

S. 1539

At the request of Ms. KLOBUCHAR, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1539, a bill to protect victims of stalking from gun violence.

S. 1559

At the request of Mr. RISCH, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 1559, a bill to ensure a complete analysis of the potential impacts of rules on small entities.

S. 1679

At the request of Ms. DUCKWORTH, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1679, a bill to amend the Foreign Agents Registration Act of 1938 to increase enforcement of certain violations and strengthen certain transparency requirements.

S. 1803

At the request of Mr. HATCH, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 1803, a bill to improve medical research on marijuana.

S. 2005

At the request of Mr. COONS, the names of the Senator from Iowa (Mrs. ERNST) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 2005, a bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes.

S. 2009

At the request of Mr. MURPHY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2009, a bill to require a background check for every firearm sale.

S. RES. 279

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. Res. 279, a resolution reaffirming the commitment of the United States to promote democracy, human rights, and the rule of law in Cambodia.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. MARKEY, Mr. REED, Mr. BROWN, Mr. WYDEN, and Mrs. MURRAY):

S. 2119. A bill to amend title 38, United States Code, to prohibit smoking in any facility of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2119

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) PROHIBITION.—Section 1715 of title 38, United States Code, is amended to read as follows:

“§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

“(a) PROHIBITION.—(1)(A) Except as provided in subparagraph (B), no person may smoke indoors in any facility of the Veterans Health Administration.

“(B) In the case of a facility of the Veterans Health Administration that is a community living center, no person may smoke indoors in such facility on or after December 31, 2018.

“(2) No person may smoke outdoors in any facility of the Veterans Health Administration on or after October 1, 2021.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘community living center’ means a facility of the Department that provides nursing home care.

“(2) The term ‘facility of the Veterans Health Administration’ means any land or building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

“(A) under the jurisdiction of the Department of Veterans Affairs;

“(B) under the control of the Veterans Health Administration; and

“(C) not under the control of the General Services Administration.

“(3) The term ‘smoke’ includes the smoking of cigarettes (including e-cigarettes or electronic cigarettes), cigars, pipes, and any other combustion of tobacco.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following new item:

“1715. Prohibition on smoking in facilities of the Veterans Health Administration.”

(c) CONFORMING AMENDMENT.—Section 526 of the Veterans Health Care Act of 1992 (Public Law 102-585; 38 U.S.C. 1715 note) is hereby repealed.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

Mr. GRASSLEY. Mr. President, I have a request for a 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 FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Monday, November 13, 2017, at 3 p.m., in SH-216 to conduct hearing on the “Tax Cuts and Jobs Act.”

FEMA ACCOUNTABILITY, MODERNIZATION AND TRANSPARENCY ACT OF 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the immediate consideration of Calendar No. 223, H.R. 1679.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1679) to ensure that the Federal Emergency Management Agency's current efforts to modernize its grant management system includes applicant accessibility and transparency, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1679) was ordered to a third reading, was read the third time, and passed.

ORDERS FOR TUESDAY, NOVEMBER 14, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, November 14; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Bradbury nomination; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings; finally, that all time during recess, adjournment, morning business, and leader remarks count postcloture on the Bradbury nomination.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR—Continued

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate resume executive session and the Bradbury nomination.

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

The Senator from Florida.

UNIVERSITY OF MIAMI FOOTBALL TEAM

Mr. NELSON. Mr. President, I rise to speak on the nomination of Steven Bradbury, but first I want to speak on a much lighter subject, the reason that I wore this orange tie. The University of Miami football team has a perfect record. This is hearkening back to the glory days, and I will tell you why I do this.

My neighbor and one of my best friends, Cortez Kennedy, who was originally from Arkansas, was the defensive player of the year for the national championship team in 1989 at the University of Miami. Then, he spent 10

years with the Seattle Seahawks, and he was an NFL Pro Football Hall of Famer.

I am doing this for my friend, Cortez Kennedy, whom we lost 6 months ago to a heart attack, much too early, at the age of 48. What a Miami fan he was, and how proud he would be now of his cherished University of Miami football team and the perfect record they have thus far.

Mr. President, now I speak to Steven Bradbury. We have seen real trouble signs lately in the transportation safety area. Last year was the most deadly year on the highways in nearly a decade. Over 37,000 people were killed in highway accidents in 2016, an increase of 5.6 percent over the previous year. Many of those fatalities were preventable and were caused by people not wearing seatbelts or driving under the influence of alcohol or drugs or distracted drivers.

We need leaders in the Department of Transportation who are willing to speak up and take action to reduce these highway deaths. We also need leaders who embrace a safety culture and ensure that defects in automobiles are quickly addressed.

Let me talk about something that is one of the most egregious defects that we have heard about—the Takata airbag fiasco. It has caused 16 deaths and 180 injuries worldwide.

