

Today I am laying out what I hope Republicans and Democrats will ultimately be able to agree on. This is legislation that includes current law prohibitions on taxpayer funding for abortion—what Senate Democrats and Republicans agreed was acceptable months ago. It would take strong steps to lower premiums and make healthcare more affordable for patients. It would hold protections for people with preexisting conditions, as so many Republicans and Democrats have said we need to do.

We are frustratingly close to an agreement, and I still do believe we can get there. This shouldn't be about the blame game. It should not be about pointing fingers. This has to be about getting results.

I hope Republicans and Democrats will join me in supporting the amendment I am offering today, and even if they don't, I hope we can get back to the table and resume talks. I truly believe there are Republicans who want to do the right thing for patients and families, even if their leadership is determined to avoid a real debate and vote on the so-called ObamaCare bailout. Our work last fall showed that we can reach an agreement when we put aside partisan politics and focus on what is best for our families. I am ready to get back to work to get that done.

I object to the pending unanimous consent request.

UNANIMOUS CONSENT REQUEST—H.R. 1625

I ask unanimous consent that when the Senate proceeds to the consideration of the House message to accompany H.R. 1625, the omnibus appropriations bill, the Murray amendment that is now at the desk be considered and agreed to.

The PRESIDING OFFICER. Objection is heard to the first request.

Is there objection to the request from the Senator from Washington?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, this has been a very disappointing moment. Senator COLLINS is asking to pass an amendment that would not seem to be terribly controversial. As we have heard my colleagues state this afternoon, the Alexander-Murray-Collins-Nelson proposal would lower health insurance premiums—dramatically, in some cases—for American individuals and families. This assistance would be especially helpful to the middle-class families whom ObamaCare has hit the hardest.

How do my colleagues propose accomplishing this worthy goal? Through another top-down, one-size-fits-all scheme cooked up here in Washington? No, their legislation is designed to encourage new thinking and creative policymaking at the State level, through the expansion of section 1332 State innovation waivers and high-risk pools. It would end the practice of silver-load-

ing, which unnecessarily costs the taxpayers tens of billions of dollars. It includes Hyde amendment language that has been commonplace for decades, going back to the 1970s, preventing taxpayer dollars from funding abortions. Apparently, that commonsense provision is suddenly just a bridge too far for some of our friends across the aisle.

For months, my colleague from Maine has led a bipartisan effort to bring common sense back to Americans' healthcare. Along with Senator ALEXANDER, she has brought together Senators with different viewpoints and made real progress toward fixing the glaring failures of the current system. It is especially disappointing that their efforts are being blocked precisely when they stand the greatest chance of helping millions of Americans. It is not entirely surprising that my colleagues across the aisle are happy to talk the talk about lowering premiums for working families, but they refuse to actually walk the walk when given a golden opportunity. But it sure is disappointing.

Mr. President, I ask unanimous consent that I be added as a cosponsor to the Collins-Alexander amendment.

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

#### TARGETED REWARDS FOR THE GLOBAL ERADICATION OF HUMAN TRAFFICKING

Mr. MCCONNELL. Mr. President, I understand that the Senate has received a message from the House to accompany H.R. 1625.

The PRESIDING OFFICER. The majority leader is correct.

Mr. MCCONNELL. I ask that the Chair lay before the Senate the message to accompany H.R. 1625.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House agree to the amendment of the Senate to the bill (H.R. 1625) entitled "An Act to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes.", with an amendment.

MOTION TO CONCUR

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment to H.R. 1625.

CLOTURE MOTION

I send a cloture motion to the desk on the motion to concur.

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

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 motion to concur in the House amendment to the Senate amendment to H.R. 1625.

Mitch McConnell, John Cornyn, Susan M. Collins, Lamar Alexander, Pat Roberts, Orrin G. Hatch, David Perdue, Lindsey Graham, Thom Tillis, Lisa Murkowski, Shelley Moore Capito, Richard Burr, Mike Rounds, John Hoeven, Rob Portman, John Boozman.

MOTION TO CONCUR WITH AMENDMENT NO. 2217

Mr. MCCONNELL. I move to concur in the House amendment to H.R. 1625, with a further amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur in the House amendment to the Senate amendment to H.R. 1625, with an amendment numbered 2217.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end add the following.

"This Act shall take effect 1 day after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on the motion to concur with amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2218 TO AMENDMENT NO. 2217

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2218 to amendment No. 2217.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike "1 day" and insert "2 days"

MOTION TO REFER WITH AMENDMENT NO. 2219

Mr. MCCONNELL. Mr. President, I move to refer the House message on H.R. 1625 to the Committee on Appropriations with instructions to report back forthwith.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the House message on H.R. 1625 to the Committee on Appropriations to report back forthwith with instructions, being amendment numbered 2219.

The amendment is as follows:

At the end add the following.

"This Act shall take effect 3 days after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2220

Mr. MCCONNELL. I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2220 to the instructions of the motion to refer H.R. 1625.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike "3 days" and insert "4 days"

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2221 TO AMENDMENT NO. 2220

Mr. MCCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2221 to amendment No. 2220.

The amendment is as follows:

Strike "4" and insert "5"

Mr. MCCONNELL. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

HEALTH INSURANCE

Mr. ALEXANDER. Mr. President, the Senator from Washington knows the deep respect I have for her, and we have worked together on some important legislation on our committee when we have had differences of opinion, including on the 21st Century Cures legislation and No Child Left Behind. Yet I have to say, with all due respect, the last 7 months of working with the Senator and the Democrats on trying to fix the Affordable Care Act, as they have asked us to do, has been the most frustrating time in my 16 years in the Senate.

For example, she made three points.

One is that the Democrats were unhappy that we had reduced taxes and repealed the individual mandate. We know they are unhappy about that, and we know it raised individual rates somewhat, maybe as much as 10 percent. OK. That was last year. So what are we supposed to do—not work to reduce rates? We continue to work to reduce rates.

According to the Oliver Wyman experts, the proposal Senator COLLINS and I have put on the floor, which is basically a combination of bipartisan proposals, would reduce rates by up to 40 percent, taking into account what we did in the tax bill. The CBO, the

Congressional Budget Office, said it would reduce rates by up to 20 percent. That is the first point.

I understand the Democrats don't like to cut taxes, and they don't like to get rid of the individual mandate, which is a tax on a lot of poor people, but they have to get over that at some point. If you think it raised rates, let's cut rates. We have a proposal to cut rates on plumbers and songwriters who pay for their own insurance by 40 percent. So that is not a very good excuse for blocking this rate decrease.

The second thing is, the distinguished Senator from Washington said the Collins-Alexander proposal interferes with preexisting condition. It does not. Only someone who hasn't read the bill carefully could think about that for a moment. I mean, we deliberately made sure the proposal we would present would not disturb the essential health benefits, which most of us would like to do, and most of them would not. It does not change the preexisting condition requirement.

It does codify the proposals the President made on short-term insurance, at the suggestion of the Democrats, who were afraid the President might be able to do some things. What we were trying to do was limit what he could do, to say the States have the responsibility, and to make sure the consumers knew what they were buying. After all, the short-term plans, which the Democrats don't like, can only be done if States choose to do them. They were afraid the President might do them, so we made sure he could not. So that is not an issue.

The third thing is in terms of the Hyde amendment. Now, the Hyde amendment is a very simple amendment. Usually, when you oppose something, you just stand up and say: Look, this is the reason I am opposing it. You may disagree with me or you may not, but this is my reason.

This is the only reason the Democrats are blocking this 40-percent rate reduction. They have said so publicly and privately. That is it. That is the only reason. They don't like applying the Hyde amendment to health insurance in this bill. If they don't, fine. That is their prerogative. I respect that. I don't question their motive, and I don't question their right to do it. I would just like for them to stand up and say that is what they are doing. Then they can explain to the American people what sense that makes.

We have been working for 7 months to develop this proposal that includes two parts. One is fundamentally the Alexander-Murray proposal that Senator SCHUMER said every single Democrat would vote for, and the other part is 3 years of reinsurance at \$10 billion a year. That is it. Those are bipartisan ideas. The only issue is, shall we also apply Hyde to it?

What we have planned to do for the last several months is to put it in this bill that we are voting on today, the omnibus bill, to which the Hyde lan-

guage has applied since 1976. What that means is, the Hyde language is a compromise. It says you may not use Federal funds for elective abortion, but it makes clear that States, individuals, churches, and nonprofits may pay for elective abortions. That is the compromise. We counted them up. The Hyde language applies to more than 100 Federal programs that the Democrats will be voting on today.

The Democrats will be voting today on applying the Hyde language to the National Institutes of Health, but Senator MURRAY is saying they can't apply it to a 40-percent health insurance rate reduction. They will be voting to apply the Hyde language to community health centers, but she is saying, no, they can't apply it to a 40-percent health insurance rate reduction. They are going to be voting to apply it to the Federal Employees Health Benefits Program—that is for all of us who get insurance, all the Federal employees—but that they can't apply it to a health insurance rate reduction. We are going to apply it to Federal family planning grants under title X, but for some reason, we can't apply the same law to a health insurance rate reduction. I can go down that list, as I did earlier, but I will not read the whole thing. There is the VA, global health programs, the Ryan White school-based health centers.

The Democrats have voted for Hyde protection hundreds of time. What the Democrats are arguing is, when they had 60 Senators here and President Obama and a Speaker of the House named PELOSI, they passed the Affordable Care Act, and they watered down Hyde for the purposes of the Affordable Care Act. They want that language. No Republican has ever voted for that language in the Senate. The Democrats have voted hundreds of time for Hyde.

