

you can't keep a straight face at all when our Democratic colleagues say these things and then turn around and insist they need extra time, extra information, and extra documents in order to make up their minds.

Do the people making these comments sound like they are openminded? Do they sound persuadable?

The Democratic leader has insisted that Judge Kavanaugh's long and extensive judicial record isn't enough and that Democrats need to see practically every scrap of paper from the Bush White House before they can decide. But about 2 weeks ago, when the ink was barely dry on Judge Kavanaugh's nomination, he himself told a national television audience—this is the Democratic leader—that he will “oppose him with everything I've got.” That doesn't sound undecided to me. It doesn't sound like a guy who needs documents to make up his mind.

Let's be clear about what this is all about. Judge Kavanaugh has been a judge for over a decade. He has written over 300 opinions. He just produced over 6,000 pages of documents as part of his questionnaire, and many more documents will be produced in the coming weeks. In fact, it is likely that more documents will be produced with respect to his nomination than for any Supreme Court nomination in our entire history.

But it is becoming pretty clear that none of this will really matter. I am sorry to say that for most Senate Democrats, I am afraid it would not matter if there were a million pages of documents or 10 million or 100 million. It wouldn't make any difference. No matter how many documents are produced, many of our Democratic colleagues are making it abundantly clear that they are never going to support this nominee.

The complaint about documents is not about assessing his record in an openminded, fair, and dispassionate way. It is all about the desire to obstruct and delay. The American people will give this demagoguery and these delaying tactics the short shrift they deserve.

#### ECONOMIC GROWTH

Mr. McCONNELL. Mr. President, on another matter, later today Vice President PENCE will visit Wheeling, WV, to discuss Republicans' pro-growth agenda. For the better part of a decade, the people of West Virginia heard a lot of talk from Washington.

During the 2008 Presidential campaign, then-Senator Biden told a crowd in Charleston, WV, that he supported the coal industry and that the Democrats' policies would help West Virginia's economy. “This is about jobs,” he said.

But the Obama-Biden administration turned out to be a crash course in the difference between rhetoric and results. Across the entire private sector, fewer Virginians were employed the day

President Obama left office than on the day he was sworn in. According to the Bureau of Labor Statistics, the State's manufacturing workforce shrunk by more than 13 percent from 2009 through 2016, and its mining and logging workforce collapsed by 37 percent.

Let's be clear. Public policy is not the only factor at work in our economy, but there is no denying that Washington can make life harder for job creators or make it easier. The Obama economy was a tough pill to swallow—tax hikes and burdensome regulations. Their policies cut against the rhetoric, and the outcome was disappointing.

That was then. This is now. When Vice President PENCE lands in West Virginia today, he will be able to share a different story. He will be able to say that, thanks in part to regulatory relief and generational tax reform, the number of Americans saying that now is a good time to find a quality job hit a 17-year high just 2 months ago.

He will be able to say that West Virginia's unemployment rate has been lower in every month of this unified Republican government than it was during any month of the Obama Presidency.

It is the American people who are achieving all of this. Republicans are just happy that our policies are helping to create conditions for workers and job creators to thrive.

#### APPROPRIATIONS

Mr. McCONNELL. Mr. President, this week, the Senate has continued our regular appropriations process. We are considering four important funding measures that will account for about an eighth of discretionary spending.

This bill will keep resources flowing to a long list of key government functions. We are talking about everything from food safety inspections to anti-drug enforcement, to child nutrition, to the Forest Service. It attends to a number of specific policy priorities that we all hold in common, like providing major resources to rebuild America's infrastructure and to fight against opioid abuse.

My constituents in Kentucky will benefit from new funding for rural development grants and loans and more resources to fight everything from illegal drugs to invasive species like Asian carp. Communities in every single State will win because of this work.

I want to express gratitude to Members on both sides of the aisle: our subcommittee chairs, who helped to shape the bills in this minibus, Senators MURKOWSKI, COLLINS, HOEVEN, and LANKFORD; all of our colleagues on the Appropriations Committee and their fearless leaders, Chairman SHELBY and Vice Chairman LEAHY, for keeping this process bipartisan and for keeping it moving; and Senator MURKOWSKI, once more, for her work in managing this legislation here on the floor.

I am proud of the regular appropriations process we are rebuilding to-

gether. I am proud that we have been able to process several amendments and hope we can continue to process even more. But I am especially proud of the good things this legislation will do for families and communities nationwide.

#### MEASURES PLACED ON THE CALENDAR—H.R. 184 AND H.R. 1201

Mr. McCONNELL. Mr. President, I understand that there are two bills at the desk that are due for a second reading en bloc.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 184) to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

A bill (H.R. 1201) to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

Mr. McCONNELL. Mr. President, in order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Without objection, it is so ordered.

#### RESERVATION OF LEADER TIME

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### INTERIOR, ENVIRONMENT, FINANCIAL SERVICES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 6147, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 6147) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

Pending:

Shelby amendment No. 3399, in the nature of a substitute.

Murkowski amendment No. 3400 (to amendment No. 3399), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Pennsylvania.

CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT REAUTHORIZATION

Mr. CASEY. Madam President, I am proud to be here this morning to talk about a legislative matter that has taken many years to come to fruition. We were able to work together in a bipartisan manner to reauthorize the Carl D. Perkins Career and Technical Education Act and make important updates that will support high-quality programs, foster innovation, and improve access for all students. I am very proud to be joined by Senator ENZI, who worked for years on this issue. I will say more about Senator ENZI in a moment.

Perkins CTE—“CTE” standing for “career and technical education”—is critical to creating jobs and growing wages and ensuring our workers have the tools to outcompete with anyone in the world. This legislation will empower States and local districts to create programs that provide better outcomes for all students, educators, and our economy.

Since the last reauthorization in 2006—you heard that right, 2006—there have been significant changes to both technology and our economy, and we have a growing skills gap. In Pennsylvania, for example, jobs requiring some postsecondary education and training but not a B.A. account for 54 percent of Pennsylvania’s labor market; however, only 43 percent of workers in the State are trained to fill these jobs. This bipartisan legislation will help to close the skills gap by allowing programs to better align with industry needs, ensuring that programs serve as a pipeline to the high-skill, high-wage, or in-demand jobs of today as well as the jobs of tomorrow.

In addition, this legislation creates more alignment with Federal laws, such as the Workforce Innovation and Opportunity Act—known around here by the acronym WIOA—which deals with our workforce, and better alignment with the Higher Education Act, as well as better alignment with the Every Student Succeeds Act, which was the elementary and secondary education law passed in 2015. All of that will help to ensure that our education and workforce programs indeed work together.

Similarly, this legislation improves collaboration between secondary schools, institutions of higher education, employers, and other community partners. It increases stakeholder engagement and ensures we have a workforce to support high-quality programs by increasing recruitment of and improving professional development for CTE—career and technical education—educators.

I am particularly proud of provisions in this bill that will promote equity and ensure that all students, including students with disabilities, have access to high-quality programs.

I am also pleased that provisions in the bill will allow for more career and technical education exploration in both middle and secondary grades. Exposing students to different career and academic pathways early gives them more options and opportunities to succeed.

We have come together and passed a strong bill that is responsive to the needs of our communities and will help students, programs, and industries across Pennsylvania and across our Nation to thrive. I look forward to continuing to work on these issues. Now that the House has also passed this legislation, we are looking forward to having the President sign it into law.

I want to say how much I appreciate the work that was done over many years by Senator ENZI and his staff, working with my staff and working with me, and the direct involvement of both the chairman of the Health, Education, Labor and Pensions Committee, Chairman ALEXANDER, and Ranking Member PATTY MURRAY. We are grateful for their direct help in getting this legislation through the Senate.

With that, I yield the floor to my colleague from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I want to begin by thanking my friend from Pennsylvania, Senator CASEY, for his commitment to the students who will benefit from the reauthorization of the Carl D. Perkins Career and Technical Education Act and for the bipartisanship that helped us to reach this point. I also want to thank Chairman ALEXANDER and Ranking Member MURRAY for prioritizing the effort to reauthorize Perkins CTE. Their recognition of the importance of this work was key to getting past an impasse that only a few months ago looked unlikely to break.

Senator CASEY and I have had a lot of hours of working together to come up with a bill that would make a difference for people who want to work with their hands. I have a favorite book that talks about this, and part of the title is “From Coal Miners to Cowboys,” referring to the people who get their hands dirty every day to provide what we need. This is a segment of the economy we really need. I know that if you need an electrician or a plumber, you want them right away, and you want them trained. That is what this bill emphasizes and provides for.

I do need to thank the administration, and Ivanka Trump Kushner, in particular, for putting the spotlight on the reauthorization of Perkins CTE and workforce development generally. With a laser-like focus on strengthening the economy, the President and his administration have rightly recognized that a strong and prosperous economy requires a skilled and ready workforce. This combined, bipartisan effort resulted in the Senate unanimously passing its amendment to the House’s own bipartisan bill. We did it by voice vote, and that is as bipartisan as it gets around here.

Now the House has taken that bill and approved of the changes that were made, which we coordinated with them during the time that we were negotiating, and they have taken the same action. So that bill is now on the way to the President, who emphasized that we need to do it.

Passing this reauthorization is particularly important to Wyoming, where one-sixth of school districts have chosen not to participate in Perkins CTE because the compliance and reporting burdens were too heavy to justify the funds they would receive. That changes with this bill.

For years, States have been leading the effort to tackle the national workforce skills gap and ensure that they, and our country at large, have a workforce that is capable of meeting the challenges of an increasingly dynamic, competitive, and global economy. Unfortunately, States have been meeting these challenges under a program that was last authorized in 2006.

By modernizing Perkins CTE, we are taking the important step of better aligning the primary Federal career and technical education program with the Workforce Innovation and Opportunity Act and the Every Student Succeeds Act. We like these all to work together—and these are all achievements that have been done in recent years—because, far from working independently, these programs are all pieces of the larger workforce development puzzle.

Because it can be hard to know what programs to provide when you don’t know which ones are needed, this legislation also promotes collaboration between the stakeholders so that local businesses are brought to the table to communicate their needs to States and local educators as strategies and programs are developed. We want people hired after they get training. So the training needs to be for the jobs that are going to be available.

Crucially, by enabling the limited funds provided by this program to be more effectively spent on education and less on complying with Federal reporting requirements, this legislation will better reflect that the investment made by the Federal Government in career and technical education represents pennies on the dollar when compared to the investment of money and effort made at the State and local levels. This bill takes the important step of providing States with greater authority to determine the levels at which they will be held accountable under this program.

However, as States continue to compete for investment, accountability will ultimately come in the form of employers who will vote with their feet and their capital, hiring people. Ask any businessperson what their biggest challenge is, and they will likely tell you it is finding workers with the right skills and knowledge to fill their open jobs. States and communities that recognize this need and rise to the challenge of preparing their residents for

those jobs are the ones that will succeed in this economy.

These improvements, along with many others included in this bill, underscore why passage of this legislation has long been a priority for so many people, and it is only appropriate that one of the clearest displays of bipartisanship in the 115th Congress would be in support of our workforce and the students preparing to join it.

I once again thank my friend Senator CASEY for his support in this effort, and I will also express my disappointment in how little publicity there has been. If there is a controversy, if people are cursing each other or making unusual comments, that makes the paper. But to actually do something—to actually get something done and to get it done in a bipartisan way with people working together virtually unanimously—well, that must have been too easy. If it were easy, we wouldn't have been working on it for three years, but we got it done. It is on its way to the President, and I am proud of it. Again, I thank Senator CASEY for his superb effort in reaching agreement on this.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. COONS. Madam President, I want to briefly add my personal thanks to the Senators from Wyoming and Pennsylvania, who just spoke. Their work on getting this bipartisan solution to the Perkins CTE reauthorization is nothing short of admirable. I have worked with the Senator from Florida, Mr. RUBIO, for 7 years on an education demonstration program called the American Dream Accounts. Both of these terrific Senators were gracious in including it in this bill.

This is a bill that is going to make possible programs all over this country that will smooth and clear the pathway toward meaningful employment for young Americans. I wish more people knew about this kind of work, this kind of effort that these two Senators have made to move forward the sort of bipartisan, responsible solutions to the real problems facing Americans, which we need, and I just wanted to take one moment and thank them both for their tireless work to achieve this good result today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

#### NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Madam President, both parties used to agree that the thorough review of a Supreme Court nominee's record was essential to fulfilling our constitutional advice and consent obligations as Senators.

When Elena Kagan was nominated 8 years ago, even though Democrats were in the majority and Republicans were in the minority, Chairman LEAHY joined with Republicans to request all of Elena Kagan's records from her time in the White House. Now the shoe is on the other foot. We are in the minority; they are in the majority. But rather than applying the previous, bipartisan standard, the Republican majority is refusing to join with Democrats in requesting Brett Kavanaugh's complete record.

At issue is Brett Kavanaugh's time as Staff Secretary in the Bush White House. Republicans argue we don't need to see papers from that part of his career; Democrats argue we most certainly do. Republicans are being hypocritical and sophistic.

In both cases, we said that we needed all of the papers. Why? Because this is such an important job, and we ought to see the complete record of whoever the nominee is.

