

thousands—millions—of people every day and many more who are dealing with mental health and substance abuse. SAMHSA oversees the mental health grants that go to our States, and there is \$15 million for a new SAMHSA program for opioid prevention. We have our drug-free communities program, which works well in my State. It is a total grassroots-up, bottom-up, when you get everybody from your local county or public health and others in the room to try to solve this issue. Then again, there are some block grant programs to our community health centers along with the funding to NIH. This is a broad-based look at where the funding is going.

We have an opportunity here in the next several weeks to “up” that funding, to make sure that the national priority that we feel, as Senators from States that are highly affected, is reflected in our funding. I believe that with Senator BLUNT’s leadership on the subcommittee and with other members on the subcommittee, that is something we are going to be doing.

I happen to chair the Financial Services and General Government Appropriations Subcommittee, which appropriates the money for the high-intensity drug task forces. Our State has over 22 counties that are in that. Is that a branding that you really want—that you are a high-intensity drug trafficking area? Not really. What that does is coordinate Federal, State, and local resources to help meet the challenge and face what a difficult problem you have. I work with funding on that, with the drug-free communities, and also with the President’s Office of National Drug Control Policy. We have done a lot, and we have pushed for resources.

The Senator mentioned resources for our first responders. He mentioned how dangerous it is. There have been local stories about our first responders who have just touched fentanyl—just touched it—and have gone into overdose situations. We were at the White House yesterday and were talking, and the President mentioned drug-sniffing dogs that have had reactions to fentanyl. So this is a very lethal substance. Actually, I saw in the statistics for West Virginia that more of the recent overdose deaths are attributable to fentanyl than to heroin itself, and that is rising. We need the money for enforcement, prevention, treatment and recovery, and more resources for research, and I have mentioned how critical that research will be.

Nationwide, we had over 63,000 drug overdose deaths in 2016, and a number of these were attributed to heroin and fentanyl. In my State of West Virginia, we had the highest deaths per 100,000 for overdoses. I would like to say it is happening somewhere in which maybe we would have predicted that it would happen, but it is happening everywhere. It is happening to the children of friends of mine.

Ryan Brown, a young man in West Virginia, lost his life. He had a loving

home, loving parents, and had been through treatment. He just couldn’t fight it. He went back and injected himself with a lethal dose. He died in a very public place too. It was very tragic. To his credit, his parents have taken up the mantle for Ryan to try to get more treatment centers in the State of West Virginia. I thank them for that.

We were just at the White House—Republicans and Democrats—for the President to sign the INTERDICT Act. I sponsored that bill with Senator RUBIO, Senator MARKEY, and Senator BROWN. What it does is help give our Customs and Border Patrol folks the ability to detect fentanyl when it is coming in. We know it is coming in from across our borders, principally from China, maybe China through Mexico. We need to equip our Border Patrol agents to be able to stop that—interdict the flow of that lethal substance.

Just this week, The Hill newspaper published an op-ed about the Martinsburg Initiative. Martinsburg is in West Virginia, in the Eastern Panhandle. Everybody needs to visit Martinsburg. They have an innovative police-school-community partnership that is spearheaded by the Martinsburg Police Department, the Berkeley County Schools, and Shepherd University, along with the Washington/Baltimore HIDTA. This is a comprehensive strategy of intervention and treatment for families to help prevent the beginning of the addiction to opioids.

In December, I attended the kickoff of the Bridge of Hope Fund, and I want to highlight what some of the local communities are doing in my State to try to get a comprehensive spectrum of solutions. This is a new scholarship program that was developed by Fruth Pharmacy, which is a locally-owned, family-owned pharmacy, that will allow people who have completed addiction recovery programs to get a jump-start on their college educations and career training.

The founders of the program started it because they wanted to encourage people who have reclaimed their lives and been successful to be able to get back into the mainstream. We know one of the roadblocks to recovery is getting back into the work environment—to be able to get a job. Many of these young folks who are in this position have already burned through their education grants and their availability of Pell grants. So this Bridge of Hope scholarship is an organic, from-the-ground-up scholarship program for those who have been through treatment.

We had a young man who talked about his road to recovery and how important getting his education and getting back on his feet was. We need more everywhere. I think that is essential to all of us. We have to prioritize our Federal funding for States like mine that have been the hardest hit by the opioid epidemic.

I see my colleague from New Hampshire here. Both of us have joined to-

gether on the Targeted Opioid Formula Act so that those of us who have high statistics and greater need are able to have those funds more squarely targeted toward us for prevention and treatment.

There are a lot of good ideas out there. There are a lot of things going on, but there is a lot of tragedy around all of us. I would say to the folks in the gallery and certainly to everybody on the floor that you probably know a family or you probably know a community or you probably know somebody who has been hard hit by this. It is absolutely crushingly sad, heartbreaking, because it is preventable. It is something on which we can have an impact. If we don’t, we are going to lose another generation.