How can we continue, how can we expect to make any progress in fixing the Affordable Care Act if the Democrats will not apply the Hyde language to any funding under it? I don't see any prospect for it.

I don't like the insinuation that I have walked away from anything. Most of the Republicans are usually willing to work with the Democrats, and I have spent hundreds of hours. I walked over to the Senator on the night we failed on repeal and replace and said: Let's do something. We had long discussions. We had hearings to which half the Senate came. Everybody was just cheering. It was like going to summer camp. Why don't we do more of this? So we did it, and we came up with something the Democratic leader said everybody could vote for over there. Then they got mad about the tax cut. OK. They can be mad but not forever, maybe.

So we came up with a cure for that. We got a 40-percent rate reduction despite what we did in the tax bill. All we want to do is to apply to this health program the same health program that every Democrat who votes for this bill

will be applying to every other health program today. If they will not do that, how can they stand up and say they expect to make progress on fixing the Affordable Care Act? I don't know any way to do it.

I am as willing as anybody to try to work things out here, but I am no magician. I greatly respect the Senator from Washington and enjoy working with her, but on this issue, I think we have reached an impasse. They have yet to give us any language at all that applies to the Hyde language. All of their suggestions are saying: We want to do what we did when we had 60 Senators, a President of the United States, and NANCY PELOSI as Speaker. Well, they may want to, but that is the one time that ever happened, and here we are today—with no one objecting on the Democratic side.

I mean, should I offer an amendment to take the Hyde language out of applying to the National Institutes of Health? Why don't they offer to take it out of family planning grants under title X? That should be just as offensive as applying the Hyde language to health insurance.

I don't understand this. They have been scrambling around all day. The staff has been putting out memos. They are making up things. They are misleading, and they are misreading. They are making excuses. There is only one reason. They are blocking a 40-percent health insurance rate decrease for the plumber who is making \$60,000 and paying \$20,000 for his insurance. We could cut that \$20,000 insurance to \$12,000 over the next 3 years. That person is hurting, and the Democrats are blocking that. They will say: We will apply Hyde to everything else but not to the rate decrease for that plumber. I don't understand it, and I don't see any way to make any progress on it as long as they take that position.

THE PRESIDING OFFICER (Mr. KENNEDY). The Senator from Maine.

Ms. COLLINS. Mr. President, I want to make three points in response to the objection that was raised by my friend and colleague from Washington State.

The first is timing.

According to the Senator from Washington, we have all the time in the world. Regrettably, that is not true.

Starting next month, insurers are beginning their calculations on what rates they are going to charge for insurance policies on the individual market next year. They are also making the decision as to whether they are even going to sell in particular counties across this country. There is already not much competition, so the time is urgent for us to act. Those rates get approved by the State insurance commissioners, and they are published on October 1. So the idea that we have tons of time to take care of this problem is just not accurate.

Indeed, as Senator ALEXANDER just said, the chairman of the HELP Committee, the HELP Committee has spent months on these concepts, has worked

really hard on these issues, and has had extensive hearings and roundtables and discussions. The one thing we do not have is time, and that is why the National Association of Insurance Commissioners has urged us to act on this bill.

The second is the concept that somehow this bill has brandnew concepts in it. The only thing that is new is the amendment that was just filed by the Senator from Washington State. I have no idea what is in that. It was not shared with me. To my knowledge, it was not shared with the Senator from Tennessee. I have no idea whether it covers cost savings reductions that help our lowest income people pay their copays and deductibles. I have no idea what it does to silver-loading, whereby insurers jack up the prices of silver plans in order to draw down more Federal dollars. I have no idea what it does on a whole variety of issues because I have never seen it.

By contrast, the language of the Collins-Alexander proposal was shared with the minority. Indeed, I have had several discussions with the Senator from Washington State about the language, and all of the concepts in our bill have been debated. Hearings have been held on them. They have been talked about extensively. They are not new. There was a change in the reinsurance provisions, which I authored with my friend and colleague, the former State insurance commissioner from Florida, Senator NELSON, and that was to add a third year to the reinsurance.

I would have thought my Democratic friends would have been thrilled with that—a third year. That was at the suggestion, I would say, of Congressman COSTELLO and Congressman WALDEN in the House.

We also put in a Federal backstop so every State could be assured of the benefits of reinsurance in the next year, even if they had not had time to file the application for a waiver under section 1332. Again, that is a concept my Democratic friends were pushing for us to include. It was one that I, frankly, had reservations about, but that is in there. So those are two changes in the reinsurance that our Democratic colleagues, I would think, would be applauding because it helps to drive down rates.

Third, I hear from my Democratic colleagues that this is an enormous change in the application of the Hyde amendment because it applies to commercial insurers. That is just not true. The Hyde amendment already applies to the Federal Employees Health Benefits Program. That is the insurance program for 8.3 million Americans who are Federal employees, spouses, or family members of Federal employees, or retired Federal employees—8.3 million. How does the Presiding Officer think that program is administered? The answer is, it is administered through commercial insurers like Blue Cross Blue Shield, United Health Insur-

ance, and many others. This is not the first time, and the language actually for the Federal Employees Health Benefits Program is more strict than what is in the bill we have proposed. So the idea that this is some new approach is just not accurate.

The Federal Government spends about \$1 trillion on healthcare through various programs—its share of Medicaid, Medicare, VA programs, the Children's Health Insurance Program, the TRICARE Program, the Federal Employees Health Benefits Program. It is about \$1 trillion. Guess what. That is 100 times more than the amount that is covered in this bill—100 times more. So this is not a new concept in any way.

The reinsurance provisions and the cost-saving reductions have been discussed for months in the HELP Committee, both formally in hearings where, by the way, there was widespread support for them and in informal roundtables and in Senator-to-Senator discussions.

Make no mistake about the stakes here, if we do not act—and it appears, due to the objection on the Democratic side, that we are not going to act—insurance rates will go up on October 1. That is going to hurt everybody who has to buy insurance who wants to be insured and has to buy through the individual market because they don't get insurance through the workplace. That is going to hurt very low-income people. That is also going to hurt those who receive no government help at all and do not have employer-provided insurance because they are self-employed.

Why don't we want to take advantage of this opportunity to decrease insurance rates by as much as 40 percent over the next 2 years?

Do you know how welcome that would be by the people in my State of Maine? Maine is a low-income State. We don't have Microsoft headquarters in the State of Maine. We are a low-income State. We need insurance rates to fall. This bill would do it. Oliver Wyman, the well-respected healthcare consulting firm, has verified that rates would fall. The CBO says premiums would be less, and Oliver Wyman says 3.2 million more people would be insured. Surely—surely—this should be a goal we can all embrace.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, let me say to my colleague, the chairman of our committee, the Senator from Tennessee, through the Chair, that I greatly respect the rapport I have with him, the working ability we have shown time and again through issues like Cures and ESSA and all the bills we have worked on and will continue to work on. I have that respect and admiration for him, and I want him to know I will continue to do that because I believe in legislating, and I know he does as well. I share that respect.

To the Senator from Maine, through the Chair, I would also say I have a lot

of respect for the Senator from Maine and her passions and her goals on this as well. I say to both of them, this is an issue I care about deeply. I would not have sat down with any one of them to work on a bipartisan solution to the dilemma we found ourselves in throughout the last year as repeated decisions were made that undermine the security of people in terms of their ability to afford quality healthcare and a marketplace that was increasingly seeing uncertainty. I believe in those goals, and I know they do as well.

I remain committed to getting this done. I agree timing is everything, and we have been working on this since September. I regret the actions that were taken that we were not able to put this forward in September or December, and we are here now at this point.

I will state, as to the language that has been added, obviously and clearly, there is a real divide on how it is read, how it is interpreted, and how it could be applicable. That is our objection. I say to my colleague, my chairman, through the Chair as well, that we had offered him language on Friday that did indeed deal with the Hyde amendment. No one here said we cannot have that, but we have language that exceeds, in my opinion—I know that is not shared on the other side—but in my opinion extends well beyond into the private marketplace, where I think there is a line the people would not support, and I certainly can't myself.

In addition to the other language dealing with people's ability to protect their preexisting conditions, we clearly have a divide on how that is interpreted, but that does not preclude our ability, if we agree on the goal of stabilizing the marketplace and ensuring that we can do the CSR payments, that we can do the reinsurance program the Senator from Maine has championed, and rightfully so—and I hope we can all agree that moving on from here, we would return to that bipartisan proposal, not partisan proposals, and move to get this done.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, first of all, I think the session led by Senator ALEXANDER and Senator COLLINS on the cost-sharing has been very helpful and shows the impact that would have if we went forward with it, but I want to talk about the funding bill itself.

The first and foremost thing this bill does is it makes critical investments to keep Americans safe. It is the largest annual defense increase year-to-year in 15 years. It provides a pay increase for those who risk their lives in service to us. When we send our men and women who are willing to do that job in harm's way, we ought to do everything we can to ensure that they have every possible advantage. We don't want Americans to be in a fair fight. We want Americans to be in an unfair

fight because we have stacked the fight in favor of people who are defending us.

We lost the advantages we had over the last 10 years. We clearly have not funded the military at the level it needed to be funded. We haven't provided the training dollars. We let the equipment get old. I would like to think I have consistently been on the other side of that debate.

We see what happens when we lose that advantage. We lost 80 personnel this year and last year, 2017, in accidents—in training accidents and other accidents—where people are asked to do too much for too many hours without enough training on the kind of equipment they are going to be using. We had 80 people lost in those accidents—four times as many people as were lost in combat. We can't continue to let that happen.