Now they are saying: Well, counsel is OK, but Staff Secretary isn't, and Kagan wasn't a Staff Secretary. So what? So what?

The relevant standard is all of the records, no matter what jobs they had, and Republicans are trying to come up with a difference for reasons that people are asking why. Are they hiding something? Is Kavanaugh hiding something? What did he do when he was Staff Secretary that he doesn't want the American public to see?

The Republicans say that the job of Staff Secretary wasn't so important, merely a paper pusher. Bull. The Senate doesn't need to see anything from that period, they say, because the job was unimportant. Second, they say that his years as a judge should preclude him from having to provide paperwork from his earlier work as a top White House official.

The Republicans keep moving the goalposts. They keep changing the standards to suit their needs to accomplish their goal—a hard-right, anti-middle-class, anti-choice, anti-healthcare Supreme Court. That is their goal. They can't accomplish it here; they can't accomplish it in the House; they can't even accomplish it with President Trump because those are elected branches of government, and the public pushes back. But with judges, they can, so they keep moving the goalposts and changing the rules time and again.

Their arguments don't withstand scrutiny. Let's take the first one: The job of Staff Secretary wasn't so important. That is a laugh. Brett Kavanaugh himself has said that "my

three years as Staff Secretary for President Bush—were the most interesting and in many ways among the most instructive." If he feels they were most instructive, why shouldn't the American people see what instructed him? By his own account, during his time in the White House and as Staff Secretary, Judge Kavanaugh attended meetings with world leaders from the Pope to Vladimir Putin. He participated "in the process of putting legislation together," and he talked to the President of the United States about how he should pick someone for the Supreme Court. In fact, Judge Kavanaugh said his time as Staff Secretary made him a "better interpreter of statutes."

Over and over again, Judge Kavanaugh has said that this was an important position and it critically informed who he is as a judge and who he will be, should he be confirmed—I hope he isn't—to the Supreme Court. So the argument the Republicans have made that Staff Secretary isn't an important job is virtually laughable and a cover-up for their fear of letting all the records out.

The second argument we are hearing is that it is gratuitous and unreasonable to ask for documents from Brett Kavanaugh's career before he became a judge. Well, they have amnesia on the other side. Nine years ago, when this body was considering the nomination of Sonia Sotomayor to the Supreme Court, Senate Republicans on the Judiciary Committee requested all of the paperwork from her tenure at the Puerto Rican Legal Defense and Education Fund.

Sotomayor was a judge for 15 years—3 longer than Judge Kavanaugh—and still Republicans, just 9 years ago, said they needed "minutes from the board meetings" that Justice Sotomayor attended as far back as 29 years before her confirmation hearings. Here is what Senator Sessions said in 2009:

The [Puerto Rican legal defense fund] documents may provide insight into [Sotomayor's] judicial approach. . . . The American people have a right to know this important information about President Obama's nominee.

Guess what. Senator LEAHY, then chairman, joined Sessions in requesting those documents. Democrats have been very open about their nominees—our nominees—and we have let the full records come out. We are not afraid of who they are. But when the Republicans are in charge, they come up with all of these elliptical, sophistic, and fundamentally hypocritical arguments about why that record shouldn't be made available. We have never heard those from Democrats. It is just unfair.

So when my friends from the other side say that we don't need all of Kavanaugh's documents because White House Staff Secretary isn't an important job, we ask: Isn't it a more important job than being part of the Puerto Rican Legal Defense and Education Fund, from which you demanded records? Of course it is.

It seems each time Democrats demonstrate that our request is 100 percent consistent with the Senate's bipartisan precedents, we hear some new, strained, contorted rationalization from Senate Republicans as to why a new, partisan approach is called for now and why the Senate should avert its gaze from Judge Kavanaugh's work as one of the most senior officials in the White House. Republicans keep moving the goalposts in what I can only characterize as a flimsy and transparent attempt to mask their own hypocrisy.

Again, there is an obvious, looming question: What are Republicans trying to hide in Judge Kavanaugh's record? What don't they want the public to see? Why are they making such hypocrites of themselves in coming up with these solipsistic arguments that when they were in the minority and President Obama nominated people, they should get all the records, but not now?

If there is nothing to hide for Judge Kavanaugh, then let the sunlight shine. Let the records come out.

My Republican friends seem to think that some Democrats have announced their opposition to Judge Kavanaugh, and that means the full Senate doesn't deserve to have access to his records. Frankly, it is rich to hear this from the Republican leader. People are rolling their eyes. He refused to consider any nominee by President Obama—it didn't matter who it was—mere hours after we received the news of Justice Scalia's death. It was one of the most shameful chapters in the Senate. I know there is gloating on the hard right: Wasn't that a brilliant move?

It is going to go down in history as one of the low points of the Senate, and Senator MCCONNELL will have to bear that on his shoulders. I say that even though he is my friend.

I say to my Republican colleagues: This is not about Democrats. This is not about individual Senators and how they might vote. It is about the American people. We have an open government. The American people deserve a chance to hear the full record, make their judgments, and let their elected representatives know now, before the nominee is voted on and in November.

When Elena Kagan's documents were requested by the Senate, they were almost immediately posted online for everyone to see, and they are still there. You can look them up. This isn't about how some of my Democratic colleagues may vote on Judge Kavanaugh; this is about hiding critical information about a Supreme Court nominee from the American people.

This is simple. Senate Democrats are following a bipartisan precedent; Senate Republicans are not. Republicans are playing a partisan game in hopes of withholding and hiding relevant information from the Senate and the public.

I will make one final plea to my colleagues on the other side, who seem to think the whole thing is just a political game and that there is nothing deep or

sincere about the foundation of this Republic. This is not a game. This is a nomination for a lifetime appointment to a seat on the Supreme Court of the United States. It is one of the most important votes any of us will ever cast. The American people expect and deserve that the Senate take its constitutional duty seriously. I hope our Republican colleagues will stop their partisan, self-serving games and let the Senate do its job.

#### HEALTHCARE

Madam President, on healthcare, a year ago this week, the Senate defeated a partisan attempt by President Trump and Senate Republicans to repeal the healthcare law. Since that ignominious defeat, where JOHN MCCAIN showed such courage and looked so much better than so many of my other colleagues across the aisle in what they are doing now, the Trump administration and congressional Republicans have sabotaged our healthcare system, raising costs on American families, driving up premiums, reducing the quality of care. For what reason? There seems to be hardly any reason, other than political spite.

President Trump is an expert on political spite. We all know that. Our Republican colleagues just march blithely behind him. They hate the Affordable Care Act so much that they are willing to take a torch to our healthcare system, even though it hurts millions of average Americans.

The Trump administration is trying to gut protections for Americans with preexisting conditions through the courts. The administration has directed the Justice Department not to defend the constitutionality of preexisting conditions and at the same time is pushing Judge Kavanaugh onto the Bench.

Remember, President Trump said that his "judicial appointments would do the right thing, unlike Judge Roberts on health care." Make no mistake about it, America, Judge Kavanaugh's nomination to the Supreme Court puts the future of protections for preexisting conditions in the spotlight.

I would like every Republican Senator to go home and defend that. Go home and defend that they want to repeal protections for preexisting conditions; go home and defend that they want to put on the Bench a nominee who is likely to do so because President Trump said so.

In a recent Kaiser poll, voters ranked continuing preexisting conditions as the most important healthcare issue in the upcoming campaign. By 58 to 27, voters said that since President Trump and congressional Republicans have made changes in the law, they are now responsible for any problems with our healthcare system moving forward.

Almost a year after the Republican healthcare bill went down, those numbers should be a stark warning to my Republican colleagues. The American people do not want endless political sabotage. They want lower costs, bet-

ter quality, more stability, and, above all, they want to keep the protections for Americans with preexisting conditions.

Republicans go down the road of sabotage at their own peril. I urge my colleagues, instead, to join Democrats in defending preexisting conditions in court, as Senator MANCHIN, Senator CASEY—who has been such a leader on healthcare, whom we will hear from in a minute—and other Democrats have asked us to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### 28TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

Mr. CASEY. Madam President, I rise for two purposes today, and I will start with the anniversary of the Americans with Disabilities Act. This is the 28th anniversary of that landmark legislation.

Former Senator Tom Harkin served the people of Iowa for more than three decades, if you include House and Senate service. He was a champion for people with disabilities, and I think that is an understatement. For many years, he was the champion. Senator Harkin used to say that the Americans with Disabilities Act was the last great civil rights law of the 20th century.

The passage of what we know as the ADA helped to bring into focus a picture that started to develop 150 years ago with the ratification of the 14th Amendment. That great amendment guaranteed equal protection under the law for all.

The passage of the Americans with Disabilities Act confirmed that people with disabilities are included in that guarantee of the 14th Amendment. I think it is important to review the goals of the ADA. We have probably lost track of those goals with the passage of time. They need to be repeated.

The first goal is equal opportunity. The second goal is independent living. The third goal is full participation. The fourth goal is economic self-sufficiency. That is what we want to achieve for people with disabilities: equal opportunity, independent living, full participation, and economic self-sufficiency.

The goals are not achievable, of course, without great support. To achieve those goals, we need actions from governments, actions from businesses, actions from schools and universities, and, indeed, actions from every sector of our society. We need actions to promote and protect the dream that is at the core of the ADA.

The ADA affirmed rights outlined in the 14th Amendment. Despite those guarantees, this past year we have seen substantial and, I would argue in many instances, very cruel efforts that threaten equality for people with disabilities.

Earlier this year, we saw that the House of Representatives passed a bill that would have gutted title III of the ADA, making public access an afterthought for people with disabilities. In

the Senate, with many of our colleagues joined together, we stopped that effort. If they try it again, we will have to stop them from doing it. These threats continue.

In the past couple of weeks, we heard officials of this administration claim that segregation and institutionalization with regard to those who have a disability should be acceptable for these Americans with disabilities.

The law of our land, the Americans with Disabilities Act, and the 1999 Supreme Court Olmstead decision say otherwise. They say that the values and policy of the United States are for the inclusion—the inclusion—of people with disabilities. That statute and that Supreme Court decision do not say that the United States supports segregation, isolation, and institutionalization of people with disabilities.

I hope the administration will further clarify what their position is because it is contrary to law, but it is also an insult to our values. It seems that on many days in the last year and a half, if not longer, the Republican majority, both here in the Senate and in the House, has been focused on three objectives when it comes to healthcare: rip away, decimate, and sabotage. Ripping away protections like those for preexisting conditions in the Affordable Care Act, decimating the Medicaid Program, and sabotaging our healthcare system are actions by the administration that some Republicans have not interfered with. You have an administration that on a daily and weekly basis over many months now has sabotaged our system—sabotaged the individual market and sabotaged people's ability to get healthcare.

We are going to continue to fight against that. One of the biggest fights we are going to have is on Medicaid. Medicaid in Pennsylvania affects more than 2 million people. It has an impact because of the healthcare benefit it provides on 40 percent of the children of my State, 50 percent of the people with disabilities, and more than 60 percent of folks trying get into nursing homes.

When it comes to Medicaid, I am going to fight to the end of the Earth to protect it, not to sit down and have a nice discussion about it but to protect it. If they want to take it on, we are going to continue to fight against them as long as it takes. No matter how hard or how long that fight is, we are going to fight it.

Despite the progress we have made with the Americans with Disabilities Act and a lot of other progress in the interim, we still have a ways to go for the promise and the dream that many Americans with disabilities have had. We need further action, further legislation, further work in a bipartisan manner. I hope that will be the case on two of my bills.

Let me outline them quickly. No. 1, I just introduced a Disability Employment Incentive Act, which encourages businesses to hire more people with

disabilities. The disability workforce is robust, creative, reliable, loyal, and productive. We need more people with disabilities in competitive, integrated employment to strengthen our economy and to enhance the capacity of our businesses.

The second bill I have is to protect people with disabilities and their families, so we have introduced the Office of Disability Policy Act.

As sabotage continues to occur by the administration, we need accurate, nonpartisan information about proposals that could harm people with disabilities and the infrastructure that makes it possible for them to participate in our society.

We have a responsibility to know when a law that is being proposed—or an action by an administration—will benefit or adversely affect 56 million Americans with disabilities. During this month, when we celebrate the 150th anniversary of the ratification of the 14th Amendment and the 28th anniversary of the signing of the ADA, we need to remember we all have a responsibility to complete the picture and to help Americans with disabilities to realize the dream.

As a nation, our duty now is to take the actions that protect and enhance the rights of all Americans, including those with disabilities, and to make equality for all a reality.

#### HEALTHCARE

Let me conclude with some thoughts about the recent debate about protections for preexisting conditions. As I said before, it seems that Republicans in Washington have a maniacal obsession with decimating Medicaid, wiping out the ACA protections, including protections for preexisting conditions.

Now that we have changed the law, we said: "If you have cancer, you can still get coverage or treatment." Now I guess some here want to take us back.

We have 5.3 million people in Pennsylvania with preexisting conditions; 643,000 of them are children. We are not going back. We are not going back to those days when those 5.3 million people in Pennsylvania don't have protection. We are not going back. If they want to have a fight about it, we will fight about it.