I have great fears that we are going to look back on this moment in time and think we didn’t do enough. So I think, with Senator BLUNT’s help and the help of others, particularly with Senator BLUNT’s chairing the Appropriations Committee, this is the direction in which we need to go. We need to have more targeted funding so those local resources can be creative in order to stop the scourge, to handle the scourge, and to educate the next generation as to how devastating this could be if one were to ever begin to go down this road.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

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

Mrs. SHAHEEN. Mr. President, let me applaud my colleague from West Virginia, Senator CAPITO, for her work in addressing the opioid epidemic. It is something that I know, in a bipartisan way, we care about in this Chamber, and it is one place in which I think we could come to some agreement about increasing resources as we come to an agreement on the budget for the upcoming year. So I thank the Senator for her comments.

SPECIAL COUNSEL MUELLER, DEPARTMENT OF JUSTICE, AND FBI

Mr. President, I come to the floor this morning because I believe the United States is a nation of laws. The bedrock of our democracy is the rule of law. We are blessed with a judicial system and Federal law enforcement agencies that are respected worldwide for their integrity, impartiality, and professional excellence.

As the lead Democrat on the Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies, I have a responsibility, along with my chairman, Senator SHELBY, and our colleagues, to ensure that the Department of Justice, including Federal law enforcement agencies and Federal prosecutors, have the resources they need to do their jobs. I also have a responsibility to ensure that they are independent and shielded from political interference.

On that score, I am deeply troubled by a rising chorus of partisan attacks on the integrity of the Department of Justice, the Federal Bureau of Investigation, and in particular Special Counsel Robert Mueller, who is investigating Russian interference in the 2016 election.

Actually, this is the cover of the report from our intelligence agencies on that interference in the 2016 election.

I believe these attacks against Special Counsel Mueller are part of a broader campaign, orchestrated by the White House, to undermine the investigations into Russia's interference in the 2016 campaign, including the possible collusion by the Trump campaign. This effort to discredit the investigation has profound national security implications for the United States.

Yesterday, Senator BEN CARDIN, the top Democrat on the Foreign Relations Committee, released a report on behalf of the minority of the Foreign Relations Committee that documents Russian President Vladimir Putin's two-decade assault on democratic institutions, Western values, and the rule of law. This report complements a finding by the U.S. intelligence community that was issued last January that Russia interfered in the 2016 election and will continue to interfere in our elections if it is not deterred. This was the unanimous conclusion of all 17 U.S. intelligence agencies. Yet President Trump continues to be dismissive of claims that Russia interfered.

This is not about partisanship. This is not about who won the election. This is about whether Russia is trying to disrupt our democracy. President Trump's comments about what happened here are an extraordinary abdication of the President's duty to defend our country and safeguard our democracy.

Our Foreign Relations Committee's report concludes: "Never before in American history has so clear a threat to national security been so clearly ignored by a U.S. president, and without a strong U.S. response, institutions and elections here and throughout Europe will remain vulnerable to the Kremlin's aggressive and sophisticated malign influence operations."

Meanwhile, the campaign by the White House and certain Republicans in Congress to discredit and deflect the investigation continues. Indeed, it is a campaign that has become even more bizarre. Republicans on the Judiciary Committee refuse to release testimony by the cofounder of Fusion GPS—testimony regarding Russian efforts to collude with the Trump campaign. Last week, Senator GRASSLEY and Senator GRAHAM took the unprecedented step of calling on the Justice Department to investigate former British MI6 intelligence officer Christopher Steele, the author of the Fusion GPS report. Think about that. Instead of calling for an investigation of the serious charges in the so-called "Russia dossier," these Senators are demanding an investiga-

tion of the author of the report. Meanwhile, the President is becoming increasingly aggressive in attacking the investigations. Yesterday, he again called them a "witch-hunt" and demanded "Republicans should finally take control."

The partisan attacks on Special Counsel Robert Mueller are especially shameful. A decorated marine Vietnam veteran, he is a Republican who was nominated to be FBI Director by President George W. Bush and was approved by the Senate, at that time, 98 to 0. In 2011, when his 10-year term was up, President Obama, a Democratic President, asked the Senate to extend his term for an additional 2 years. Director Mueller was confirmed for another 2-year term by a unanimous vote of 100 to 0.

When Mr. Mueller was appointed special counsel in May, he was greeted with bipartisan praise for his integrity and professionalism. Here are some of the quotes we heard at the time.

Majority Leader MITCH MCCONNELL said:

I have a lot of confidence in Bob Mueller. I think it was a good choice.

Senator RUBIO said:

I believe [Mueller] is going to conduct a full and fair and thorough investigation that we should have confidence in.