That is what this bill does. It turns the page after a decade of inadequate funding, a decade of diminished readiness, a decade of training that wasn't what people should have been expected to have before they were expected to do the things we asked them to do.

This bill makes the equipment better, it strengthens our military defense, it strengthens our missile defense, it funds new weapons systems, and invests heavily in measures designed to counter the threats such as ISIL and North Korea.

It begins to upgrade U.S. military strength with funding increases for shipbuilding, for aircraft procurement and maintenance. Some of the aircraft we make—the Growlers and Super Hornets—in Missouri, and there are lots of small suppliers that are a part of that readiness chain that are jeopardized when we decide we are not going to keep our equipment up-to-date or repaired.

This bill has a pay raise for the military men and women that they deserve. It also deals with veterans. In my State, we have 500,000 veterans. I am proud to see this bill provides a record level of Veterans' Administration funding but also continues down the path of being sure veterans have more choices. There is no reason to drive by three hospitals that are really good at something that the veterans hospital you are going to may not be as good at. There are things veterans hospitals should be better at than anybody else. They should be better at post-traumatic stress. They should be better at IED attacks, where eyes and limbs are hurt. Always the veterans hospitals have been as good as anybody on prosthetics when people have lost legs and lost arms. That is part of what veterans uniquely are likely to have happen to them more than others. There is no reason to assume they should be as good at kidney dialysis or open-heart surgery. There is every reason to assume, if they want to go somewhere that really is good at this that is closer to where they live, they should be able to do that.

This bill funds either the construction or the repair and backup of almost

100 miles of the wall that the President talked about at the border.

It provides the money to keep the Guantanamo Bay detention facility open. It has the Fix NICS component, particularly with Federal agencies. It was a shock to me and others, as we have looked into this, that so many of the problems with reporting to the background check system have been through Federal agencies and the military failing to report the kinds of things that clearly would be reported if they had happened in a civilian environment. Fix NICS does that, providing incentives for States to figure out how to make their reporting better.

This includes the Hatch and Klobuchar safe schools language that talks about how to stop school violence, early intervention, military mental health awareness. In my State, at least, we have been leaning on something called mental health first aid, where teachers and others who work with young people are not turned into psychiatrists or psychologists but in a fairly intensive, but short, period of time are given some of the key things to look for to then try to connect that young man or woman with the kind of help they need.

The equipment that could be available for better securing schools would be available in new ways under this bill, if we pass it. Some of that is in the education area. I am on that subcommittee with the Presiding Officer.

The labor, the health and human services, and the education components of the bill are strong—what we are doing for the third year straight in healthcare research. Until this year, every time we made that new commitment to healthcare research, after 12 years of no increase at all, we did it with no new money. It was purely prioritizing this as an important thing. With this year's bill, the bill we will pass today, we will restore 22 percent of funding that the NIH lost in research buying power in the previous 12 years, where not a single new penny went to healthcare research beyond what they had before—whether it is Alzheimer's, cancer, or the BRAIN Initiative. We just simply know a lot more than we knew a dozen years ago about the human genome, about the individual impact of cancers, about getting your own system more aggressively fighting back, by sort of amping up your own system's response. Your system and mine, we have a response to those cancerous attacks, but usually it is quickly overwhelmed by the cancer itself. It doesn't have to be that way because research has led the way on that.

This bill is not perfect. I could go through the bill—every one of us could go through the bill and find something in there that we individually don't like. That is part of the legislating process.

Going back to my earlier comments, it is a different decision to be made when you decide: I am absolutely committed to defending the country, but I

am going to find something in the bill that funds that that I can be against, so even though I can be for defense, I don't have to explain anything I am not for.

I would rather we brought these bills to the floor one at a time. I am lucky—I hope—fortunate to be on the special committee that was just appointed to try to figure out a way to make the budget and appropriations process work in a way that this might be the last time we have all this in one bill. It didn't used to be that way. It has been that way for about 10 years now. It needs to stop. Every Member needs to have a right to be able to amend these bills, to bring them to the floor one at a time or two at a time, have a real debate, and put them on the President's desk as we pass them, not to wait until 6 months after the new spending year begins and then have one big bill and have no real impact on what is in that bill in ways we would like to—at least vote on having it changed.

It is not perfect. There was right-to-conscience language, where healthcare professionals who didn't want to be part of a particular procedure that would generally be a life-ending procedure because of their personal conscience and faith beliefs—you would think that could have made it in this bill, but it didn't. I would be much happier about voting on this bill if it were there, but it is not there. So I can find things that aren't there that I would like to see in this bill. I can certainly find things that are in the bill that I would prefer not to see us go forward with. But that is the process of democracy. That is the process of legislating. You have to look at the alternatives before you.

If we are going to make the kind of commitment to our national defense and the men and women who defend us that this bill makes, if we are going to make the kind of commitment to healthcare research and school safety that this bill makes, the choice today is to vote for the bill sometime before the continuing resolution runs out tomorrow or to think of how you could have done this in a better way. I think we all can think of better ways to do this.

Moving forward here, it is important that we have made a commitment to the opioid crisis we are seeing in the country. More people now die from drug overdoses than in car accidents. Drug overdoses have become the No. 1 cause of accidental death in the country today.

We have \$1.5 billion in flexible spending for the States as part of the \$3 billion being spent to fight the opioid crisis in the next year. About 15 percent of that \$1.5 billion is going to go to the States that have the biggest problem. There will be some allocation to every State because every State has a problem, but some States have bigger problems. For the first time in this fight, with the good advice of Senator SHAHEEN, Senator CAPITO, Senator

PORTMAN, and others, we are factoring in a way to get more money quicker to the States that have big problems.

There is also money for the National Institute of Health to research new ways to respond to drug overdoses so that more people survive the overdose and research different ways to deal with pain so that people don't get addicted to the things they are addicted to now and either die from overdoses or move to even more dangerous drugs. And people who don't die from an overdose can see their lives crumble in front of them even if they are fortunate enough to recover from the addiction they became part of. This is a national crisis, and this bill views it as a national crisis.

Whether it is a domestic crisis, like opioids, or an international crisis, like our failure to defend ourselves in a way that people who defend us would expect us to be willing to do—this is a bill that overall deserves to be voted for. I intend to vote for it. I intend to start tomorrow trying to have a bill next year that not only comes to the floor in a different way but also corrects the problems that I think could have been better served in the bill we have before us today.

With that, Mr. President, I yield the floor.

Mr. HATCH. Mr. President, the prospect of retirement has imbued me with a sense of urgency as I have never felt it before. With just a few months left in office, I have an ambitious agenda that I am committed to getting across the finish line, and with the passage of this year's spending bill, I am grateful to be several steps closer to that goal.

In my first Senate address after announcing that this term would be my last, I made clear my intentions for my final year in office. I promised to be on the Senate floor, early and often, pushing the most critical reforms of this Congress, and I have been. I promised a flurry of legislative activity from my office, and you have seen it.

Anyone who wants to count me out doesn't know that I have a dedicated staff determined to drive this old workhorse into the ground, and with the passage of this year's omnibus, our efforts are beginning to bear fruit. True to my promise in January to go big and to go bold, I have been hard at work over the last few weeks to include in this year's spending package a number of legislative priorities that will make a meaningful difference for millions of Americans.

I wish to thank the majority leader, the majority whip, the Speaker of the House, and their respective staffs for going extra lengths to help me attach several of these signature initiatives to the bill we will soon pass. Whether it is historic legislation to prevent school violence and improve our background check system or bipartisan measures to empower law enforcement and strengthen our rural communities, this omnibus encompasses a number of policy victories that will greatly benefit both Utah and the Nation.

Let me begin with the Clarifying Lawful Overseas Use of Data Act, or CLOUD Act. This critically important legislation will create a workable framework for law enforcement to obtain data stored overseas while at the same time protecting providers from conflicts of law and encouraging other countries to strengthen domestic privacy standards. This bill is a win for law enforcement, for the tech community, and for the Trump administration as well.

Passage of the CLOUD Act is the culmination of more than 4-years of hard work. My first foray on this issue was the Law Enforcement Access to Data Stored Abroad Act, or the LEADS Act, which I introduced in September 2014. I continued my work last Congress with the International Communications Privacy Act, or ICPA. Then, earlier this year, I introduced the CLOUD Act with my good friends Senator COONS, Senator GRAHAM, and Senator WHITEHOUSE.

Among other things, the CLOUD Act authorizes the United States to enter into bilateral agreements with other governments to set clear standards for requests for digital evidence. Under these bilateral agreements, the United States agrees to lift its blocking statute on disclosure to foreign law enforcement if the other country similarly agrees to lift any such bar it has on disclosure to U.S. law enforcement. Moreover, the CLOUD Act requires that any order issued by a foreign government on a U.S. provider be subject to judicial or other administrative review before the provider can be forced to turn over data.

I am hopeful that the U.S.-U.K. bilateral agreement framework outlined in the CLOUD Act will serve as a model for future agreements between the United States and other countries. Expediently implementing similar agreements with the European Union and our other allies is critical to protecting consumers around the world and facilitating legitimate law enforcement investigations.

The CLOUD Act gives law enforcement the tools they need to keep us safe. So, too, does the STOP School Violence Act. We started working with families from Sandy Hook on this bipartisan bill several months ago. They had some great ideas for making our schools safer including school threat assessment teams; anonymous reporting systems; and training for students, teachers, and law enforcement to prevent future violence. We engaged with stakeholders from the security industry about school security infrastructure improvements. These and other evidence-based strategies and programs to improve school safety formed the foundation of the STOP School Violence Act.

