponsibility required to have an outcome where your unemployment is falling and your deficit is rising is unheard of in American history.

The Congressional Budget Office just announced that the government spent \$895 billion more than it took in over the past 11 months. That is a 33-percent increase in our deficit from last year. It is a 53-percent increase in our deficit since the last year of the Obama administration just 2 years ago. And by the way, we still have a month to go in this year. So the deficit has increased under this Republican President, this Republican Senate, this Republican House majority, by more than half since President Obama left office.

By the way, and parenthetically, the last time unemployment was 3.9 percent was the year 2000, when we had a projected surplus of \$5.6 trillion. That was at the end of the Clinton administration.

This is all a far cry from candidate Donald Trump’s promise to eliminate our debt over a period of 8 years or his promise to provide great healthcare for a fraction of the price, whereby everyone will be taken care of better than they are taken care of now, or his promise to build the greatest infrastructure on the planet Earth—the roads and railways and airports of tomorrow. I haven’t seen any tweets about that lately.

I will give him this: President Trump promised he would be the greatest jobs President God ever created. Do you know what? He has been the greatest jobs President God ever created since Barack Obama was President of the United States.

I want to finish by suggesting that instead of trafficking in complete falsehoods and untruths and exaggerations about what he has saved us from and how phenomenally well he is doing while he is creating these enormous deficits as our economy grows, the

American people would be a lot better served by a conversation about the much deeper challenges we face—for example, why wages have decoupled from productivity, why incomes have not kept pace with cost, why automation and global competition have put tremendous pressure on workers and wages and what we are going to do about it, why inequality continues to rise and economic mobility in the United States continues to fall below that of European countries. That is what we should be talking about. Ignoring these issues doesn’t make them disappear.

Reality is out there in States like Colorado and all across our country, and our lack of mobility and our extraordinary inequality is bearing down on us. Even if the President chooses to ignore it, for the sake of our children, we cannot.

I yield the floor.

Mr. LEAHY. Mr. President, American taxpayers are facing an uncertain time. After rushing to pass an enormously complex, budget-busting tax bill late last year, Republicans in Congress have set the table for the upcoming tax season to be a time of serious confusion for the public. At the center of this sits the IRS, which is in the midst of trying to modernize its systems, effectively perform its tax collection functions, and implement this boondoggle of a tax law. Today the Senate considers a nominee to head the IRS. While I strongly disagree with most of the tax policy decisions that this administration has made, I am supporting this nominee because the IRS deserves to have dedicated leadership at the top.

There is little debate over Mr. Rettig’s qualifications for this position. By all accounts, he has extensive tax law experience and has worked closely with the IRS in advisory roles over the years. Perhaps, most importantly, he would ensure that the IRS has full-time leadership in place, which stands in stark contrast to how the administration has chosen to run the agency to date. Rather than putting an Acting Commissioner in place who would serve exclusively in that role, the administration chose instead to have a political appointee in the Department of Treasury split his time between his policy role in the Department and the critical role of leading the IRS. There is no doubt that this does a disservice to American taxpayers. It also raises questions about the political independence of the IRS.

I appreciate that many Senators will be opposing this nomination because of the egregious decision made by the administration in July to end the reporting of so-called “dark money” donors to the IRS. In a time when Russia has been shown to use these types of organizations to funnel money as part of an effort to influence our elections, ending the reporting of donor information raises serious questions about who this administration is aiming to protect. I was proud to join a letter led by Sen-

ators KLOBUCHAR and WYDEN urging the Department of Treasury to reinstate the reporting requirements.

At the same time, we have seen the impact that the lack of dedicated leadership and the disastrous budget cuts adopted over the years by Republicans has had at the IRS. Its website crashed on tax day, crippling the ability of millions of Americans to file their taxes on time. Rural Americans are struggling to get the help they need to file their taxes. It still needs to provide guidance to taxpayers on how the Republican tax law will impact them. Without a full-time leader in place, I worry that the IRS will be rudderless at the top. Ultimately, such an outcome would be unfair to hard-working Vermonters who just want to pay their taxes as quickly and easily as possible.

As vice chairman of the Appropriations Committee, I will continue to fight for the funding the IRS needs to meet the many challenges it faces and repair the damage caused by years of budget neglect. I will also be supporting the nominee today, despite my unequivocal opposition to the IRS dark money decision, so that the agency has the leadership it needs as well.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, the Senate is considering tonight the nomination of Charles Rettig to lead the Internal Revenue Service. Let’s be clear. This is not a typical IRS Commissioner debate.

Over the last several months, the Trump administration has weaponized the Tax Code to punish its political adversaries and benefit shadowy, far-right groups that seek to buy American elections. Two months ago, just hours after Maria Butina was outed as an alleged Russian spy who sought to influence our elections, the Trump administration announced a new rule, opening the floodgates to more dark money and foreign money in American politics. Dark money groups used to be required to disclose their donors to the IRS. With this new Trump rule, they will not be required to disclose at all.

To my colleagues, here is what this all means. Over the next 2 months, while political ads flood the airwaves, millions of Americans are going to wonder how much of this stuff is paid for by law-breaking foreigners and special interests. Because of the new rule, the Internal Revenue Service and law enforcement are going to be in the dark as well. There are a few reasons this new rule is unjustifiable and undemocratic.

First, it had no debate in the Finance Committee, where we have jurisdiction over the Tax Code. It had no debate on the Senate floor. I do recall my Republican colleagues bemoaning what they considered to be anti-conservative political interference by the Internal Revenue Service even when none was found. Now, with a Republican administration in office, they are changing

the tax rules to allow for more political interference by creative outside groups and foreigners.

Second, the timing of this announcement could not have more clearly underscored the rotten corruption at the heart of this policy. The new dark money rule was announced on a Monday night—the same day it was revealed that Maria Butina had been indicted for using the National Rifle Association as a conduit to influence our democracy with personal and financial ties. Another administration, in seeing that kind of news come down, might have said: Hey, we ought to hold off on making drastic changes. It might have said: Let's put a little more space between the indictment of an alleged Russian spy and the rollout of our dark money rule that would make the spy's job even easier—not this Trump administration. It was undeterred. It, obviously, decided it could not wait to get this new rule on the books to make it easier for foreign actors and special interests to hide in the shadows while their dollars influence our elections.

The tax rules and election laws in America, with respect to who has to disclose political spending, are already badly broken, especially after Citizens United. Now the administration is taking an enormous problem and making it much worse. The Trump dark money rule is only going to mean that individual Americans will have even less faith that they will be in control of our democracy. This takes us even further from the true meaning of one person, one vote. It puts even more power and more influence in the hands of the special interests.

The fact is, the arguments for this change do not add up. I have heard members of the Trump administration say, including the Treasury Secretary, that none of this information was public before, so there is no reason to collect it; that there is just no big deal here.

To my colleagues, the overwhelming majority of Americans want more disclosure, not less. The administration, in effect, admits it was not using the information political donors used to have to turn over. It sounds to me like the Trump argument for this dark money rule goes pretty much like this: We were not going to enforce the campaign spending laws anyway, so we decided not to bother collecting the special interest information at all.

That is going to be cold comfort to the millions of Americans who are going to get clobbered by enormously funded political ads for the next 2 months before our election.

The bottom line is, the Trump dark money rule is anti-law enforcement, anti-democratic, and anti-disclosure. It puts a blindfold on law enforcement at the exact moment Congress ought to be coming up with new approaches to shed more sunlight on political spending and defend American democracy from foreign influence.

The Finance Committee's vote on Mr. Rettig's nomination was, coinci-

dentally, scheduled to take place during the same week the rule came down. Obviously, this issue was a focal point in the discussion. I raised the issue during the markup. Mr. Rettig had an opportunity to tell the committee he would try to fix it. He did not. He wouldn't even acknowledge the serious problem here for the cause of transparency and openness in our government.

In my view, this rule ought to be put up to the same standard of scrutiny the majority has applied to several other rules that were put in place by the previous administration. The Senate ought to use the powers granted to it by the Congressional Review Act, and it ought to vote on whether this rule should stand. Yet now the Trump administration is taking unprecedented steps to hide its dark money policy from that kind of scrutiny. Trump officials are keeping their rule off the official books for as long as they can to prevent the Senate from holding their dark money rule to the same standard that had been applied to the Obama administration.

When it publishes the rule in the Federal Register or it confirms that it will not be published there but will be published elsewhere, the rule becomes eligible for a challenge under the Congressional Review Act. So far, the Trump administration hasn't taken either step, even though I asked for a response 3 weeks ago. As a result, in the Senate, we have been unable to get a straight answer as to when it is coming or whether it plans to publish the congressional review issue at all. It looks to me like the administration has a policy on its hands that it knows is corrupt, that it knows is undemocratic, so it is playing hide the ball. The more the public hears about the dark money rule, the less it likes it, and we are going to keep talking about it.

I close with one last point, in that there is a lot about the Trump tax policy to be concerned about this evening. Senator MENENDEZ talked about how blue States, like Oregon, California, New Jersey, and others, were hit with a gut punch. Capping the State and local tax deductions to target people in those States reveals the rotten core of the Trump tax policy. Tonight, as we consider the Rettig nomination, I don't know of anything more corrupt in front of this body than to make it even harder for the American people to know where dark money—foreign money—is coming from.

For that reason, I urge my colleagues to oppose the Rettig nomination. He was asked to acknowledge that this is a serious problem. He wouldn't go there. He was asked to describe what he would do to correct the problem. He wouldn't go there. This is as corrupt as anything I know of before the U.S. Senate, and I will be working with my colleagues to fix this dark money crisis and undo the damage the Trump tax law has brought on, and I will be opposing the Rettig nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, thank you so much to my colleague from Oregon for his remarks on taking on the systematic corruption of dark money as it relates to this nomination.

Mr. MERKLEY. I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER (Mr. TILLIS). 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 Charles P. Rettig, of California, to be Commissioner of Internal Revenue for the term expiring November 12, 2022.

Mitch McConnell, Joni Ernst, John Boozman, Shelley Moore Capito, Johnny Isakson, David Perdue, Roger F. Wicker, John Hoeven, John Cornyn, Mike Rounds, Orrin G. Hatch, Roy Blunt, John Barrasso, Deb Fischer, Rob Portman, Thom Tillis, Tom Cotton.

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 Charles P. Rettig, of California, to be Commissioner of Internal Revenue for the term expiring November 12, 2022, 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. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON) and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting the Senator from Pennsylvania (Mr. TOOMEY) would have voted 'yea.'

Mr. DURBIN. I announce that the Senator from Florida Mr. NELSON is necessarily absent.

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

The yeas and nays resulted—yeas 63, nays 34, as follows:

[Rollcall Vote No. 205 Ex.]

#### YEAS—63

Alexander	Ernst	Manchin
Barrasso	Fischer	McCaskill
Bennet	Flake	McConnell
Blunt	Gardner	Moran
Boozman	Graham	Murkowski
Brown	Grassley	Murphy
Burr	Hassan	Paul
Capito	Hatch	Perdue
Casey	Heitkamp	Portman
Cassidy	Heller	Risch
Collins	Hoeven	Roberts
Corker	Hyde-Smith	Rounds
Cornyn	Inhofe	Rubio
Cortez Masto	Johnson	Sasse
Cotton	Jones	Schatz
Crapo	Kennedy	Scott
Cruz	Kyl	Shaheen
Daines	Lankford	
Donnelly	Leahy	
Enzi	Lee	

Shelby	Thune	Wicker
Sullivan	Tillis	Young

NAYS—34

Baldwin	Heinrich	Schumer
Blumenthal	Hirono	Smith
Booker	Kaine	Stabenow
Cantwell	King	Tester
Cardin	Klobuchar	Udall
Carper	Markey	Van Hollen
Coons	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Murray	Whitehouse
Feinstein	Peters	Wyden
Gillibrand	Reed	
Harris	Sanders	

Duckworth	Klobuchar	Smith
Durbin	Markey	Stabenow
Feinstein	Menendez	Tester
Gillibrand	Merkley	Udall
Harris	Murray	Van Hollen
Heinrich	Peters	Warner
Hirono	Reed	Warren
Kaine	Sanders	Whitehouse
King	Schumer	Wyden

in recent years in this package. As a result, the conference report looks a lot like the package that passed the Senate a few months ago by a vote of 86 to 5.

We have a long way to go, but we are getting there with this first batch of appropriations bills. I want to take a second and thank the leaders of both sides, Vice Chairman LEAHY, the members of the Appropriations Committee, and all of my colleagues for their cooperation in this effort. I look forward to continuing to work together and urge you to vote for the conference report.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I want to speak briefly on this.

Today, the Senate will consider final passage of the “Minibus #1” conference report. This package contains the Legislative Branch, Energy and Water Development, and Military Construction and Veterans Affairs and Related Agencies Appropriations Bills.

I agree with what Vice Chairman SHELBY has said. When we first considered this package in June, we held our first real debate on the Senate floor on an appropriations bill in many years. We had eight rollcall votes on amendments. We adopted a managers’ package that Senator SHELBY and I submitted. It contained 32 more—a step toward returning to regular order.

Today, we are going to take another step. This is not exactly the bill I would have written. I think it is safe to say it is not exactly the bill Chairman SHELBY would have written. We know you have to have compromise. You have to work things out. I also knew I could rely on his word, and he could rely on my word. That is why we are here today voting on this bipartisan package.

The Military Construction and Veterans Affairs appropriations bill includes significant new investments in mental health and opioid abuse treatment. We are not just talking about things we would like to do to address opioid abuse; we are actually including it in a bill. It invests \$1 billion in new funding over fiscal year 2017 levels for mental healthcare programs and suicide prevention and \$454 million over fiscal year 2017 for opioid treatment and prevention.

This bill also provides resources important to Vermonters. It increases funding for long-term, noninstitutional care programs like the Veterans Independence Program in Vermont, which partners with community providers to support veterans who prefer to continue living in their own homes, avoiding costly nursing home care and offering better quality of life. It provides funding for homeless veterans programs, such as the Grant and Per Diem program that offers supportive transitional housing to homeless veterans, and it includes a \$40 million increase for Supportive Services for Veteran Families to help veterans and their

NOT VOTING—3

Isakson	Nelson	Toomey
---------	--------	--------

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 34.

The motion is agreed to.

The Senator from Texas.

Mr. CORNYN. Mr. President, I ask unanimous consent that the remaining votes in this series be 10 minutes in length.

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

VOICE ON RETTIG NOMINATION

The PRESIDING OFFICER. Under the previous order, all post-cloture time has expired.

The question is, Will the Senate advise and consent to the Rettig nomination?

Mr. PORTMAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

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

The result was announced—yeas 64, nays 33, as follows:

[Rollcall Vote No. 206 Ex.]

YEAS—64

Alexander	Flake	Murkowski
Barrasso	Gardner	Murphy
Bennet	Graham	Paul
Blunt	Grassley	Perdue
Boozman	Hassan	Portman
Brown	Hatch	Risch
Capito	Heitkamp	Roberts
Cardin	Heller	Rounds
Casey	Hoeven	Rubio
Cassidy	Hyde-Smith	Sasse
Collins	Inhofe	Schatz
Corker	Johnson	Scott
Cornyn	Jones	Shaheen
Cortez Masto	Kennedy	Shelby
Cotton	Kyl	Sullivan
Crapo	Lankford	Thune
Cruz	Leahy	Tillis
Daines	Lee	Toomey
Donnelly	Manchin	Wicker
Enzi	McCaskill	Young
Ernst	McConnell	
Fischer	Moran	

NAYS—33

Baldwin	Booker	Carper
Blumenthal	Cantwell	Coons

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon table, and the President will be immediately notified of the Senate’s action.

LEGISLATIVE SESSION

ENERGY AND WATER, LEGISLATIVE BRANCH, AND MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2019—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session in consideration of the conference report to accompany H.R. 5895. The cloture motion is withdrawn.

There will now be 10 minutes of debate, equally divided in the usual form.

The Senator from Alabama.

Mr. SHELBY. Mr. President, I will try to be brief. It is getting late.

A few months ago, I came to the floor and urged my colleagues to set aside partisan disputes so that we could focus on our most basic constitutional responsibility: funding the government in a deliberate and timely manner.

Most observers deemed the prospect dubious at best. Who could blame them? Like so much in Washington, the appropriations process was broken, but at the urging of Leaders MCCONNELL and SCHUMER and with the help of my colleagues on both sides of the aisle—Vice Chairman LEAHY, in particular—we began to put the pieces back together.

Steadily, methodically, we passed 9 of the 12 annual appropriations bills in the Senate by overwhelming bipartisan margins. Today, I am pleased to present my colleagues with the first dividends of their cooperation.

The conference report before the Senate tonight contains the 2019 appropriations bills for Energy and Water Development, Military Construction and Veterans Affairs, and the Legislative Branch. It contains very critical funding to help transition our veterans to the new healthcare program they deserve and have earned under the VA Mission Act. It funds nearly 200 construction projects that are very important to America’s military. It does a lot of other things, but I can say that this is an important package, and it is very important in what this package does not contain. It contains no poison pills—none of the partisan riders that have taken down appropriations bills

families secure permanent affordable housing.

The bill nearly doubles funding for the popular Adaptive Sports Grant Program and expands it so that more service-disabled veterans, including those who suffer from invisible injuries like PTSD and brain injuries, can participate in lifelong sports in their communities, or train to showcase their mental and physical training at national competitions. This bill also includes a \$40 million investment for the National Center for Post-Traumatic Stress Disorder and its evidence-based approach to the treatment of veterans bearing the hidden wounds of war.

However, I am extremely disappointed that House Republicans and President Trump refused to accommodate funding for the costs associated with the VA Choice Program. The program is going to face a shortfall beginning in May 2019. We are not helping our veterans if we make promises we don't keep. We cannot just take funding from other programs for veterans or terminate programs to help low-income Americans or important research at the National Institutes of Health, even though the President is proposing it.

We must adjust the budget caps to accommodate programs for our veterans that have already passed Congress and been signed into law.

We made a promise to veterans. The chairman and I will work hard on making sure Congress keeps that promise.

In the Energy and Water Development appropriations bill, we make significant investments that support scientific research, make America more competitive in clean energy and increase funds for renewable energy.