Senator ISAKSON said:

[Mueller's] been appointed for a purpose. Let him carry that purpose out, and let the evidence take us where it may.

Yet today, in the wake of indictments of key Trump campaign officials, some Republicans in Congress are joining with voices in the conservative media in smearing Robert Mueller as "corrupt" and "dishonest." Those are quotes.

In early December, former House Speaker Newt Gingrich said:

Mueller is corrupt. The senior FBI is corrupt. The system is corrupt.

The day after Christmas, a prominent House Republican called for top officials in the Department of Justice and FBI to be "purged."

It is unfortunate that many Republicans appear to believe that in order to support the President they must attack and discredit not only Special Counsel Mueller but also the career employees of the Department of Justice and the FBI. These partisan attacks are baseless and reckless. They are undermining trust and confidence in the rule of law, and this must not be tolerated. It is time for responsible Senators on both sides of the aisle to speak up in defense of these institutions that are at the heart of our democracy. It is time to come together on a bipartisan basis to demand that Mr. Mueller be allowed to follow the facts wherever they may lead.

The FBI is also under attack. President Trump has said that the agency's reputation is in "tatters" and its standing is the "worst in history." The truth is that the FBI continues to be the gold standard for law enforcement agencies worldwide.

The prosecutors in the Department of Justice are superb professionals who adhere to a strict ethic of honesty and impartiality, as do the nearly 37,000 employees of the FBI. They put their lives on the line every day to protect the American people from violent criminals, terrorists, and foreign agents who mean our country great harm.

Just last month, as the agency was being attacked on FOX News as equivalent to the Soviet-era KGB, undercover FBI agents were hard at work stopping an ISIS supporter who was planning a Christmas Day terrorist attack on Pier 39, the iconic San Francisco tourist attraction. This is just one example of more than 720 potential acts of terrorism that were disrupted and prevented by hard-working FBI agents last year. We can see the headlines from some of those plots that were thwarted in New York, San Francisco, Florida, and Oklahoma City.

On June 13, Deputy Attorney General Rod Rosenstein testified before the Appropriations Subcommittee. Because the Attorney General has recused himself, Mr. Rosenstein is the top DOJ official overseeing the special counsel. At the hearing, I asked him if he had any evidence of good cause for firing Special Counsel Mueller. He answered: "No, I have not." In response to my further questioning, Mr. Rosenstein responded: "You have my assurance that we are [going to] faithfully follow that regulation and Director Mueller is going to have the full . . . independence that he needs to conduct that investigation appropriately." More recently, on December 13, testifying before the House Judiciary Committee, Mr. Rosenstein was again asked if there is good cause for firing Special Counsel Mueller. He responded with a firm no.

Members of Congress and commentators in the media who are now attacking the special counsel, the Justice Department, and the FBI for partisan political purposes are making a grave mistake. They will not succeed in deflecting law enforcement from its duties and missions, but they may well succeed in undermining the American people's faith and confidence in these institutions so vital to a healthy democracy. That is not only deeply unfortunate, it is shameful.

This is a remarkable moment in our Nation's history. A hostile foreign power has interfered in our Presidential election. Our law enforcement agencies and special counsel are working diligently to uncover the scope and methods of that intervention so that we can prevent a recurrence in the future. Supporting these efforts isn't about party or partisanship; it is about patriotism and defending America's democracy, which has been attacked and continues to be vulnerable to attack.

Our democracy is being tested, our law enforcement agencies are being tested, and we as Senators are being tested. Our responsibility is clear. We

have a duty to come together, Senators of both parties, to defend the independence of the Justice Department and the FBI, and we must insist that Special Counsel Mueller be allowed to conduct and complete his investigation without political interference.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). All time has expired.

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

Mr. SCHATZ. 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 senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arkansas (Mr. COTTON), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. MCCAIN), and the Senator from Georgia (Mr. PERDUE).

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

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from Illinois (Mr. DURBIN) are necessarily absent.

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

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 7 Ex.]

YEAS—92

| | | |
|--------------|------------|------------|
| Baldwin | Gillibrand | Paul |
| Barrasso | Grassley | Peters |
| Bennet | Harris | Portman |
| Blumenthal | Hassan | Reed |
| Blunt | Hatch | Risch |
| Boozman | Heinrich | Roberts |
| Brown | Heitkamp | Rounds |
| Burr | Hirono | Rubio |
| Cantwell | Hoeven | Sanders |
| Capito | Inhofe | Sasse |
| Cardin | Isakson | Schatz |
| Carper | Johnson | Schumer |
| Casey | Jones | Scott |
| Cassidy | Kaine | Shaheen |
| Cochran | Kennedy | Shelby |
| Collins | King | Smith |
| Coons | Klobuchar | Stabenow |
| Corker | Lankford | Sullivan |
| Cornyn | Leahy | Tester |
| Cortez Masto | Lee | Thune |
| Crapo | Manchin | Tillis |
| Cruz | Markey | Toomey |
| Daines | McCaskill | Udall |
| Donnelly | McConnell | Van Hollen |
| Duckworth | Menendez | Warner |
| Enzi | Merkley | Warren |
| Ernst | Moran | Whitehouse |
| Feinstein | Murkowski | Wicker |
| Fischer | Murphy | Wyden |
| Flake | Murray | Young |
| Gardner | Nelson | |