We were refining the bill and shoring up bipartisan support when tragedy struck at Marjory Stoneman Douglas High School. This certainly increased the urgency of the legislation, and I

welcomed the help and advice of the families from Parkland as well.

I can't even imagine how I would react if something like that happened to one of my children, so it has been incredible to see these families from Sandy Hook and Parkland channel that grief and anger into unifying action. In particular, I would like to thank Ryan Petty, Patrick Petty, Kyle Kashuv, and so many other outstanding individuals who shared with us their unique perspective on the issue of school violence. Without them, this bill would not have become a reality.

Despite everything people like Kyle and the Pettys' went through, they came in with the attitude of wanting to find common ground and bring people together. These families from Parkland came in wanting to make a difference, saying this time had to be different, and very soon, they can say that they helped pass a historic bill that will save hundreds, if not thousands, of lives.

In the spirit of keeping young people safe, I am glad we were also able to get my Child Protection Improvements Act included in the omnibus. The objective of this bipartisan bill is simple: to better protect the most vulnerable in our society, namely, children, the elderly, and individuals with disabilities.

The Child Protection Improvements Act amends the National Child Protection Act of 1993 to make permanent a pilot program originally created by the Adam Walsh Act. This program ensures that organizations that serve children, the elderly, and individuals with disabilities have access to FBI fingerprint background checks for their employees, volunteers, and coaches. My hope is that this bill, which is broadly supported by youth-serving organizations and law enforcement groups, will save many lives and better protect those who cannot protect themselves. Giving permanency to this background check program is an important step in keeping children and the defenseless safe from violent criminals and sexual predators who might otherwise slip through the cracks.

Also among our Nation's most vulnerable are those struggling with addiction to opioids. Opioid abuse in our Nation has reached epidemic levels, leaving in its wake a trail of tragedy and shattered life. Few are immune to the devastating effects of addiction. For many, dependency begins with a painkiller prescription in the aftermath of a surgery or serious injury. Against their own will, patients develop an addiction to pain medication that leaves them craving more. Over time, feeding this addiction becomes increasingly difficult, pushing many to look for a harder fix. Some even turn to heroin, spurring a rapid descent into dependency from which few return.

To combat this harrowing epidemic, the omnibus more than triples the Federal resources devoted to the opioid crisis, allocating billions of dollars to opioid prevention, treatment, and en-

forcement. Moreover, the omnibus increases NIH funding to research new advances in healthcare and medicine, as well as alternative pain management options. My home State of Utah is a leader in this field, and this bill will give researchers the resources they need to continue to break new ground. In short, this legislation is a symbol of hope for millions across the country whose lives have been ravaged by the opioid epidemic.

In addition to helping Americans whose lives have been upended by addiction, I am also committed to helping Westerners who are struggling in our rural communities. That is why I worked long and hard to include in this year's omnibus a 2-year extension of the Secure Rural Schools program, or SRS.

The SRS program is absolutely critical to rural, forest counties in Utah and across the West. As the timber industry has declined in our country, rural counties with high presence of National Forest System lands face significant hardships in maintaining schools and essential infrastructure. Fortunately, with the extension of SRS, hard-working county leaders will be able to improve road maintenance, fund law enforcement, and keep our schools and libraries open.

The SRS program, as well as programs such as PILT, are a boon to families across the State of Utah. Of equal importance are our defense programs. Utah has some of the most patriotic people in the country, not to mention thousands of veterans and Active-Duty servicemembers. That is why I have always done everything in my power to support the warfighter, so I am pleased that this bill includes a much-needed 2.4 percent pay raise for our troops, the largest in 8 years. What is more, the legislation we are set to vote on today has the largest increase in defense funding in over 15 years, with a \$61 billion increase over last year's levels. This is especially good news for my hard-working constituents at military installations throughout the state.

What I have mentioned thus far is by no means an exhaustive list of the legislative victories included in this year's omnibus, but also worth mentioning are initiatives to build research capacity at the National Institutes of Health; make childcare more affordable for America's hard-working families, expand TIGER grants to facilitate transportation projects across the country, strengthen the Economic Development Administration to bolster rural communities, and support evidence-based education programs for our Nation's youth. On each of these initiatives, I worked closely with stakeholders and everyday Utahns to ensure that their perspectives would be heard and their needs would be met.

I am pleased with the work we have been able to do on this bill. Like any compromise, it is far from perfect, but it's undeniably good, and I can confidently say that the bills included in

this legislative package will have a lasting effect on the lives of thousands of Utahns and thousands more across the country.

Now, some have criticized the process of passing this legislation, criticizing the fact that lawmakers have not been able to read the omnibus from beginning to end. I take serious issue with this criticism. True, the omnibus is large, but every bill included therein has been thoroughly vetted over the course of several months and, in some cases, several years, so the assertion that we are passing a bill, the contents of which are unknown, is completely disingenuous. We know exactly what is in this omnibus because it is the culmination of all our hard work this Congress. This is a common vehicle for passing vetted legislation, and anyone who tells you otherwise is playing political games.

Let me just conclude by saying that, with the time I have left here in the Senate, I plan to leave everything on the field. For me, 2018 is not a victory lap but a sprint to the finish, and I plan to finish strong.

Mr. President, I submit this statement on behalf of myself and Ranking Member Wyden. The provisions of the House amendment to the Senate amendment to H.R. 1625, showing the text of the Consolidated Appropriations Act, 2018, before the Senate for debate today includes technical corrections to legislation enacted prior to 2017. These provisions are important to provide clarity to taxpayers and to the administration of the law. I and Ranking Member RON WYDEN have asked the staff of the nonpartisan Joint Committee on Taxation to make available to the public a technical explanation of this legislation.

The technical explanation expresses the congressional understanding and legislative intent behind this important legislation. It is available on the Joint Committee's website at [www.jct.gov](http://www.jct.gov). It is document JCX-6-18, "Technical Explanation of the Revenue Provisions of the House Amendment to the Senate Amendment to H.R. 1625 (Rules Committee Print 115-66)," March 22, 2018.

Mr. CARPER. Mr. President, I rise today to speak about title XI of divisions S of the Consolidated Appropriations Act, 2018, H.R. 1625. Title XI of Division S, the Fair Agricultural Reporting Methods Act, or the FARM Act is identical to the text of S. 2421, which was introduced on February 13, 2018, and which was referred to the Senate Committee on Environment and Public Works, where I serve as ranking member. I am proud to be an original cosponsor of S. 2421.

The Environment and Public Works Committee held two legislative hearings on the text of S. 2421. The first was on S. 2421 as introduced, in the Senate Committee on Environment and Public Works Subcommittee on Superfund, Waste Management, and Regulatory Oversight on March 8, 2018. The second



hearing was held by the full committee on March 14, 2018, on a committee draft of legislation, the “Agriculture Creates Real Employment (ACRE) Act.” The text of S. 2421 was included in the committee draft of the ACRE Act, as section 3.

S. 2421 exempts most farms from the hazardous substance release reporting requirements under section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act, CERCLA, for air emissions from animal waste, but leaves intact reporting requirements under the Emergency Planning and Community Right-to-Know Act, EPCRA. The FARM Act also preserves reporting requirements and enforcement authority under State and local laws, as neither CERCLA nor EPCRA would preempt such requirements.

As I said during those hearings, I believe our country’s environmental laws serve our entire Nation, including our farmers, quite well, but I recognize that sometimes environmental requirements can be complex and confusing to those who farm, especially when these rules suddenly change.

This is what happened in April 2017 when the DC Circuit Court of Appeals invalidated an EPA rule from 2008, which exempted all farms in the Nation from reporting requirements for hazardous air emissions from animal waste under CERCLA.

That same rule also exempted many farms from reporting requirements under section 304 of EPCRA, but left in place reporting requirements for large concentrated animal feeding operations, known as CAFOs. This is because EPA received numerous comments from local officials and the public in support of having farms report these emissions. Since January 2009, EPA has required large CAFOs to report their emissions of ammonia and hydrogen sulfide from animal waste under section 304 of EPCRA.

With the court’s decision to vacate the 2008 rule, all farms that exceeded releases of 100 pounds in a 24-hour period of ammonia or hydrogen sulfide were now subject to reporting requirements under section 103 of CERCLA and under section 304 of EPCRA. Farms had no experience with CERCLA reporting, because the 2008 rule exempted all farms from reporting under section 103 of that statute. The FARM Act provides a statutory exemption to the reporting requirements under section 103 because the DC Circuit found that EPA did not have the authority to exempt farms from these releases. This restores the CERCLA reporting exemption under which farmers have operated since 2009.

Reporting requirements under EPCRA have been quite different. As I noted before, the Bush administration chose to only exempt some farms from reporting releases of extremely hazardous substances from animal waste under section 304 of EPCRA, and since 2009, large CAFOs have been success-

fully reporting these releases to their State emergency response commissions and to their local emergency planning committees. The DC Circuit vacated the rule that exempted farms that weren’t large CAFOs from EPCRA reporting requirements under section 304.

One thing I worked hard on with Senators Fischer and Barrasso as we were developing the FARM Act was to ensure that, at the same time we exempted farms from hazardous substance reporting requirements under section 103 of CERCLA, we chose to make no changes to how extremely hazardous substances should be reported under EPCRA. We heard testimony from multiple witnesses during both of our hearings on this point, namely that this legislation did not change reporting requirements for releases of extremely hazardous substances under EPCRA. We also heard testimony from a local government official about the ways that he and his constituents would use the information in these reports.

Another important aspect of the FARM Act is that it in no way modifies any of EPA’s response or remedial authorities under CERCLA, nor does it in any way limit or reduce liability associated with a release from any facility, which of course includes farms. This fact is made explicit in section 3 of S. 2421 and in section 1103 of H.R. 1625, division S, title XI.