Congress rejected President Trump's shortsighted attempt to eliminate ARPA-E, which researches and invests in new energy technologies, and increased its funding by \$60 million over fiscal year 2018. Thanks to the Bipartisan Budget Agreement, investments in the Office of Science are increased by \$1.2 billion over fiscal year 2017, paving the way for new and groundbreaking scientific research.

And with Hurricane Florence set to make landfall on America's East Coast, this package includes the highest ever level of funding for the Army Corps' Civil Works program of nearly \$7 billion. For every dollar invested, it is estimated that there is a \$16.60 return by mitigating flood damage and transportation rate savings from moving goods on our waterways.

The Energy and Water bill also makes important investments in our rural communities through regional commissions, including \$20 million for the four-State Northern Border Regional Commission. We once again provide strong funding for the Weatherization Program, which helps so many families in Vermont and other northern States who struggle with high home heating prices during the cold winter months. Ad I am pleased that

the bill supports much needed repairs and improvements in our environmental infrastructure and energy infrastructure and strengthens innovative ways to deliver these critical assets that will make Vermont and the entire country more resilient to the changing climate and violent weather events.

The Legislative Branch Appropriations Bill includes funding to pay congressional interns for the first time. A congressional internship offers an entrance to a career in public service, but many dedicated, young adults do not have the means to spend a summer working for free in Washington or in our home districts. By paying interns for their work, we open the door to a wider and more diverse pool of applicants looking to serve their country.

I have long realized the potential benefits to our country of providing this opportunity to talented young people from diverse backgrounds. That is why, since my first day in the Senate, in 1975, I made sure there were the resources available in my office to compensate our interns. I am glad this opportunity will now be available in every office, both House and Senate.

For the first time in the legislative branch bill, we are also requiring Senate candidates to file electronic campaign finance reports, something the House has required since 1995. This will increase transparency in campaign finance and finally bring the system into the 21st century.

This is a compromise bill. It makes significant investments in the American people. It was not an easy path to get to where we are, but the Shelby-Leahy-McConnell-Schumer agreement we entered into—the four of us—has laid the bipartisan framework for a path forward. This package does have bipartisan support. It is free of poison pill riders, and it is in line with the bipartisan budget agreement.

I commend my friend RICHARD SHELBY for his leadership. I also thank Senators ALEXANDER, FEINSTEIN, BOOZMAN, SCHATZ, DAINES, and MURPHY for their vital contributions.

This is the only successful path forward for the remaining appropriations bills, and I am hopeful that House Republicans will continue to engage with this process.

I also remain hopeful that President Trump will join this bipartisan and bicameral vision for the appropriations process.

However, the President's repeated shutdown threats are not helpful.

Just last week, at a campaign style rally, the President threatened to shut down the government after the midterm elections—an attempt that would avoid the immediate political consequences of his brash and short-sighted decision to hold the American people hostage for his useless and ill-considered border wall, which he has repeatedly promised Mexico would pay for.

A government shutdown is not a political talking point. It has real con-

sequences on real people, and I hope the President will leave his rhetoric at his rally and work with Republicans and Democrats in Congress.

In the Senate, we have come together, Republicans and Democrats. We have made more progress than we have in decades in appropriations.

I hope that we will continue down this path and pass the two additional minibuss appropriations bills that are in conference before the end of the fiscal year. Funding the government is one of Congress's most basic responsibilities, and we owe it to the American people to do our jobs.

Lastly, I often say I am a constitutional impediment to my staff—Chuck Kieffer, Chanda Betourney, Jessica Berry, Jay Tilton, and Jean Kwon, as well as Chairman SHELBY's staff, Shannon Hines, Jonathan Graffeo, and David Adkins, as well as the staff on both sides of the aisle for each of the three subcommittees. It takes a lot of people to get a bill like this across the finish line, and I thank them for their hard work and dedication.

I am ready to vote.

I ask for the yeas and nays.

THE PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

All time is yielded back.

The question is on the adoption of the conference report.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Georgia (Mr. ISAKSON).

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

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

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

The result was announced—yeas 92, nays 5, as follows:

[Rollcall Vote No. 207 Leg.]

YEAS—92

Alexander	Donnelly	King
Baldwin	Duckworth	Klobuchar
Barrasso	Durbin	Kyl
Bennet	Enzi	Lankford
Blumenthal	Ernst	Leahy
Blunt	Feinstein	Lee
Booker	Fischer	Manchin
Boozman	Gardner	McCaskill
Brown	Graham	McConnell
Cantwell	Grassley	Menendez
Capito	Harris	Merkley
Cardin	Hassan	Moran
Carper	Hatch	Murkowski
Casey	Heinrich	Murphy
Cassidy	Heitkamp	Murray
Collins	Heller	Perdue
Coons	Hirono	Peters
Corker	Hoeben	Portman
Cornyn	Hyde-Smith	Reed
Cortez Masto	Inhofe	Risch
Cotton	Johnson	Roberts
Crapo	Jones	Rounds
Cruz	Kaine	Rubio
Daines	Kennedy	Sanders

Sasse	Stabenow	Van Hollen
Schatz	Sullivan	Warner
Schumer	Tester	Whitehouse
Scott	Thune	Wicker
Shaheen	Tillis	Wyden
Shelby	Toomey	Young
Smith	Udall	

## NAYS—5

Flake	Markey	Warren
Gillibrand	Paul	

## NOT VOTING—3

Burr	Isakson	Nelson
------	---------	--------

The conference report was agreed to. The PRESIDING OFFICER. Under the previous order, S. Con. Res. 46 is considered and agreed to and the motion to reconsider is considered made and laid upon the table.

The concurrent resolution (S. Con. Res. 46) was agreed to.

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

## MORNING BUSINESS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, and I ask consent to speak for as long as I may require.

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

50 YEARS OF KENTUCKY  
EDUCATIONAL TELEVISION

Mr. MCCONNELL. Mr. President, I would like to take a moment to celebrate one of the great public educational resources in my home State of Kentucky. This month, we mark the 50th anniversary of Kentucky Educational Television, KET, which has provided a vital service to the Commonwealth. It is my privilege to take a look back at the distinguished history of this organization and its impact on Kentucky families.

When KET officially signed on the air in 1968 under the leadership of its founding director, University of Kentucky professor O. Leonard Press, it did so during school hours on the second largest land-based network in the world. Its first instructional program was "Kentucky is My Land," which directly addressed KET's mission to deliver quality educational programming for all levels and to explore the beauty and heritage of the Commonwealth of Kentucky. That original goal has animated the remarkable educational and public affairs programming of this network for half a century.

During its first decade on the air, KET continued to expand and provide important services to its viewers, which included the debut of consequential Kentucky journalists such as Al Smith and KET's first nationally distributed instructional series, "Universe & I." In addition, the network began its televised coverage of the proceedings of the Kentucky General Assembly, providing unprecedented ac-

cess and public transparency to our State's legislature and a valuable civic education to our citizens.

As an affiliate of the Public Broadcasting Service, PBS, KET also brings nationally treasured programs into the homes of thousands of Kentuckians. Programs such as Julia Child's "The French Chef," "Masterpiece Theatre," and many of Ken Burns's historical documentary series have made an indelible impact on our country. As KET has grown, it has expanded its programming around the clock to provide educational opportunities to Kentuckians 24 hours a day, 7 days a week.

Throughout the years, KET has also grown its public affairs content, delivering news of the day and critical information to viewers. Staffed with top-notch journalists and featuring interviews with well-known Kentuckians, these programs are an important part of the network's overall mission. Throughout my career, I have enjoyed both viewing and periodically joining these programs to discuss vital issues to the future of Kentucky.

Keeping faith with its educational goals, the network has developed important partnerships with educational institutions and universities in Kentucky. In fact, Morehead State University began offering KET distance learning courses for dual credit, and the KET Fast Forward program has excelled as a learning system for GED test preparation.

I commend KET's 50 years of award-winning service to my home State. It is my privilege to congratulate the network on its success, and I look forward to many more years of quality programming in our Commonwealth. I urge my Senate colleagues to join me in celebrating KET's exemplary work.

125TH ANNIVERSARY OF HELEN  
KELLER SERVICES

Mr. SCHUMER. Mr. President, today I wish to congratulate Helen Keller Services, HKS, on its 125th anniversary, which will be celebrated at its gala at the Liberty Warehouse in Brooklyn, NY, on September 13, 2018.

Since 1893, the Helen Keller Services has been committed to improving the lives of individuals who are blind, visually impaired, or have combined hearing and vision loss. The talented and dedicated staff at the Helen Keller Services has made over 60,000 visits to the homes and communities of individuals who are blind or visually impaired. Over 900,000 children ages 3-5 have received preschool vision screenings to ensure they are equipped for success in the classroom. The organization has placed over 14,000 individuals in jobs with the help of their programs. The totality of their impact over the past 125 years is hard to overstate.

This fall the organization will move its headquarters to a new 44,000-square-foot facility located at 180 Livingston Street in Brooklyn. This modern struc-

ture will house new classrooms and training rooms, a specialized gym for prekindergarten students, new offices and workstations, a Low Vision Center, and a new technology training space. This will aide HKS in serving the blind and visually impaired community for decades to come.

While the scope of its services has changed and expanded substantially over the past century and a quarter, allowing HKS to touch the lives of countless blind, visually impaired, and deaf-blind men women and children, what has not changed is its steadfast commitment to Brooklyn, the surrounding communities, and the entire New York region. I congratulate the Helen Keller Services on achieving this milestone and thank them for their outstanding service to New York.

## REMEMBERING SUVASH DARNAL

Mr. LEAHY. Mr. President, I have spoken before about Suvash Darnal, an extraordinary Nepalese Dalit activist who was tragically killed in a traffic accident in Virginia on August 15, 2011.

Mr. Darnal was only 31 years old when he died, but he had already made more of his life than many people who live to be twice or three times his age. He grew up impoverished, with nothing to look forward to. In large measure because of the adversity he experienced and his inherent thirst for knowledge, he became a passionate advocate for his people at home and around the world. As I have said before, his integrity, his humility, his vision, and his dedication live on as an inspiring example of why caste discrimination has no place in the 21st century, in Nepal or anywhere else.

From 2008 to 2009, Mr. Darnal was a fellow at the National Endowment for Democracy. Carl Gershman, President of NED, was among Mr. Darnal's admirers and has helped to convey the lessons of Mr. Darnal's life to a wider audience.

I ask unanimous consent that Mr. Gershman's account of recent events in Kathmandu in remembrance of Suvash Darnal be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the kathmandupost]

(By Carl Gershman)

Aug. 28, 2018.—I visited Nepal recently to attend two days of memorial events held in honour of Suvash Darnal, an activist for Dalit rights who perished in a terrible car accident in Washington in 2011. I first met Darnal a decade ago when he was a Reagan-Fascell Democracy Fellow at the National Endowment for Democracy (NED), the organisation that I head. I found him to be an unusually gifted democracy activist. He had a marvellously engaging personality, and he impressed many people in Washington as a sophisticated analyst of Nepal at a time when the country was just coming out of a civil war. He was also an ardent and effective spokesman against caste discrimination.

Darnal had the ability to make the Dalit issue come alive for Americans, partly by

drawing parallels with America's own history of slavery and racial discrimination. There are obviously great differences between the US and Nepal, as well as between racial and caste discrimination. But experiences have a way of travelling across borders and cultures in our globalised world, and in his public presentation as a NED fellow on discrimination against Dalits, Darnal called for a programme of 'affirmative action', an idea that was developed in the US after the civil rights movement to highlight the need for proactive measures to address the deeply rooted problem of racial inequality.

One of the attributes that made Darnal such an effective activist was that he understood the importance of organisation and the need for institutions of civil society capable of taking collective action. When he was only 20 years old, he took the lead in creating the Jagaran Media Centre which was both the largest Dalit media outlet in South Asia and an advocacy group fighting to eliminate caste-based discrimination.

When King Gyanendra took power in 2001 and shut down Nepal's nascent democracy, he helped found the Collective Campaign for Peace, a coalition of 43 non-governmental organisations that became the secretariat for the civic movement fighting for the restoration of democracy. And when he returned from his fellowship at NED, during which he had thought deeply about the need to change the pure-impure dichotomy of the caste-based culture and system in Nepal, he created the Samata Foundation to bridge the gap between politics and caste.

What has impressed me about the Dalit movement in Nepal is that it did not succumb to discouragement by Darnal's tragic death, but has found a way to build upon his legacy of struggle and organisation. The programme of remembrance on August 14-15 consisted of three major events—a conference at Tribhuvan University at which five young Dalit scholars and practitioners presented papers on different dimensions of the continuing struggle against caste discrimination; an evening forum where four prominent international scholars placed the Dalit issue in a global context; and a concluding award ceremony at Kathmandu's City Hall attended by 500 people at which frontline Dalit activists were recognised for their efforts to carry forward Darnal's vision of social justice.

These events took place at a time of deep anxiety among Dalits over the rise of nationalism in Nepal that has led the Left Alliance government to dismiss demands for minority rights and the inclusion of marginalised groups as inconsistent with the need for national unity. This problem was addressed by a paper delivered at the Tribhuvan University conference by Amar BK, a PhD candidate at the University of Pittsburgh in the US, who wrote that despite the hopes for an end to untouchability engendered by the adoption in 2007 of a progressive interim constitution, the recent rise of Hindu religious nationalism has caused an anti-Dalit backlash. Other conference papers highlighted the persistence of exclusion and discrimination in the judiciary in Nepal and the need to refute 'dominant narratives' against affirmative action, such as that the policy undermines meritocracy.

Despite the current backsliding on the Dalit issue, I was heartened that the movement is pressing ahead at every level. In Parliament, Dalit Members of Parliament are preparing shadow bills on the critical issues of land reform, employment, housing, health care, education and the defence of political rights and freedom of assembly and association. At the state level, the Samata Foundation is developing a leadership academy to train new Dalit members of Provincial As-

semblies. Training and protection are also being provided to the thousands of Dalits who have been elected to positions on local councils but who are being blocked by old-line forces from carrying out their responsibilities. And, of course, there are continuing efforts to address the critical long-term need for youth education and capacity-building.

What especially impressed me was the invariably positive and hopeful attitude that the Dalit activists take to the challenges they face, despite the legacy of harsh discrimination and a bloody civil war. At the Tribhuvan University conference, for example, grassroots activist Sona Khatik movingly described the terrible injustices she had suffered, yet said that she had decided early on to take her revenge by doing good deeds, not by using violence. Darnal's widow Sarita Pariyar also took the path of non-violence by invoking the memory of Dr Martin Luther King when she spoke about ending the scourge of caste humiliation.

This positive attitude exemplified the spirit of Suvash Darnal, who always rejected the politics of grievance and victimisation. He never appealed to people's sense of guilt over the injustices done to Dalits, nor did he ever ask for sympathy, let alone pity. Rather than put people off with rancour and righteous anger, he preferred to draw them in with humour, warmth and wit. He always took the high road and appealed to common ideals of social justice and shared humanity. The Dalit movement is building upon what Suvash accomplished, and is using his example as a model and inspiration. If they succeed, they will make Nepal a stronger and more successful country, and will give inspiration to others around the world who are responding to new threats to democracy at a very troubled time in world history.

#### BUDGET ENFORCEMENT LEVELS FOR FISCAL YEAR 2019

Mr. ENZI. Mr. President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, BBEDCA, establishes statutory limits on discretionary spending and allows for various adjustments to those limits. In addition, sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments.

The Senate will soon consider the conference report to H.R. 5895, a spending measure covering programs within the jurisdiction of the Senate Appropriations Subcommittees on Energy and Water, military construction and Veterans Affairs, and the Legislative Branch. The military construction portion of this legislation includes funding for military construction designated as overseas contingency operations funding pursuant to section 251(b)(2)(A)(ii) of BBEDCA. These provisions provide \$921 million in budget authority for fiscal year 2019. The inclusion of the overseas contingency operations designations with these provisions makes this spending eligible for an adjustment under the Congressional Budget Act.

On June 18, 2018, I filed an adjustment relating to S. Amdt. 2910 to H.R. 5895, which contained appropriations for the same three appropriations subcommittees. The military construction

portion of the amendment contained \$921 million in revised security budget authority designated as overseas contingency operations, and the budgetary adjustment was made to accommodate this spending.

Since the level of overseas contingency operations spending in the conference report is consistent with the previously filed levels and appropriately designated, those funds are now available for use in this conference report, and no further budgetary adjustment is warranted at this time.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO GUIDO CALABRESI

● Mr. BLUMENTHAL. Mr. President, today I recognize Judge Guido Calabresi, a dedicated public servant and professor who is celebrating 70 years as a naturalized citizen of the United States on September 16.

His life and career constitute a legacy of commitment and passion for initiating positive change. A deeply insightful and tirelessly driven person, he is recognized as a pioneer in the academic world who has spent six decades educating and serving others.

In 1939, Judge Calabresi moved with his family to New York and then New Haven, CT, from Milan, Italy, where his parents were notable antifascist figures. Forbidden from bringing money with them to America, his family had to start again from scratch upon their arrival. Judge Calabresi and his older brother, Paul, worked to learn English and assimilate into their new home. Their father had a fellowship at Yale, which at the time had no Italian or Jewish faculty members, forcing the family to forge a unique identity at the institution.

Young Guido devoted himself unstintingly to his studies. Once naturalized as a citizen, along with his parents and brother in 1948, he graduated summa cum laude from Yale in 1953 with a bachelor of science in economics, earned a bachelor of arts with first class honors from Oxford in 1955 as a Rhodes Scholar, and then a bachelor of laws magna cum laude from Yale Law School 5 years later and a master of arts the next year in 1959 from the University of Oxford in politics, philosophy, and economics.

Judge Calabresi focused on legal scholarship starting in the late 1950s, when he served as a law review member and note editor for the Yale Law Journal and graduated first in his class from the law school. After graduation, he clerked for U.S. Supreme Court Associate Justice Hugo Black and went on to become the youngest full professor ever at Yale Law School.