Last year, I heard from Liz from West Chester, PA—suburban Philadelphia—who was diagnosed with cancer at the age of 26. Here is what she told me:

For years I worried about losing my job and with it my insurance because I have costly preexisting conditions. This stress added to the stress of my diagnosis, treatments, and work/life balance.

Then she goes on to say:

Weight lifted off my shoulders when the preexisting condition protections became law. Now those protections are threatened.

So a weight was lifted off her shoulders because of an advancement in law because we protected people with preexisting conditions. Now some people here want to add that weight back onto her shoulders. That has to be stopped at all costs, and we will stop it.

This latest scheme, this court case trying to overturn preexisting conditions protections, is why Senator MANCHIN and I are leading the effort on a resolution to authorize the Senate legal counsel to intervene in the case of *Texas v. The United States*.

This would be devastating for millions of people across the country. I mentioned 5.3 million in Pennsylvania with preexisting conditions—133 million across the country. Any of us—all of us—are vulnerable when the preexisting conditions protections are targeted. It is outrageous—outrageous—that the Department of Justice is weighing in against the law of the land and arguing that these protections for individuals with preexisting conditions should be struck down. We must defeat—defeat—this cruel attempt to rip away these protections. I will fight every day to make sure every American—no matter where they live or what their health status is—has access to the healthcare they need.

It is good that we are celebrating the 28th anniversary of the Americans with Disabilities Act. We are happy about that, but at the same time, we need to be vigilant against attempts to undermine progress we have made since the ADA and progress we have made more recently.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Madam President, who wants to eat bugs for lunch? I am hearing crickets, even among the pages here.

Now, there is a reason for that, but the National Institute of Food and Agriculture at the USDA is spending more than \$1.3 million to support cricket farming in the development of bug-based foods for human consumption. This sounds like a headline straight out of *The Onion*, but it is not. It is your hard-earned taxpayer dollars being used to try to develop a taste for crickets and other bugs.

This initiative is trying to determine which bugs taste best, which bugs are most nutritious, and the best methods for farming bigger, tastier crickets.

Now, while the USDA has no plans to inspect cricket farms and the FDA has "no special rules for edible insects" at this time, multiple bug-based companies have received Federal funds to research and develop techniques to put bugs in your food.

For example, Bugeater Labs—I am not joking here—Bugeater Labs of Nebraska has received \$100,000 of taxpayer money—this is a grant—to identify the most edible insects. With support from the USDA, Bugeater is testing bug-based pasta, ramen, and macaroni noodles.

Now, to get bugs into the food, the crickets are ground into a powder and mixed into pasta dough. Bugeater hopes to secure another \$600,000 in Federal funds to cover the cost of developing and manufacturing a commercial-ready product made from bugs.

Now, separately, All Things Bugs of Georgia—I am not kidding. Again, that is a real company—has received nearly \$1.3 million for reducing the cost and improving the efficiency of farming crickets as food ingredients. They currently produce and sell cricket powder with “mild aroma, neutral flavor, and minute particle size that can be added to recipes.” Four pounds of crickets are required to produce 1 pound of powder. A pound of cricket powder produced by All Things Bugs, which boasts “the most affordable wholesale price,” sells for about \$35 a pound. By comparison, the average retail price for 100 percent ground beef is about \$3.80 a pound.

The United States has more than 2.5 billion pounds of beef, pork, poultry, and turkey being stockpiled. This is a record level. Clearly, a new source of protein is not needed and, in this case, likely not wanted.

In fact, the CEO of one of these cricket cuisine companies said yesterday:

Realistically, as much as we wish people would behave differently, Americans won't buy significant amounts of insect protein. If most were asked to volunteer to eat a bug, the response would be—

As we heard here—  
crickets.

With, I should note, the annual commemoration of Pioneer Day in Utah, I think I can speak for many of my own ancestors, who nearly starved thanks to swarms of crop-destroying crickets, when I say insect-based food development will not be stomachached well by taxpayers.

Today I am proposing an amendment to end the Federal agriculture subsidies for farming of insects and to prohibit spending taxpayer dollars to develop bug-based food for human consumption. I can't believe it takes an amendment to do this kind of thing. It is my understanding it is being included in the manager's amendment and will likely succeed if it is.

I would just say this is not going to balance the Federal budget, but at a time when the Office of Management and Budget is projecting trillion-dollar deficits in 2019 and beyond, how can we pay money and have grants of over \$1 million to pay companies to try to get people to eat bugs? It doesn't pass the laugh test, and people simply have to have more faith in their government than that.

I hope this amendment will pass. I hope we aren't forced to eat crickets. That doesn't seem like anything anybody wants to do, and we shouldn't be forcing taxpayers to pay for it.

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 (Mr. SULLIVAN). Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I see nobody seeking the floor. I will speak briefly, but I would urge the Congress—both bodies—to heed the clear warnings of our intelligence community, and I urge them to take a meaningful step, an important step, toward defending our democracy.

If we do nothing, we leave our elections vulnerable to an aggressive foreign adversary fully intent on destabilizing our country. To this Vermonter, and many of the Senators in the Chamber, it is a simple choice. It is a solemn responsibility.

Today, the Senate should vote on my amendment to provide \$250 million in grants to the States to help secure their election systems. We have to send a clear message to Russia and other foreign adversaries that tampering in our elections will not be tolerated. Simply giving a speech about it is not enough. We should vote on this.

If there was a missile attack against any of our States, we would respond immediately. Our democracy is a sacred part of what we cherish as Americans—all of us, Republicans and Democrats alike—and our States are under attack.

In fiscal year 2018, Congress came together—Republicans and Democrats, the House and the Senate—and we appropriated \$380 million for State election security grants in response to our intelligence community's assessment that Russia interfered in the 2016 election.

In just a few months since then, States and territories—55 in all—have requested funding, and 100 percent of these funds have been committed; 90 percent of them having been disbursed to the States.

The need is clear, and we have only scratched the surface. This week, 21 State attorneys general signed a letter pleading with Congress to appropriate more money to address this imminent threat. Experts agree that aside from our appropriation last year, Congress has not provided any new spending on election security grants in years. By not providing these funds, Congress has allowed our election infrastructure to lag behind the times and the threat. We are leaving our country vulnerable to a clear threat to the foundation of this very institution and the other institutions of American Government.

We spend hundreds of billions of dollars in defending against missile threats, as we should, or threats from the sea, the air, and the land, as we should. But here is a very direct threat we can begin to address with a tiny fraction of what we spend on these other threats.

My amendment will provide the funding needed to help protect our elections. Our intelligence community has warned us publicly that we are, once again, being targeted. The Senate should not allow that. We should vote to defend this institution, the U.S. Senate, and our own democracy.

In a world where the President of the United States stood shoulder to shoulder

with Vladimir Putin and refused to condemn Russia's attack on our election and attacked our own law enforcement intelligence agencies, my amendment is a necessary first step.

I believe in America first, not Russia first. I believe in protecting America. Our State works very hard to protect our elections. We elect Republicans and Democrats in our State. In the last election, Republicans elected a Governor, and I was reelected as a Senator. It is obvious we split votes, but we count our votes, and we do not have interference from another country.

Vermont is a small State, and we go under their radar, but anybody who reads the intelligence knows there is no question Russia has attacked us before, Russia is continuing to attack this country today, and Russia will attack this country in November. We must protect it.

I don't believe anybody is seeking recognition.

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

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

#### TARIFFS

Mr. TESTER. Mr. President, over the years I have been on the Senate floor many times bringing up the challenges of rural America, whether it is delivering quality healthcare or investing in vital infrastructure that supports our businesses or connecting our schools to the 21st century. I have worked hard to make sure that rural States like Montana have a voice in the Senate.

That is why I am so frustrated by the recent comments made by National Trade Council Director Peter Navarro. Mr. Navarro last week characterized the economic uncertainty that tariffs are causing to the American farmer and rancher as nothing more than a “rounding error.”

Mr. Navarro has an important position. He is a trade adviser, and he is a strategist for the President of the United States. He believes the tariffs that are harming Montana producers equate to nothing more than a “rounding error.” This statement is inaccurate, it is insulting, and it is dismissive of rural America. If Mr. Navarro truly believes that his comments are true, he has a lot to learn about what is going on across this country.

I am willing to bet that he hasn't been to a farm, a ranch, a stockyard, or a grain elevator facility recently—maybe ever—and I am sure he hasn't picked rock in North Central Montana. I don't think he would call the administration's trade war a “rounding error” if he met with Montana's homebuilders, construction workers, small business owners, farmers, and ranchers,



who are being squeezed by the rise of the cost of doing business now because of these tariffs.

I urge Mr. Navarro to leave the swamp, and come to Billings, Fort Benton, or Dutton, MT, and get an accurate perspective of how these tariffs are impacting family farms, ranches, and businesses across my great State. If he or anyone else in Washington were to speak with the folks who are most impacted by their trade policies, here is what they will hear. In ag country, they will say: Do you know what? Our commodity prices weren't that cherry to begin with, and now we are seeing them drop even more. We are seeing our input costs go up.

The head of the Montana grain growers, a lady by the name of Michelle Erickson Jones, testified recently that they didn't buy a grain bin. A grain bin is a facility that is made out of steel that stores grain. The costs went up on that very simple structure by 20 percent over the last year.

Forterra, in Billings, MT, builds bridges and has seen bridge component structures such as I-beams and rebar go up double digits just recently. In fact, in Missoula, MT, where they are building a new library to export information out of—a very good thing for that community, and for any community, as far as that goes—they passed a bond issue. Their costs went up more than \$700,000 just because of the increased cost of steel. Those are the input costs.

We have been working for generations and generations to develop markets all around the world, as we live in a world that is getting smaller every day, and we are losing those export markets. We are losing certainty, and without certainty you cannot plan for the future.

Many of these agricultural farms and ranches have been in the family for generations, as mine has been. We hope to pass it along to the next generation, but if you create enough uncertainty, that will simply be impossible. That is exactly what is going on in this country today.

In the 1980s, we saw family farm after family farm go broke. That started, by the way, with a grain embargo. We will see that same scenario being repeated today if we don't change the way we are doing business.

So I ask: What is the endgame? I don't know that what is going on in the White House right now gives me any sort of hope that there is an endgame.

Here are the facts. According to the U.S. Chamber of Commerce, the ongoing trade war will threaten \$20 million in Montana exports alone—just Montana exports—and, in fact, 140,000 Montana jobs. We have just over 1 million people living in Montana, and 140,000 jobs is a lot of jobs.

Only in Washington, DC, is a \$20 million drop in Montana's exports and the potential impact of 140,000 jobs considered a rounding error.

Just 5 days ago, after he called the impact of the tariffs a "rounding

error," the administration announced that taxpayers are going to have to pay \$12 billion to offset the financial impacts of these trade policies. Unlike drought, hail, floods, insects, or disease and other challenges that farmers and ranchers must deal with each year, this disaster is man-made. It is government-made. Make no mistake, this is a self-inflicted problem, and it is a financial problem that is a direct result of tariffs and irresponsible policy.

Now in order to try to ease the pain caused by these reckless tariffs, the administration has decided to further rattle the marketplace with an infusion of \$12 billion of taxpayer money.

I will state that folks in production agriculture want to sell their products, not depend upon un dependable erratic payments from the government. I never, ever met a farmer who wanted to receive their paycheck from the government. They want to earn their paycheck. They want to earn it from the free market. They want a free market. They want places where they can sell their products. They want to raise the products—and in my case and Montana's case, some of the finest agricultural products in the world—and they want to sell them to customers both at home and in markets around the world.

They don't want to collect cash payments from the government. That is not why they got into business. They want to get it from the marketplace. They want to get their living from the marketplace.

These dollars are being used as a bandaid to stop the bleeding that is being felt by America's farmers and ranchers as a direct result of these trade policies. This \$12 billion is not going to help hold on to any markets. It will simply be a patchwork to get through the problems that the government—this administration—has created. It will not provide them long-term certainty. It will not provide them the ability to make long-term investments. It will not provide them the opportunity to pass the farm on to their children.

It will provide temporary relief, and because of these trade policies, that temporary relief is important, but it is far from a real solution for the folks who give us food security and the folks who feed the world—our family farms and ranchers.

I will just say this. I have had conversations across the State of Montana over my tenure in the Senate. I can tell you that folks work hard. They work hard for their money, and they expect to be given a level playing field, but what we are seeing right now are markets that we have worked a generation to create and to mold being given away to other countries. We are seeing infrastructure in other countries that is not being focused on the United States and the products we produce, but it is being developed to do trade with other countries, in their markets. They produce sometimes the very same products that we produce.

I was at a meeting the other night and talked about the fact that in regards to Mexico, which buys more barley from Montana than any other nation in the world, and Canada, our No. 1 trading partner, Mexico is sitting down and they are negotiating and Canada isn't. It is interesting because we have heard this before. As Mexico negotiates, they also have signed a trade agreement with Argentina. To my knowledge, this is the first one ever to be able to supply their people with food. That is a market that we need.

As far as Canada goes, I have had plenty of issues with Canada—the Canadian Government knows that—whether it is softwood lumber, grain grading for our products going north, or whether it is issues that revolve around the Columbia River Treaty. The fact is that this is our best friend in the world. We need to treat them fairly and, in the process, make sure we have markets for the people in the United States.