I want to thank Senators FISCHER and BARRASSO for working with me and agreeing to not amend EPCRA in S. 2421, and similarly in title XI of division S of H.R. 1625. That was critical for many Members on the Democratic side who have repeatedly heard concerns from State and local officials, the public health experts, and other members of these communities who have the right to know about what is in their air.

Finally, I ask unanimous consent to have printed in the RECORD a Congressional Research Service memorandum titled “Supplemental Analysis: Fair Agricultural Reporting Method Act/FARM Act (S. 2421).” As I have already noted, the text of the FARM Act in division S, title XI, of the House amendment to the Senate amendment to H.R. 1625, the Consolidated Appropriations Act, 2018, is identical to S. 2421. Therefore, the analysis contained in the CRS memo on S. 2421 applies equally to the language in the omnibus. There is additional analysis on the FARM Act by CRS that is part of the hearing records on S. 2421 and on the ACRE Act.

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

CONGRESSIONAL RESEARCH SERVICE  
MEMORANDUM

MARCH 13, 2018.

To: Senate Committee on Environment and Public Works

Attention: Kusai Merchant.

Hon. CORY A. BOOKER, *Ranking Member*

Subcommittee on Superfund, Waste Management, and Regulatory Oversight

Attention: Adam Zipkin.

From: David M. Bearden, Specialist in Environmental Policy

Subject: Supplemental Analysis: Fair Agricultural Reporting Method Act/FARM Act (S. 2421).

This memorandum responds to your request for a more detailed discussion of the analysis presented in a CRS memorandum provided on March 7, 2018. CRS prepared this earlier memorandum to respond to your initial request for an analysis of amendments to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) in the Fair Agricultural Reporting Method Act or “FARM Act” (S. 2421), as introduced on February 13, 2018. As discussed in the March 7th CRS memorandum, S. 2421 would exempt air releases of hazardous substances emitted by animal waste at farms from reporting requirements under CERCLA, and would have a bearing on the applicability of reporting requirements under Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA).

This supplemental memorandum elaborates upon the analysis presented in the March 7th CRS memorandum to outline circumstances in which the emergency notification requirements in Section 304 of EPCRA would apply under current law, and the bearing of S. 2421 on the applicability of these requirements to air releases emitted by animal waste. The March 7th CRS memorandum provides additional background information in support of this analysis, and offers a broader examination of how S. 2421 would define the terms “animal waste” and “farm” for purposes of the bill. I hope that this supplemental memorandum is helpful to address your questions about circumstances in which EPCRA may continue to apply if S. 2421 were enacted. If you need further assistance from CRS in consideration of this legislation or related issues, please do not hesitate to contact me.

SECTION 304 OF EPCRA

As explained in the March 7th CRS memorandum, Section 304 of EPCRA outlines three situations in which the reporting of releases of extremely hazardous substances or hazardous substances into the environment is required. In each situation, the person responsible for the release must notify the State Emergency Response Commission (SERC) and the appropriate Local Emergency Planning Committee (LEPC) that covers the local jurisdiction where the release occurs. Two of these situations are contingent upon the release being subject to notification under Section 103 of CERCLA for reporting to the National Response Center! The third situation is not contingent upon reporting under CERCLA. The three situations covered in Section 304 of EPCRA are as follows.

Section 304(a)(1) requires notification of releases of extremely hazardous substances listed under EPCRA, if the release would require notification for hazardous substances under Section 103 of CERCLA.

Section 304(a)(3) requires notification of releases of other hazardous substances that are not separately listed as extremely hazardous substances under EPCRA, if the release would require notification under Section 103 of CERCLA.

Section 304(a)(2) requires notification of releases of extremely hazardous substances

listed under EPCRA (but that are not subject to notification under CERCLA), if three criteria are met.

In this third situation, releases of extremely hazardous substances listed under EPCRA would require notification under Section 304(a)(2), if the release:

(A) is not a federally permitted release as defined in Section 101(10) of CERCLA;

(B) is in an amount in excess of a reportable quantity that the U.S. Environmental Protection Agency (EPA) designated under Section 302 of EPCRA; and

(C) "occurs in a manner" that would require notification under Section 103 of CERCLA.

S. 2421

S. 2421 would amend Section 103(e) of CERCLA to exempt "air emissions from animal waste (including decomposing animal waste) at a farm" from reporting to the National Response Center regardless of the quantity of the release of hazardous substances in air emissions. The bill would not amend Section 304 or any other provisions of EPCRA. Although S. 2421 would not amend this statute, the bill would have the effect of eliminating reporting requirements under Section 304(a)(1) and Section 304(a)(3) of EPCRA for air releases of hazardous substances emitted by animal waste at farms, in so far as the terms "animal waste" and "farm" are defined in the bill.

Both Section 304(a)(1) and Section 304(a)(3) of EPCRA are contingent upon reporting required under Section 103 of CERCLA. Exempting a release from reporting under Section 103 of CERCLA thereby would have the effect of exempting the same release from reporting under Section 304(a)(1) and Section 304(a)(3) of EPCRA. The April 2017 court decision referenced in the March 7th CRS memorandum (Waterkeeper Alliance, et al., v. EPA) described this statutory relationship in terms of "a release that triggers the CERCLA duty also automatically trips the EPCRA reporting requirements in subsections (1) and (3)" of Section 304.

S. 2421 would not have a bearing on the reporting of releases of extremely hazardous substances under Section 304(a)(2) of EPCRA though, as this provision is not contingent upon reporting required under Section 103 of CERCLA. If the exemption from CERCLA in S. 2421 were enacted, the applicability of Section 304(a)(2) therefore would remain the same as in current law. An air release of an extremely hazardous substance emitted by animal waste at a farm would be subject to Section 304(a)(2) if all three statutory criteria for reporting were met.

An air release of an extremely hazardous substance emitted by animal waste would satisfy the first criterion in Section 304(a)(2)(A) if it were not a federally permitted release. Section 101(10) of CERCLA defines the term "federally permitted release" to mean releases regulated under other specific laws. Section 101(10)(H) authorizes a federally permitted release for "any emission into the air" subject to a permit, regulation, or State Implementation Plan, pursuant to the Clean Air Act. CRS is not aware of the use of these authorities to regulate air releases emitted by animal waste upon which a federally permitted release presently could be based. If such air releases were permitted under the Clean Air Act, the releases would be exempt from reporting and liability under CERCLA as a federally permitted release, and thereby exempt from reporting to state and local officials under Section 304 of EPCRA.

An air release of an extremely hazardous substance emitted by animal waste would satisfy the second criterion in Section 304(a)(2)(B) if the quantity of the release

were to exceed the quantitative threshold for reporting that EPA designated in federal regulation pursuant to Section 302 of EPCRA. For example, EPA separately listed ammonia and hydrogen sulfide (substances commonly emitted by animal waste) as extremely hazardous substances, and designated 100 pounds released during a 24-hour period as the threshold for reporting under Section 302 of EPCRA. Air releases of ammonia or hydrogen sulfide emitted by animal waste in excess of 100 pounds during a 24-hour period therefore would satisfy this second criterion in Section 304(a)(2)(B).

An air release of an extremely hazardous substance emitted by animal waste (e.g., ammonia or hydrogen sulfide) would satisfy the third criterion of Section 304(a)(2)(C) of EPCRA, if the release were to occur in the same manner as a "release" that would require reporting under CERCLA. As outlined in the March 7th CRS memorandum, the term "release" in CERCLA is relatively broad with respect to the manner in which a hazardous substance may enter the environment, including spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment. The term "environment" is defined in Section 101(8) of CERCLA to include surface water, groundwater, a drinking water supply, surface soils, sub-surface soils, or ambient air. Section 329 of EPCRA defines the terms "release" and "environment" similar in scope to CERCLA. The federal regulations promulgated under Section 304 of EPCRA reflect these statutory definitions. Both CERCLA and EPCRA generally treat emissions into the ambient air as releases into the environment.

In implementation, EPA has treated the phrase "occurs in a manner" in EPCRA Section 304(a)(2)(C) to mean the nature of the release in terms of how a substance enters the environment, not that reporting is required under Section 103 of CERCLA. Otherwise, Section 304(a)(2) would be rendered meaningless in covering releases of extremely hazardous substances that do not require reporting as hazardous substances under CERCLA, while requiring reporting under CERCLA at the same time.

The March 7th CRS memorandum observed that the exemption from reporting under Section 103 of CERCLA in S. 2421 may not necessarily exempt releases of separately listed extremely hazardous substances from reporting under Section 304(a)(2) of EPCRA. The applicability of this provision to a particular release would depend on whether all three statutory criteria outlined above are met. Regardless of these criteria though, Section 304 in its entirety may not apply to air releases from animal waste at farms if the Trump Administration's interpretation of the exemption for substances used in routine agricultural operations is not challenged. S. 2421 would not have a bearing on this exemption.

Also as noted in the March 7th CRS memorandum, potential reporting requirements under state or local laws may continue to apply regardless of an exemption in federal law, as neither CERCLA nor EPCRA would preempt such state or local requirements.

Mr. BLUNT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for such time as I may consume.

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

Mr. INHOFE. Mr. President, this is going to be kind of a strange statement to make. I have great regret that I am going to have to vote for this bill when it comes up—and I am talking about the spending bill—and I don't like it.

I went through a lot of years as being—in fact, since I have been here, I have been ranked with the three most conservative Members every year—more times than anybody else has. I am looking at this right now, and I was listening to some of my colleagues who are concerned about the spending, and no one is more concerned than I am about the spending. We have a problem, though, that a lot of people don't understand.