His impressive career led him to become dean of the Yale Law School for 9 years, ending in 1994. One of Judge Calabresi's most notable accomplishments in the academic world is his role as a founder of the subfield of law and

economics along with Nobel Prize winner Ronald Coase. His public service included impressive charitable and local government activities, including as a town selectman in Woodbridge for 4 years, beginning in 1971.

In 1994, recognizing his extraordinary accomplishments as a teacher and scholar, President Bill Clinton nominated him to serve as a U.S. circuit judge of the United States Court of Appeals for the Second Circuit. Confirmed by the U.S. Senate, Judge Calabresi joined the court in September 1994, 55 years after fleeing to America to escape Italian racial laws.

Judge Calabresi was shaped through-out his education, as a lawyer, and as a judge by his experiences as a refugee who courageously forged his own path as a U.S. citizen. Now a senior judge for the Second Circuit and sterling professor emeritus of law and professional lecturer at Yale, he has written seven books and more than 100 articles on law and other related subjects. He has also been awarded 50 honorary degrees from universities across the globe.

With his remarkable record of public and academic service, Judge Calabresi is a credit to the State of Connecticut and to our country. His unflinching readiness to embrace new challenges and benefit his communities sets an inspiring model for all of us.

I applaud his many accomplishments and hope my colleagues will join me in congratulating Judge Guido Calabresi on this landmark of attaining 70 years as a naturalized American citizen.●

#### 75TH ANNIVERSARY OF PORTLAND HOUSING AUTHORITY

● Mr. KING. Mr. President, today I wish to recognize Portland Housing Authority, which is celebrating its 75th anniversary this year. Portland Housing Authority and its affiliates provide critical long-term affordable rental housing and rental assistance to more than 3,000 low-income families, seniors, and disabled individuals in the Portland area. They house over 6,500 residents, nearly 10 percent of the city's population.

Portland Housing Authority was established in 1943 through State legislation and is authorized by resolution of the Portland City Council. They receive most of their funding through the U.S. Department of Housing and Urban Development. Their mission is to provide and expand affordable housing opportunities and services that "improve quality of life, build community, enhance safety, and promote personal success for the people [they] serve and the neighborhoods in which they reside." Certainly, over the last 75 years, Portland Housing Authority has made great strides in helping those in the greater Portland area find affordable housing and strengthening the community for everyone.

One example of the strengthened community can be seen in the community groups created within the housing

units. The Portland Housing Authority received one of the first grants from Women's United, to help fund community dinners where single mothers could learn about relevant topics and get to know each other. Many of these single mothers used these dinners to make friends, discuss their goals, and encourage and motivate each other. They have created their own network, helping each other out when needed.

Another of these community groups is the Pihcintu chorus. This all-girls chorus is made up almost entirely of refugee immigrants who live in Portland Housing Authority units and who have represented Maine on some of the biggest stages, including NBC's Today Show and the Kennedy Center here in Washington DC. This group, whose name in Passamaquoddy means "when she sings, her voice carries far," is a unique way for girls who are new to Maine to gather from their diverse background to join as one voice. This group was started in 2005, and since then, more than 200 girls have lent their voices to the chorus. For many, the group offers a bit of serenity, companionship with other girls who have gone through similar journeys, and a reminder of the home they left behind. The chorus is also a symbol of their new home in the State of Maine.

Over the last 75 years, Portland Housing Authority has not only helped Portland residents find affordable housing, but also has helped them thrive in their community. I want to recognize all the work they have done for the greater Portland area and the State of Maine over the last 75 years, and I look forward to seeing their continued success for many years to come.●

#### RECOGNIZING HONOR FLIGHT HUNTINGTON

● Mr. MANCHIN. Mr. President, today I rise with immense pride in recognizing 85 heroic military veterans who will travel to Washington from West Virginia on the Honor Flight Huntington this week. During their time in our Nation's Capital, they will visit the monuments built in their honor. This truly moving event serves as a unique opportunity for us to honor and share our deepest gratitude for these individuals who have sacrificed so much in the service of our great Nation.

With one of our country's highest per capita rates of military servicemembers and veterans, West Virginia is undoubtedly one of our Nation's most patriotic States. Throughout the history of the Mountain State, our citizens have demonstrated the bravery and selflessness time and again in making tremendous sacrifices to keep our homeland safe and free. According to the Department of Defense, West Virginia had the highest casualty rate in the Nation during the Vietnam war, and I am so proud that the Honor Flight Huntington will allow these West Virginia veterans to tour the

monuments that have been constructed in their honor. I want to express my utmost gratitude to these special men and women for their noble sacrifice and extraordinary bravery and patriotism to keep our country free and safe.

The 85 veterans participating in this week's Honor Flight Huntington truly embody the Mountain State's history and contributions to the safeguard of our American freedoms. Of the patriots attending, Billie Barton served in World War II, Robert Duvall, Francis Figler, Okey Gallien, Walter Kulczycki, Rodney Murphy, Robert Sullivan, and Freddie Wells served in the Korean war, Robert Montgomery served in both the Korean war and the Vietnam war, and 73 served in the Vietnam war. These men represent our Nation's best, and their sacrifices and valor embody American patriotism. They engaged in combat all over the world and fought in pivotal wars in a critical time for our Nation. Unfortunately, as the years go by, we are losing so many of our veterans, so we must show them our utmost gratitude each and every day.

Showing our appreciation to those who have served is something that we should do each and every day, but today is a special day to pay tribute and thank those who have volunteered to put their lives on the line for our freedoms. The memorials our Honor Flight participants will visit today serve as an important reminder to us all that our freedoms and liberties come at a steep cost. However, I know our veterans will find special meaning and potentially long-lost emotions when they tour such touching sites.

Our nation would not enjoy the freedom and liberty we do today without the commitment and sacrifice of the veterans who have served throughout our history. Their bravery and sacrifice know no bounds, and for this, we are forever grateful. With this week's Honor Flight Huntington, we celebrate and give thanks for these veterans and all they have done for our country.

God bless all our servicemembers and veterans, God bless the great State of West Virginia, and God bless the United States of America.●

#### RECOGNIZING DETROIT DIESEL CORPORATION

● Mr. PETERS. Mr. President, today I wish to recognize the 80th anniversary of Detroit Diesel Corporation, a subsidiary of Daimler Trucks North America in Detroit, MI. I appreciate the opportunity to speak about this truly significant milestone in the history of the Detroit brand, as well as speak to the importance of this anniversary to the greater legacy of Detroit as the "Motor City."

Established by General Motors in 1938, as the General Motors Diesel Division, Detroit Diesel produced the company's flagship engine, the two-cycle Series 71 engine or "two stroke." The two-stroke engine was introduced as a

cylinder inline engine and in a V-configuration in 1957.

Detroit Diesel played an important role during World War II as an essential contributor in the U.S. "Arsenal of Democracy," manufacturing engines for the Allied forces. These engines were used for construction equipment, power generation, agriculture, and military operations.

In 1955, Detroit Diesel evolved to meet the demands of the commercial trucking market. Introduced in 1957, the Series 53 engine was GM Diesel's first heavy-duty engine. The powerful Series 53 engine was made for multiple applications in various industries. It has powered the American timber industry, propelling logging skidders through deep, dense woods. The Series 53 became an indispensable tool on construction sites all over the United States and around the globe. With greater sophistication and power, building from the simple two-stroke Series 71 of 1938, the Series 53's heavy-duty capabilities provided operators with the muscle needed to break ground in many infrastructure projects through the United States. The Series 53 engine's versatility has been trusted for years in the aviation industry to haul packages and tow planes, and has been relied on to safely transport our troops on unforgiving terrain.

In 1965, General Motors Detroit Diesel consolidated into the Detroit Diesel Engine Division and introduced the Series 149 engine, which would be used to power tugboats and mine haul trucks. Over the next 20 years, the Detroit Diesel Engine Division combined with General Motors' Allison Division, becoming the Detroit Diesel Allison Division. From the mid to late 1960s to the late 1980s, the Detroit Diesel Allison Division would continue to innovate and strengthen its position as a leader in the field. During this time, the division created and introduced the Series 92, which would increase its capabilities in marine transportation. In the 1980s, Detroit Diesel Allison would hit yet another milestone: producing its first four-cylinder engine.

In 1987, Detroit Diesel introduced the heavy-duty, four-cylinder Detroit Diesel Series 60 engine. The Detroit Diesel Series 60 engine is known for its fuel efficiency as a heavy-duty engine. As the company's namesake, it would become one of its most well-known engines.

In 1987, General Motors partnered with another Michigan brand, Penske Corporation, and created the Detroit Diesel Corporation. As Detroit Diesel Corporation, the company experienced exponential growth in the on-highway market from the late 1980s to the late 1990s, up until Detroit Diesel Corporation was acquired by Daimler Chrysler in 2000, where they became a subsidiary of Daimler Trucks North America LLC.

In addition to cementing Michigan as an industry leader throughout the Nation and world, Detroit Diesel Corporation, now known as the Detroit brand,

powers economic and community development through its network of more than 800 locations throughout North America. In 2005, Detroit Diesel Corporation invested millions of dollars in expanding engine production in Michigan through its Renaissance project. The Detroit brand launched another major investment in Detroit in 2012; both initiatives have created thousands of jobs for hard-working families in Michigan.

As much as Detroit Diesel Corporation is the Detroit brand, at its very core, it is America's brand. I applaud its commitment to creating quality cutting-edge technology, ensuring that Michigan, as well as the United States, continues to be at the driver's seat of innovation as the automotive capital of the world. I ask my colleagues to join me in congratulating Detroit Diesel Corporation on its longevity and the immense impact it has made on communities here at home in Michigan and across the country. I wish Detroit Diesel Corporation many more decades of success.●

#### TRIBUTE TO DICK BROWN

● Mr. TESTER. Mr. President, today I wish to honor my friend Dick Brown, an extraordinary Montanan who has dedicated his life to improving healthcare across Big Sky Country. Dick has shown incredible leadership as president and CEO of the Montana Hospital Association for 11 years, advocating at both the State and Federal levels for healthier families and communities.

Through his 40 years in healthcare, Dick has been on the frontlines to bring positive change to our healthcare system. He has fought for lower costs, better access, stronger healthcare facilities, and improved patient outcomes. He partnered with Montanans across the political spectrum to lead the charge for Medicaid expansion in Montana, which has created jobs, saved the State money, and, most importantly, provided coverage to more than 90,000 Montanans who would have otherwise gone without.

We also worked together to host the first Rural Health Summit in Montana, which brought together experts from across the country to tackle the unique challenges of providing quality healthcare in frontier communities.

Dick's positive influence on healthcare in Montana is widely felt from Plentywood to Dillon. Dick is an adviser and friend, a moral compass and steady hand, a wise leader and compassionate advocate.

Healthcare in Montana, and especially rural Montana, wouldn't be the same without Dick Brown. His dedication to quality, affordable healthcare for Montanans has been a blessing to our State, and generations of healthier Montanans will stand as a lasting testament to his legacy.

On behalf of Montana and this body, we wish him the best in retirement.●

#### REMEMBERING THOMAS C. MANESS

● Mr. WYDEN. Mr. President, today I want to recognize and honor the late Dr. Thomas C. Maness, dean of the College of Forestry at Oregon State University in Corvallis, OR, for his outstanding contributions to forest research and his efforts to grow the wood product industry in my State and nationwide.

Dr. Maness served as dean of Oregon State University's College of Forestry from 2012 until his death on July 12. He was a visionary leader in my State and was known around the world for his advocacy of science-based management in the stewardship of our lands and resources. Under his guidance, the College of Forestry earned worldwide recognition for its innovative research and is currently the top-ranked program in the United States and second in the world. Dr. Maness's leadership has improved the health of our lands, people, businesses, and ecosystems by bringing credible, relevant, and timely information and science to our public and private forest land managers.

Prior to arriving at Oregon State University, Dr. Maness worked in both the private and public sectors, logging substantial achievements managing lands in the northwest, honing his scholarship in forest science and engineered timber products in both Europe and Canada, even contributing to the research arm of the U.S. Forest Service here in Washington, DC. He spent a decade in the industry as a research engineer and founded the Canadian National Centre of Excellence in Advancing Wood Processing at the University of British Columbia. Working closely with industry, Dr. Maness advanced research in sawmill optimization and real-time quality control systems and believed deeply that his research efforts should be translated into practical use for professional foresters and manufacturers.

Dr. Maness built his career on collaboration and believed it was key to effective forest management. He worked tirelessly to bridge the urban-rural divide and bring new economic life to our forest-dependent rural communities by starting what is now a nationwide movement to use mass timber building components such as cross-laminated timber in tall buildings. He called it the Forest to Frame movement. Dr. Maness truly represents what I call the Oregon Way: bringing everyone together, using science, collaboration, and cooperation to foster healthy, working landscapes capable of supporting local economies and our strong stewardship values.

Healthy forests, people, businesses, and ecosystems are the heart of the Pacific Northwest, and Oregonians feel a strong connection to these values. Dr. Maness sought balance between these ideals and provided not only Oregonians, but the Nation, with sound guidance on all matters related to one of our greatest natural resources. Dr.

Maness will be remembered for his tremendous contributions to forest management and science. ●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### PRESIDENTIAL MESSAGE

#### REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER DECLARING A NATIONAL EMERGENCY WITH RESPECT TO THE THREAT OF FOREIGN INTERFERENCE IN THE UNITED STATES ELECTIONS—PM 47

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code, I hereby report that I have issued an Executive Order declaring a national emergency to deal with the threat of foreign interference in United States elections and authorizing the United States Government to impose a range of appropriate and meaningful sanctions against foreign individuals and entities determined to have engaged in election interference.

Foreign powers have historically sought to exploit America's free and open political system. In recent years, the proliferation of digital devices and internet-based communications has created significant vulnerabilities and magnified the scope and intensity of the threat of foreign interference. To deal with this threat, I have directed the Director of National Intelligence to conduct regular assessments of any information indicating that foreign election interference has taken place. I have also directed the Attorney General and Secretary of Homeland Security to conduct evaluations of the effects of any such interference that targeted election infrastructure or cam-

paign-related infrastructure, and to provide updates and recommendations on appropriate measures to take in response.

In the event foreign election interference is determined to have occurred, the Executive Order provides for the imposition of sanctions on foreign persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, to have engaged in, sponsored, concealed, or otherwise been complicit in the interference, as well as other related persons.

The Executive Order further directs the Secretary of State and the Secretary of the Treasury to develop additional recommended sanctions measures, appropriately calibrated to account for the severity of the interference and any collateral effects on United States and allied financial stability and economic and security interests, targeting companies in significant economic sectors in a country whose government is determined to have engaged in or sponsored election interference.

I am enclosing a copy of the Executive Order I have issued.

DONALD J. TRUMP.

THE WHITE HOUSE, September 12, 2018.

#### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on September 11, 2018, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, without amendment:

S. 994. An act to amend title 18, United States Code, to provide for the protection of community centers with religious affiliation, and for other purposes.

#### ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on September 11, 2018, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. MITCHELL) had signed the following enrolled bill:

H.R. 6124. An act to amend title II of the Social Security Act to authorize voluntary agreements for coverage of Indian tribal council members, and for other purposes.

Under the authority of the order of the Senate of January 3, 2017, the enrolled bill was signed on September 11, 2018, during the adjournment of the Senate, by the Acting President pro tempore (Mr. BURR).

#### MESSAGES FROM THE HOUSE

At 3:04 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6691. An act to amend title 18, United States Code, to clarify the definition of "crime of violence", and for other purposes.

At 6:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 2497. An act to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 6691. An act to amend title 18, United States Code, to clarify the definition of "crime of violence", and for other purposes; to the Committee on the Judiciary.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-6444. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Propenoic acid, 2-methyl-, 2-oxiranylmethyl ester, polymer with butyl 2-propenoate, ethenylbenzene and 2-ethylhexyl 2-propenoate; Tolerance Exemption" (FRL No. 9982-72) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6445. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cloquintocet-mexyl; Pesticide Tolerances" (FRL No. 9980-90) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6446. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Metschnikowia fructicola strain NRRL Y-27328; Exemption from the Requirement of a Tolerance" (FRL No. 9982-22) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6447. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spiromesifen; Pesticide Tolerances" (FRL No. 9982-21) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6448. A communication from the Regulations Management Team Lead, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Announcement Process for Rural Utilities Service Grant Programs" (RIN0572-AC39) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6449. A communication from the Secretary of the Commodity Futures Trading

Commission, transmitting, pursuant to law, the report of a rule entitled “Chief Compliance Officer Duties and Annual Report Requirements for Futures Commission Merchants, Swap Dealers, and Major Swap Participants; Amendments” (RIN3038-AE56) received in the Office of the President of the Senate on September 5, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6450. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Market Facilitation Program” (RIN0560-AI42) received during adjournment of the Senate in the Office of the President of the Senate on September 10, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6451. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Irish Potatoes Grown in Colorado; Increased Assessment Rate for Area No. 2” ((7 CFR Part 948) (Docket No. AMS-SC-18-0022; SC18-984-1 FR)) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6452. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General John W. Nicholson, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-6453. A communication from the Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6454. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to the terrorist attacks on the United States of September 11, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-6455. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Ukraine that was originally declared in Executive Order 13660 of March 6, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-6456. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-6457. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Venezuela that was originally declared in Executive Order 13692 of March 8, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-6458. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957 of March 15, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-6459. A communication from the Assistant General Counsel, General Law, Ethics,

and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary (Financial Institutions), Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on September 7, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6460. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks” (RIN1557-AE37) received during adjournment of the Senate in the Office of the President of the Senate on September 7, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6461. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Addition of Certain Entities to the Entity List, Revision of Entries on the Entity List and Removal of Certain Entities from the Entity List” (RIN0694-AH42) received in the Office of the President of the Senate on September 5, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6462. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Revisions to the Export Administration Regulations Based on the 2017 Missile Technology Control Regime Plenary Agreements” (RIN0694-AH46) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6463. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled “Liquidity Coverage Ration Rule: Treatment of Certain Municipal Obligations as High-Quality Liquid Assets” (RIN3064-AE77) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6464. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled “Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks” (RIN3064-AE76) received during adjournment of the Senate in the Office of the President of the Senate on September 7, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6465. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval and Air Quality Designation; Florida: Redesignation of the Hillsborough County Lead Nonattainment Area to Attainment” (FRL No. 9983-44-Region 4) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Environment and Public Works.