With that, 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. GARDNER. 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. GARDNER. Mr. President, the Land and Water Conservation Fund is one of the Nation's premier conservation programs. In fact, I believe it is the crown jewel of our conservation programs. The Land and Water Conservation Fund has been an incredible program across the country, saving land for future generations to enjoy, saving land that otherwise might be lost and neglected for future generations—parts of our park systems, our trail systems, parts of our communities.

The Land and Water Conservation Fund has been around for many years. Yet it is set to expire on September 30.

The challenge we have in this Chamber is that it never seems to be the right time to debate permanent authorization of the Land and Water Conservation Fund. Again, it is a program that has incredible bipartisan support. The Land and Water Conservation Fund expires September 30. We need to not only reauthorize the program but to permanently authorize the Land and Water Conservation Fund. Yet it is still not the right time to debate it. It is not the right issue, not the right bill, not the right moment.

I hope we can find a way to do exactly what we need to for our great outdoors, for our economy, and for our environment to continue the incredible work of this crown jewel of conservation programs. That is why I have authored a bill with a number of my colleagues around the country, including Senator BURR, who has been a longtime champion of the Land and Water Conservation Fund—permanent authorization, full funding for the Land and

Water Conservation Fund. That is why we put together an amendment to do exactly what the American people want us to do, and that is permanent authorization of the Land and Water Conservation Fund.

I would ask unanimous consent to set aside the pending amendment and call up my amendment No. 3424. I further ask that there be up to 1 hour of debate equally divided in the usual form on the amendment and that following the use or yielding back of that time, the Senate vote on the amendment with no intervening action or debate.

Before I enter that request formally, I would like to yield to Senator BURR for a few comments.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank my colleague, and I rise in support of his amendment.

The Land and Water Conservation Fund—you may remember, last month when I tried to get a vote on its reauthorization, I had just come from a press conference marking 100 days until it expires. We have been here before. I am sort of shocked sometimes how hardheaded we are in this institution.

This program has now reached a point where it is 66 days away from expiration. In the 115th Congress, we actually let it expire. The reason Congress passed legislation to reauthorize it was the pressure of the American people.

Let me say at the start that I have unbelievable respect for the chairmen of the committees whose bills make up this package, and I have deep respect for the ranking members. I hold in high esteem the chairman and the ranking member of the full committee. This is no beef with them. This is a beef with what we have set up as the process for the very choreographed movement of a piece of legislation—in this particular case, the appropriations bill.

Some have told me this is just not germane to this bill. The only way it wouldn't be germane, in my book, is that we are debating legislation on the use of taxpayer money to fund government, and the Land and Water Conservation Fund uses zero dollars of taxpayer money. You see, it was created to take a percentage off the royalties of exploration by visionaries who said: We want a perpetual fund that taxpayers aren't obligated to—that is self-generating off of the resources we take out of the land—to be pumped back in to protect the treasures for generations yet to come. Masterful. Absolutely masterful. As a matter of fact, it was so smart that over 60 Members of the Senate—if we called for a vote right now, up or down, with nobody objecting or making a motion, it would pass. It would meet the highest threshold in the Senate to actually move out of this body. With over 240 cosponsors in the House of Representatives, it would pass in the House. The President would sign it into law, and this would be behind us.

We would set the example for the next generation, as parents and as leaders, that there are some things you have to save for generations who need an opportunity to be exposed to them. It is not as much about what we get out of it; it is about the example we set on how we get there. That is why it troubles me.

I look at this as a tremendous opportunity. Although by standards, it is not germane, it is germane because we are not using taxpayer money. We are actually protecting treasures for generations to come, which is our responsibility as adults.

As I said, it is likely that there will be an objection. I hold no personal disrespect for those who are forced to object to it. If we were to table this amendment—I have already conceded to the chairman that they would probably win, not because a majority of the body isn't for it but because of the pressures that come with that vote; that actual sponsors of the legislation—people who would vote for it—might actually vote to table this for another day.

I have tried since the beginning of this Congress to bring up this legislation. I only ask for an up-or-down vote at a 60-vote threshold. I am not trying to short the process in the Senate by one vote. I am not trying to piggyback and hide behind something. I just want the Members of the Senate to actually have an opportunity to debate this and to have a vote.

At the end of the day, I think what we would find is that a majority of Senators—I think over 60—would support it and a majority of House Members would support it.

There is one assurance I can give my colleagues: A majority of America agrees with us. They believe we should pass this. We can have a debate as to whether we change it. We are the U.S. Congress; we can change a program at any time. But why would we not provide the certainty that the program is going to be extended?

Many that remember the creation of the Land and Water Conservation Fund—it was authorized and capped at \$900 million a year. It has never received \$900 million a year because every dime that we get off of royalties is funneled through the same appropriations process in which we are currently engaged.

Another reason I would claim that common sense would say this is germane to what we are doing is because it is money that is controlled by the Appropriations Committee, and for whatever reason—and I am not questioning it—they never appropriated it at \$900 million. No administration ever requested \$900 million. But nobody can prove to me that there is not \$900 million worth of worthy projects out there.

Much of this land ends up back in the inventory of States' parks, and the residents of those States get to enjoy hunting, fishing, and recreation on

that land. They are not relying on their ability to buy a piece of property that they can do it on; they share it with others in their State.

In my State of North Carolina, we have some national treasures that, thank goodness, founders before me recognized and protected. One of them is called the Blue Ridge Parkway, the most traveled piece of Federal road structure that we have in this country. When we cut it through the mountains from Virginia to North Carolina in the 1950s—and we created the greatest jobs program at the time; that is what it was designed for—there were private landowners who had property adjacent to that road. What is the prudent thing? The prudent thing is to occasionally buy a piece of property that is not adjacent to the road and trade with the landowner who is on the road so that we can protect the roadway. That is the type of project that Land and Water Conservation Fund money goes to. It is not to create a bigger Great Smoky Mountains National Park, which is also in my State. It is the most visited park in the United States. I am not asking to enlarge it. I am asking for us to provide these funds so that great decisions can be made in coordination with local officials about what treasures should exist down the road for our children and our grandchildren.

We are not going to have an opportunity to acknowledge today that we are going to move this legislation. I believe that is incredibly unfortunate. I think it is tough because I think there are a lot of people who would be supportive who sound a little bit like crickets today.

Here is the only promise I can make to my colleagues today: You are going to have an opportunity to vote on this time and again. As long as the Senate goes into session, if we intend to move legislation, you will have an opportunity to vote on the Land and Water Conservation Fund reauthorization. When this floor opens in the morning, on a regular basis, I will come down here, and I will not encumber the Appropriations chairman in every case; I will probably pull every chairman into this. And I won't just rely on chairmen's vehicles of legislation that they are very passionate on. I have an Intel authorization bill that I can't even get to the floor for authorization, and I can't think of anything that is more important. I think the chair and the ranking member of the full Appropriations Committee both served on the committee in the past, and they know the importance of the Intel authorization bill. I can't get it up because sometimes we get more hung up on the power of one person in this institution than we do on the importance of what it is we are doing.

Well, if that is what we want to do, I will come down as one person, and I will ask unanimous consent that we consider the reauthorization. I am sure somebody will stand up and object.



They always do. They are objecting to what the American people want us to do. They are objecting to a program that has a proven track record of success and requires zero—nada, not a dime—of taxpayer money. If there has ever been a thing that we have presented to the American people that we should be applauded on—and that doesn't happen often—this has been one of them.

Yet, because we have chosen convenience over debate, because we are trying to fit this in a really small box, let me suggest to my colleagues that we are making a foolish mistake for the long term in this institution. This is an institution that was created for this moment. It is an institution that was created so that we could come to this floor and debate, so that we could come in and believe one thing, hear the debate, and actually go out and say: It changed my mind.

Maybe some people will listen who are now supporters, and maybe some supporters will listen to what I have said and will now vote against me. Here is the troubling thing: They will not have the opportunity. With the promise I will make to them, they will get that opportunity. So watch what you say because before I leave this institution, you will be given the opportunity to vote time and time and again if, in fact, procedurally, we are blocked from letting the American people's voices be heard with a vote in the Senate.

I yield back to my colleague.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I thank my colleague from North Carolina, who has been a true champion of the Land and Water Conservation Fund for years. You can hear his passion, and you can sense the passion, and you absolutely have an idea of his commitment. I am right along with him in this effort to make sure that we do our job here and let the American people's voices be heard for their support of this program and through our action, which is moving forward with the permanent authorization of the Land and Water Conservation Fund.

Every corner of this country has benefited from the Land and Water Conservation Fund. There were 330 million park visits in 2017. Every State and many countries around the world have benefited from this conservation program—from what this means to our country, what this means to our economy, and what this means to conservation and to the protection of our environment.

I look forward to fighting alongside Senator BURR as we move this most important piece of conservation programs forward in the permanent authorization and funding of the Land and Water Conservation Fund.

Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 3424. I further ask that on the amend-

ment there be up to 1 hour of debate, equally divided in the usual form, and that following the use or yielding back of that time the Senate vote on the amendment with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from the great State of Alaska.

Ms. MURKOWSKI. Mr. President, I rise to reluctantly reserve the right to object. I will object to amendment No. 3424, which would permanently authorize the revenue collection and deposit functions of the Land and Water Conservation Fund.

I thank my colleague from North Carolina, and I thank my colleague from Colorado. I, too, know, hear, and understand the passion that they have expressed not only at this time but that they have expressed for quite some time in their support for this important conservation program. It is something about which we, as Americans, have much to be proud.

I have expressed some of my concerns about how, historically, certain aspects of the Land and Water Conservation Fund have shifted from there being less for stateside acquisition and more for Federal acquisition. I would like to see some of that reallocated and rebalanced. In concept, what we have designed with the LWCF is something that has brought strong and good benefit to our States and, really, to conservation efforts throughout the country.

When the Senators speak about the merits of the program, I find nothing that I can disagree with in terms of the benefits that we see. Why I rise to express my objection in advancing the amendment is that the issue they have raised is to permanently seek to authorize this program. The collection and deposit provisions within LWCF are currently authorized, and, as they have pointed out, they are authorized through September 30 of this year. The measure they bring before us would be to permanently authorize those expiring provisions. It is, in its very nature, authorizing on an appropriations bill. We have an annual spending bill that basically directs that spending for 1 year. This measure would be significant in the extent of its authorization.

We have sought to advance the 12 appropriations bills through to the floor in a manner that we have not seen in years. I mentioned, when we started this debate on Monday night, that we haven't had an Interior appropriations bill on the Senate floor since 2010. That is not the Senators' fault. That is a failure of our process. One can assign a lot of blame, and one can point a lot of fingers. The fact of the matter is that we had moved from that responsibility of "What are the annual spending priorities that the appropriating committees are tasked to do every year?" to, effectively, bringing in a lot of the authorizing that the authorizing committees themselves needed to do, and it

was not working. We stalled ourselves out. We had big omnibus bills that nobody liked. So we are trying to get back to a process that we can stand behind, that really defines what the appropriations process is designed to do.

At the direction of Chairman SHELBY and Vice Chairman LEAHY, we have agreed to really try to come together to work to restore what we fondly refer to as "regular order" and what some don't even know to be regular order because they have never really experienced it. Because we made that commitment, we were actually able to move an Interior Appropriations Subcommittee bill through the full committee by 31 to 0—unanimous. I don't know if there has ever been a unanimous vote on an Interior appropriations bill out of the subcommittee, much less being able to bring it to the floor.

So much of this objection is due to the fact that the Senator's amendment would seek to permanently authorize on an appropriation's 1-year annual spending bill. I think it is also important to point out to colleagues that while the current authorization does extend through September 30, the authority to collect and deposit revenues in the funds is what expires on September 30. The ability and the authority to appropriate money continues indefinitely.

For those who may be concerned that if we fail to authorize this before September 30 the sky is going to fall on the LWCF and that all the good that is in the works will stop, that is not accurate. Within this year's spending bill, we have authorized the LWCF to the 2018 level of \$425 million. Within this amount, the stateside assistance programs are about 50 percent of the funding. There was \$124 million in 2015 for NPS stateside and also additional funding for the American Battlefield Protection Program—an increase this year to the highest level ever within this account.

I want to make sure that my colleagues do know that my commitment here and the commitment of many in this body is to work with our colleagues—to work with the Senator from North Carolina, to work with the Senator from Colorado, and with the many others who care deeply and rightly about the future of the Land and Water Conservation Fund—to ensure that it is able to continue the good work that it does.

I remind my friends that it was just about a year and a half ago when we moved an energy bill out of the authorizing committee, the Energy and Natural Resources Committee. Included as part of that measure was a permanent authorization of the Land and Water Conservation Fund. This is something that the Senator from Colorado had worked on with us, and Senator CANTWELL, the ranking member on the committee, made sure that it was a priority. Now, that measure has not seen floor time this year. We were able to

move it out in the last Congress. We were able to move that bill out by 85 to 12.

When the Senator from North Carolina says that there is good support for the LWCF within this body, we have demonstrated it. We have demonstrated it through votes on the floor, and we have demonstrated it through the support in the authorizing committee.