I have been on the Senate Armed Services Committee for 24 years in the Senate, and I was on the same committee in the House before that, and I have never seen anything like this. We went through things back in the Carter administration where we had a hollow force, and then Ronald Reagan came along in 1980, and we rebuilt our military. Everybody knows that. They knew what was happening. A hollow force is not good. A hollow force means we can't really fight a war. Certainly we can't do two contingencies simultaneously, as has been our policy for a long period of time. And that is what we got into back then. Now, this hasn't happened since 1980.

I chair one of the subcommittees, and we had the vices in—this was at the end of the Obama administration—and the four vices of the services all said the same thing: We are in a position now where we have a hollow force like we had back in the late seventies.

The public doesn't know this, and our press doesn't talk very much about this. They talk about all the problems that ring the bells and sell the newspapers and all of that, but they don't want to talk about the military. This is the reality of what we are faced with right now.

General Dunford is the Chairman of the Joint Chiefs of Staff. He said that we are losing our qualitative and quantitative edge in America. That means we have two great forces out there—one Russia and one China—and they are passing us up. Right now, both China and Russia, with the artillery pieces they have on tanks, can fire eight rounds a minute. Do you know how many rounds we can fire with ours? Four rounds a minute.

We got ourselves into a position where we had our ground brigades of the U.S. Army—this was at the end of the last administration—of our ground brigades, only 30 percent of them could be deployed.

I don't like to sound like I am being partisan when I talk about Barack Obama. I respect him in one area, and that is, he was admittedly a very proud



liberal, and proud liberals don't care that much about a defense system. They think that if all countries will stand in a circle and hold hands and unilaterally disarm, all threats will go away. So we went through that, and people didn't seem to care.

There is this myth out there that somehow we are stronger than everybody else, that the equipment we have is better than anybody else's. During that same timeframe, our air brigades—only 30 percent of those were working. The marines who use the F-18s—62 percent of the F-18s couldn't fly. One of the things that happen when the military goes down—the first thing that goes down is maintenance, and then, of course, you have modernization, and that is where we got way down behind.

Don't take my word for it. Right now, we have 27 Members on the Senate Armed Services Committee, and they understand this. They know where we are on this, but a lot of the other people don't. They have their interests. If they had a strong interest, they would probably be on the committee, and they are not.

Secretary Mattis said:

Our competitive edge has eroded in every domain of warfare—air, land, sea, space, cyberspace—and is continually eroding. America has no pre-ordained right to victory in the battlefield.

That is Secretary Mattis, who is the Secretary of Defense.

Army General Allyn said:

We've had most of our modernization programs on life support for the last several years. Currently, our modernization is 50 percent of what it was in 2009.

This is a good quote, too. This is from Navy Admiral Moran. So this is not just me saying this; this is where I got the information about the Hornet fleet. The Hornet is the F-18. He said:

For our entire Hornet fleet . . . we have 62 percent that are not flyable. More than half. We're double where we should be in non-flyable aircraft.

General Walters said:

I can tell you today we cannot [fight two conflicts] simultaneously.

That is supposed to be our policy, that at a minimum—ever since World War II—we would be able to and have the capability of fighting on two fronts simultaneously. We can't do it.

General Wilson:

We're at about 50 percent readiness today, across the Air Force. We [were] . . . the smallest Air Force ever in 2016, when we botched out at 310,000.

I could go on and spend a lot of time talking about this, but I can't find anyone in the military who disagrees. That should be a foregone conclusion if our own military—they are the ones who are responsible for protecting my 20 kids and grandkids from enemies.

I just got back from the South China Sea. We have a lot of really good allies there. We have the Philippines, South Korea, Guam, Japan, and Taiwan. They have been our top allies, but do you know what is happening in the South

China Sea? China is out there doing something totally illegal. They say that they are reclaiming land. They are not reclaiming it because they don't have it to start with. They are creating land that is out there in the seaways that we need to defend America and to keep our commerce going, and they are building islands. Right now they are up to over 3,000 acres of islands. This is China we are talking about. What are they doing over there? They have runways. They have rock-ets. They have military equipment. There is nothing there except military equipment. It is almost as if they are preparing for world war III.

So where are our allies? We talked to our allies. They are embarrassed because they are not sure whose side they are going to be on. In fact, it is almost as if they put this in on purpose, where you would have the Secretary of Defense or the Minister of Defense, in whichever of these countries I mentioned, on one side saying "Well, you know, the threat is not all that great," and the other one is saying "Yes, you have to do something because the world is coming to end." Well, they are on both sides of this issue.

It is fascinating. It is almost as if they got together, and they are doing it by design. Has this ever happened since World War II in our country? No, it hasn't. That is where we are right now.

We have problems that are facing our military; they are very real. This is something that has to be fixed. This bill corrects a lot of these things. We have defense now up to \$700 billion. I am going from memory here, but I think the last request that came from President Obama was \$548 billion. This is \$700 billion. We are rebuilding. We are trying to address the threats from both Russia and China.

By the way, I want to mention that there is one other threat in that same area where we were, in North Korea. I am sure everyone knows who Kim Jong Un is. He is the head guy of North Korea. Something happened on November 28. On November 28, he fired a rocket that had a range that could reach the United States of America. It could certainly reach where we are today. Some people say that can't be true. All they can say is—they fall into two areas of disagreement. They say: Yes, he has the range to reach us, but he couldn't carry a payload. We have no idea what payload was on this rocket that he sent. Let's assume there is no payload at all. It would be a matter of days before they make that up. Then they said that he couldn't reenter. Reentry is always a problem because to reenter you have to come in and have some level of accuracy. So you can't reenter there without accuracy.

Well, what difference does it make if they have a weapon that could take out a city the size of St. Louis? It doesn't really matter where it lands, so that is a hollow argument. The power is right there.

I have to compliment our President. I hesitate doing it this way because a lot of people don't understand. Remember when Kim Jong Un made the statement in which he said: Ah-ha, on November 28 I showed that I could reach the United States of America, and therefore I have a button I can press, and I could take out an American city—or words to that effect.

Instead of the policy of appeasement that we had for 8 years prior to this President coming in, this President said: Yes, and I have a button. It is bigger than yours. Ours works, yours doesn't, and we will blow you off the face of this Earth. That doesn't sound diplomatic does it? It is not. That is what is good about this President. He is not afraid to stand up and be strong. The policy of appeasement hasn't worked. It has never worked.

So what happened? Hours after he made that statement to Kim Jong Un, Un called South Korea and said: You know, we have changed our mind. We are going to send people to the Winter Olympics.

Wow, that is a major change. I can remember saying that in one of our own committee hearings, and even our own Intelligence Committee said: Well, he didn't really mean it. It was just a matter of days after that when he called and said: We want to negotiate, sit down and talk to President Trump, and we will even put things on the table, like denuclearizing. This is going to happen.

That is another threat. What I am trying to get across is that those threats are there. In my opinion, that is something that is actually working.

In this bill, we have \$700 billion. We have \$61 billion over the enacted levels of fiscal year 2017. We have a 2.4-percent pay raise for our kids out there. We have \$11.5 billion for missile defense.

One of the areas where I was most critical of the last budget that was put together by President Obama was missile defense. If there is ever any time in the history of this country where we have to have missile defense, this is it. They are out there right now. They have the capability; they have missiles that will reach us. We need missile defense.

We have ground-based interceptors. I was just in Alaska the other day. They now have 44 ground-based interceptors up there. What is really interesting about that is we had 44, and then the last President came in, and he knocked that down to 32, I think it was. Then, as soon as this President came in and looked at it, he went back to 44. Now we are looking at 20 more.

Is that going to give us the redundancy to protect my 20 kids and grandkids from somebody coming in? Well, it is a lot better than it was, and we are getting all kinds of new equipment in order to try to knock down—the big mistake we made in this country was when we were planning to put ground-based interceptors in Poland, in

the Czech Republic, and a radar there that would protect the eastern half of the United States and Western Europe. That was already started when Obama came into office. In his first year, he pulled that program down.

One of the persons whom I have always liked over there is Vaclav Klaus. He was the President. When I was over there, I could remember so well saying: We have to have your cooperation, the Czech Republic, to protect America.

He said: Are you sure? If I do this and I outrage Russia, they are going to be angry and take every step against us they can. You will not pull the rug out from under us?

I said: Absolutely, we are not going to pull the rug out from under you.

That is the first thing Obama did when he got into office. That is a problem we shouldn't have.

The threat is there. We are trying to meet the threat. This bill meets that threat. It gets us back to the amount of money that should have been left in missile defense. It is in there right now.

We have another \$11.5 billion for missile defense, and it is a 44-percent increase from 2017. The O&M budget right now is increased. The total budget is going to be \$238 billion. That is to offset the losses today that the O&M budget has created.

This budget that we are going to be voting on is a big budget. Those of us who are going to be voting for it are getting criticized. I will say this: The liberals all like it. They like to spend money. Conservatives don't. I don't like to do it.

That is all in this bill—57,100 troops over Obama's 2017 cut. We were not going to have—anyway, this is why we absolutely have to do this.

I look and I see that it would be nice if we had the comfort of believing that America is still the strongest out there, that we have everything we need, but we don't.

So let's look at what we are going to be doing. The Army, from a high point of 566,000 soldiers during the surge in 2007—Obama reduced it to just over 460,000. Thirty-three percent of the brigade combat teams didn't work. The aviation combat teams didn't work. We are on the road to recovery on this because we did a supplemental. We all remember that. But it is this budget that is going to bring us back, and we will end up having our military in the position that the American people think it is in right now.