NOT VOTING—8

| | | |
|-----------|--------|--------|
| Alexander | Durbin | McCain |
| Booker | Graham | Perdue |
| Cotton | Heller | |

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to re-

consider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Walter David Counts III, of Texas, to be United States District Judge for the Western District of Texas.

Mitch McConnell, Deb Fischer, John Barrasso, John Thune, Roger F. Wicker, James M. Inhofe, Johnny Isakson, Mike Crapo, Tom Cotton, Chuck Grassley, Thom Tillis, Mike Rounds, Michael B. Enzi, James Lankford, Lindsey Graham, Pat Roberts, Todd Young.

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 Walter David Counts III, of Texas, to be United States District Judge for the Western District of Texas, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arkansas (Mr. COTTON), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. MCCAIN), and the Senator from Georgia (Mr. PERDUE).

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

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Illinois (Mr. DURBIN), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The yeas and nays resulted—yeas 90, nays 1, as follows:

[Rollcall Vote No. 8 Ex.]

YEAS—90

| | | |
|------------|--------------|------------|
| Baldwin | Cochran | Fischer |
| Barrasso | Collins | Flake |
| Bennet | Coons | Gardner |
| Blumenthal | Corker | Gillibrand |
| Blunt | Cornyn | Grassley |
| Boozman | Cortez Masto | Harris |
| Brown | Crapo | Hassan |
| Burr | Cruz | Hatch |
| Cantwell | Daines | Heinrich |
| Capito | Donnelly | Heitkamp |
| Cardin | Duckworth | Hoeven |
| Carper | Enzi | Inhofe |
| Casey | Ernst | Isakson |
| Cassidy | Feinstein | Johnson |

| | | |
|-----------|---------|------------|
| Jones | Murphy | Shelby |
| Kaine | Murray | Smith |
| Kennedy | Nelson | Stabenow |
| King | Paul | Sullivan |
| Klobuchar | Peters | Tester |
| Lankford | Portman | Thune |
| Leahy | Reed | Tillis |
| Lee | Risch | Toomey |
| Manchin | Roberts | Udall |
| Markey | Rounds | Van Hollen |
| McCaskill | Rubio | Warner |
| McConnell | Sasse | Warren |
| Menendez | Schatz | Whitehouse |
| Merkley | Schumer | Wicker |
| Moran | Scott | Wyden |
| Murkowski | Shaheen | Young |

NAYS—1

Hirono

NOT VOTING—9

| | | |
|-----------|--------|---------|
| Alexander | Durbin | McCain |
| Booker | Graham | Perdue |
| Cotton | Heller | Sanders |

The PRESIDING OFFICER. On this vote, the yeas are 90, the nays are 1.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Walter David Counts III, of Texas, to be United States District Judge for the Western District of Texas.

The PRESIDING OFFICER. The Senator from Oklahoma.

RULES OF THE SENATE

Mr. LANKFORD. Mr. President, once more I am coming to the floor to talk about the basic rules of the Senate and how we actually get on legislation.

We have spent all of this week on four district court judicial nominations—the entire week, no legislation—because we can't get on legislation.

In 2013, we were in a situation similar to this. The minority party, at that point being the Republicans, were slowing down the process in the Senate on nominations by the Democratic Party, at that point the majority. So Republicans and Democrats sat down together and said: This is a problem. We cannot get to legislation.

The Republicans and Democrats together, with 70-plus votes, made a 2-year rule change in the Senate in the 113th Congress. It was a simple rule change: 2 hours of debate for a district court judge, 8 hours of debate for just about everyone else, and 30 hours of debate for circuit court, Supreme Court, and Cabinet nominations. It was a bipartisan agreement that worked very well for that 2-year time period.

Then, at the end of that 2-year time period, it had a sunset on it, and it expired. The hope was that we would relearn how to be able to do this. I wasn't in the Senate at that time, but I have spoken to multiple people about that process.

What happened instead was, during the first year of that, there continued to be ongoing frustration, so my Democratic colleagues used what is affectionately called the nuclear option to be able to change the rules of the Senate to say that they could bring individuals with only 51 votes—not 60—and