EC-6466. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; ID, Pinehurst PM10 Redesignation, Limited Maintenance Plan; West Silver Valley 2012 Annual PM2.5 Emission Inventory” (FRL No. 9983-53-Region 10) received in the Office of the Presi-

dent of the Senate on September 6, 2018; to the Committee on Environment and Public Works.

EC-6467. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; New Hampshire; Single Source Orders and Revisions to Definitions” (FRL No. 9982-99-Region 1) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Environment and Public Works.

EC-6468. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; North Carolina: New Source Review for Fine Particulate Matter (PM2.5)” (FRL No. 9983-43-Region 4) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Environment and Public Works.

EC-6469. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Vermont; Infrastructure State Implementation Plan Requirements for the 2012 PM2.5 NAAQS” (FRL No. 9983-02-Region 1) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Environment and Public Works.

EC-6470. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Virginia; Nonattainment New Source Review Requirements for the 2008 8-Hour Ozone Standard” (FRL No. 9983-33-Region 3) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Environment and Public Works.

EC-6471. A communication from the Director, Office of Technology Transitions, Department of Energy, transmitting, pursuant to law, a report entitled “Report on Technology Transfer and Related Technology Partnering Activities at the National Laboratories and Other Facilities for Fiscal Year 2015”; to the Committee on Energy and Natural Resources.

EC-6472. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Implementation of Nonresident Alien Deposit Interest Regulations” (Rev. Proc. 2018-36) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Finance.

EC-6473. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Qualifying Relative and the Exemption Amount” (Notice 2018-70) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Finance.

EC-6474. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Revenue Procedure: Examination of Returns and Claims for Refund, Credit, or Abatement; Determination of Correct Tax Liability” (Notice 2018-68) received in the Office of the President of the Senate on September 6, 2018; to the Committee on Finance.

EC-6475. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury,

transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary (Economic Policy), Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on September 7, 2018; to the Committee on Finance.

EC-6476. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms abroad controlled under Category I of the U.S. Munitions List of Automatic 5.56mm rifles to the UAE in the amount of \$1,000,000 or more (Transmittal No. DDTC 18-024); to the Committee on Foreign Relations.

EC-6477. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, a semiannual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses; to the Committee on Foreign Relations.

EC-6478. A communication from the Strategic Advisor and Director of Congressional Relations and Government Affairs, Office of the Special Inspector General for Afghanistan Reconstruction, transmitting, pursuant to law, a report relative to the Office's July 2018 quarterly report to Congress (OSS-2018-1090); to the Committee on Homeland Security and Governmental Affairs.

EC-6479. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, a report relative to the Administration's fiscal year 2018 Commercial Activities Inventory and Inherently Governmental Activities Inventory and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-6480. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary and Director, U.S. Immigration and Customs Enforcement (ICE), Department of Homeland Security, received in the Office of the President of the Senate on September 6, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-6481. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Removal of Dispute Resolution Pilot Program for Public Assistance Appeals" ((RIN1660-AA94) (Docket No. FEMA-2018-0015)) received during adjournment of the Senate in the Office of the President of the Senate on September 10, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-6482. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Adjustment to Premium Processing Fee" (RIN1615-ZB73) received in the Office of the President of the Senate on September 5, 2018; to the Committee on the Judiciary.

EC-6483. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Safety Standard for Automatic Residential Garage Door Operators" (RIN3041-AD66) received in the Office of the President of the Senate on August 27, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6484. A communication from the Program Analyst, Office of Managing Director,

Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Assessment and Collection of Regulatory Fees for Fiscal Year 2018" (FCC 18-126) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2018; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-299. A joint resolution adopted by the Legislature of the State of Illinois memorializing its ratification of the proposed Equal Rights Amendment to the Constitution of the United States of America; to the Committee on the Judiciary.

#### SENATE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT NO. 4

Whereas, The Ninety-second Congress of the United States of America, at its Second Session, in both houses, by a constitutional majority of two-thirds, adopted the following proposition to amend the Constitution of the United States of America:

#### "JOINT RESOLUTION

*Resolved by the House of Representatives and Senate of the United States of America in Congress assembled (two-thirds of each house concurring therein),* That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

#### "ARTICLE

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.""; and

Whereas, A Joint Resolution is a resolution adopted by both houses of the General Assembly and does not require the signature of the Governor; a Joint Resolution is sufficient for Illinois' ratification of an amendment to the United States Constitution; and

Whereas, The United States Congress has recently adopted the 27th Amendment to the Constitution of the United States, the so-called Madison Amendment, relating to Compensation of Members of Congress; this amendment was proposed 203 years earlier by our First Congress and only recently ratified by three-fourths of the States; the United States Archivist certified the 27th Amendment on May 18, 1992; and

Whereas, The founders of our nation, James Madison included, did not favor further restrictions to Article V of the Constitution of the United States, the amending procedure; the United States Constitution is harder to amend than any other constitution in history; and

Whereas, The restricting time limit for the Equal Rights Amendment ratification is in the resolving clause and is not a part of the amendment proposed by Congress and already ratified by 35 states; and

Whereas, Having passed a time extension for the Equal Rights Amendment on October 20, 1978, Congress has demonstrated that a time limit in a resolving clause can be disregarded if it is not a part of the proposed amendment; and

Whereas, The United States Supreme Court in *Coleman v. Miller*, 307 U.S. 433, at 456 (1939), recognized that Congress is in a unique position to judge the tenor of the nation, to be aware of the political, social, and economic factors affecting the nation, and to be aware of the importance to the nation of the proposed amendment; and

Whereas, If an amendment to the Constitution of the United States has been proposed by two-thirds of both houses of Congress and ratified by three-fourths of the state legislatures, it is for Congress under the principles of *Coleman v. Miller* to determine the validity of the state ratifications occurring after a time limit in the resolving clause, but not in the amendment itself; and

Whereas, Constitutional equality for women and men continues to be timely in the United States and worldwide, and a number of other nations have achieved constitutional equality for their women and men; therefore, be it

*Resolved, by the Senate of the One Hundredth General Assembly of the State of Illinois, the House of Representatives concurring herein,* that the proposed amendment to the Constitution of the United States of America set forth in this resolution is ratified; and be it further

*Resolved,* That a certified copy of this resolution be forwarded to the Archivist of the United States, the President pro tempore of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and each member of the Illinois congressional delegation.

POM-300. A petition from a citizen of the State of Texas relative to the Medicare Payment Advisory Commission June 2018 report submitted to the United States Congress; to the Committee on Finance.

POM-301. A petition from a citizen of the State of Texas relative to national security clearances; to the Select Committee on Intelligence.

POM-302. A petition from a citizen of the District of Columbia relative to voting representatives in the United States Congress; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2019" (Rept. No. 115-337).

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2823. A bill to modernize copyright law, and for other purposes.

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

H.R. 4323. A bill to promote veteran involvement in STEM education, computer science, and scientific research, and for other purposes.

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

H.R. 4467. A bill to require the Federal Air Marshal Service to utilize risk-based strategies, and for other purposes.

H.R. 4559. A bill to conduct a global aviation security review, and for other purposes.

#### EXECUTIVE REPORT OF COMMITTEE—TREATY

The following executive report of committee was submitted:

By Mr. CORKER, from the Committee on Foreign Relations:

[Treaty Doc. 114-7 U.N. Convention on the Assignment of Receivables in International Trade with 6 declarations and 5 understandings (Ex. Rept. 115-7)]

The text of the committee-recommended resolution of advice and consent to ratification is as follows:

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

Section 1. Senate Advice and Consent Subject to Understandings and Declarations.

The Senate advises and consents to the ratification of the United Nations Convention on the Assignment of Receivables in International Trade, done at New York on December 12, 2001, and signed by the United States on December 30, 2003 (the "Convention") (Treaty Doc. 114-7), subject to the understandings of section 2 and the declarations of sections 3 and 4.

#### Sec. 2. Understandings.

The Senate's advice and consent under section 1 is subject to the following understandings, which shall be included in the instrument of ratification:

(1) It is the understanding of the United States that paragraph (2)(e) of Article 4 excludes from the scope of the Convention the assignment of—

(A) receivables that are securities, regardless of whether such securities are held with an intermediary; and

(B) receivables that are not securities, but are financial assets or instruments, if such financial assets or instruments are held with an intermediary.

(2) It is the understanding of the United States that the phrase "that place where the central administration of the assignor or the assignee is exercised," as used in Articles 5(h) and 36 of the Convention, has a meaning equivalent to the phrase, "that place where the chief executive office of the assignor or assignee is located."

(3) It is the understanding of the United States that the reference, in the definition of "financial contract" in Article 5(k), to "any other transaction similar to any transaction referred to above entered into in financial markets" is intended to include transactions that are or become the subject of recurrent dealings in financial markets and under which payment rights are determined by reference to—

(A) underlying asset classes; or

(B) quantitative measures of economic or financial risk or value associated with an occurrence or contingency. Examples are transactions under which payment rights are determined by reference to weather statistics, freight rates, emissions allowances, or economic statistics.

(4) It is the understanding of the United States that because the Convention applies only to "receivables," which are defined in Article 2(a) as contractual rights to payment of a monetary sum, the Convention does not apply to other rights of a party to a license of intellectual property or an assignment or other transfer of an interest in intellectual property or other types of interests that are not a contractual right to payment of a monetary sum.

(5) The United States understands that, with respect to Article 24 of the Convention, the Article requires a Contracting State to provide a certain minimum level of rights to an assignee with respect to proceeds, but that it does not prohibit Contracting States from providing additional rights in such proceeds to such an assignee.

Sec. 3. Declarations to be Included in the Instrument of Ratification.

The Senate's advice and consent under section 1 is subject to the following declara-

tions, which shall be included in the instrument of ratification:

(1) Pursuant to Article 23(3), the United States declares that, in an insolvency proceeding of the assignor, the insolvency laws of the United States or its territorial units may under some circumstances—

(A) result in priority over the rights of an assignee being given to a lender extending credit to the insolvency estate, or to an insolvency administrator that expends funds of the insolvency estate for the preservation of the assigned receivables (see, for example, title 11 of the United States Code, sections 364(d) and 506(c)); or

(B) subject the assignment of receivables to avoidance rules, such as those dealing with preferences, undervalued transactions and transactions intended to defeat, delay, or hinder creditors of the assignor.

(2) Pursuant to Article 36 of the Convention, the United States declares that, with respect to an assignment of receivables governed by enactments of Article 9 of the Uniform Commercial Code, as adopted in one of its territorial units, if an assignor's location pursuant to Article 5(h) of the Convention is the United States and, under the location rules contained in section 9-307 of the Uniform Commercial Code, as adopted in that territorial unit, the assignor is located in a territorial unit of the United States, that territorial unit is the location of the assignor for purposes of this Convention.

(3) Pursuant to Article 37 of the Convention, the United States declares that any reference in the Convention to the law of the United States means the law in force in the territorial unit thereof determined in accordance with Article 36 and the Article 5(h) definition of location. However, to the extent under the conflict-of-laws rules in force in that territorial unit, a particular matter would be governed by the law in force in a different territorial unit of the United States, the reference to "law of the United States" with respect to that matter is to the law in force in the different territorial unit. The conflict-of-laws rules referred to in the preceding sentence refer primarily to the conflict-of-laws rules in section 9-301 of the Uniform Commercial Code as enacted in each State of the United States.

(4) Pursuant to Article 39 of the Convention, the United States declares that it will not be bound by chapter V of the Convention.

(5) Pursuant to Article 40, the United States declares that the Convention does not affect contractual anti-assignment provisions where the debtor is a governmental entity or an entity constituted for a public purpose in the United States.

#### Sec. 4. Self-Execution Declaration.

The Senate's advice and consent under section 1 is subject to the following declaration: This Convention is self-executing.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MERKLEY (for himself, Mr. WYDEN, Mr. BLUMENTHAL, Mr. BENNET, Mr. VAN HOLLEN, and Mr. KING):

S. 3427. A bill to effectively staff the public elementary schools and secondary schools of the United States with school-based mental health services providers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself and Mr. HATCH):

S. 3428. A bill to amend the Controlled Substances Act to require warning labels for pre-

scription opioids, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. CARPER, Mr. NELSON, and Mr. CASEY):

S. 3429. A bill to require the Secretary of Health and Human Services to issue guidance to States to improve care for infants with neonatal abstinence syndrome and their mothers and fathers or guardians under Medicaid; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES (for himself and Mr. TESTER):

S. 3430. A bill to amend title 49, United States Code, to provide for the treatment of certain seasonal airports; to the Committee on Commerce, Science, and Transportation.

By Mr. PERDUE (for himself, Mr. CRUZ, and Mr. RUBIO):

S. 3431. A bill to impose sanctions with respect to certain militias in Iraq that are backed by the Government of Iran; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. DUCKWORTH:

S. 3432. A bill to direct the Secretary of Transportation to issue rules requiring the inclusion of new safety equipment in school buses, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TOOMEY:

S. 3433. A bill to exempt firefighters and police officers from the Government Pension Offset and Windfall Elimination Provisions under the Social Security Act; to the Committee on Finance.

By Ms. SMITH (for herself and Mr. CASIDY):

S. 3434. A bill to amend the Public Health Service Act to provide for grants to enable States to carry out activities to reduce administrative costs and burdens in health care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ (for himself, Mr. DURBIN, Mr. BOOKER, Mr. VAN HOLLEN, Mr. MURPHY, Ms. WARREN, Ms. BALDWIN, Ms. HARRIS, and Ms. CORTEZ MASTO):

S. 3435. A bill to amend the Higher Education Act of 1965 to direct the Secretary of Education to issue guidance and recommendations for institutions of higher education on removing criminal and juvenile justice questions from their application for admissions process; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Ms. WARREN, Mrs. SHAHEEN, Ms. BALDWIN, Ms. HEITKAMP, Ms. HIRONO, Ms. STABENOW, Ms. CANTWELL, Ms. KLOBUCHAR, Ms. HASSAN, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Ms. SMITH, Mrs. MCCASKILL, and Mrs. FEINSTEIN):

S. 3436. A bill to amend the Employee Retirement Income Security Act of 1974 to provide for greater spousal protection under defined contribution plans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself and Mr. HOEVEN):

S. 3437. A bill to establish a Federal rotational cyber workforce program for the Federal cyber workforce; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PORTMAN (for himself and Ms. KLOBUCHAR):

S. 3438. A bill to require the Director of the Government Publishing Office to establish and maintain a website accessible to the

public that allows the public to obtain electronic copies of all congressionally mandated reports in one place, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GRAHAM (for himself and Mr. SCOTT):

S. 3439. A bill to redesignate the Reconstruction Era National Monument as the Reconstruction Era National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. KING, Mr. BROWN, Mr. MARKEY, Mr. MURPHY, Mr. MENENDEZ, Ms. WARREN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Ms. HASSAN, Mr. JONES, Mr. VAN HOLLEN, Mr. CASEY, Ms. BALDWIN, and Mr. DONNELLY):

S. Res. 625. A resolution designating the week beginning September 9, 2018, as "National Direct Support Professionals Recognition Week"; to the Committee on the Judiciary.

By Mr. WYDEN (for himself, Mrs. MURRAY, Ms. HARRIS, Mr. UDALL, Mr. COONS, Ms. HIRONO, Mr. MARKEY, Mr. SANDERS, Mr. BROWN, Ms. WARREN, Mr. BENNET, Mr. DURBIN, Mr. VAN HOLLEN, Mr. MERKLEY, Mr. CARPER, Ms. SMITH, and Mr. BOOKER):

S. Res. 626. A resolution designating September 2018 as "National Voting Rights Month"; to the Committee on Rules and Administration.

By Mr. RUBIO (for himself and Mr. NELSON):

S. Res. 627. A resolution designating September 2018 as "National Spinal Cord Injury Awareness Month"; considered and agreed to.

By Mr. MCCONNELL (for himself and Mr. SCHUMER):

S. Res. 628. A resolution to authorize document production by the Select Committee on Intelligence in United States v. Paul J. Manafort, Jr. (D.D.C.); considered and agreed to.

By Mr. SHELBY:

S. Con. Res. 46. A concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 5895; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 635

At the request of Mrs. SHAHEEN, the names of the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Washington (Ms. CANTWELL), the Senator from Illinois (Mr. DURBIN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Vermont (Mr. SANDERS) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 635, a bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity.

S. 732

At the request of Mr. BOOZMAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 732, a bill to amend the

Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 796

At the request of Mr. WARNER, the names of the Senator from New Mexico (Mr. HEINRICH), the Senator from Massachusetts (Mr. MARKEY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 796, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 797

At the request of Mr. BROWN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 797, a bill to amend the Internal Revenue Code of 1986 to make permanent the Volunteer Income Tax Assistance matching grant program.

S. 835

At the request of Mr. MURPHY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 835, a bill to require the Supreme Court of the United States to promulgate a code of ethics.

S. 1112

At the request of Ms. HEITKAMP, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1112, a bill to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 1143

At the request of Mrs. MURRAY, the names of the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Illinois (Mr. DURBIN), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Maine (Ms. COLLINS) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1143, a bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit.

S. 1164

At the request of Mr. DAINES, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1164, a bill to protect consumers from deceptive practices with respect to online booking of hotel reservations, and for other purposes.

S. 1328

At the request of Mr. KAINE, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Maine (Ms. COLLINS), the Senator from Illinois (Mr. DURBIN), the Senator from Washington (Mrs. MURRAY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1328, a

bill to extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sexual orientation or gender identity, and for other purposes.

S. 1503

At the request of Ms. WARREN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 1539

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1539, a bill to protect victims of stalking from gun violence.

S. 2006

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2006, a bill to require breast density reporting to physicians and patients by facilities that perform mammograms, and for other purposes.

S. 2038

At the request of Mr. MORAN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2038, a bill to amend title 38, United States Code, to provide for a presumption of herbicide exposure for certain veterans who served in Korea, and for other purposes.

S. 2072

At the request of Mr. MERKLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2072, a bill to amend the Toxic Substances Control Act to require the Administrator of the Environmental Protection Agency to take action to eliminate human exposure to asbestos, and for other purposes.