I do think there is a path forward, but I ask my colleagues to honor the commitment we have made to try to advance our appropriations bills in an order that respects the authority that we have as appropriators, which is to appropriate these dollars to the designated priorities and to stand down when it comes to authorizing on these appropriating bills.

The Senators have my commitment, most certainly, to continue to work on a positive path forward—a path that is not months in delay. I absolutely believe that the Senator from North Carolina is very serious in his commitment and his resolve that we will see this issue before us on every vehicle out there. It is in my best interest—I think it is in our best interests—to figure out how we are able to come to an agreement to support a program that most of us can get behind, to do so in a manner that allows us to do our legislative business, and to do so with the level of comity and civility that this process demands.

With that, again, I reluctantly and respectfully object.

The PRESIDING OFFICER. Objection is heard.

The majority whip.

#### ECONOMIC GROWTH

Mr. CORNYN. Mr. President, yesterday, during the lunch hour, Kevin Hassett, Chairman of the President's Council of Economic Advisers, brought a number of charts and a very welcomed message, which was that the American economy is very strong and that many of the predictions that have been made during the course of the Tax Cuts and Jobs Act debate have proven to be true—the positive comments. The negative comments have proven to be false in terms of what the Tax Cuts and Jobs Act would do to restart this great economic engine known as the American economy.

Back home in Texas, we issued our monthly employment report, and it included good news, which I would also like to share. First, Texas created 27,000 new jobs in June. That is a whole lot of people who are moving up, pursuing new opportunities, and moving into our State from places in which they don't have those opportunities. A single new job can mean a lot of things in a person's life, but at the very least, it means a fresh start, a chance to be challenged, to grow, and to put a few extra dollars in the bank. Now multiply the 27,000 new jobs by 12, and you can see that the impact on workers, families, and our entire State is huge.

I am glad to say that this is the 24th consecutive month of job growth in

Texas, and the folks I have talked to around the State in places like College Station, Austin, and Amarillo, just to name a few, are pretty excited. They are also relieved. They are relieved that the Texas unemployment rate continues to decline and are excited that once again we have been called the top State for business. All told, Texas has added 360,000 new jobs over the last 12 months. That is 360,000 new jobs in Texas over the last 12 months.

Mayor Jerry Morales of Midland, TX, who is also the owner of several restaurants there, said recently: "This economy is on fire." Apparently the fire has reached as far as his kitchen because he is having trouble retaining cooks at his restaurant. In other words, the economy is running strong, unemployment is low, and the labor participation rate continues to go up, but employers are having a hard time finding qualified workers to perform the good, well-paying jobs that do exist. That is exactly what a competitive labor market looks like. Other employers in the Permian Basin around Midland have doubled the previous pay of new employees because of the competitive labor market there. Those are just a couple of stories in one area of my State. There are many more.

I continue to hear from my constituents about the positive impacts of the Tax Cuts and Jobs Act—landmark legislation we enacted at the end of last year. Just to remind everybody, we cut tax rates; we doubled the standard deduction, meaning that fewer people will actually have to fill out the long-form tax return; and we doubled the child tax credit. What is more, we encouraged companies that had billions of dollars in cash parked overseas that they didn't want to see taxed twice to bring that money back home, and they have been bringing hundreds of billions of dollars of money previously parked overseas back here to the United States and putting it to work.

Earlier this summer, we hit the 6-month anniversary of the passage of the Tax Cuts and Jobs Act. During that time, I have heard from men and women—William Alderman, for example. Mr. Alderman is a retired, disabled soldier who said that the new tax law increased his monthly income enough to ease the rising cost of his living expenses. Maybe that will not make headlines in the New York Times or the Washington Post, but that is a big deal to Mr. Alderman. I heard from Kim Ewing in Mesquite, who hadn't seen a pay raise in 7 years. Now she has one, and you can imagine she is grateful for it. She wrote that she is glad her Federal Government is finally getting what she calls a little "common sense."

The good news is not limited to Texas. We have seen the country on fire when it comes to our economy. We have seen newfound optimism and confidence in the future. That is a good thing because during the preceding 8 years, before the current administra-

tion, before we had done this, we had been told that we have to accept slow growth and stagnant wages as the new normal. We know that is not true because people can hope for and aspire and work for better, and with the right policies in place, they can be rewarded more generously for their hard work and their diligence and their self-discipline.

We have also heard from large companies in large cities. We have heard from small businesses in small cities. We have heard that some of the big businesses are handing out bonuses and raises and 401(k) increases. We have heard about the effects in some of our rural areas and the effects on people who sometimes get overlooked in the national conversation.

The U.S. Department of Agriculture has issued a report showing that the estimated effective tax rates declined for all farms of all sizes and that farm households could pay close to 20 percent less in taxes. During a time of tough commodity prices, that is welcome news, that their bill to the Federal Government—Uncle Sam—is going to go down by 20 percent.

Unsurprisingly, most Americans now believe that economic conditions are good or excellent and that the economy is improving. As I said, optimism is high. To be specific, it is at a 14-year high.

After years of stagnant wage growth, after the previous administration ignored the plight of the average American worker and paid short shrift to his or her real circumstances—the bills they had to pay, the salary they earned each month—it is about time somebody got the message that Kim Ewing was talking about. In her words, this Congress got a little bit of "common sense" and passed the first major overhaul of the Tax Code in 30 years. Was it perfect? Well, of course, not. Are we still working to make those reforms bigger and better? Absolutely. But the main point is that we knew that American workers elected us to actually do something, not to just talk about it, and we sure weren't going to turn our backs on their everyday concerns, things they talk about around the kitchen table.

What are the results 6 months later? The United States as a whole added 213,000 jobs in June—more than expected. Average hourly earnings are up close to 3 percent. Manufacturers are more optimistic than at any other time in modern history. It is not just me saying it; it is the chief economist of the National Association of Manufacturers.

This week, Leader MCCONNELL has been talking a lot about the difference between rhetoric—what President Obama offered—and the results we have been able to deliver. I agree with that contrast. As the majority leader put it, all of us agree with the rhetoric about creating jobs, "[b]ut not everybody supported the policy agenda that's helped deliver results for the

American people." That is a chronic problem here in Washington, DC—saying one thing and doing another. So we not only tried to say the right thing, we tried to do the right thing by the American people, and I think we have succeeded.

Unfortunately, like so much of what happens here in Washington, DC, even creating this newfound optimism, this confidence in the future, more take-home pay, and a lower tax burden—in spite of those benefits, it still surprises me that not a single Democrat voted for tax reform. It was a party-line vote. Every single Democrat in the Senate voted against tax reform. I bet the commonsense men and women, such as Kim Ewing, the lady from Mesquite, TX, whom I mentioned, are taking note.

(Mrs. FISCHER assumed the Chair.)

NOMINATION OF BRETT KAVANAUGH

Madam President, on to one more topic, earlier this month, I was privileged to be at the White House when President Trump announced whom he would nominate to serve in the seat being vacated by Anthony Kennedy on the U.S. Supreme Court. The President had a great roster of judges to choose from, but he settled on Brett Kavanaugh, who I have been here on the floor saying I believe is a stellar pick.

His nomination continues what we in the Senate have been doing in the last 18 months—voting on well-qualified nominees to fill the Federal bench, and we have been confirming them at a record pace. These are people who, by definition, will serve for a lifetime. That is what Federal judges do in our country. They have life tenure. They are not subject to election, and they get the independence that goes along with it and a unique job in our system of government of calling balls and strikes, applying the law to the facts of an individual case. It is an incredibly important role to play.

Sadly, during the discussion about Judge Kavanaugh that we will take up here soon—it increasingly appears that some of our Democratic colleagues aren't particularly interested in the qualifications of the nominee. They don't seem particularly interested in whether they will or will not rule in accordance with the law and the Constitution as written. Instead, they have made very clear that they are looking for judges whose views line up with the political opinions and views of the Democratic Party.

I am glad to see that a few of them are breaking rank. The minority leader has issued an edict to his Members saying: Don't meet with the judge until we work out something on the documents that we want to see from his time working at the White House Counsel's Office, as Staff Secretary, or as a member of the DC Circuit Court of Appeals. But fortunately some of the Democrats have broken rank and decided that they want to visit with the judge, which I think is entirely appropriate.

As I said, the minority leader wants to get into a contest over how many documents are going to be produced. Well, let me put this in context. Our Democratic colleagues have requested at least 1 million pages of documents on Judge Kavanaugh. How many were produced for Justice Kagan, who sits on the Supreme Court? Well, it is about 173,000 pages versus 1 million. Like Brett Kavanaugh, Justice Kagan actually worked at the White House, at the White House Counsel's Office.

But what strikes me as so ironic and maybe just a little bit hypocritical is that when Judge Kavanaugh was confirmed to the DC Circuit Court of Appeals in 2006, they didn't want to see any of those documents. They couldn't have cared less. Now, all of a sudden, they have become the most important things in the world they could get their hands on during this confirmation process. That ought to tell us something.

As I mentioned, the minority leader has told his colleagues to stop meeting with the judge, but a few have broken rank, and I know Judge Kavanaugh is grateful for their political courage.

Our colleague from Indiana, the senior Senator, said that he "always" planned to meet with Judge Kavanaugh. The junior Senator from Delaware said that "of course" he will meet with the nominee. And the senior Senators from West Virginia and North Dakota have said they will too. Good for them. I hope this means that the dam of resistance is finally breaking and that more of our colleagues across the aisle will follow suit. I am sure they will learn something by visiting with Judge Kavanaugh, and I am sure they will be impressed, as I was when I met with the nominee and heard more of his story, because the truth is, Judge Kavanaugh is eminently qualified and well respected by everybody who knows him.

I look forward to voting both in the Judiciary Committee and then on the floor of the U.S. Senate early this fall and confirming him for the vacancy left by Justice Kennedy's retirement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

CAREER AND TECHNICAL EDUCATION ACT  
REAUTHORIZATION

Mr. YOUNG. Madam President, I rise today to speak in support of career and technical education, also known as CTE.

As cochair of the Senate CTE Caucus, along with Senators BALDWIN, KAINE, and PORTMAN, I am very proud of the work we have done in the Senate to advance CTE and to ensure that our students have the training and the skills needed to succeed in today's ever-changing workforce.

The career and technical education statute was last updated in 2006—over a decade ago—and it was due for reauthorization 6 years ago. Earlier this week, the Senate passed a historic agreement to update the law and to

make a number of important changes. I was proud to help pass this legislation out of the HELP Committee and through the full Senate. Yesterday, the House also passed this reauthorization, sending it to the President's desk.

Here are just a few reasons why investing in CTE is so critical to our country. By 2020, 30 percent of job openings will require some college or a 2-year degree. In the next 10 years, 3 million workers will be required for the Nation's infrastructure needs. We know that high school students who take CTE classes have higher graduation rates, and they are more likely to find employment or attain higher education. Postsecondary CTE programs are also a proven, cost-effective means to obtain a credential or other form of degree.

So it is worth noting that this reauthorization of our Nation's career and technical education law includes important components from legislation introduced by our Senate CTE Caucus.

The Educating Tomorrow's Workforce Act and the Perkins Fund for Equity and Excellence Act are just two key bills that help align CTE programs with the jobs of tomorrow and ensure that quality is maintained and strengthened in our CTE programs.

The reauthorization also includes provisions from a bill I helped introduce with Senator PETERS to support training for career guidance and academic counselors so they can help inform students of opportunities in the workforce, and it includes a measure Senator GILLIBRAND and I worked on to encourage professional development change and hands-on learning approaches like makerspaces, which provide students the tools and space needed to build, create, and learn critical skills.

In conclusion, we critically need to update the law to reflect the current and future workforce. I am pleased the House overwhelmingly passed the Senate CTE bill, and I look forward to it becoming law very soon.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Madam President, I wish to commend the Senator from Indiana for bringing our attention to this important subject. It is important in all of our States. Career technical education is an incredibly important part of helping to grow our economy, so I wish to express my appreciation to the Senator from Indiana for his leadership on this issue.

HEALTHCARE

Madam President, I rise to speak about a different issue; that is, healthcare and what is happening to the Affordable Care Act and to the availability of healthcare and health insurance in our society.

I rise genuinely puzzled about what appears to be an obsession or a mania with removing health insurance from

people, with keeping people from having health insurance. I just don't get it.

The data is very clear over the years that having health insurance saves lives. There can be debate about exactly how many, but the reality is—and it is perfectly logical—if you have health insurance, you are more likely to be treated, you are more likely to be treated earlier, and you are more likely to survive, particularly with regard to diseases like cancer, where early detection and treatment is the best defense against this dread disease.

I just don't understand why we cannot face the reality that health insurance or health coverage or access to healthcare is a fundamental right. It is a fundamental part of being a human. The idea of rationing healthcare by wealth just doesn't make sense, particularly in a country committed, as we are, to equality and equal justice under law.

The other reason I am surprised at this continuing effort to undermine the Affordable Care Act is that its eventual sabotage will only lead to greater demands for some kind of more intrusive change to our healthcare system—a single-payer system or healthcare for all. There are already millions of people in this country building a political movement to support Medicare for all, which is essentially a single-payer system. So those who are trying to cripple the Affordable Care Act, which really was a conservative proposal from the 1980s and 1990s, are only paving the way for a much more radical transformation of our healthcare system than they would ever desire.