This came to my attention several years ago through the Orlando Police Department in what was thought to be a fender bender in the middle of a traffic intersection. By the time they got to the driver of the car, they thought it was a homicide: Her throat had been slit, and she had bled to death. But, indeed, a Takata airbag had exploded—a defective airbag—and all the metal surrounding the housing of the airbag. The defective material exploded with such force, it was as if a grenade exploded right in the face of the driver.

There have been 16 deaths and 180 injuries worldwide. It was a fender bender for the lady in the middle of the intersection, but the airbag exploded and sent metal shards into her neck and cut her jugular.

A big, strapping, very muscular firefighter had a Takata airbag explode in his face, and he doesn't have a left eye anymore. He can't be a firefighter anymore.

These are just two that happened in my hometown of Orlando.

Many of the deaths we have seen in the Takata airbags are due to pure neglect, but it is also true that Takata covered up critical defect information. Information has come to light that engineers at Takata kept it from becoming public—these defective Takata airbags—when, in fact, they knew they were defective. On top of that, the regulator—the National Highway Traffic Safety Administration—did not react quickly enough.

This brings us to the fact that we need people in the Department of Transportation who will take a strong

stand for safety, and that brings me to the nomination of Steven Bradbury, who is up for general counsel. Indeed, he has had a lengthy legal career, but far too much of his legal career involved working against the interests of safety.

For almost 2 years, Mr. Bradbury represented Takata in its response to our Senate Commerce Committee and in the NHTSA investigations. Naturally, when he came in front of our committee, I asked him if he would recuse himself from all matters involving Takata if confirmed to this position because he had represented Takata as their lawyer for 2 years. But listen to what he said. He said that while he will recuse himself from Takata airbag matters, he has not agreed to recuse himself from all Takata matters, such as their pending bankruptcy. Wait a minute. Are you going to recuse yourself from the client you used to represent or not? He in essence said he is not.

In Mr. Bradbury's legal career, he has also represented several airlines in antitrust and consumer proceedings—and I emphasize consumer proceedings. It is hard for me to see how he will put that past representation aside and work for airline consumer protections. For example, if you check a bag and it gets to you late, you at least ought to get your bag fee refunded. In the Commerce Committee, we were able to get that into last year's FAA reauthorization bill, but it is another potential conflict.

Drivers and consumers need champions at the Department of Transportation. Unfortunately, I believe Mr. Bradbury has not demonstrated the ability to put consumers first; therefore, I will oppose his nomination.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

PRESCRIPTION DRUGS

Ms. KLOBUCHAR. Mr. President, last month, President Trump said that pharmaceutical companies are “getting away with murder.” Those were his words, not mine. It is not the first time he has said it, and there is some truth to it. So it is time to get specific and then question why he just announced that the person who will be running the health department for the United States of America has spent 10 years running a pharmaceutical company.

Look at what is happening. When a company hikes the price of a lifesaving drug by 5,000 percent overnight, he is right—that is getting away with murder. When the price of 4 of the top 10 bestselling drugs in this country goes up by 100 percent in the last few

years—we are not talking about one specific drug, a rare drug; no, we are talking about 4 of the top 10 bestselling drugs going up 100 percent in just the last few years—that is getting away with murder. When Americans are forced to skip doses or split pills because they can't afford their prescription, that is getting away with murder. When the administration repeatedly delays penalties for drug companies that intentionally overcharge hospitals for prescription drugs, that is getting away with murder.

So what do we find out today? After the President has said that these companies are getting away with murder, we find out that he has nominated the former president of one of the country's biggest drug companies as the Secretary of Health and Human Services, someone who has been in that industry for 10 years running the biggest company. It is happening again. They are getting away with murder.

In the United States—the biggest economy in the world, the frontier for capitalism—drug prices are higher than any other developed nation. That is outrageous. So, yes, they are getting away with a lot.

So here is my question: Why are we letting them? Why are we literally putting former pharma executives in charge of healthcare policy for our country? Why can't we get anything done to actually lower drug prices in America?

I have often said that the pharmaceutical industry owns Washington. Now, with this announcement today, they will actually be running it.

Lowering prescription drug costs is my top priority. Healthcare is one-sixth of our economy, and prescription drug costs account for over 15 percent of all healthcare spending. This has a big impact on families, on communities, on our economy, and on our country.

For most Americans, this is deeply personal. Everyone has their own story. My daughter has a severe nut allergy. She keeps an EpiPen with her at all times. So when the price of that particular prescription drug went up and up and up, like parents across the country, I noticed. I took action. I spoke out, moms and dads all across the country spoke out, and we saw some reduction in those prices. But we shouldn't have to have a social media campaign, a write-in campaign, and Members of Congress giving speeches on the floor for every single drug to see a reduction in prices.

Abigail just graduated from college. I don't want her to have to think about this for the rest of her life when she is filling a prescription. But what about the thousands of others like her, young people just starting their careers who can't afford to pay these skyrocketing prices? I don't want parents to worry about how to afford the inhaler their kid relies on to get through the day. I don't want seniors to worry about how they will be able to put food on the