S. 2076

At the request of Ms. COLLINS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2076, a bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2164

At the request of Mr. CARDIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2164, a bill to amend the Congressional Budget Act of 1974 respecting the scoring of preventive health savings.

S. 2208

At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2208, a bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp.

S. 2313

At the request of Mr. VAN HOLLEN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Indiana (Mr. DONNELLY) were

added as cosponsors of S. 2313, a bill to deter foreign interference in United States elections, and for other purposes.

S. 2317

At the request of Mr. MARKEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2317, a bill to amend the Controlled Substances Act to provide for additional flexibility with respect to medication-assisted treatment for opioid use disorders, and for other purposes.

S. 2554

At the request of Ms. COLLINS, the names of the Senator from Ohio (Mr. BROWN) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 2554, a bill to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees.

S. 2568

At the request of Mr. BROWN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2568, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 2572

At the request of Mr. CASEY, the names of the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Oregon (Mr. MERKLEY) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 2572, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 2578

At the request of Mr. SCHATZ, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2578, a bill to amend title 13, United States Code, to require the Secretary of Commerce to provide advanced notice to Congress before changing any questions on the decennial census, and for other purposes.

S. 2584

At the request of Ms. BALDWIN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 2584, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 2680

At the request of Mrs. MURRAY, the names of the Senator from Colorado (Mr. BENNET), the Senator from New Hampshire (Ms. HASSAN), the Senator from Massachusetts (Ms. WARREN), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2680, a bill to address the opioid crisis.

S. 2785

At the request of Mr. DURBIN, the names of the Senator from Connecticut

(Mr. BLUMENTHAL) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 2785, a bill to designate foreign persons who improperly interfere in United States elections as inadmissible aliens, and for other purposes.

S. 2823

At the request of Mr. HATCH, the names of the Senator from New Mexico (Mr. HEINRICH), the Senator from Montana (Mr. TESTER), the Senator from Virginia (Mr. WARNER), the Senator from Washington (Ms. CANTWELL) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 2823, a bill to modernize copyright law, and for other purposes.

S. 2852

At the request of Mr. BURR, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2852, a bill to reauthorize certain programs under the Pandemic and All-Hazards Preparedness Reauthorization Act.

S. 2902

At the request of Mr. CASSIDY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2902, a bill to amend title XIX of the Social Security Act to facilitate Medicaid access to State prescription drug monitoring programs, and for other purposes.

S. 2905

At the request of Mr. TOOMEY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2905, a bill to amend title XVIII of the Social Security Act to provide for certain integrity transparency measures under Medicare parts C and D.

S. 2909

At the request of Mr. HELLER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2909, a bill to require the Comptroller General of the United States to study and report on State Medicaid agencies' options related to the distribution of substance use disorder treatment medications under the Medicaid program.

S. 2911

At the request of Mr. HELLER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2911, a bill to require the Secretary of Health and Human Services to provide guidance to States regarding Medicaid items and services for non-opioid pain treatment and management.

S. 2912

At the request of Mr. CASSIDY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2912, a bill to require the Secretary of Health and Human Services to publish data related to the prevalence of substance use disorders in the Medicaid beneficiary population and the treatment of substance use disorders under Medicaid, and for other purposes.

S. 2918

At the request of Ms. HARRIS, the names of the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Washington (Mrs. MURRAY), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 2918, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

S. 2921

At the request of Mr. HELLER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2921, a bill to amend title XIX of the Social Security Act to help ensure coverage of inpatient treatment services furnished in institutions for mental disease.

S. 2961

At the request of Mr. BLUNT, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2961, a bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 2971

At the request of Mr. BOOKER, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 2971, a bill to amend the Animal Welfare Act to prohibit animal fighting in the United States territories.

S. 3020

At the request of Mr. MARKEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 3020, a bill to establish in the Bureau of Democracy, Human Rights, and Labor of the Department of State a Special Envoy for the Human Rights of LGBTI Peoples, and for other purposes.

S. 3032

At the request of Ms. WARREN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3032, a bill to amend the Controlled Substances Act to provide for a new rule regarding the application of the Act to marijuana, and for other purposes.

S. 3057

At the request of Mr. PORTMAN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 3057, a bill to provide for the processing by U.S. Customs and Border Protection of certain international mail shipments and to require the provision of advance electronic information on international mail shipments of mail.

S. 3135

At the request of Mrs. HYDE-SMITH, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 3135, a bill to prohibit Federal funding of State firearm ownership databases, and for other purposes.

S. 3151

At the request of Ms. HIRONO, the name of the Senator from New Mexico

(Mr. UDALL) was added as a cosponsor of S. 3151, a bill to secure the rights of public employees to organize, act concertedly, and bargain collectively, which safeguard the public interest and promote the free and unobstructed flow of commerce, and for other purposes.

S. 3170

At the request of Mr. CORNYN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3170, a bill to amend title 18, United States Code, to make certain changes to the reporting requirement of certain service providers regarding child sexual exploitation visual depictions, and for other purposes.

S. 3178

At the request of Ms. HARRIS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3178, a bill to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, and for other purposes.

S. 3247

At the request of Mr. BOOZMAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3247, a bill to improve programs and activities relating to women's entrepreneurship and economic empowerment that are carried out by the United States Agency for International Development, and for other purposes.

S. 3257

At the request of Mr. CRUZ, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Missouri (Mr. BLUNT), the Senator from Louisiana (Mr. CASSIDY), the Senator from Iowa (Mrs. ERNST), the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), the Senator from Maine (Mr. KING) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 3257, a bill to impose sanctions on foreign persons responsible for serious violations of international law regarding the protection of civilians during armed conflict, and for other purposes.

S. 3290

At the request of Mr. COTTON, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 3290, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Tomb of the Unknown Soldier.

S. 3298

At the request of Mr. DAINES, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 3298, a bill to extend the authority of the Vietnam Veterans Memorial Fund, Inc., to establish a visitor center for the Vietnam Veterans Memorial.

S. 3321

At the request of Mr. COONS, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 3321, a bill to award Congressional

Gold Medals to Katherine Johnson and Dr. Christine Darden and to posthumously award Congressional Gold Medals to Dorothy Vaughan and Mary Jackson in recognition of their contributions to the success of the National Aeronautics and Space Administration during the Space Race.

S. 3352

At the request of Mr. YOUNG, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 3352, a bill to direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

S. 3354

At the request of Mr. GRASSLEY, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3354, a bill to amend the Missing Children's Assistance Act, and for other purposes.

S. 3419

At the request of Ms. HIRONO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 3419, a bill to amend title 38, United States Code, to extend authorities relating to homeless veterans, and for other purposes.

S. CON. RES. 7

At the request of Mr. ROBERTS, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 481

At the request of Mr. HATCH, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. Res. 481, a resolution calling upon the leadership of the Government of the Democratic People's Republic of Korea to dismantle its labor camp system, and for other purposes.

S. RES. 610

At the request of Mr. BLUMENTHAL, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. Res. 610, a resolution urging the release of information regarding the September 11, 2001, terrorist attacks upon the United States.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 625—DESIGNATING THE WEEK BEGINNING SEPTEMBER 9, 2018, AS "NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK"

Mr. CARDIN (for himself, Ms. COLLINS, Mr. KING, Mr. BROWN, Mr. MARKEY, Mr. MURPHY, Mr. MENENDEZ, Ms. WARREN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Ms. HASSAN, Mr. JONES, Mr. VAN HOLLEN, Mr. CASEY, Ms. BALD-

WIN, and Mr. DONNELLY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 625

Whereas direct support professionals, including direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals, are key to providing publicly funded, long-term support and services for millions of individuals with disabilities;

Whereas direct support professionals provide essential support that ensures that individuals with disabilities are—

- (1) included as a valued part of the community of the individual;
- (2) supported at home, at work, and in the communities of the United States; and
- (3) empowered to live with the dignity that all people of the United States deserve;

Whereas all communities have a stake in ensuring that individuals with disabilities thrive through the connections of the individuals to their families, friends, and communities, fostered by the direct support professionals of those individuals, so as to avoid more costly institutional care;

Whereas direct support professionals support individuals with disabilities by helping those individuals make person-centered choices that lead to meaningful, productive lives;

Whereas direct support professionals must build close, respectful, and trusting relationships with individuals with disabilities;

Whereas direct support professionals provide a broad range of individualized support to individuals with disabilities, including—

- (1) assisting with the preparation of meals;
- (2) helping with medication;
- (3) assisting with bathing, dressing, and other aspects of daily living;
- (4) assisting with access to the environment of the individuals;
- (5) providing transportation to school, work, religious, and recreational activities; and

(6) helping with general daily affairs, such as assisting with financial matters, medical appointments, and personal interests;

Whereas there is a documented critical and increasing shortage of direct support professionals throughout the United States;

Whereas direct support professionals are a critical element in supporting—

- (1) individuals who are receiving health care services for severe chronic health conditions and individuals with functional limitations; and

(2) the successful transition of individuals from medical events to post-acute care and long-term support and services;

Whereas many direct support professionals are the primary financial providers for their families;

Whereas direct support professionals are hardworking, taxpaying citizens who provide an important service to people with disabilities in the United States, yet many continue to earn low wages, receive inadequate benefits, and have limited opportunities for advancement, resulting in high turnover and vacancy rates that adversely affect the quality of support, safety, and health of individuals with disabilities;

Whereas the Supreme Court of the United States, in *Olmstead v. L.C.* by Zimring, 527 U.S. 581 (June 22, 1999)—

- (1) recognized the importance of the deinstitutionalization of, and community-based services for, individuals with disabilities; and

(2) held that, under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), a State must provide community-based services to persons with intellectual and developmental disabilities if—

(A) the community-based services are appropriate;

(B) the affected person does not oppose receiving the community-based services; and

(C) the community-based services can be reasonably accommodated after the community has taken into account the resources available to the State and the needs of other individuals with disabilities in the State; and

Whereas, in 2018, the majority of direct support professionals are employed in home- and community-based settings and that trend will increase over the next decade: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning September 9, 2018, as “National Direct Support Professionals Recognition Week”;

(2) recognizes the dedication and vital role of direct support professionals in enhancing the lives of individuals with disabilities of all ages;

(3) appreciates the contribution of direct support professionals in supporting individuals with disabilities and their families in the United States;

(4) commends direct support professionals for being integral to the provision of long-term support and services for individuals with disabilities;

(5) encourages the Bureau of Labor Statistics of the Department of Labor to collect data specific to direct support professionals; and

(6) finds that the successful implementation of the public policies affecting individuals with disabilities in the United States depends on the dedication of direct support professionals.

Mr. CARDIN. Mr. President, I rise today with my colleagues Senators COLLINS, KING, BROWN, MARKEY, MURPHY, MENENDEZ, WARREN, KLOBUCHAR, BLUMENTHAL, HASSAN, JONES, VAN HOLLEN, CASEY, BALDWIN, and DONNELLY to recognize the week beginning September 9th, 2018 as National Direct Support Professionals Recognition Week. Direct Support Professionals are an invaluable part of our Nation’s health care system, caring for the most vulnerable Americans, including the chronically ill, seniors, and those living with a disability. With the help of Direct Support Professionals, these individuals can perform daily activities that many people take for granted, such as eating, bathing, dressing, and leaving the house. The work of Direct Support Professionals ensures that these individuals can be active participants in their communities.

Let me share with you the experience of Euricka Stevens, a direct support professional who was recognized this year for her incredible work and dedication when she was given Maryland’s Direct Support Professional, DSP, of the Year Award by the American Network of Community Options and Resources, ANCOR. It was said of Euricka that she, “doesn’t see limitations or disabilities. She sees a person for their distinctive collection of traits and strengths and frailties and meets them there. She listens to the person and has an uncanny knack for unearthing what makes them remarkable.”

For example, there was an instance where a non-verbal individual was ex-

periencing distress. Euricka was able to patiently determine that he was bothered by noise and calmed by sitting in a recliner. Because of her efforts, this individual is now able to participate in the life of the center, and have his needs taken care of if he is showing signs of discomfort.

As Euricka’s story demonstrates, the job of a direct support professional is not easy. The hours are often long, and the wages are low. The job can be physically laborious, as well as emotionally draining. The reward for direct support professionals, however, is that they are able to improve the lives of individuals with disabilities and help fulfill the promise of the Americans with Disabilities Act by making it possible for these Americans to participate in their communities to the fullest extent possible.

In our Nation, we are incredibly fortunate to have millions of service-oriented individuals who are willing to rise to the task of becoming a Direct Support Professional. According to the Bureau of Labor Statistics, the employment of DSPs is projected to grow by an average of 26 percent from 2014 to 2024, compared to a 7 percent average growth rate for all occupations during that period. Unfortunately, direct support professionals are often forced to leave the jobs they love due to low wages and excessive, difficult, work hours. Many Direct Support Professionals rely on public benefits, and some must work multiple jobs in order to provide for themselves and their families. Now, more than ever, it is imperative that we work to ensure that these hard-working individuals have the income and emotional support they need and deserve.

I urge my colleagues to join me and Senators COLLINS, KING, BROWN, MARKEY, MURPHY, MENENDEZ, WARREN, KLOBUCHAR, BLUMENTHAL, HASSAN, JONES, VAN HOLLEN, CASEY, BALDWIN, and DONNELLY in expressing our appreciation for the critically important work of our country’s Direct Support Professionals, in thanking them for their commitment and dedication, and in supporting the resolution designating the week beginning September 9, 2018, as National Direct Support Professionals Recognition Week.

SENATE RESOLUTION 626—DESIGNATING SEPTEMBER 2018 AS “NATIONAL VOTING RIGHTS MONTH”

Mr. WYDEN (for himself, Mrs. MURRAY, Ms. HARRIS, Mr. UDALL, Mr. COONS, Ms. HIRONO, Mr. MARKEY, Mr. SANDERS, Mr. BROWN, Ms. WARREN, Mr. BENNET, Mr. DURBIN, Mr. VAN HOLLEN, Mr. MERKLEY, Mr. CARPER, Ms. SMITH, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 626

Whereas voting is one of the single most important rights that can be exercised in a democracy;

Whereas over the course of history, various voter suppression laws in the United States have hindered, and even prohibited, certain individuals and groups from exercising the right to vote;

Whereas during the 19th and early 20th centuries, Native Americans and people who were born to United States citizens abroad, people who spoke a language other than English, and people who were formerly subjected to slavery were denied full citizenship and prevented from voting by English literacy tests;

Whereas from 1954 to 1968, minority groups such as African Americans in the South suffered from the oppressive effects of Jim Crow laws designed to prevent political, economic, and social mobility;

Whereas African Americans, Latinos, Asian Americans, Native Americans, and other underrepresented voters were subject to violence at polling stations, poll taxes, literacy tests, all-White primaries, property ownership tests, grandfather clauses, voter roll purges, and laws that prevented former prisoners from voting;

Whereas Congress passed the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) to protect the rights of African Americans and other traditionally disenfranchised groups to vote;

Whereas in 2013, the Supreme Court invalidated section 4 of the Voting Rights Act of 1965, dismantling the preclearance formula provision in that Act that protected voters in States that historically have suppressed the right of minorities to vote;

Whereas, since the invalidation of the preclearance formula provisions of the Voting Rights Act of 1965, gerrymandered districts in many States have gone unchallenged or have become less likely to be invalidated by the courts;

Whereas gerrymandering has a discriminatory impact on traditionally disenfranchised minorities, including by—

(1) diluting the voting power of minorities across many districts (known as “cracking”); and

(2) concentrating the voting power of minorities in 1 district to reduce the voting power of minorities in other districts (known as “packing”);

Whereas the courts have found that the congressional and, in some cases, State legislative district maps, in Texas, North Carolina, Florida, and Wisconsin were gerrymandered with the intent of interfering with the constitutional right to vote;

Whereas the decision of the Supreme Court of the United States in *Shelby County v. Holder*, 570 U.S. 529 (2013), calls on Congress to fix the formula in the Voting Rights Act of 1965;

Whereas some form of a restrictive voting law has been instituted in 33 States since 2013;

Whereas restrictive voting laws have resulted in cutbacks in early voting, voter roll purges, placement of faulty equipment in minority communities, a requirement of photo identification, the procurement of which amounts to a modern day poll tax, and the elimination of same-day registration;

Whereas more than 80,000,000 minority, elderly, poor, and disabled voters could be disenfranchised by restrictive voting laws;

Whereas in 2016, discriminatory laws in North Carolina, Wisconsin, North Dakota, and Texas have been ruled unconstitutional and overturned by the courts;

Whereas there are local elected officials who refuse to adhere to Federal court decisions that have struck down suppressive voting laws instituted since *Shelby County v. Holder*;

Whereas there is much more work to be done to ensure all citizens of the United States have the right to vote;

Whereas “National Voter Registration Day” is September 25; and

Whereas the month of September is an appropriate month to designate as “National Voting Rights Month”: Now, therefore, be it Resolved, That the Senate—

(1) supports the designation of September 2018 as “National Voting Rights Month”;

(2) encourages all people in the United States to uphold the right of every citizen to exercise the sacred and fundamental right to vote; and

(3) to further the mission of allowing all citizens to vote, supports the following actions:

(A) The development by public schools and universities of an academic curriculum that educates students about—

(i) the importance of voting, how to register to vote, where to vote, and the different forms of voting;

(ii) the history of voter suppression in the United States before the passage of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.);

(iii) current issues relating to laws passed after 1965 that restrict the right to vote; and

(iv) the actions taken by State and Federal Government officials since passage of the Voting Rights Act of 1965 that have created barriers to the exercise of the right to vote.

(B) During the month of September, the issuance of a special Fannie Lou Hamer stamp by the Postmaster General of the United States Postal Service to remind people in the United States that ordinary citizens risked their lives, marched, and participated in the great democracy of the United States so that all citizens would have the fundamental right to vote.

(C) The allocation of requisite funds by Congress for public service announcements—

(i) to remind people in the United States when elections are being held and urge people to vote; and

(ii) through various forms of media, including television, radio, newspapers, magazines, social media, billboards, and buses.

(D) The passage of legislation by Congress to allow any citizen to be automatically registered to vote in Federal elections when that citizen reaches the age of 18 years.