The ACA simply builds upon the current system we have of private health insurance and provides health insurance to those who aren't fortunate enough to work for a company that provides a subsidy for health insurance or provides health insurance to its employees. That is all it is. It is really an effort to fill the gap in this country between those who have insurance through their employer or through Medicare or through Medicaid and those who have no insurance.

The ACA was a remarkable success for a period of years because it vastly cut the number of uninsured people in this country. So why we are trying to kill it, to strangle it, to mug it, to sabotage it just doesn't make sense from any point of view—either from the point of view of providing healthcare and health insurance to people, which saves lives, or the point of view of trying to maintain the semblance of the current system.

So here we are in the midst of an ongoing attempt to basically sabotage this system. Back in October of 2017, the administration said they are no longer going to make cost-sharing reduction payments to help insurance companies provide lower copays and deductibles to low-income individuals. Premium increases. I sat on this floor and listened to Members decry pre-

mium increases because of the Affordable Care Act. This is an action which is sure to provide premium increases, and it was a voluntary action of the administration taken last fall.

Back in January of 2017, within weeks of taking office, one of the first things the new administration did was cut advertising to notify people of the availability of reasonably priced insurance under the Affordable Care Act—an initial step to cut access.

Of course, leading up to the tax filing deadline in 2016, for 2016 returns back last year, the administration said the IRS was no longer going to enforce the individual mandate.

Then, of course, this body, in a provision which I can only deem as cruel because of the effect on insurance premiums and the effect on the insurance market, generally, eliminated the individual mandate as part of the tax bill last December.

In 2018, the open enrollment period was reduced from 12 weeks to 6—cut in half. No reason was given. Let's cut it in half so fewer people can sign up. Interestingly, almost the same number of people signed up because they realized how important this is.

Then, last winter, during the open enrollment season, HHS, on Sundays, shut down the website where people can sign up, ostensibly for maintenance. It happened to be the 12 hours on a Sunday when most people would have an opportunity to navigate the website.

Speaking of navigation, in, I think, what is one of the most blatant attempts to sabotage and undermine people's ability to gain this most basic and important health insurance—to provide them with healthy lives—CMS recently announced they are cutting grant funding for navigators, the people who help people get the coverage. They cut it dramatically. It has gone from \$62.5 million to \$36 million, to \$10 million.

This is complicated stuff. I have gone on the website myself in order to get my coverage. As the Presiding Officer knows, we are in the Affordable Care Act. We have to go on the website. We have to get our care through it. If you have done it, you know it is hard. It is complicated. You are comparing policies. You are comparing deductibles. You are comparing premiums. It is a difficult, complicated process. The navigators I know in Maine have been enormously helpful in just guiding people through the process so they don't give up, and they end up getting healthcare and health insurance for the first time in their lives. The amount of funding available in Maine has been reduced from \$550,000 to \$100,000. It was cut by 80 percent. This is just arbitrary and cruel because the result is—which is, I guess, what they want—that fewer people will be able to access coverage.

It also said the navigators no longer need to be based in the State where they are working. That means you can't go to on-the-ground efforts or face-to-face efforts, and that is what often makes the difference.

The Department of Justice last month said they are not going to defend the patient protections in the Affordable Care Act—particularly preexisting conditions. This has enormous ramifications for the people of this country. About half the people in the country have preexisting conditions. Under the old law—not in Maine, I might add; Maine dealt with this issue years ago. Under the old law, in most of the country, an insurance company could either deny you outright for a preexisting condition—which is basically any time you had been sick previously in your life—they could either deny you coverage or charge you an outrageous rate, which is, in effect, a denial of coverage for so many people.

Finally, the administration is now pressing what they are calling short-term association plans, which are really largely junk insurance—insurance that is hardly useful, doesn't cover everything, has very high deductibles, and really gives people a feeling that they have insurance, but when it comes time to use it, it will not really provide coverage.

I would like to conclude with this picture of these wonderful people from Maine whom I was with last week. I don't know who this guy in the middle is, but these are the people who staff something called the Leavitt's Mill Free Health Plan. Every single person in this picture, with the exception of one part-time administrator, are volunteers. These are people coming in and volunteering. They are nurse practitioners, physicians who come in and volunteer for a couple of hours a week to provide healthcare to people who don't have insurance.

I just talked to the director, Patsy Levin. She repeated what she said to me when I was there last week: They want to go out of business. We can't provide healthcare to the millions of uninsured people of this country by volunteers. It is wonderful, what they are doing, but it is impossible. This is like having bake sales to support the Air Force.

We have to provide health insurance to people. We will have a healthier country. We will have a more productive country. We will have a more economically successful country. We will have a more humane country.

These people are fantastic. I spent time there. I visited with one of their clients. He has to go to town assistance to buy his insulin. That is wrong. He needs it. He is a diabetic. It is part of what he has to have to survive, and he is having to go for general assistance to the town to provide the lifesaving insulin that he needs.

These are wonderful people. They are doing great work, but we shouldn't have to rely on people taking their own time, their own energy voluntarily, to come in. It is wonderful for this region where it exists. There are several of these around Maine and they are terrific, but they can't fill the need. They can't fill the need for the millions of

people who are uninsured in this country.

We have a responsibility. We have a responsibility when we see a problem to fix it. I know the Affordable Care Act is not perfect. I know it has problems. I know it has limitations. We should be fixing it, not sabotaging it.

As I said at the beginning, if the sabotage is ultimately successful, the result will be heightened demand for more radical restructuring of our healthcare system in this country because, ultimately, people are going to rightfully demand that they have a right to health insurance and to healthcare coverage and access to healthcare that is not dependent upon their income.

So I call on the administration to stop these petty efforts to undermine this law that has done so much good, and let's come together and talk about what the problems are. I know Members on this side are absolutely ready to do so.

Let's talk about fixing it, not continue to undermine it—to what purpose? To a purpose of diminishing healthcare access to millions and millions of Americans, not only those at the low end of the income spectrum but particularly those in the middle income who aren't fortunate enough to have coverage through where they work.

We can do better. I believe we will. I hope the administration will join us in this effort instead of continuing its efforts to systematically undermine the law that is working for the American people.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Madam President, first let me thank my colleague and friend from Maine. If you ask the American people from one corner of this country to the other, what are they worried about, what are they concerned about, what you have just talked about is the top 1, 2, 3 issue: the accessibility and affordability of health insurance, time and again.

Some of us have been in a predicament in life when someone we love was very sick and had no health insurance. People never forget it as long as they live—people who live every single day with that prospect of not having health insurance or it is so darned expensive they can't pay for it.

I thank the Senator from Maine for the comments he made regarding the efforts by this administration to undermine and sabotage health insurance. It is one thing to say you are against ObamaCare, you are against the Affordable Care Act; the obvious question is, What would you replace it with? When given a chance, the other side of the aisle had nothing. That is why, thankfully, we stopped their efforts to repeal it.

You and I, and everyone on this side of the aisle, is open to talking about making it better, make it work more

efficiently, and reach more people in a more efficient way. But just saying we are going to get rid of it and then we will talk about it later is not an answer. I thank the Senator for the comments that he made.

Madam President, I am going to address the second issue that comes up when you talk to people across America who are concerned with it, and I will start with a question: Have you ever, ever, in your whole life, seen an ad on television for prescription drugs—ever? If the answer is no, I know one thing for sure: You don't own a television because the average American sees nine—nine—television prescription drug ads every single day. They see nine every day.

You know what I am talking about; they mumble as fast as they can: If you take this you may die; don't take it if you are allergic to it. All of those ads, all of those names of all those drugs—it took about 20 times for me to watch the XARELTO ad to get to the point where I could spell XARELTO. I am not sure I have it right still.

But here is what it is all about. Why does pharma—pharmaceutical companies—spend so much money on television advertising? What is this all about? You can't buy most of these drugs over the counter; you need a doctor. Here is why they do it: They believe, if they keep suggesting to you that this is a drug that might help you, when you go to the doctor you will ask him or her: Doctor, should I be taking XARELTO?

Well, the doctor may say to you that you don't need it—or may say to you that you can take a generic that is a lot cheaper and does the same thing. But in many, many cases, the doctor says “Let me write a prescription for XARELTO for you,” and what we have happening across the United States is the increasing cost of healthcare for everyone, which is being driven by the increasing costs of prescription drug prices.

You see, in the United States of America, there is no control over the increases in prescription drug pricing. So these companies that spend billions of dollars advertising on television end up getting more of their drugs prescribed, making more money, raising their prices, and it goes on and on, and we see the cost of healthcare increasing.

How many countries in the world today allow drug companies to advertise on television the way they do in the United States? There are two—the United States and New Zealand. That is it. What does the American Medical Association—the doctors of America—have to say about this television advertising of prescription drugs? They say it is a bad idea because what it does is incentivize first the patients and then the doctors to prescribe more expensive drugs than are necessary, and that drives up the cost of healthcare. So I decided to try to address this.

There are lots of ways you could address it. I decided one of the things we

might do is simply do something that is fair and open and honest: Ask the drug companies in their ads to disclose the price of the drug. Simply that: How much does it cost? Put it in the ad. Well, you might be surprised.

Here is one for you. Have you seen the ads for the drug HUMIRA? HUMIRA. I bet you have. I have—plenty. It was a drug originally designed to treat rheumatoid arthritis, but then they found that it also could impact psoriasis. Most of us know, psoriasis is a skin problem. For many of us, it is just a tiny little patch on the elbow; for some people, it is more serious. But they now advertise that HUMIRA could be used for psoriasis. That is good to know.

Here is what they don't tell you. Do you know what HUMIRA costs? Do you know how much it costs each month for HUMIRA? \$5,500. They don't advertise that because, for \$5,000 a month, I think I can live with that patch on my elbow.

What I think, and many agree, is that we ought to move to the point where the pharmaceutical companies tell us the cost of the drug in their advertisement. That is not unreasonable, is it? In fact, it is so reasonable that—hang onto your hats—President Donald Trump and this Senator happen to agree on it.

The President, at a press conference a couple months ago, said: Let's have pharma advertise in their advertising the cost of the drug.

I thought to myself, Well, that is an issue that I have been working on for a while. I agree with the administration. Maybe we can do it together.

So I went to my colleague and friend, Senator CHUCK GRASSLEY of Iowa, and I asked him: Will you cosponsor an amendment to the bill on the floor today that gives appropriations to the Food and Drug Administration to support asking pharma to disclose their prices on their advertising?

We introduced this amendment, and, frankly, with 76 percent of the American people supporting the idea, we have an interesting coalition: DURBIN, Democrat of Illinois; GRASSLEY, Republican of Iowa; President Donald Trump; and—I came to learn last night—the Secretary of the Department of Health and Human Services, Mr. Azar. He called me. I don't know him. I have never met him. But he said: I want to tell you that we support your amendment, the Durbin-Grassley amendment for the disclosure of the cost of drugs. We think it is a good thing. We think it will start to bring down the cost of prescription drugs. That is a great thing. It turns out the Commissioner of the Food and Drug Administration also supports it.

So now we have kind of an amazing coalition: Democrats and Republicans—here in the Senate, as well as in the White House, the administration—coming together. How often does that happen around here? Not that often. Sadly, it doesn't. So let's seize this opportunity.

I am asking those who are managing this bill to include this language—this appropriations language in this amendment in the bill as a step toward giving us some control over the increasing cost of prescription drugs.

Pharma hates this amendment like the devil hates holy water. They don't want to tell people that HUMIRA costs \$5,500 a month. It kind of spoils your ad when you are talking about psoriasis, and it comes out to be over \$5,000 a month for their drug. So they don't want to tell you. They hope it gets lost in the system. I think it is better for Americans to know what they are getting into.

Why is pharma afraid to tell the consumers how much their drugs cost? We shouldn't wait to be surprised when we go to the pharmacy, when we stand by the register to pay for what we are buying. People have a right to know. You know the price of a car before you buy it. Don't you? How about the price of that washer and dryer? I looked at those over the weekend with my wife. We know those prices right now. Why shouldn't we know the price of those drugs?

So I am calling on my colleagues—we have amendments Nos. 3611 and 3612. Let's put them on this bill. Let's do something. Let's do the first thing we have done this year—the very first thing we have done this year to address the serious concern which Americans have on the cost of prescription drugs.

I see my colleague and friend, Senator GRASSLEY, is here. I thank him for joining me on this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

REMEMBERING CLEMMIE DIXON SPANGLER, JR.

Mr. BURR. Madam President, I rise today to honor and celebrate the life of C.D. "Dick" Spangler, a great North Carolinian who passed away earlier this week.

The true mark of a great man, a great contributor to our society is the fact that there are several acts in that individual's life, there is no one single attribute to which to ascribe that contribution, and Dick Spangler was such a man.

In that first act, Dick built an impressive wealth, at the time making him one of the wealthiest individuals in this country in the family construction and real estate business. The son of a Charlotte contractor and real estate investor, Dick attended Woodberry Forest School, then the University of North Carolina at Chapel Hill and Harvard Business School. After serving 2 years in the Army, he moved back to his native North Carolina to work in the family business, C.D. Spangler Construction.