I was on a TV show just a few minutes ago, and they said: Well, you know, with all this debt that is coming with this, and you are talking about the military—isn't that a good trade-off?

I said: You can't trade off something when you see the threat that is out there, which is unprecedented in the history of this country, and you have 20 kids and grandkids to protect. No, that is not a good trade-off.

I am hoping that those individuals who are conservatives—and I can't

imagine that anyone on the Senate Armed Services Committee who deals with these issues on a daily basis would not want to get in there and make America strong again. We can do it, but if you don't vote for this, it is not going to be done. That is the great fear that I have.

I hope the conservatives out there—I know for a lot of us, ratings always happen. You cast a vote, and they say: Ah, that is spending a lot of money. We are going to rate against you. Again, it is a tradeoff. It is defending America. That is the one thing we should be doing.

I would give anything if we could just pull that element—all that we are doing for the military—out of this budget and do it individually. Let me stand up here and read the riot act about what is happening in this country, the debt that is accumulating, but, unfortunately, I don't have that option today.

We have one vote where we can do it. That is going to be the vote that we do, hopefully, tonight. I am not sure when it is going to be. I just ask my colleagues to understand the threat facing our country—in my opinion, the greatest threat we have ever had.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### TRIBUTE TO GABRIELLE BATKIN

Mr. CARPER. Mr. President, we are here today to discuss what we call an omnibus bill. I know that "omnibus" is another funny-sounding word that we use sometimes here in Washington, but it simply means a bill that covers a lot of topics.

There are provisions in the omnibus legislation that deal with everything from homeland security to the environment to veterans and science, just to name a few. It is particularly fitting that we are discussing an appropriations bill that covers such a wide range of topics, as I come to the floor to recognize the service of a member of our staff who has worked on most of the policies covered in the omnibus legislation—maybe all of them.

Gabrielle Batkin, seated to my left, will probably wish that I wasn't doing this right now, but there is no doubt that she deserves to be recognized for her more than 20 years of hard work in the U.S. Senate. For as long as I have known her, Gabrielle has been an incredibly gracious person—kind, easy with praise, making sure that her own staff and the staff across the aisle were appropriately recognized for their efforts. Now I think she deserves some recognition of her own.

To all of the young staff members who may be watching this right now or

to those who aspire to be staff members of the Senate someday, I would present Gabrielle Batkin as a shining example of what it means to be an exceptional staffer and a true public servant.

Every now and then we hear the term "nameless, faceless bureaucrat." This is not a nameless, faceless bureaucrat. This is a beautiful public servant. She works tirelessly and really believes in making government work better for the people that it serves.

Gabrielle and I first started working together back in 2014, when she came to lead my team on the Senate Homeland Security and Governmental Affairs Committee when I served as its chairman. Then, a little over a year ago, she seamlessly transitioned to her current role as staff director for the minority on the Environment and Public Works Committee. This encapsulates just a fraction of her service.

For over a decade, Gabrielle served as an appropriations staff member to former Senator Barbara Mikulski. I think she was the No. 2 person on Barbara's appropriations team. Gabrielle started on the Appropriations Committee's Subcommittees on Veterans Affairs and Housing and Urban Development and then moved on to the Commerce, Justice, and Science Subcommittee, where she handled everything from NASA to the grasses on the Chesapeake Bay.

Before that, she served in the office of the late Senator from New Jersey, Frank Lautenberg. She also worked on the House side for Congressman FRANK PALLONE from New Jersey and also served on the Senate Budget Committee.

Gabrielle has worked on everything from blue crabs to the Hubble telescope to cybersecurity and Central America. Those who know her will confirm that few people can shift between issues or committees as gracefully as she does, while also delivering results every step of the way. The day-to-day functions of the Federal Government are possible because there are people like Gabrielle Batkin who toil away behind the scenes making sure the hard work gets done for the American people.

She has been a tenacious and effective leader on my staff, but she also has what I like to call the "heart of a servant." Even as the boss, Gabrielle is in the trenches when things get tough or hectic around here, and she always takes time to make sure that those who work hard for her are doing OK. Her incredible work ethic, combined with her humility, means that she can be briefing Members of Congress on complex policies one minute and helping an overwhelmed junior staffer staple packets the next. That is just who Gabrielle is.

No matter how stressful her high-pressure career in the Senate was, Gabrielle never let it take her away from her most important job; that is, being the mother to three young men who are up in the Galleries tonight:

Henry, Will, and Charlie. She has always said to me: "My most important job is being a mom," and she is a darn good one. All of her family are up in the Galleries—not all of them, but some of the most important ones—her three sons and her husband Josh of 20 years and her sister Erin, who is, I understand, not just a sister but a great friend, a great aunt, and just a wonderful support system for Gabrielle during the times she has needed it.

I want to thank the three boys and Josh for sharing your mom and your wife with all of the people of our country, and I want to thank Erin for being just a terrific sister and supporter.

A few years back, Gabrielle brought her oldest son Henry to our staff holiday party at the Buena Vista in New Castle, DE. At the time I was talking with Henry, I think he was 12, and I asked him to tell us one thing his mom taught him. Henry told us that his mom tells him all the time that as long as they try to do their best in everything he and his brother do, that is always good enough for her. Think about that. As long as he and his brother do their best, that is always good enough for their mom. She just wants to make sure they do their best.

She has always given us her best for all these years—20 years and counting. I am immensely grateful to Gabrielle for her service to this institution, for her service to the American people, and for her indispensable counsel to me over the past 4 years that I have been fortunate enough to work with her—I like to say "to work for her." She is a great boss and a wonderful friend. I have learned a lot from her and treasure her and her friendship.

While we are sad to see her go, I am excited for her new adventures to come, and I wish her and her family—her husband Josh, and her boys, Henry, Will, and Charlie—all the best in this next chapter of their lives. I know her boys are her biggest fans and are so proud of the work she has done here in the Senate. I promise you, she is going to keep making you guys proud.

I will close with this. Every now and then throughout our lives, we meet people and sometimes are even fortunate enough to work with them—people who are just a joy to be with, people who make our days brighter and our workload lighter. I know I speak for so many people when I say that Gabrielle is just that kind of person.

We had breakfast today in the Senate Dining Room. When we walked out, going through the Capitol Building back to our offices in the Hart Building and the Dirksen Building, we passed so many people she knew, people who knew her by name. I am the only person who calls her Gabrielle, which is her real name. Everybody else calls her Gabby. The janitors, custodians, people running the elevators, the pages—she is Gabby to them.

Sometimes people rise to senior and leadership positions, whether they happen to be elected or members of our

staff, and maybe forget where they came from, or maybe they are not the same person they were when they started. She is probably smarter. She started out really smart, but she has gotten even better informed and just a more knowledgeable member of our team as time has gone by.

I will go back to when I interviewed her for the position of staff director on the Homeland Security and Governmental Affairs Committee when I was chairman. We talked about growing up, going to college, and her influences as a young woman. As it turned out, she went to school in the Midwest, Bradley in Peoria.

I said: Did you ever work while you were going to school?

I worked a couple jobs while I was going to Ohio State. ROTC. Midshipman. I had some help from the Navy. As it turned out, she worked full time while she was going to school at Bradley—not that she volunteered this, but I found out later on that she worked full-time for several of those years that she was an undergraduate—I think at the Social Security Administration—and carried a full load and a straight 4.0 average. I think that is amazing. As soon as she said that, I thought, I should be working for you, sister. But she has let me work with her, and we have had a great time and a great run.

I know I speak for the other members of the Environment and Public Works Committee who have an opportunity to see staff—Democrats and Republicans—and a chance to see her handiwork and the magic she brought to the committee. She had a good 1-plus years as a staff director when I was privileged to chair Homeland Security, and everybody—Tom Coburn, my colleague from Oklahoma, and a whole bunch of other people—certainly know her work and salute her.

In the Navy, when people do an especially great job, we have two words that we say: Bravo Zulu. I certainly say those words this evening to Gabrielle. We also have a saying when people are ready to weigh anchor and sail off into the sunrise and go on to their next challenge or next assignment. We always like to say: Fair winds and following seas. I say those words this evening somewhat reluctantly but with a great deal of affection and respect.

Gabrielle, we love you, we will miss you, and we will leave the light on.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, we are at an interesting time. We have had months of intense negotiations, some-

times lasting all night and throughout weekends. We have had very tough choices. We have had some very good-faith compromises. In other words, we have actually handled legislation the way we should.

We have reached a bipartisan agreement to fund the government for this fiscal year and to make renewed investments in the American people and to protect our national security.

The fiscal year 2018 Omnibus appropriations bill has \$1.3 trillion in discretionary spending. That includes \$700 billion for defense programs to support our men and women in uniform and \$600 billion in nondefense programs that will help us invest in America and support our working families.

The bill has critical resources dedicated to combating the opioid epidemic, to rebuilding America's infrastructure, to improving healthcare facilities for our veterans, to improving access to affordable healthcare for all Americans, to ensuring the security of our elections, to supporting advances in scientific research, and to investing in rural communities across the country.

The Presiding Officer and every Senator have rural parts of their States, and the investments to be made in those rural communities should be good news for every Senator.

These investments would not have been possible without the 2018 bipartisan budget agreement that lifted the budget caps on discretionary spending—lifted the caps for defense by \$80 billion and for nondefense by \$63 billion—providing relief from the severe cuts in both defense and nondefense known as sequestration.

The consequences of the 2011 Budget Control Act, which mandated sequestration, have been devastating to our military and domestic priorities. This bill is a long-awaited step toward reversing those cuts and allowing us to reinvest in the American people.