#### SENATE RESOLUTION 627—DESIGNATING SEPTEMBER 2018 AS “NATIONAL SPINAL CORD INJURY AWARENESS MONTH”

Mr. RUBIO (for himself and Mr. NELSON) submitted the following resolution; which was considered and agreed to:

S. RES. 627

Whereas more than 288,000 individuals in the United States live with spinal cord injuries, which cost society billions of dollars in health care costs and lost wages;

Whereas there are approximately 17,700 new spinal cord injuries in the United States each year;

Whereas more than 42,000 victims of spinal cord injuries are veterans who suffered a spinal cord injury while serving in the Armed Forces;

Whereas motor vehicle accidents are the leading cause of spinal cord injuries and the third leading cause of traumatic brain injuries;

Whereas more than 50 percent of all spinal cord injuries to children under the age of 18 occur as a result of motor vehicle accidents;

Whereas there is an urgent need to develop new neuroprotection, pharmacological, and

regeneration treatments to reduce, prevent, and reverse paralysis; and

Whereas increased education and investment in research are key factors in improving outcomes for victims of spinal cord injuries, improving the quality of life of victims of spinal cord injuries, and ultimately curing paralysis: Now, therefore, be it Resolved, That the Senate—

(1) designates September 2018 as “National Spinal Cord Injury Awareness Month”;

(2) supports the goals and ideals of National Spinal Cord Injury Awareness Month;

(3) continues to support research to find better treatments, therapies, and a cure for spinal cord injuries;

(4) supports clinical trials for new therapies that offer promise and hope to individuals living with paralysis; and

(5) commends the dedication of national, regional, and local organizations, researchers, doctors, volunteers, and people across the United States that are working to improve the quality of life of individuals living with spinal cord injuries and their families.

#### SENATE RESOLUTION 628—TO AUTHORIZE DOCUMENT PRODUCTION BY THE SELECT COMMITTEE ON INTELLIGENCE IN UNITED STATES V. PAUL J. MANAFORT, JR. (D.D.C.)

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 628

Whereas, the prosecution in *United States v. Paul J. Manafort, Jr.*, Cr. No. 17–201, currently pending in the United States District Court for the District of Columbia, has requested a copy of a transcript of an interview of W. Samuel Patten conducted by the Select Committee on Intelligence;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that documents, papers, and records under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Vice Chairman of the Senate Select Committee on Intelligence, acting jointly, are authorized to provide to the prosecution in *United States v. Paul J. Manafort, Jr.*, under appropriate security procedures, a copy of the transcript of the Committee’s interview of W. Samuel Patten and exhibits referenced in the interview.

Mr. MCCONNELL. Mr. President, on behalf of myself and the distinguished Democratic leader, Mr. SCHUMER, I send to the desk a resolution on documentary production by the Select Committee on Intelligence, and ask for its immediate consideration.

Mr. MCCONNELL. Mr. President, the Select Committee on Intelligence has received a request from the Department of Justice in a pending criminal case against Paul J. Manafort, Jr., for a copy of a transcript of an interview that the Committee staff conducted of a witness named W. Samuel Patten in January 2018.

In response to this request, this resolution would authorize the Chairman and Vice Chairman of the Select Committee on Intelligence, acting jointly, to provide a copy of the interview transcript, under appropriate security procedures, to the prosecution, which intends to share it with the defense under a protective order entered in the case.

#### SENATE CONCURRENT RESOLUTION 46—DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 5895

Mr. SHELBY submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 46

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill H.R. 5895, the Clerk of the House of Representatives shall make the following correction to the title so as to read: “Making consolidated appropriations for Energy and Water Development, the Legislative Branch, Military Construction, Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes.”.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4015. Mr. FLAKE (for Ms. DUCKWORTH) proposed an amendment to the bill S. 1050, to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

SA 4016. Mr. FLAKE (for Mr. ALEXANDER) proposed an amendment to the bill S. 3029, to revise and extend the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (PREEMIE Act).

#### TEXT OF AMENDMENTS

SA 4015. Mr. FLAKE (for Ms. DUCKWORTH) proposed an amendment to the bill S. 1050, to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II; as follows:

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Chinese-American World War II Veteran Congressional Gold Medal Act”.

##### SEC. 2. FINDINGS.

Congress finds that—

(1) Chinese Americans served the United States in every conflict since the Civil War, and distinguished themselves in World War II, serving in every theater of war and every branch of service, earning citations for their heroism and honorable service, including the Medal of Honor;

(2) Chinese nationals and Chinese Americans faced institutional discrimination in the United States since before World War II, limiting the size of their population and their ability to build thriving communities in the United States;

(3) the Act entitled “An Act to execute certain treaty stipulations relating to Chinese”,

approved May 6, 1882 (commonly known as the “Chinese Exclusion Act of 1882”) (22 Stat. 58, chapter 126), was the first Federal law that broadly restricted immigration and a specific nationality, making it illegal for Chinese laborers to immigrate to the United States and limiting the Chinese population in the United States for over 60 years;

(4) major court decisions such as the decisions in *Lum v. Rice*, 275 U.S. 78 (1927), and *People v. Hall*, 4 Cal. 399 (1854), found “yellow” races to be equal to African Americans with regard to “separate but equal” school facilities, and prohibited Chinese Americans, along with “Black, mulatto, or Indian” persons, from testifying against White men;

(5) Chinese Americans were harassed, beaten, and murdered because of their ethnicity, including the Chinese Massacre of 1871, where 17 Chinese immigrants in Los Angeles, California, were tortured and murdered, the Rock Springs Massacre of 1885 where White rioters killed 28 Chinese miners and burned 75 of their homes in Rock Springs, Wyoming, and the Hells Canyon Massacre of 1887 where 34 Chinese gold miners were ambushed and murdered in Hells Canyon, Oregon;

(6) there were only 78,000 Chinese Americans living on the United States mainland, with 29,000 living in Hawaii, at the start of World War II as result of Federal and State legislation and judicial decisions;

(7) despite the anti-Chinese discrimination at the time, as many as 20,000 Chinese Americans served in the Armed Forces during World War II, of whom, approximately 40 percent were not United States citizens due to the laws that denied citizenship to persons of Chinese descent;

(8) Chinese Americans, although small in numbers, made important contributions to the World War II effort;

(9) of the total Chinese Americans serving, approximately 25 percent served in the United States Army Air Force, with some sent to the China-Burma-India Theater with the 14th Air Service Group;

(10) the remainder of Chinese Americans who served in World War II served in all branches of the Armed Forces in all 4 theaters of war;

(11) the first all Chinese-American group was the 14th Air Service Group in the China-Burma-India Theater which enabled extensive and effective operations against the Japanese military in China;

(12) Chinese Americans are widely acknowledged for their role in the 14th Air Force, widely known as the Flying Tigers;

(13) Chinese Americans assigned to the China-Burma-India Theater made transoceanic journeys through hostile territories and were subject to enemy attack while at sea and in the air;

(14) in the Pacific Theater, Chinese Americans were in ground, air, and ocean combat and support roles throughout the Pacific including New Guinea, Guadalcanal, Solomon Islands, Iwo Jima, Okinawa, Philippines, Mariana Islands, and Aleutian Islands;

(15) throughout the Pacific and China-Burma-India theaters, Chinese Americans performed vital functions in translating, coordinating Nationalist Chinese and United States combat operations, servicing and repairing aircraft and armaments, training Nationalist Chinese troops and sailors, delivering medical care, providing signal and communication support, gathering and analyzing intelligence, participating in ground and air combat, and securing and delivering supplies;

(16) Chinese Americans also served in combat and support roles in the European and African theaters, serving in North Africa, Sicily, Italy, the Normandy D-Day invasion, which liberated Western Europe, and the Battle of the Bulge, occupying Western Ger-

many while helping to liberate Central Europe;

(17) Chinese Americans flew bomber missions, served in infantry units and combat ships in the Battle of the Atlantic, including aboard Merchant Marines convoys vulnerable to submarine and air attacks;

(18) many Chinese-American women served in the Women’s Army Corps, the Army Air Forces, and the United States Naval Reserve Women’s Reserve, and some became pilots, air traffic controllers, flight trainers, weather forecasters, occupational therapists, and nurses;

(19) Captain Francis B. Wai is the only Chinese American who served in World War II to have been awarded the Medal of Honor, the highest military award given by the United States

(20) Chinese Americans also earned Combat Infantry Badges, Purple Hearts, Bronze Stars, Silver Stars, Distinguished Service Cross, and Distinguished Flying Cross;

(21) units of the Armed Forces with Chinese Americans were also awarded unit citations for valor and bravery;

(22) the United States remains forever indebted to the bravery, valor, and dedication that the Chinese-American Veterans of World War II displayed; and

(23) the commitment and sacrifice of Chinese Americans demonstrates a highly uncommon and commendable sense of patriotism and honor in the face of discrimination.

#### SEC. 3. DEFINITIONS.

In this Act—

(1) the term “Chinese-American Veterans of World War II” includes individuals of Chinese ancestry who served—

(A) honorably at any time during the period December 7, 1941, and ending December 31, 1946; and

(B) in an active duty status under the command of the Armed Forces; and

(2) the term “Secretary” means the Secretary of the Treasury.

#### SEC. 4. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary shall strike the gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

(c) SMITHSONIAN INSTITUTION.—

(1) IN GENERAL.—Following the award of the gold medal in honor of the Chinese-American Veterans of World War II, the gold medal shall be given to the Smithsonian Institution, where it shall be available for display as appropriate and made available for research.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution should make the gold medal received under paragraph (1) available for display elsewhere, particularly at other locations associated with the Chinese-American Veterans of World War II or with World War II.

(d) DUPLICATE MEDALS.—Under regulations that the Secretary may promulgate, the Secretary may strike and sell duplicates in bronze of the gold medal struck under this Act, at a price sufficient to cover the cost of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

#### SEC. 5. STATUS OF MEDAL.

(a) NATIONAL MEDAL.—The gold medal struck under this Act shall be a national medal for the purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purpose of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

**SA 4016.** Mr. FLAKE (for Mr. ALEXANDER) proposed an amendment to the bill S. 3029, to revise and extend the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (PREEMIE Act); as follows:

On page 16, line 22, insert “, in collaboration with other departments, as appropriate,” after “Services”.

Beginning on page 16, line 24, strike “with-in” and all that follows through “Services” on page 17, line 1.

On page 17, line 11, insert “, and, as applicable, those in other departments,” after “Services”.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. DAINES. Mr. President, I have a request for one committee to meet during today’s session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today’s session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, September 12, 2018, at 2:30 p.m., to conduct a hearing entitled, “Countering Russia: Assessing New Tools.”

#### PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern Sam Satterfield have privileges of the floor for the balance of the day.

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

#### APPROPRIATIONS

Mr. ALEXANDER. Mr. President, Boy Scouts shouldn’t get a merit badge for telling the truth, and Senators shouldn’t get an award for passing an appropriations bill, because that is what we are supposed to do. But it is worth noting that for the first time in at least 10 years, these appropriations bills that we just passed are on time and within the budget Congress has set.

With this vote today, we are moving toward restoring the practice of regular order in the Senate from start to finish. This is what the right way means: hearings—we held three. Mark up the bills—all 12 bills are completed before the Fourth of July recess. Consult with other Senators—in the case of the Energy and Water appropriations bills, 87 Senators, we believe, had their wishes reflected in our bill. Floor debate, amendment votes, then a conference committee, and then we had the vote today.

I look forward to President Trump signing these appropriations bills into law. They will help to keep our country first in science, technology, and supercomputing, and they will build the ports and waterways that create jobs.

This bill supports funding for several important agencies, including the Corps of Engineers, the U.S. Department of Energy, the National Nuclear Security Administration, the Nuclear Regulatory Commission, the Bureau of Reclamation, and regional commissions, including the Appalachian Regional Commission and the Delta Regional Authority.

The amount of funding in the bill is also consistent with spending caps agreed to as part of the bipartisan budget agreement. It sets priorities while reducing unnecessary spending.

Let me start with the Army Corps of Engineers, which affects the lives of almost every American. Based upon the appropriations request we received, this is the most popular agency in the budget. The Corps maintains our inland waterways; it deepens and keeps our ports open; it looks after our recreational waters and lands; it manages our rivers to prevent flooding; its dams provide emission-free, renewable hydroelectric energy. The bill restores \$2.3 billion that was cut from the President's budget request, bringing the Corps' budget up to \$6.999 billion—a new record level of funding in a regular appropriations bill.

For the fifth consecutive year, the bill makes full use of the Inland Waterways Trust Fund revenues for water infrastructure projects, including up to \$117.7 million to continue construction of Chickamauga Lock in Chattanooga and \$2.125 million for dredging at Memphis Harbor McKellar Lake.

The bill also provides funding that exceeds the Harbor Maintenance Trust Fund, a spending target established by the Water Resources and Development Act of 2014. This is the fifth consecutive year that the bill has met or exceeded the Harbor Maintenance Trust Fund spending targets, which is necessary to adequately fund our Nation's harbors, including Mobile Harbor in Alabama, Savannah Harbor in Georgia, Long Beach Harbor in California, and many others across the country.

For the Department of Energy, for the fourth consecutive year, we have included record funding levels in a regular appropriations bill for the following activities: No. 1, for the Department's Office of Science. This is the Nation's largest support of research in the physical sciences. It is funded at \$6.5 billion, a new record funding level. The Office of Science provides funding for our 17 national laboratories—I call them our secret weapons—including the Oak Ridge National Laboratory. No other country has anything like them.

Let's take supercomputing. The bill provides a total of \$1.6 billion for high performance computing, including \$935 million within the Office of Science and \$723 million within the National

Nuclear Security Administration. This includes \$6.76 million to deliver at least one exascale machine in 2021 to reassert U.S. leadership in the critical area of supercomputing.

This accomplishment is not the result of 1 year of funding, but of 10 years of bipartisan effort through three different administrations, Democrat and Republican, to try to make sure that the United States is first in the world in supercomputing. We continue to do that in this appropriations bill.

Nuclear power is our best source of inexpensive, carbon-free baseload power. It is important for national security and competitiveness. Nuclear power provides 20 percent of our Nation's electricity and more than half of our carbon-free electricity. The Nuclear Regulatory Commission, which oversees our 99 nuclear power reactors, is also funded in this bill. We wanted to make sure it is prepared to review applications for new reactors, particularly small modular reactors and advanced reactors, and to extend the licenses of existing nuclear reactors, if it is the safe thing to do.

The bill also provides \$47 million for research and development at the Department of Energy to support existing reactors, \$27 million for the Consortium for Advanced Simulation of Light Water Reactors, and \$30 million for the Transformational Challenge Reactor.

It advances efforts to clean up hazardous materials at Cold War-era sites. The bill provides \$7.2 billion to support cleanup efforts, which is \$578 million above the President's budget request.

A key pillar of our national defense is a strong nuclear deterrent. That is in this appropriations bill, as well, including \$11.1 billion for weapons activities within the NNSA, including nearly \$2 billion for six life extension programs, which fix or replace components in weapons systems to make sure they are safe and reliable. Congress must maintain a safe and effective nuclear weapons stockpile and keep big construction projects on time and on budget.

I want to compliment Senator FEINSTEIN, of California, my partner on the Energy and Water Subcommittee. We worked hard together on all aspects of this bill, but especially on keeping those big construction projects on time and on budget.

A principal reason the United States produces 24 percent of all the money in the world for just 5 percent of the people in the world is the extraordinary concentration of brain power in the United States supported by Federal dollars through our National Laboratories, the National Institutes of Health, the National Science Foundation, and other agencies. It is important that the American people know that the Republican majority in Congress worked together with Democrats to provide record levels of funding for science, research, and technology.

I would state to all of those who might not have noticed this quiet new

development that Congress is funding science and research at record levels, and if we continue to do so, we will make America more competitive and help spur innovation and create good-paying jobs.

A lot of hard work went into these negotiations over the last several months. Our staff members have worked over weekends and over vacations to make that happen, including the last few days. On my staff were Tyler Owens, Adam DeMella, Meyer Seligman, Jen Armstrong, Molly Marsh, and Rachel Littleton; on Senator FEINSTEIN's staff, Doug Clapp, Chris Hanson, Samantha Nelson; and on Senator SHELBY's staff, Shannon Hines, Jonathan Graffeo, and David Adkins. I am deeply grateful to them for their professionalism and their bipartisan work.

#### OPIOID LEGISLATION

Mr. ALEXANDER. Mr. President, now I would like to say a word about legislation that the majority leader, Senator MCCONNELL, has described as landmark legislation, which I expect the Senate to move to early next week, and that is the legislation dealing with the most serious public health epidemic in America today, the opioid crisis.

We will be voting on the Opioid Crisis Response Act. This landmark legislation is the work of five different committees in the Senate. More than 70 Senators—half Republican, half Democrat—have provisions in this bill.

A big bill is hard to talk about, so let me just mention 10 key provisions: first, Senator PORTMAN's STOP Act to stop illegal drugs, including fentanyl, at the border coming through the mail; second, new nonaddictive painkillers, research and fast-track. I call this the holy grail of the opioids crisis because 100 million Americans hurt. They have pain; 25 million have chronic pain. They need help, and we need new non-addictive treatments to help them. Blister packs for opioids, such as a 3 to 5 days' supply—we authorized the FDA to require manufacturers to do that. More medication-assisted treatment, preventing doctor shopping by improving State prescription drug monitoring programs, and more behavioral and mental health providers. No. 7, support for comprehensive opioid recovery centers; No. 8, help for babies born in opioid withdrawal; No. 9, help for mothers with opioid use disorders, addicted to opioids; and No. 10, more early intervention with vulnerable children who have experienced trauma. Those are 10 of the 70 provisions that change the authorizing law, but in addition to that, we have placed unprecedented amounts of Federal dollars toward the opioid crisis.

In March, in the omnibus bill, Congress and the President directed \$4.7 billion toward the opioid crisis. Tomorrow, the conference committee considering the Labor, Health, and Human

Services, and Education Appropriations bill will meet. When that appropriations bill is approved, as we expect and hope it will be by the end of the month, that is another \$3.7 billion. So that is \$8.4 billion in the last few months that will have been directed toward the opioid crisis.

We have had seven hearings in our committee on opioids. On June 14, Becky Savage talked to us about two of her sons. She lost both of them after they accidentally overdosed on a combination of alcohol and opioids that they took in their own home after a graduation party.

At our hearing, Becky Savage said:

How could two boys who have always seemed to make good decisions in life make a choice that would ultimately cost them their lives? [H]ow did someone's prescription end up in the pocket of a teenager at a graduation party?

Nick and Jack were just two of the 33,000 Americans who died in 2015 from an opioid overdose, according to the Centers for Disease Control and Prevention. By 2016, the number had increased to 42,000 Americans. We suspect those numbers are even higher now. Last year, 1,776 Tennesseans died of a drug overdose, according to the Tennessee Department of Health, up from 1,630 the year before. We know that the opioid crisis is ravaging virtually every American community.

Becky Savage's story was just one of the heartbreaking stories the Senate HELP Committee heard last year in our seven hearings. Senator ISAKSON in Georgia told us of waking up to answer a phone call at 3 a.m. in December of 2016. His son John called to tell Senator ISAKSON that his grandson had passed away from an opioid overdose.

We heard Dr. Omar Abubaker, who lost his youngest son, Adam, 21 years old, after he overdosed on a mixture of heroin and benzodiazepines. At our hearing he said, "Since my son's death 3 years ago, more than 165,000 other parents in this country have experienced the same agony."

I imagine every Senator has heard heartbreaking stories of how the opioid crisis has impacted patients and children, doctors and nurses, entire communities in our States.

But at our hearings, we also heard stories of hope. Jessica Hulsey Nickel knows "firsthand the devastating impact that addiction can have on families," having lost both of her parents to addiction. Jessica has since dedicated her life to helping others battling the same disease.

Trish Tanner, the chief pharmacy officer at Ballad Health in Johnson City, TN, lost her nephew Dustin to an opioid overdose. As part of an executive fellowship program, she worked on a project on ways to reduce opioid prescribing, saying that "as Dustin's aunt and as a pharmacist, I have a duty and a desire to bring about change now."

To spread awareness and tell the story of losing her two sons, Becky Savage and her husband have created

the 525 Foundation in memory of Nick and Jack. When she testified before our committee, Becky told us that "you could have heard a pin drop in many of the auditoriums I speak in." After hearing her story, you could hear a pin drop in our committee room as well.

The challenge of solving the opioid crisis has been often been described as needing a moonshot. I wish we could do that. I wish we could appoint a single agency in Washington to solve this problem in every community in America, but what we have found is that will not work. Solving the opioid crisis might require the energy and resources of a moonshot, but ultimately it is not something that can be solved by a single agency here. What the Federal Government can do is create an environment so that everyone—Governors, mayors, judges, counselors, law enforcement, doctors, nurses, and families like the Savages—can succeed in fighting the crisis.

This is a package of more than 70 proposals from nearly three-quarters of the Members of the U.S. Senate—72 Members—that includes the work of five committees: the HELP Committee that I chair, the Finance, Judiciary, Commerce, and Banking Committees.

Since last October, the Senate HELP Committee, which I chair and Senator PATTY MURRAY of Washington is the ranking member of, has held seven hearings on the opioid crisis. We heard from Governors, from doctors, from addiction experts, family members, and others on how the Federal Government can be the best possible partner as we work to solve the crisis.

We took the input we heard at the first six hearings, and we turned it into a draft package of proposals, which Senator MURRAY and I released on April 5. On April 11, we held our seventh hearing to review the draft proposal. On April 17, we introduced an updated package of 40 proposals, based on the feedback we heard at the seventh hearing. On April 24, the Senate Health Committee voted 23 to 0 to pass this legislation, which included proposals from 38 different Senators.

Because this crisis is so widespread, the Finance, Judiciary, Commerce, and Banking Committees also have been working on their contributions to this bill.

On May 22, the Commerce Committee passed two provisions; May 24, the Judiciary passed six; June 12, the Finance Committee offered 22 more provisions. We have also included a provision that the Banking Committee has been working on.

Senator MURRAY and I have since worked with Senators HATCH, GRASSLEY, THUNE, WYDEN, FEINSTEIN, and NELSON to combine all of these proposals, along with other proposals, such as Senator PORTMAN's STOP Act, into one package of legislation—the Opioid Crisis Response Act. We thank all of them.

Over 20 Senators contributed to the Finance Committee provisions, 25 to

the Judiciary provisions, and 7 to the Commerce Committee's provisions. I think it is a testament to just how far-reaching this crisis is and why we feel a sense of bipartisan urgency in passing this legislation in the Senate and in the Congress.

In June the House of Representatives passed its own package of legislation to fight the opioid crisis by a vote of 396 to 14. The Senate and House staff combined our legislation and what the House has passed, and we believe it will produce an even stronger bill to fight the crisis.

My hope is that the five Senate committees will work quickly with our House colleagues to reach an agreement by September 21, so the House can pass a final opioids package, the Senate can pass it, and we can send it to the President's desk as quickly as possible. That is the bipartisan sense of urgency I feel so that we can help States and communities fight the opioid crisis.

This act builds on the work already done—the Comprehensive Addiction and Recovery Act, or CARA, passed in 2016, which gave a substantial boost to States on the frontlines, providing grants to expand access to lifesaving opioid overdose reversal medications and to support State efforts to help individuals.

Later in 2016, Congress enacted the 21st Century Cures Act, which included \$1 billion over 2 years in State grants to fight the crisis. It sought to accelerate research for major discoveries, like new nonaddictive pain medicines, which, as I mentioned, I believe is the Holy Grail of solving the opioid crisis.

Then, the omnibus appropriations bill in March provided \$4.7 billion of funding, and \$1 billion of that is for grants. We believe another \$3.7 billion is coming from the Labor, Health and Human Services, and Education Appropriations bill, which we hope to pass this month.

According to Senator BLUNT, the chairman of the Senate Appropriations subcommittee on Labor, Health and Human Services, Education and Related Agencies, Federal funding to help combat the opioid epidemic has increased nearly 1,300 percent over the past 4 years. The bill we are voting on next week builds on this funding.

So we will be passing the STOP Act, new nonaddictive painkillers, blister packs for opioids, more medication-assisted treatment, and efforts to prevent doctor shopping, to provide more behavioral and mental health providers, to support comprehensive opioid recovery centers, and to provide help for babies born in opioid withdrawal, help for mothers with opioid use disorders, and more early intervention with vulnerable children who have experienced trauma. These are just a portion of the more than 70 provisions in the Opioid Crisis Response Act.

This is, as the majority leader, Senator MCCONNELL, has said, "landmark legislation" that represents the work

of nearly three-fourths of the Senate, five committees, and countless staff who have worked to try to help States and communities put an end to this crisis that is ravaging virtually every community in America.

The House of Representatives has passed its version. We have our bipartisan urgency to work together. No mother should have to go through what Becky Savage has gone through. It is time to finish our work and help States and communities bring an end to the opioid crisis. This legislation would give us many of the tools we need to do just that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

#### ATTORNEY GENERAL SESSIONS

Mr. FLAKE. Mr. President, in the annals of "President's Say the Darndest Things," last week's Twitter outburst will stand out, at least for me, because the President attacked the Attorney General of the United States for simply doing the job he swore an oath to do.

Of course, it wasn't the first time the President has so diminished himself, but this particular slander was leveled at the Attorney General for having the temerity to prosecute public corruption by Members of Congress who also happen to belong to the President's political party.

That is right. The President attacked Mr. Sessions by name for refusing to cover up allegations of Republican misconduct. The President's concern was not for justice but for the political fortunes of the accused, because their congressional seats might now be at risk of falling to Democrats. In doing this, the President is projecting a vision onto the system of American justice that is both bizarre and, more importantly, destructive.

Of course, the only truly shocking thing about this statement from the President is that, given what all of us have become accustomed to during this Presidency—or, even worse, have become numb to—this Twitter eruption was not at all surprising. This numb acceptance is an appalling statement on the very real threat to our democratic institutions.

At this point, it might be too late for tutorials on the American justice system, but it certainly bears repeating that in order for justice to truly be served, justice must be based in empirical truth and must be absolutely carried out independent of politics, period.

No President—any President—administers the justice system in America, any more than he or she decrees what is objective truth. In this country, justice and truth operate quite independent of the dictates of even the most powerful of offices.

The reasons for this point are obvious to most, but we know by now that this particular President seems to have a profound unease with both justice and truth and so has been at unrelent-

ing war with both, virtually since the moment he swore the oath—not because there is any deficiency in justice or truth that requires his intervention, mind you, but for other less noble reasons. The President seems to think that the office confers on him the ability to decide who and what gets investigated in the United States and who and what does not.

Weekly, it seems, this President has been threatening to "get involved" in the function of the Justice Department—sometimes intimidating, sometimes plainly threatening to corrupt the independence of justice in America.

He has overtly expressed a desire for his political opponents to be investigated, and almost 2 years into his Presidency, he presides over boisterous rallies where the last election is relitigated and chants of "lock her up" fill the halls.

None of this is normal or acceptable, but his is not mere recklessness. It seems to be a deliberate program, by which he intends to weaken the institution of American justice, threaten its independence, and perhaps set the stage for some future assault on it—the firing of the attorney general, the deputy attorney general, and perhaps even the special counsel.

It has been said that the President deserves to have an attorney general of his choice, a top lawyer with whom he is compatible. This is true. The President's appointment powers are clear, and all of his appointees serve at the pleasure of the President. But what no President deserves is a top lawyer who is simply there to do his bidding. The Attorney General is not the President's personal lawyer, and his job is not to protect the President from damaging facts or to turn the power of American justice onto the President's enemies or to direct Justice Department investigations in any particular way that is either politically motivated or presupposes guilt or innocence or favors any outcome whatsoever, other than that which is supported by the evidence and truth. The Attorney General's job description, as tweeted last week by the President, bears scant resemblance to the Attorney General's job in a constitutional democracy.

So I rise today because the Founders gave us the article I branch of this government that they conceived and the responsibility to curb such reckless behavior.

Thus far, I believe we have all been so incredulous at the daily excess and ever hopeful—hopeful beyond any reason—that this President would at last begin to inhabit the office in a more responsible fashion that we have been somewhat uncertain what to do.

First and foremost, we must speak out. We cannot be quiet when the moment requires us to defend the democratic norms under which this system functions, and without which our system ceases to function. The President has repeatedly and over time heedlessly breached these norms. If we say

nothing, then, we become accomplices in the destruction of these democratic norms.

The Senate is not the place to come for deniability. We must do what we can to curb the destructive impulses of this White House. We must encourage the administration of justice. That means voicing our support for Mr. Mueller and his team. We have passed bipartisan legislation out of the Senate Judiciary Committee—legislation to protect the special counsel. I call on the majority leader to bring this legislation to the Senate floor.

We must also say in no uncertain terms that to call this investigation a "witch hunt" is wrong. To call Mr. Mueller's team "thugs" is wrong. Relentlessly slandering the Attorney General of the United States is wrong. It is a travesty, and it is unbecoming of the Office of the Presidency.

I would say to the Attorney General: Stand firm. You spent your life in public service, in the service of your country. At the risk of being presumptuous, I will say that these days of your service, right now, during this crucial period in which we have a President who in a malign fashion is actively testing the limits of his power and the independence of American justice, your determination to safeguard the independence of the Justice Department at the same time that you have been under assault by the President has verged on heroic. In your long career, you will render no more consequential service to your country. Stand firm, Attorney General Sessions.

I appeal to the leadership of this body to speak out. You don't have to speak out at every Twitter outburst, but when the President so blatantly calls for the Department of Justice to act as an arm of the Republican Party, then, the leaders of the Republican Party in this body need to stand and say that the President is out of bounds.

We all have our pulls to conscience. Most recently for me, I hear the whisper so well described a few weeks ago—the whisper over my shoulder that says: We are better than this. America is better than this. In a time of rank tribalism, we need to remember that we are all Americans. That is our only tribe. It is to the rule of law and the ideals of our founding that we owe our allegiance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 933, 934.

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

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Cherith Norman Chalet, of New Jersey, to be Representative of the United States of America to the United Nations for U.N. Management and Reform, with the rank of Ambassador, and Cherith Norman Chalet, of New Jersey, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Representative of the United States of America to the United Nations for U.N. Management and Reform.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. FLAKE. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Chalet and Chalet nominations en bloc?

The nominations were confirmed en bloc.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for 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.

### CHINESE-AMERICAN WORLD WAR II VETERAN CONGRESSIONAL GOLD MEDAL ACT

Mr. FLAKE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 1050 and that the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (S. 1050) to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

There being no objection, the Senate proceeded to consider the bill.

Mr. FLAKE. I ask unanimous consent that the Duckworth amendment which is at the desk be agreed to and that the

bill, as amended, be considered read a third time.

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

The amendment (No. 4015) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Chinese-American World War II Veteran Congressional Gold Medal Act".

#### SEC. 2. FINDINGS.

Congress finds that—

(1) Chinese Americans served the United States in every conflict since the Civil War, and distinguished themselves in World War II, serving in every theater of war and every branch of service, earning citations for their heroism and honorable service, including the Medal of Honor;

(2) Chinese nationals and Chinese Americans faced institutional discrimination in the United States since before World War II, limiting the size of their population and their ability to build thriving communities in the United States;

(3) the Act entitled "An Act to execute certain treaty stipulations relating to Chinese", approved May 6, 1882 (commonly known as the "Chinese Exclusion Act of 1882") (22 Stat. 58, chapter 126), was the first Federal law that broadly restricted immigration and a specific nationality, making it illegal for Chinese laborers to immigrate to the United States and limiting the Chinese population in the United States for over 60 years;

(4) major court decisions such as the decisions in *Lum v. Rice*, 275 U.S. 78 (1927), and *People v. Hall*, 4 Cal. 399 (1854), found "yellow" races to be equal to African Americans with regard to "separate but equal" school facilities, and prohibited Chinese Americans, along with "Black, mulatto, or Indian" persons, from testifying against White men;

(5) Chinese Americans were harassed, beaten, and murdered because of their ethnicity, including the Chinese Massacre of 1871, where 17 Chinese immigrants in Los Angeles, California, were tortured and murdered, the Rock Springs Massacre of 1885 where White rioters killed 28 Chinese miners and burned 75 of their homes in Rock Springs, Wyoming, and the Hells Canyon Massacre of 1887 where 34 Chinese gold miners were ambushed and murdered in Hells Canyon, Oregon;

(6) there were only 78,000 Chinese Americans living on the United States mainland, with 29,000 living in Hawaii, at the start of World War II as result of Federal and State legislation and judicial decisions;

(7) despite the anti-Chinese discrimination at the time, as many as 20,000 Chinese Americans served in the Armed Forces during World War II, of whom, approximately 40 percent were not United States citizens due to the laws that denied citizenship to persons of Chinese descent;

(8) Chinese Americans, although small in numbers, made important contributions to the World War II effort;

(9) of the total Chinese Americans serving, approximately 25 percent served in the United States Army Air Force, with some sent to the China-Burma-India Theater with the 14th Air Service Group;

(10) the remainder of Chinese Americans who served in World War II served in all branches of the Armed Forces in all 4 theaters of war;

(11) the first all Chinese-American group was the 14th Air Service Group in the China-Burma-India Theater which enabled extensive and effective operations against the Japanese military in China;

(12) Chinese Americans are widely acknowledged for their role in the 14th Air Force, widely known as the Flying Tigers;

(13) Chinese Americans assigned to the China-Burma-India Theater made transoceanic journeys through hostile territories and were subject to enemy attack while at sea and in the air;

(14) in the Pacific Theater, Chinese Americans were in ground, air, and ocean combat and support roles throughout the Pacific including New Guinea, Guadalcanal, Solomon Islands, Iwo Jima, Okinawa, Philippines, Mariana Islands, and Aleutian Islands;

(15) throughout the Pacific and China-Burma-India theaters, Chinese Americans performed vital functions in translating, coordinating Nationalist Chinese and United States combat operations, servicing and repairing aircraft and armaments, training Nationalist Chinese troops and sailors, delivering medical care, providing signal and communication support, gathering and analyzing intelligence, participating in ground and air combat, and securing and delivering supplies;

(16) Chinese Americans also served in combat and support roles in the European and African theaters, serving in North Africa, Sicily, Italy, the Normandy D-Day invasion, which liberated Western Europe, and the Battle of the Bulge, occupying Western Germany while helping to liberate Central Europe;

(17) Chinese Americans flew bomber missions, served in infantry units and combat ships in the Battle of the Atlantic, including aboard Merchant Marines convoys vulnerable to submarine and air attacks;

(18) many Chinese-American women served in the Women's Army Corps, the Army Air Forces, and the United States Naval Reserve Women's Reserve, and some became pilots, air traffic controllers, flight trainers, weather forecasters, occupational therapists, and nurses;

(19) Captain Francis B. Wai is the only Chinese American who served in World War II to have been awarded the Medal of Honor, the highest military award given by the United States

(20) Chinese Americans also earned Combat Infantry Badges, Purple Hearts, Bronze Stars, Silver Stars, Distinguished Service Cross, and Distinguished Flying Cross;

(21) units of the Armed Forces with Chinese Americans were also awarded unit citations for valor and bravery;

(22) the United States remains forever indebted to the bravery, valor, and dedication that the Chinese-American Veterans of World War II displayed; and

(23) the commitment and sacrifice of Chinese Americans demonstrates a highly uncommon and commendable sense of patriotism and honor in the face of discrimination.

#### SEC. 3. DEFINITIONS.

In this Act—

(1) the term "Chinese-American Veterans of World War II" includes individuals of Chinese ancestry who served—

(A) honorably at any time during the period December 7, 1941, and ending December 31, 1946; and

(B) in an active duty status under the command of the Armed Forces; and

(2) the term "Secretary" means the Secretary of the Treasury.

#### SEC. 4. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary shall strike the gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

(c) SMITHSONIAN INSTITUTE.—

(1) IN GENERAL.—Following the award of the gold medal in honor of the Chinese-American Veterans of World War II, the gold medal shall be given to the Smithsonian Institution, where it shall be available for display as appropriate and made available for research.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution should make the gold medal received under paragraph (1) available for display elsewhere, particularly at other locations associated with the Chinese-American Veterans of World II or with World War II.

(d) DUPLICATE MEDALS.—Under regulations that the Secretary may promulgate, the Secretary may strike and sell duplicates in bronze of the gold medal struck under this Act, at a price sufficient to cover the cost of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

#### SEC. 5. STATUS OF MEDAL.

(a) NATIONAL MEDAL.—The gold medal struck under this Act shall be a national medal for the purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purpose of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. FLAKE. Mr. President, I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1050), as amended, was passed.

Mr. FLAKE. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS DAY

Mr. FLAKE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. Res. 576 and that the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 576) designating September 4, 2018, as “National Polycystic Kidney Disease Awareness Day”, and raising awareness and understanding of polycystic kidney disease.

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

Mr. FLAKE. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions 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 resolution (S. Res. 576) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 18, 2018, under “Submitted Resolutions.”)

#### PREEMIE REAUTHORIZATION ACT OF 2018

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 503, S. 3029.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3029) to revise and extend the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (PREEMIE Act).

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Prematurity Research Expansion and Education for Mothers who deliver Infants Early Reauthorization Act of 2018” or the “PREEMIE Reauthorization Act of 2018”.*

#### SEC. 2. RESEARCH RELATING TO PRETERM LABOR AND DELIVERY AND THE CARE, TREATMENT, AND OUTCOMES OF PRETERM AND LOW BIRTH-WEIGHT INFANTS.

*Section 2 of the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (42 U.S.C. 247b-4f) is amended—*

*(1) in subsection (b)—*

*(A) in paragraph (1)(A), by striking “clinical, biological, social, environmental, genetic, and behavioral factors relating” and inserting “factors relating to prematurity, such as clinical, biological, social, environmental, genetic, and behavioral factors, and other determinants that contribute to health disparities and are related”;* and

*(B) in paragraph (2), by striking “concerning the progress and any results of studies conducted under paragraph (1)” and inserting “regarding activities and studies conducted under paragraph (1), including any applicable analyses of preterm birth. Such report shall be posted on the Internet website of the Department of Health and Human Services.”;*

*(2) by striking subsection (c) and inserting the following:*

*“(c) PREGNANCY RISK ASSESSMENT MONITORING SURVEY.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, shall—*

*“(1) continue systems for the collection of maternal-infant clinical and biomedical information, including electronic health records, electronic databases, and biobanks, to link with the Pregnancy Risk Assessment Monitoring System (PRAMS) and other epidemiological studies of prematurity in order to track, to the extent practicable, all pregnancy outcomes and prevent preterm birth; and*

*“(2) provide technical assistance, as appropriate, to support States in improving the collection of information pursuant to this subsection.”;* and

*(3) in subsection (e), by striking “except for subsection (c), \$1,880,000 for each of fiscal years*

*2014 through 2018” and inserting “\$2,000,000 for each of fiscal years 2019 through 2023”.*

#### SEC. 3. PUBLIC AND HEALTH CARE PROVIDER EDUCATION AND SUPPORT SERVICES.

*Section 399Q of the Public Health Service Act (42 U.S.C. 280g-5) is amended—*

*(1) in subsection (a)—*

*(A) by striking “conduct demonstration projects” and inserting “conduct activities, which may include demonstration projects”;* and

*(B) by striking “for babies born preterm” and inserting “mothers of infants born preterm, and infants born preterm, as appropriate”;* and

*(2) in subsection (b)—*

*(A) in the matter preceding paragraph (1), by striking “under the demonstration project”;*

*(B) in paragraph (1)—*

*(i) in the matter preceding subparagraph (A), by striking “programs to test and evaluate various strategies to provide” and inserting “programs, including those to test and evaluate strategies, which, in collaboration with States, localities, tribes, and community organizations, support the provision of”;*

*(ii) by redesignating subparagraphs (B) through (F) as subparagraphs (C) through (G), respectively;*

*(iii) by inserting after subparagraph (A), the following:*

*“(B) evidence-based strategies to prevent preterm birth and associated outcomes”;*

*(iv) in subparagraph (C), as so redesignated, by inserting “, and the risks of non-medically indicated deliveries before full term” before the semicolon;*

*(v) in subparagraph (D), as so redesignated—*

*(I) in clause (ii), by inserting “intake” before the semicolon;*

*(II) in clause (iii), by striking “and” at the end;*

*(III) by redesignating clause (iv) as clause (vii); and*

*(IV) by inserting after clause (iii), the following:*

*“(iv) screening for and treatment of substance use disorders;*

*“(v) screening for and treatment of maternal depression;*

*“(vi) maternal immunization; and”;*

*(vi) in subparagraph (E), as so redesignated, by adding “and” after the semicolon;*

*(vii) in subparagraph (F), as so redesignated, by striking “; and” and inserting a period; and*

*(viii) by striking subparagraph (G), as so redesignated; and*

*(C) in paragraph (2), by inserting “, as well as prevention of a future preterm birth” before the semicolon.*

#### SEC. 4. ADVISORY COMMITTEE ON MATERNAL AND INFANT HEALTH.

*Section 104(b) of the PREEMIE Reauthorization Act (42 U.S.C. 247b-4f note) is amended—*

*(1) in paragraph (2)—*

*(A) in the matter preceding subparagraph (A), by striking “and recommendations to the Secretary concerning the following activities” and inserting “, recommendations, or information to the Secretary as may be necessary to improve activities and programs to reduce severe maternal morbidity, maternal mortality, infant mortality, and preterm birth, which may include recommendations, advice, or information related to the following”;*

*(B) in subparagraph (A), by striking “and improving the health status of pregnant women and infants” and inserting “, preterm birth, and improving the health status of pregnant women and infants, and information on cost-effectiveness and outcomes of such programs”;*

*(C) in subparagraph (C), by striking “Implementation of the” and inserting “The”;* and

*(D) by striking subparagraph (D) and inserting the following:*

*“(D) Implementation of Healthy People objectives related to maternal and infant health.*

*“(E) Strategies to reduce racial, ethnic, geographic, and other health disparities in birth*

outcomes, including by increasing awareness of Federal programs related to appropriate access to, or information regarding, prenatal care to address risk factors for preterm labor and delivery.

“(F) Strategies, including the implementation of such strategies, to address gaps in Federal research, programs, and education efforts related to the prevention of severe maternal morbidity, maternal mortality, infant mortality, and other adverse birth outcomes.”;

(2) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3); and (3) by adding at the end the following:

“(4) BIENNIAL REPORT.—Not later than 1 year after the date of enactment of the PREEMIE Reauthorization Act of 2018, and every 2 years thereafter, the Advisory Committee shall—

“(A) publish a report summarizing activities and recommendations of the Advisory Committee since the publication of the previous report;

“(B) submit such report to the Secretary and the appropriate Committees of Congress; and

“(C) post such report on the Internet website of the Department of Health and Human Services.”.

#### SEC. 5. INTERAGENCY WORKING GROUP.

(a) IN GENERAL.—The Secretary of Health and Human Services, in collaboration with other departments, as appropriate, may establish an interagency working group in order to improve coordination of programs and activities to prevent preterm birth, infant mortality, and related adverse birth outcomes.

(b) DUTIES.—The working group established under subsection (a) shall—

(1) identify gaps, unnecessary duplication, and opportunities for improved coordination in Federal programs and activities related to preterm birth and infant mortality;

(2) assess the extent to which the goals and metrics of relevant programs and activities within the Department of Health and Human Services, and, as applicable, those in other departments, are aligned; and

(3) assess the extent to which such programs are coordinated across agencies within such Department; and

(4) make specific recommendations, as applicable, to reduce or minimize gaps and unnecessary duplication, and improve coordination of goals, programs, and activities across agencies within such Department.

(c) REPORT.—Not later than 1 year after the date on which the working group is established under subsection (a), the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing the findings of the working group under subsection (b) and the specific recommendations to improve Federal programs at the Department of Health and Human Services under subsection (b)(4).

Mr. FLAKE. I ask unanimous consent that the Alexander amendment at the desk be agreed to; that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 4016) was agreed to as follows:

(Purpose: To modify provisions relating to the interagency working group)

On page 16, line 22, insert “, in collaboration with other departments, as appropriate,” after “Services”.

Beginning on page 16, line 24, strike “with-in” and all that follows through “Services” on page 17, line 1.

On page 17, line 11, insert “, and, as applicable, those in other departments,” after “Services”.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 3029), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3029

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Prematurity Research Expansion and Education for Mothers who deliver Infants Early Reauthorization Act of 2018” or the “PREEMIE Reauthorization Act of 2018”.

#### SEC. 2. RESEARCH RELATING TO PRETERM LABOR AND DELIVERY AND THE CARE, TREATMENT, AND OUTCOMES OF PRETERM AND LOW BIRTH-WEIGHT INFANTS.

Section 2 of the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (42 U.S.C. 247b-4f) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A), by striking “clinical, biological, social, environmental, genetic, and behavioral factors relating” and inserting “factors relating to prematurity, such as clinical, biological, social, environmental, genetic, and behavioral factors, and other determinants that contribute to health disparities and are related”; and

(B) in paragraph (2), by striking “concerning the progress and any results of studies conducted under paragraph (1)” and inserting “regarding activities and studies conducted under paragraph (1), including any applicable analyses of preterm birth. Such report shall be posted on the Internet website of the Department of Health and Human Services.”;

(2) by striking subsection (c) and inserting the following:

“(c) PREGNANCY RISK ASSESSMENT MONITORING SURVEY.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, shall—

“(1) continue systems for the collection of maternal-infant clinical and biomedical information, including electronic health records, electronic databases, and biobanks, to link with the Pregnancy Risk Assessment Monitoring System (PRAMS) and other epidemiological studies of prematurity in order to track, to the extent practicable, all pregnancy outcomes and prevent preterm birth; and

“(2) provide technical assistance, as appropriate, to support States in improving the collection of information pursuant to this subsection.”; and

(3) in subsection (e), by striking “except for subsection (c), \$1,880,000 for each of fiscal years 2014 through 2018” and inserting “\$2,000,000 for each of fiscal years 2019 through 2023”.

#### SEC. 3. PUBLIC AND HEALTH CARE PROVIDER EDUCATION AND SUPPORT SERVICES.

Section 399Q of the Public Health Service Act (42 U.S.C. 280g-5) is amended—

(1) in subsection (a)—

(A) by striking “conduct demonstration projects” and inserting “conduct activities, which may include demonstration projects”; and

(B) by striking “for babies born preterm” and inserting “mothers of infants born preterm, and infants born preterm, as appropriate”; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “under the demonstration project”;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “programs to test and evaluate various strategies to provide” and inserting “programs, including those to test and evaluate strategies, which, in collaboration with States, localities, tribes, and community organizations, support the provision of”;

(ii) by redesignating subparagraphs (B) through (F) as subparagraphs (C) through (G), respectively;

(iii) by inserting after subparagraph (A), the following:

“(B) evidence-based strategies to prevent preterm birth and associated outcomes;”;

(iv) in subparagraph (C), as so redesignated, by inserting “, and the risks of non-medically indicated deliveries before full term” before the semicolon;

(v) in subparagraph (D), as so redesignated—

(I) in clause (ii), by inserting “intake” before the semicolon;

(II) in clause (iii), by striking “and” at the end;

(III) by redesignating clause (iv) as clause (vii); and

(IV) by inserting after clause (iii), the following:

“(iv) screening for and treatment of substance use disorders;

“(v) screening for and treatment of maternal depression;

“(vi) maternal immunization; and”;

(vi) in subparagraph (E), as so redesignated, by adding “and” after the semicolon;

(vii) in subparagraph (F), as so redesignated, by striking “; and” and inserting a period; and

(viii) by striking subparagraph (G), as so redesignated; and

(C) in paragraph (2), by inserting “, as well as prevention of a future preterm birth” before the semicolon.

#### SEC. 4. ADVISORY COMMITTEE ON MATERNAL AND INFANT HEALTH.

Section 104(b) of the PREEMIE Reauthorization Act (42 U.S.C. 247b-4f note) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “and recommendations to the Secretary concerning the following activities” and inserting “, recommendations, or information to the Secretary as may be necessary to improve activities and programs to reduce severe maternal morbidity, maternal mortality, infant mortality, and preterm birth, which may include recommendations, advice, or information related to the following”;

(B) in subparagraph (A), by striking “and improving the health status of pregnant women and infants” and inserting “, preterm birth, and improving the health status of pregnant women and infants, and information on cost-effectiveness and outcomes of such programs”;

(C) in subparagraph (C), by striking “Implementation of the” and inserting “The”; and

(D) by striking subparagraph (D) and inserting the following:

“(D) Implementation of Healthy People objectives related to maternal and infant health.

“(E) Strategies to reduce racial, ethnic, geographic, and other health disparities in birth outcomes, including by increasing awareness of Federal programs related to appropriate access to, or information regarding, prenatal care to address risk factors for preterm labor and delivery.

“(F) Strategies, including the implementation of such strategies, to address gaps in Federal research, programs, and education efforts related to the prevention of severe maternal morbidity, maternal mortality, infant mortality, and other adverse birth outcomes.”;

(2) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3); and

(3) by adding at the end the following:

“(4) BIENNIAL REPORT.—Not later than 1 year after the date of enactment of the PREEMIE Reauthorization Act of 2018, and every 2 years thereafter, the Advisory Committee shall—

“(A) publish a report summarizing activities and recommendations of the Advisory Committee since the publication of the previous report;

“(B) submit such report to the Secretary and the appropriate Committees of Congress; and

“(C) post such report on the Internet website of the Department of Health and Human Services.”.

#### SEC. 5. INTERAGENCY WORKING GROUP.

(a) IN GENERAL.—The Secretary of Health and Human Services, in collaboration with other departments, as appropriate, may establish an interagency working group in order to improve coordination of programs and activities to prevent preterm birth, infant mortality, and related adverse birth outcomes.

(b) DUTIES.—The working group established under subsection (a) shall—

(1) identify gaps, unnecessary duplication, and opportunities for improved coordination in Federal programs and activities related to preterm birth and infant mortality;

(2) assess the extent to which the goals and metrics of relevant programs and activities within the Department of Health and Human Services, and, as applicable, those in other departments, are aligned; and

(3) assess the extent to which such programs are coordinated across agencies within such Department; and

(4) make specific recommendations, as applicable, to reduce or minimize gaps and unnecessary duplication, and improve coordination of goals, programs, and activities across agencies within such Department.

(c) REPORT.—Not later than 1 year after the date on which the working group is established under subsection (a), the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing the findings of the working group under subsection (b) and the specific recommendations to improve Federal programs at the Department of Health and Human Services under subsection (b)(4).

#### NATIONAL DEMOCRACY MONTH

Mr. FLAKE. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate proceed to S. Res. 525.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A bill (S. Res. 525) designating September 2018 as National Democracy Month as a time to reflect on the contributions of the system of government of the United States to a more free and stable world.

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

Mr. FLAKE. I know of no further debate on the measure.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 525) was agreed to.

Mr. FLAKE. I ask unanimous consent that the preamble be agreed to and that the motions 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 preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 24, 2018, under “Submitted Resolutions.”)

#### NATIONAL SPINAL CORD INJURY AWARENESS MONTH

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 627, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 627) designating September 2018 as “National Spinal Cord Injury Awareness Month.”

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

Mr. FLAKE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions 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 resolution (S. Res. 627) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

#### AUTHORIZING DOCUMENT PRODUCTION BY THE SELECT COMMITTEE ON INTELLIGENCE

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 628, submitted earlier today.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 628) to authorize document production by the Select Committee on Intelligence in United States v. Paul J. Manafort, Jr. (D.D.C.).

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

Mr. FLAKE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions 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 resolution (S. Res. 628) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

#### ORDERS FOR THURSDAY, SEPTEMBER 13, 2018, AND MONDAY, SEPTEMBER 17, 2018

Mr. FLAKE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for a pro forma session only, with no business being conducted, on Thursday, September 13, at 9:45 a.m. I further ask that when the Senate adjourns on Thursday, September 13, it next convene at 2 p.m., Monday, September 17, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that upon the conclusion of morning business and notwithstanding the orders of September 6, the Senate proceed to the consideration of H.R. 6 and that debate time on H.R. 6 and S. 2554 run concurrently, be equally divided in the usual form, and be considered expired at 5:30 p.m., and that the Senate then proceed to votes in relation to S. 2554 and H.R. 6, with all other provisions under the previous orders remaining in effect.

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

#### ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. FLAKE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:52 p.m., adjourned until Thursday, September 13, 2018, 9:45 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF STATE

EARLE D. LITZENBERGER, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN.

PATRICIA MAHONEY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BENIN.

JOHN MARK POMERSHEIM, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TAJIKISTAN.

AUSTIN M. SMITH, OF SOUTH CAROLINA, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

AUSTIN M. SMITH, OF SOUTH CAROLINA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF

AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HIS TENURE OF SERVICE AS ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. TIMOTHY G. FAY

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant colonel*

KURT J. CYR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

BRIAN D. MCMANUS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

EDWARD J. MALONEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

CRAIG S. GATZEMEYER

DISCHARGED NOMINATION

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination under the authority of the order of the Senate of 01/07/2009 and the nomination was placed on the Executive Calendar:

\*RAE OLIVER, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

\*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 12, 2018:

DEPARTMENT OF STATE

CHERITH NORMAN CHALET, OF NEW JERSEY, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM, WITH THE RANK OF AMBASSADOR.

CHERITH NORMAN CHALET, OF NEW JERSEY, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM.

DEPARTMENT OF THE TREASURY

CHARLES P. RETTIG, OF CALIFORNIA, TO BE COMMISSIONER OF INTERNAL REVENUE FOR THE TERM EXPIRING NOVEMBER 12, 2022.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on September 12, 2018 withdrawing from further Senate consideration the following nomination:

STEVEN GARDNER, OF KENTUCKY, TO BE DIRECTOR OF THE OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT, VICE JOSEPH G. PIZARCHIK, WHICH WAS SENT TO THE SENATE ON JANUARY 8, 2018.