In 1973, while continuing to serve in the family's construction company, Dick became chairman of a little bank at the time, the Bank of North Carolina, and was subsequently elected director of NCNB, which would eventually be sold to Bank of America.

Although he was a brilliant businessman, in my mind Dick Spangler will best be remembered in our State for his commitment to education and what it means for lifting individuals out of poverty, giving them a path for learning, and expressing their individuality. He did this by advocating for a return to an emphasis on teaching the basics, higher salaries for teachers, and programs for training high school principals for a very challenging job. That second act and the energies and personal contributions he made to it are what made Dick the remarkable man he was.

During his time as president of the University of North Carolina System, a position he held for over a decade, Dick was laser-focused on keeping North Carolina's public university system affordable and low-cost for all seeking postsecondary education. It is because of his dedication so many years ago to low-cost tuition in the UNC System—a mission he pursued without a paycheck during his time as president—that current North Carolinians today receive an affordable, great university education. Dick Spangler once said:

Low tuition is not a gift. It's an investment in these students. They go to work and pay that back over a lifetime.

The number of individuals who have chosen to do just that by making North Carolina their home after graduating from one of the UNC System's great schools is a testament to that effort.

He viewed leading the UNC System as one of the truly great jobs anyone could have. On the eve of his departure, he said, when talking about the UNC System:

We're on the side of angels. Spending time with our students—to be with them is one of the great joys a person could experience. . . . I live in a community that is vibrant—not asleep. It's wide awake and there's always turmoil because people are bright with viewpoints sometimes in conflict.

But for those who know the Spangler family and Dick's commitment to the State, I will always remember Dick for his philanthropy and the commitment to bettering our State through his personal efforts and his personal giving.

The C.D. Spangler Foundation dedicated hundreds of millions of dollars over the past several decades to better public education in our State. Through this work, over 120 distinguished professorships, purposed toward improving instruction in our public education, were funded, providing generations of North Carolinians with the benefits of a quality education.

For those unfamiliar with the racial history of North Carolina's schools, Dick Spangler was prompted by Swann v. Charlotte-Mecklenburg Board of Education, that seminal Supreme Court decision which said it wasn't enough to simply say desegregation of public schools was the law of the land; towns needed to commit to it and follow through on educating minorities next to their White peers. It is no exaggeration to say that without Dick's

leadership in Charlotte during the 1970s and 1980s, racial desegregation of Charlotte's schools might not have happened the way it did, serving as a national model for other communities grappling with racial tensions in their schools.

Dick was so adamant about this fact, he decided not just to put his tremendous personal wealth to work, but to put his time on Earth to work as well. So he ran to become vice chairman of the Charlotte-Mecklenburg Schools in an effort to ease the racial tensions that existed at the time in Charlotte, NC. Although he could have afforded to send his children to private school, he chose to lead by example, and he sent them to the Charlotte public schools to prove what is obvious to us now but was seemingly so controversial at the time.

When I hear Dick Spangler's name, there are words I think of:

"Honest." He was never questioned about his honesty.

"Passionate." Dick Spangler was committed to every effort that he joined into, and he never sold it short.

"Opinionated." He made you listen, whether you wanted to hear it or not.

"Fair." He never let his wealth influence his outcome.

"Daring." He took on things that other people ran the opposite way from.

"Demanding." I am not sure I have been in many meetings with an individual who controlled attention the way Dick Spangler did. He saw time as a precious thing, and he knew we were limited on the amount that we would be here to use it. Dick Spangler used every minute of his life to make our State and this country better.

Last one, Dick Spangler was committed. He was committed to this country. He was committed to this State. He loved his UNC Tar Heels. More importantly, he loved his family.

His leading by example rather than simply words will remain in my mind as we mourn and we celebrate the loss of a great man. Today, I wish to extend my condolences and deep appreciation to his wife of 58 years, Meredith, to Abigail, to Hannah, to Tom, and to the extended family. Their loss is not only our State's loss but our country's loss.

I can feel confident, as I think Dick Spangler does today in Heaven, that Dick did everything he could to set the example for every generation to come; that you have to invest something to get something. I, for one, am moved, inspired, and committed to live on that commitment.

I yield to my good friend from North Carolina.

The PRESIDING OFFICER. The junior Senator from North Carolina.

Mr. TILLIS. Madam President, I also rise to make some comments about C.D., or as we all know him, Dick Spangler. I met him about 11 years ago—when I first got into the State legislature—in his office, which is just outside of downtown in Charlotte.



From every encounter from that point forward, I never left without learning something more. It could be on any number of topics.

I appreciate Senator BURR and all the comments about his legacy. He was amazing. He transformed the university system, made it one of the greatest in the Nation. He was a huge Tar Heels fan. I remember when we had a memorial service for a former University president, and C.D.—or Dick Spangler—spoke. Everybody had been saying this is a celebration, this is a celebration.

He got up and said: Folks, this is a very important memorial service, but a celebration is what you do just after the Tar Heels beat the tar out of Duke.

He loved the Tar Heels, and he loved the university system. He loved a modern North Carolina, an inclusive North Carolina, a North Carolina as a leader, leading on the integration of schools. I think what I remember most about Dick were those experiences I had in his office. It was easy for me to get to. Oftentimes, I would go there on a Monday before I would go to the airport to come here.

Every Monday for about 30 years, he had lunch for all of his employees, and he would be there. He would serve them lunch, and they would spend time together. I had the opportunity to do that on a few occasions. There were a couple of special times, after, we met in the conference room, and he would coach me on how I should present myself or on issues that were important for education and any number of things. He was truly a mentor.

He said: Would you like to see my shop?

This office out on Morehead Street is an unassuming office, just as humble as the off-the-rack suits this man wore all of his life or the old beat-up station wagon he would drive to the office. This was an amazing experience. You go into this office in the back, and it is nothing but a workshop. He loved fabricating metals, fixing the clockworks on grandfather clocks. He loved creating tools to teach kids how to learn. In fact, he gave me a homework assignment, which was basically a pyramid of ping-pong balls, and I had to use geometry to figure out the dimensions of the pyramid. He was always trying to get people to learn and get people to engage.

He engaged politically all of his life. Senator BURR said that you knew what was on his mind. If you were doing something in the legislature that was at odds with what he thought was in the best interest of the university system, I guarantee you, you were going to spend quality time with Dick Spangler, and you were more than likely going to embrace his opinion or his position because, in reality, he always made the university system better.

There is one quote I want to read. I think this was during an inaugural address. This is classic Dick Spangler: "Some unpopular ideas, of course,

don't deserve to be popular, ever, but they deserve to be aired."

He believed universities were a place where all ideas should be considered, not because they have merit but because someone has a deeply held belief and should hear about them, and you should have discourse. That is something we can continue to learn from to this day.

I join Senator BURR and offer my condolences to Meredith, Anna and her husband Tom, and their other daughter, Abigail. He has left a great impression. His earthly presence is no longer here, but his legacy and impact in North Carolina will live for decades to come.

He has a daughter who has clearly been raised right because Anna serves on the board of governors, has served on the board of governors in the university system. She is actively involved in education pursuits in North Carolina.

Dick Spangler is still living among us, and his works will continue under his family's leadership and their belief in North Carolina.

Thank you for the opportunity to speak today.

To Meredith, to Anna, Abigail, and Tom, our thoughts and prayers are with you. Thank you for blessing us and having some time to share with Dick Spangler.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### HEALTHCARE

Mr. GRASSLEY. Madam President, I want to visit with my colleagues for the same reason Senator DURBIN, about 15 minutes ago, spoke to my colleagues about the high price of pharmaceutical drugs and maybe at least one little thing we can do to help moderate that price or at least inform the public, accordingly, in a better way than we have so far.

Every American within earshot of a television has heard ads for prescription drugs. Almost every night, as I watch television, I see something along that line. These ads promise patient relief from nearly every medical problem, and informing the public is important for us to do in many areas.

The pharmaceutical companies want you to know that their drug is on the market to help you. They want you to talk to your doctor about the newest drugs.

As many of my colleagues know, I am an outspoken supporter for transparency. I hope it is one of my attributes I bring to the U.S. Senate. From the Physician Payments Sunshine Act to whistleblower protections, I am a strong believer that transparency keeps citizens informed, and, for sure, transparency in government brings accountability from those of us in government.

Senator DURBIN and I have amendments to the current funding bill which would shine transparency light on prescription drug prices. These amend-

ments would allow patients and their doctors to make informed decisions. Drug advertisers want to tell consumers all the benefits of the drugs. At the same time, drug advertisers are required to tell you about the side effects. In fact, half of an ad has something about side effects. That is usually in the small print and when somebody is babbling something very rapidly about the side effects, but they aren't as gung-ho to show how much that particular drug would cost. I believe it is something the public would like to be well-informed on when they are considering the advertisement and the purposes of the drug.

Six billion dollars is what pharmaceutical companies spent on direct-to-consumer advertising last year. Why would they spend that amount of money on TV commercials? Because it works. By bypassing the trusted physician and the ability of patients to decide for themselves, TV ads increase prescription drug utilization and, with it, drug spending. This increases drug costs to patients and taxpayers. In one case, a single drug in Medicaid costs the taxpayers an additional \$207 million just because of ads.

The President's blueprint to lower drug costs includes a provision for FDA to require the inclusion of the list price in these drugs. Senator DURBIN and I agree on that. I hope, since it is in the President's blueprint as one step to bring the high cost of drugs, it would be easy to get bipartisan support for the Grassley-Durbin amendment. This is a very simple, commonsense step to get drug prices down for consumers.

I have to confess to you, it is not the only answer, but it is a concrete first step. If you want to know other steps to get drug prices down, I would point out enacting the CREATES legislation, introduced by Senators LEAHY, LEE, KLOBUCHAR, and this Senator; or we could enact Pay for Delay, introduced by Senator KLOBUCHAR and this Senator; or Commissioner Gottlieb of FDA could come up with a plan for the importation of safe prescription drugs from Canada and other trusted countries.

Consumers today are promised the Sun, the Moon, and the stars if they will simply get a prescription filled. Senator DURBIN and I want to improve transparency and prescription drug advertising so consumers can decide for themselves. Our amendments would simply clarify that the Secretary of HHS has the authority to require drug companies to report the list price on advertisements.

I had a telephone conversation this morning with that Secretary of HHS, at his instigation, and he suggested that this would be very helpful, not only for him to accomplish the goals he wants to but to carry out the President's blueprint. One of several steps in that blueprint is to get the price of pharmaceuticals down for the consumer.

Consumers know the price of every other item they purchase before they

make their decision. Just think what a benefit it was to the consumers of this country when, maybe four decades ago, the Congress decided that we ought to have on the windows of a car what the cost of that car was so everybody had to play by the same rules of the game. This is a very simple free-market principle. I urge all of my colleagues to support this effort that will lower drug prices for all Americans.

Thank you.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I rise again to read letters from West Virginians about the concerns and fears they have over the ongoing lawsuit being led by 20 U.S. attorneys general, including West Virginia's own attorney general, that threatens to once again allow insurance companies to deny coverage to West Virginians with preexisting conditions.

In my State, 800,000 West Virginians, including 90,600 children, have a preexisting condition. Let me go over some of the things that qualify as a preexisting condition and insurance companies can rate you on: organ transplant, anxiety, cancer, heart disease, Alzheimer's disease, Crohn's disease, Parkinson's disease, cystic fibrosis, pneumonia, epilepsy, anemia, depression, lupus, obsessive compulsive disorder, pregnancy, anorexia, diabetes, kidney disease, sleep apnea, obesity, bipolar disease, multiple sclerosis, cerebral palsy, stroke, bulimia, asthma, and tuberculosis.

I have always said that our Nation's current healthcare system is in need of repair, but every West Virginian deserves access to quality, affordable healthcare, and I am very concerned that our country is at risk of moving backward instead of forward.

When people ask why I voted against repealing the healthcare law, I always say that it is because we need to make sure that those with preexisting conditions don't go bankrupt paying for basic healthcare.

What is happening today is an unfortunate political move. The only reason this lawsuit is moving forward is because they have failed to repeal the law through this process here in the Senate. Congress has voted more than 50 times to repeal, and it has not passed. So what you are telling us loud and clear is to fix it, repair it. It can be fixed and made better for everybody.

What makes this worse is that we do have this bipartisan compromise led by Senator LAMAR ALEXANDER, a Republican from Tennessee, and Senator PATTY MURRAY, a Democrat from the State of Washington, with 12 Republicans and 12 Democrats. I am proud to say that I am one them.

This bill includes important steps that will help to reduce healthcare costs for West Virginia families, and this agreement shows what is possible when we put people before politics. Shame on us for not voting on that.

This is impacting real people. Last week I asked West Virginians to share

their stories with me, and my office has been flooded with stories. I am going to share just a few of these stories with you today.

This is Whitney from Morgantown, WV:

Dear Senator Manchin,

Please protect our pre-existing conditions.

In August 2016, my then 15 year old child suffered a stroke as a result of a brain AVM. He had to have emergency brain surgery which left him in a medically induced coma for several months.

When he woke up, he was unable to walk or talk. He had to have continuous medical care including expensive MRI's and angiograms.

This doesn't include his multiple therapies. If we did not have insurance coverage I do not know what we would do.