I wish the President would actually read what is in the bill. He is calling these investments in our country's priorities a waste. Can you imagine—investing in the priorities of the United States of America a waste?

This morning, he tweeted that they were "Dem"—I suppose he means Democrats—"giveaways." I would ask, Mr. President, is it a giveaway to provide medical care for the 7 million veterans who rely on the VA? I would ask, is it a giveaway to help the family in Rutland, VT, heat their home during a dangerously cold winter so they can afford their groceries? I would ask, is it a giveaway to finally take the opioid crisis seriously by making investments in research, treatment, and prevention?

The President slammed our efforts for budget parity, but he has since shamelessly held press conferences to tout initiatives only made possible by this agreement, including the sizeable new investments to counter the opioid epidemic. Even though it was critical

that we put money in for that, he is now saying, of course, it was his idea.

A budget is where you set your priorities. The President made clear in his budget that his priorities do not rest with the needs of hard-working, middle-class Americans. The bill rejects many of those areas where the President wanted cuts in the needs of hard-working, middle-class Americans. Instead, the bill sets a vision for the future of our country. We invest not only in the wealthiest among us but in middle-class families and those who are struggling to make their way and make their community better.

We dedicate \$18.25 billion to begin rebuilding our infrastructure. The American Society of Civil Engineers gives our country's infrastructure a D-plus. A lot of countries have much higher. This was the collective grade for the roads, bridges, dams, drinking water, wastewater, public parks, and schools on which we all depend. That is not acceptable, not in this country, and this bill is an important, long-overdue step toward bringing our infrastructure into the 21st century.

The bill takes the opioid crisis seriously by investing \$3.3 billion into law enforcement, healthcare, and community efforts that we know help to rid our country of this scourge. The time for sloganeering and sound bites is over. I have always preferred substance over slogans, and the time for real, effective, and meaningful investment in ending this epidemic has arrived. Marcelle and I have met with too many Vermonters as we go around our State who are impacted by opioid abuse, too many neighbors and friends who are struggling to get the help they need or to help those in need. I am glad that when I return to Vermont, I can say that we heard them, and we delivered.

This bill strongly rejects the partisan package passed by House Republicans in September, which would have recklessly slashed funding for domestic priorities by \$68 billion below the bipartisan agreement introduced Wednesday. Most importantly, this bill rejects devastating cuts proposed by the Trump administration. These included the President's proposed cuts to the Environmental Protection Agency, which helps ensure we have clean air and drinking water. The bill rejects his cuts to job training, education, and childcare programs that so many of our Nation's working families rely on. It rejects the President's misguided proposal to slash the budget for the Department of State. This bill also rejects the President's misguided immigration priorities by refusing his request to hire an additional 850 ICE agents and increase the number of ICE detention beds. It also rejects his request to build a "big, beautiful wall" on the southern border—something that reflects last century's technology. Instead of his original \$1.6 billion request for 74 miles of wall, which was later increased to a request for \$18 billion to build a wall on the entire south-

ern border, the bill funds only a fraction of that, and it includes important restrictions on how the funds can be used.

The bill provides \$641 million for 33 miles of fencing in the Rio Grande Valley, \$251 million to replace secondary fencing, which is already in San Diego, and \$445 million for replacement of existing pedestrian fencing. It speaks to real need, not to funding a campaign slogan.

Incidentally, in the request, somehow the campaign promise that this would be paid for by Mexico, and not by American taxpayers, seems to have been forgotten.

Importantly, the bill includes language requiring the Department of Homeland Security to use proven fence designs that currently exist on the border instead of allowing the President to build a 30-foot concrete wall, which would endanger our men and women who patrol the border.

I would still like the President to tell us when and how he wants Mexico to cover these costs because, time and again, he promised the American people Mexico would pay for it. Time and again, he gave us his word. We now know that was never a promise he could keep.

One critical thing missing from this bill, though, is a remedy for the crisis the President has created, and that crisis relates to DACA recipients. I have watched with fury as the President has, day after day, tweeted the Democrats are responsible for not addressing DACA. Late last night, he tweeted:

Democrats refused to take care of DACA. Would have been so easy, but they just didn't care.

Balderdash. For nearly two decades, I have been a proud supporter of the DREAM Act. I included it in the 2013 comprehensive immigration bill. I care. Democrats care. We voted for that bill on the floor of the Senate. Republican leadership in the House refused to take it up. Yet, after promising before Members of Congress in both parties and the American people, making a big splash on TV, the President said he would sign an agreement to address DACA, but then he walked away from a bipartisan DACA and border security compromise in February.

There is no fix for DACA because the President and the Republican leadership are not serious about getting one. I wish they would. This Senator is willing to sit down with any Senator—Republican or Democratic—if we can get such an agreement.

This bill does strike more than 130 poison pill riders. These riders would have restricted women's access to healthcare. They would have rolled back environmental protections. They would have put significant restrictions on consumer financial protections. Had these riders stayed in, we would not have reached a successful conclusion to this negotiation, notwithstanding the all-night sessions of negotiating, notwithstanding the weekends.

I do not agree with everything in this bill. When you have a package of this magnitude, there is always going to be matters included that we like and things on which we disagree. That is the nature of compromise, but the Senate was designed by the Founders of this country to require compromise. This bill represents tangible progress that is going to benefit all Americans, and I am proud of the compromise Republicans and Democrats reached together.

I thank my own staff. They have worked days and nights and weekends. I am able to leave at night. They are still working well past midnight. I was able to go to Vermont last weekend. I worked with them by phone, but they stayed here working throughout the weekend—all hours, for several weeks, and nonstop in the homestretch of finishing this comprehensive bill:

My staff director, Chuck Kieffer, whose experience and depth of knowledge has become essential to me in my role as vice chairman of the Appropriations Committee. It was especially helpful, too, that Mr. Kieffer's expertise was available to any Senator who asked—Republican or Democratic;

Chanda Betourney, a native Vermonter, deputy staff director and general counsel, who has taken with her to these negotiations her Vermont values and her long Senate experience; Jessica Berry, another native Vermonter, who has fought for many of my priorities, and those of other Members in this body, in this spending bill;

Jay Tilton, my committee press secretary, who has gotten the word out far and wide about the importance of this bill so everybody, even though we work all night long many times—people would know exactly what we have been doing;

Jean Kwon, who has provided hours of support to the entire Appropriations Committee staff.

I also thank the Democratic subcommittee clerks for their support and their tireless efforts in crafting this bill:

Tim Rieser, Jessica Schulken, Jean Toal Eisen, Erik Raven, Doug Clapp, Ellen Murray, Scott Nance, Rachel Taylor, Alex Keenan, Melissa Zimmerman, Chad Schulken, and Dabney Hegg.

I also thank my dear friend, one of the most senior Republicans in this body, the chairman of the Appropriations Committee, THAD COCHRAN. It has been an honor and pleasure to serve with him. Senator COCHRAN and I have served together since 1978. We have worked together on appropriations matters, agriculture matters, every matter before this body. We have traveled the world together to help carry out America's interests. It has been a particular honor to work with him on this appropriations bill. It is his last in the U.S. Senate. As vice chairman, I salute the chairman. He is going to be sorely missed. I spoke about him earlier today.

I thank Chairman COCHRAN's staff for all their hard work on this bill. Particularly, I want to thank Bruce Evans and Fitzhugh Elder. They both have had long careers in the U.S. Senate. They share Chairman COCHRAN's dedication to this institution and his dedication to his own State of Mississippi, and they have been a pleasure for me and my staff to work with.

I say this to the Appropriations Committee staff—both the Democrats and the Republicans, some who are in the Chamber today—I thank you for the long nights and weekends you worked to get this bill across the finish line. We could not have done it without your hard work. I hope you will soon be able to spend time with your families and friends. I am sure they remember what you looked like since you left to continue this work. Certainly, we Senators know what you look like because we have seen you practically around the clock. The work has been worth it. Because of the tremendous work the staff on both sides of the aisle and the leadership staff have done, I urge an "aye" vote on this bill. When we can, I hope this body will give a resounding aye and send the bill to the President.

I don't see any Senator seeking recognition, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. CAPITO). Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 2629

Mr. MCCONNELL. Madam President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 2629) to improve postal operations, service, and transparency.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 762, 763, and 764.

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

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. 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. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Thomas T. Cullen, of Virginia, to be United States Attorney for the Western District of Virginia for the term of four years; Robert K. Hur, of Maryland, to be United States Attorney for the District of Maryland for the term of four years; and David C. Joseph, of Louisiana, to be United States Attorney for the Western District of Louisiana for the term of four years?

The nominations were confirmed en bloc.

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 330 and 331.

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

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. 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. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Steven T. Mnuchin, of California, to be United States Governor of the European Bank for Reconstruction and Development, United States Governor of the African Development Fund, and United States Governor of the Asian Development Bank; and Steven T. Mnuchin, of California, to be United States Governor of the International Monetary Fund, United States Governor of the African Development Bank, United States Governor of the Inter-American Development Bank, and United States Governor of the International Bank for Reconstruction and Development for a term of five years?

The nominations were confirmed en bloc.

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 721.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Anne Marie White, of Michigan, to be an Assistant Secretary of Energy (Environmental Management).

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; 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 nomination 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 White nomination?

The nomination was confirmed.

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent the Senate proceed to the consideration of the following nomination: Executive Calendar No. 722.

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

The clerk will report the nomination.

The bill clerk read the nomination of Brent K. Park, of Tennessee, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration.

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; 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 nomination 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 Park nomination?

The nomination was confirmed.

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 723 and 725.

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