I cannot afford all these medical bills without the help of insurance. Due to the extensive medical needs I know if his pre-existing condition is not protected he will eventually lose benefits.

I beg you to stand up for my child and all those who deserve a right to ongoing medical care. Please feel free to contact [me] with any questions or follow up [concerning our needs].

This is William from Martinsburg, WV:

Dear Senator Manchin,

It was imperative that insurance companies are not allowed to screen members for pre-existing conditions.

I am a 20+year Type 2 Diabetic. I am currently taking five medications for my diabetes. If I did not have coverage I would be paying over \$1000 a month, OUT OF POCKET, for just my diabetes meds.

If insurance companies are allowed to start screening for and disallowing pre-existing conditions I would not be able to afford my medications and my diabetes would not be controlled which could possibly lead to loss of limbs, loss of vision and I could die.

How much would I cost the government if I was disabled? How much would I cost an insurance company then if I had to have feet, arms, and legs amputated because of my condition?

Bottom line, I cost my insurance company a lot less money when they help me to keep my diabetes under control.

Thank you for taking a stand for those of us with pre-existing conditions.

The final letter is from Kevin from Hinton:

Dear Senator Manchin,

I have lived with Crohn's Disease, a severe chronic illness of the immune system that attacks the digestive system. The condition is painful and treatments are expensive.

Like many West Virginians, I have dealt with insurance gaps and few jobs with good pay and benefits.

Though many Americans struggle with the expenses of healthcare, we remember the unfair practices before ACA [the Affordable Care Act] was passed and improved the healthcare system by ridding us of pre-existing conditions clauses, which allowed insurance companies to overcharge sick people for care or block them completely from getting coverage.

Please work for us to make sure that the steps taken in the ACA are improved upon instead of allowing such beneficial measures to be cut.

Those are just a few of the letters I have received, and I know we all have these preexisting conditions with people that are scared to death all over our country.

I hope that we can come together for the sake of America and maybe get off of this political roller coaster where we are blaming everybody and trying to find out who we can blame, especially when we can fix it.

What I am asking for is for all of us to work together as Americans, to forget whether you are a Democrat or a Republican, and to just help the people you represent.

These diseases don't have a home. They are not just because of a Democrat or a Republican. That is who they attack. They attack all of us.

So this needs, basically, the help and the cure from all of us also.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SASSE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. RUBIO. 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. RUBIO. Mr. President, in my home State of Florida, we have a rich history in manufacturing hand-rolled premium cigars. For those who aren't familiar with them, a hand-rolled premium cigar is not the same thing as a cigarette.

Number one, premium cigars are an expense product, and they are consumed very differently from a cigarette or some other tobacco product. I would say that they are more like wine than they would be like a cigarette, for sure.

The interesting thing about the cigar industry and its history—not just in Florida but in this country—is that, almost exclusively, the manufacturers of premium hand-rolled cigars are small family-run businesses. By the way, so too are the retailers that sell them. This is not the kind of thing you go and buy at 7-Eleven. There are stores that specialize in the sale of premium cigars. They cater to a clientele that can afford to buy these things. They are significantly older than someone who would walk into a convenience store and buy a pack of cigarettes from behind the counter.

The companies that are involved in this endeavor are not the big companies that we see involved, generally, in the tobacco industry. They are family-owned business, both at the retail level and also at the manufacturing level.

In addition to all of this, they represent a rich part of the cultural history of the Cuban community in Florida. Ybor City in Tampa is an example of it. It was an area that was settled over 100 years ago by Cubans that came to Tampa to start a very vibrant hand-rolling cigar industry. Again, these are hand-rolled premium cigars. These are people literally sitting down and rolling the leaves, and these are high-end products.

This industry is on the verge of extinction, and I will tell you why. In 2016, the previous administration finalized a rule based on a 2009 law, and, by

the way, its intended target was not premium cigars. They meant to go after tobacco products that we mass marketed and mass produced.

This 2009 law was interpreted in a way in the rule that would require premium cigars to regulate the manufacture, the import, the packaging, the labeling, the advertisement, the promotion, the sale, and the distribution of their products. With each new product, they would have to do it over again.

From year to year, the premium cigar industry may change the blend inside the hand-rolled cigar. They come in boxes of 8 or 12, and every time that one of these things is changed, you would have to redo the labels, redo the packaging, and everything would have to be completely redone, which is simply cost prohibitive because these blends change constantly, especially as you bring new markets.

I have offered an amendment to the minibus that is before us that would exempt premium hand-rolled cigars from the FDA regulations, not just so that the industry can survive but so that it can thrive and also to free up the FDA to go after what it is intended to go after—what everybody thought this was about—which is common tobacco products, like cigarettes and some of the others things that we are aware of.

Now, anytime you talk about this, it gets a little tricky because people talk about tobacco use causing cancer. I am as sensitive to that as everyone. My father was a lifelong smoker. He lost his life in his early eighties because of cigarette smoking.

I think we need to do everything we can to discourage people from smoking and consuming tobacco, especially cigarettes that are consumed in mass quantity and are cheap to buy in large quantities.

I would note that it is already illegal to sell tobacco products to anyone who is under the age of 18.

I would also tell you that beyond that, the numbers have continued to decline in tobacco use. So we know that the laws that are in place and the programs have worked, but one of the things that we have focused on is that tobacco is a legal product and small manufacturers of premium cigars are being harmed by this, but the regulations were not intended for them. The regulations were designed to target cigarettes. They were designed for flavored fat cigarettes and other commonly used tobacco products, the kinds that could potentially be marketed to young people and that are not like a premium cigar—at \$5, \$8, \$10 for each one, or \$80, \$90 a box—but the sort of flavored fat cigarettes and all the new stuff that is coming out that you can buy from behind the counter. They are very cheap to buy, and they are mass manufactured. That is what the rule was about. It was never intended to apply to premium cigars, but the way it is written and the way the rule is in-

terpreted, that is what it is now doing. It is putting the same requirement on a completely different product, and it is a requirement they simply can't meet.

The irony is that all of the things that are targeted under this new rule are going to survive. They are still going to be around. They may be a little bit more expensive, a little harder to bring to market, but they are still going to survive. All the mass-produced tobacco products will survive and continue to be more accessible to young people. They will be able to stay in business, but the premium cigar manufacturers are going to get wiped out.

One more irony in all this: It is still illegal to mass-import Cuban cigars, but you can bring them in in individual quantities. Those are not impacted by these regulations at all—none whatsoever. Think about that for a moment. A product made in another country doesn't have to meet the same guidelines but has all the same attributes.

I talked a moment ago about Tampa and in particular Ybor City, and today in Ybor City, after all this time, there is only one factory left, a company called J.C. Newman. It is within Ybor City, and it is known as Cigar City. They have been making premium cigars—not cigarettes, not flavored cigarettes, not JUULs so people can vape; I am talking about premium, expensive, hand-rolled cigars. They have been making them since 1895, and that is all going to come to an end in the near future if this rule goes through. They are a profitable company. They sell about \$10 million worth of products annually. That sounds like a lot of money, but it is nothing compared to mass-produced products. It is going to cost them three times that amount just to comply with the FDA regulations—three times as much—upwards of \$30 million to comply with this rule, the way this rule has been interpreted.

The sad part about it is that everyone knows this. You go to the FDA, and they say: Look, we get it. The law wasn't supposed to go after these guys. But that is the way it is written, and that is how we are going to have to apply it.

It was never meant to be about them. Everyone admits it. Yet that is the way it is going to be, and that is going put not just J.C. Newman but also other companies out of business. The retailers, the specialty cigar stores, those that sell premium cigars that are contained in a humidor—that is going to put them out of business very soon, all because of a stupid regulation that was written as a result of a law that was not properly drafted and was interpreted inappropriately.

The Federal Government is going to put these guys out of business. The irony is that the people they were trying to impact with the regulation are going to survive and remain in business and be as accessible as ever, and the people no one meant to harm are going to get wiped out. This is the epitome of government overreach and abuse.

Regardless of whether the business is 10 years or 100 years old, this industry represents the livelihood of hundreds of American families. There are people who work in those factories. There are people who own those retail stores. They are going to be out of work, not because the market shifted, not because Americans no longer want to smoke premium cigars, they are going to be out of business because no one can stay in business if the cost to follow the law is three times as much as what you make. You can't do it.

This is a legal product made by hard-working Americans who have been doing this for a very long time. They are not the intended target of this rule. It is unjust for these small businesses to be singled out. It is unjust, unfair, and it is wrong.

The worst part about this rule is that it is written retroactively. So not only will they have to start complying moving forward—because you could argue, well, just change your blend in the future—it goes all the way back to 2007. They are going to have to go back and relabel and repackage everything they have been making for the last 11 years. That explains a little bit about the \$30 million cost for just this one business.

By the way, they have broken no laws. Yet they have been singled out, and this threatens their livelihood.

This is a bipartisan, bicameral issue. A number of Members in the Senate from across the aisle agree with this. I have been working with Senator NELSON on this for a long time. This is not a partisan issue, not a Big Tobacco issue; this is a premium cigar issue. These are consumed differently than cigarettes by different groups of people in different ways. You don't smoke 10 cigars a day. We just know this. It is common sense. But this is what is going to happen. We are going to wipe these guys out because of a government rule and the way it was interpreted even though it was never meant to be about them.

We have an amendment. We have a law that fixes all this. I am not going to offer it on this bill because it is already part of the House package that lines up with the appropriations bills that are before us, but I wanted to point this out because I know that people in Ybor City and people around the country who care about this issue are watching, and I want them to know that when this issue gets conferenced with the House, we are going to be fighting for this. This needs to get fixed.

This is the last chance. That is the other point. This rule is about to kick in. The comment period is about to end, and the rule is going to kick in. This is our last chance. If we don't get it right here when we work this out, this is going to happen. You are going to be reading about it. Maybe it doesn't matter in some places. It matters a lot to Florida, and it matters a lot to this company in Ybor City in Tampa. It matters a lot to hundreds of thousands

of people across the country who work in the retail shops that sell them and who work in the places hand-rolling and making them.

This is wrong, and we should do everything we can to stop it from happening. I hope we will deal with this issue in conference. I am glad it is in the House version. I wish we could get it in the Senate version. We are going to fight to include it in the final version. We are not going to watch as J.C. Newman and small businesses like it are put out of business by a rule that was never supposed to apply to them.

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

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

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 1006.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Britt Cagle Grant, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

#### CLOTURE MOTION

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

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

The assistant bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Britt Cagle Grant, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

Mitch McConnell, Cindy Hyde-Smith, David Perdue, Mike Crapo, Mike Rounds, John Boozman, Ron Johnson, John Barrasso, Steve Daines, John Cornyn, Johnny Isakson, John Thune, James E. Risch, Richard Burr, Lindsey Graham, Thom Tillis, Roy Blunt.

### LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

INTERIOR, ENVIRONMENT, FINANCIAL SERVICES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019—Continued

#### CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk for Senate amendment No. 3399.

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

The assistant bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3399 to H.R. 6147, an act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

Mitch McConnell, Thom Tillis, Johnny Isakson, Orrin G. Hatch, John Hoeven, Bob Corker, James Lankford, Lindsey Graham, Mike Crapo, David Perdue, Mike Rounds, Steve Daines, Roger F. Wicker, John Boozman, James M. Inhofe, Roy Blunt, Jerry Moran.

#### CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk for H.R. 6147.

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

The assistant bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the H.R. 6147, an act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

Mitch McConnell, Thom Tillis, Johnny Isakson, Orrin G. Hatch, John Hoeven, Bob Corker, James Lankford, Lindsey Graham, David Perdue, Mike Crapo, Mike Rounds, Steve Daines, Roger F. Wicker, John Boozman, James M. Inhofe, Roy Blunt, Jerry Moran.

### THE AMERICAN LEGION 100TH ANNIVERSARY COMMEMORATIVE COIN ACT

Mr. McCONNELL. Mr. President, I understand that the Senate has received a message from the House to accompany S. 1182.

The PRESIDING OFFICER. The Senator is correct.

Mr. McCONNELL. Mr. President, I ask that the Chair lay before the Senate the message to accompany S. 1182.

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

*Resolved*, That the bill from the Senate (S. 1182) entitled "An Act to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion," do pass with amendments.

#### MOTION TO CONCUR

Mr. McCONNELL. Mr. President, I move to concur in the House amendments to S. 1182.

#### CLOTURE MOTION

Mr. President, 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 assistant bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendments to S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

Mitch McConnell, Thom Tillis, John Cornyn, John Kennedy, Bill Cassidy, Marco Rubio, Jerry Moran, Cindy Hyde-Smith, Pat Roberts, John Thune, Lisa Murkowski, Chuck Grassley, Johnny Isakson, Mike Rounds, John Hoeven, Richard Burr, Richard C. Shelby.

#### MOTION TO CONCUR WITH AMENDMENT NO. 3628

Mr. McCONNELL. I move to concur in the House amendment to the text of S. 1182, with a further amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. McConnell] moves to concur in the House amendment to S. 1182, with an amendment numbered 3628.

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 my 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. 3629 TO AMENDMENT NO. 3628

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

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. McConnell] proposes an amendment numbered 3629 to amendment No. 3628.

Mr. McCONNELL. Mr. President, 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: