

Gillibrand	Leahy	Sasse
Graham	Manchin	Schumer
Harris	Markey	Scott
Hassan	McCaskill	Shaheen
Hatch	McConnell	Shelby
Heinrich	Menendez	Smith
Heitkamp	Merkley	Stabenow
Heller	Moran	Sullivan
Hoehn	Murkowski	Tester
Hyde-Smith	Murphy	Thune
Inhofe	Nelson	Tillis
Isakson	Perdue	Udall
Johnson	Peters	Van Hollen
Jones	Portman	Warner
Kaine	Reed	Warren
Kennedy	Risch	Whitehouse
King	Roberts	Wicker
Klobuchar	Rounds	Wyden
Lankford	Rubio	Young

NAYS—6

Flake	Lee	Sanders
Grassley	Paul	Toomey

NOT VOTING—4

Hirono	Murray
McCain	Schatz

The PRESIDING OFFICER. On this vote, the yeas are 90, the nays are 6.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

LEGISLATIVE SESSION

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019—Continued

The PRESIDING OFFICER. Cloture having been invoked, the Senate will resume legislative session on H.R. 6157, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

Pending:

Shelby amendment No. 3695, in the nature of a substitute.

McConnell (for Shelby) amendment No. 3699 (to amendment No. 3695), of a perfecting nature.

Leahy amendment No. 3993 (to amendment No. 3699), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, as vice chairman of the Appropriations Committee, and I am sure I can also speak for the chairman of the Appropriations Committee, we appreciate this vote, so we can move forward.

We have spent the last week on the Senate floor. But, what many people have not seen are the hours and hours that Senators, both Republicans and Democrats, have spent working together to get where we are today. Many people have not seen the countless of hours more being done by our staffs. Sometimes at 1 in the morning, they are still negotiating parts of this bill.

We are just within an hour or so of doing something the Senate, as Senator MCCONNELL pointed out, has not been able to do in years.

I think we will pass a good, responsible and within-the-budget piece of legislation. Both Republicans and

Democrats had a voice in the process. We held numerous votes in the Senate Appropriations Committee, all of them overwhelmingly bipartisan, many of them unanimous—with the exception of one or two votes—to get to where we are today.

I see some of the chairs from our subcommittees who worked very hard to put together these bipartisan coalitions. I know a lot of people are anxious to get out of here, and soon they will be headed to the airport. Let's get this done. Let's show that the U.S. Senate is actually doing its work. Let's do what we were elected to do, what we know how to do, and what we can do.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I am on the floor to thank the ranking member of the full committee for his good, hard work on this bill and certainly Senator SHELBY and the subcommittee chairs.

We are here to talk about some of the important issues in this bill and how consequential this bill will be and has the potential to be.

We are encompassing both Defense and Labor-HHS, both of which passed out of our committee a few weeks ago with bipartisan support and a lot of input from Members in the process.

Bills of this magnitude deserve to be debated on the Senate floor, as we are doing today. I will first address the defense part of this measure because I think it impacts not only our standing here and our military here but also has a global impact.

President Trump has made rebuilding and strengthening our military one of his administration's primary objectives, and this bill helps him do exactly that.

This legislation invests in programs, projects, technologies, and capabilities that will strengthen our Nation's military. More importantly, it invests in the people behind all of these efforts by including a 2.6-percent raise for all of our military. That includes our National Guard.

Our National Guard's presence in West Virginia is essential not only to our Nation's security but to all the core values and the core strengths the National Guard brings to the State of West Virginia. All of these men and women deserve our support and our commitment to provide them with what they need to defend freedom both here and abroad.

Of course, the legislation under consideration doesn't just focus on the military; it also focuses on another war being waged right here in our country, and that is the fight against the opioid epidemic.

Under the leadership of Chairman BLUNT—and he has been fantastic in the committee—the Labor-HHS Subcommittee has made this issue a top priority, and I could not be more grateful, more proud, and, even more importantly, more hopeful.

We saw the statistics come out last week that there have been over 70,000 deaths across the country. It is deeply troubling as to how to get the best handle on this very difficult problem.

Over the past 4 years, we have increased funding for this effort of fighting the opioid crisis by more than 1,275 percent, but we haven't done this blindly. We are just not throwing money at the problem. I think we have been very thoughtful, as have our partners in the State and local areas.

We have focused on treatment through our community health centers. We have focused on prevention, working with the CDC. We have focused on recovery through our workforce initiatives. We have focused on research at NIH, where, hopefully, NIH can develop a nonaddictive opioid treatment, which I think will be a major breakthrough for this problem, and we have focused on directing funding to the States to meet the local challenges through their State opioid response grants. We have also focused on the ripple effects of this epidemic, including the impact on families and children in foster care. These are all important resources and much needed.

I want to call special attention to our work, something that is extremely important to my home State of West Virginia. In the previous funding legislation, when we were dealing with this problem, I authored language with Senator SHAHEEN. We had language directing funds in the State opioid response grants to those States with the greatest needs.

The unfortunate metric in my State, and certainly in the Presiding Officer's State as well, is that we have States with smaller populations, but we have some of the biggest impacts, the highest addiction, the highest overdose, and the highest death rates across the country. This has enabled us to focus more funding on those States that are more deeply affected but don't have the population to have enough formula funding in those States to meet our needs.

Just a few weeks ago, our State Department of Health and Human Resources released the preliminary numbers. So far in West Virginia, we have had almost 500 opioid-related deaths. While this is the most devastating statistic, when it comes to West Virginia and the opioid epidemic, it is not the only one. It is not the only one we need to look at.

We are seeing an increasing number of children in foster care. This has impacted the entire family. There are more grandparents and great-grandparents who are raising their grandchildren and their great-grandchildren.

Our State has an increased need for treatment facilities. We have more babies who are requiring neonatal care, as well as the services as they grow. This has impacted our entire State very deeply. I have seen these needs firsthand through visits to the facilities, conversations with families, counselors, recovering addicts, healthcare professionals, and first responders.

I can say that living in a smaller area, more rural area of our country, I know families personally who have been impacted by this. It is heart-breaking how many people need help, and I think this bill takes major steps to help in delivering that.

While the opioid epidemic is a very significant focus of Labor-HHS, I wish to highlight some of the other valuable investments. One that is a personal priority of mine, and I know of Chairman BLUNT's, and many of us, as well as Senator COLLINS, who is here today, is the funding we provide for Alzheimer's research.

In the last 4 years, both of my parents have died with severe dementia and Alzheimer's. It is probably the saddest and hardest thing we, as a family, have ever had to face.

I understand the emotional, physical, and financial toll it takes on patients, their caregivers, and families, because a lot of the caregivers are family members. It is a devastating disease, which is why I have been such a supporter of a wide range of Alzheimer's-related legislation.

With this bill we have surpassed, with the help of Chairman BLUNT and his leadership, a \$2 billion milestone when it comes to Alzheimer's research. That isn't just for research. It is also to figure out the best way to help our caregivers.

Also in this bill, we have directed help to other priorities to a lot of rural States like mine for community health centers, which are critical.

As for apprenticeship grants, I was just with the plumbers and pipefitters. Apprenticeships are absolutely critical to the workforce that we need.

There is the IDeA Program at NIH, which drives research dollars out to universities, away from the main campus of NIH. Certainly, our colleges and universities are taking advantage of this, in particular West Virginia University.

We also fully fund—and I am very excited about this—with the help of Senator REED, our bill on childhood cancer. It is called the STAR Act. We introduced it, and we passed it. This legislation will expand opportunities for childhood cancer research, improve efforts to identify and track childhood cancer incidences, and enhance the quality of life for our childhood cancer survivors. Many of them have cancer and have treatments in their younger years, but what happens to them as they enter their teenage years, their young adult years, or if they move into family life? There are impacts that impact our childhood cancer survivors all

throughout their life. So I am really pleased with the efforts we have made there.

In short, this legislation aims to improve the health and well-being of every single American.

When it comes to the Department of Labor, very briefly, this is important for us in West Virginia. There is a training program there for displaced coal workers and coal miners. We have re-funded that. We have pushed more funding to that, I should say. "Re-fund" sounds a little confusing, I think.

We have also increased the maximum amount for Pell grants.

These are just a few highlights of this piece of legislation with a few critical resources that will make a big difference.

I know this bill will benefit my State of West Virginia because it recognizes the needs and opportunities facing our State and Nation and it provides the resources we need to seize those opportunities. It also demonstrates, for the first time in a long time, that we have worked together and we have worked across the aisle. We have been able to have our say as Members—every single one of us—as to where and how we want to see both Defense and Labor-HHS, these enormously impactful agencies, and how they impact our lives. For me, that is a major victory, being a member of the Appropriations Committee.

So I want to extend again my gratitude to the subcommittee chair, Senator BLUNT, and the ranking member, Senator MURRAY, and then to our two major chairs, Senator LEAHY and Senator SHELBY. It is a good day here on the floor of the Senate.

Thank you.

I yield the floor to Senator MORAN.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, it is such a privilege to be here on the Senate floor today on this occasion as we work our way through another set of appropriations bills. Today we are working on the Defense appropriations bill and the bill we call Labor-H, which involves the Department of Health and Human Services, which includes the National Institutes of Health, or NIH.

The Senator from West Virginia was correct in her commentary with regard to this being a good day, but she was also correct in her commentary about the number of people, including, especially, the chairman of the subcommittee, Senator BLUNT from Missouri, and the ranking member of that subcommittee, Senator MURRAY from Washington State, and I too serve on the subcommittee.

I am also pleased to be here with the Senator from West Virginia, Mrs. CAPITO, and the Senator from Maine, Ms. COLLINS. It is an indication that there is broad support. I also notice that the ranking member, the vice chairman of the committee, is with us as well, Senator LEAHY from Vermont.

For as long as I have been in the U.S. Senate—and I have been a member of the Appropriations Committee since that arrival—it has been a mission of mine to see that we increase the amount of funding for the National Institutes of Health. Today we particularly highlight the consequences—the good things that happen—in that regard, with the diseases of the mind—Alzheimer's, in particular.

Alzheimer's is a devastating disease that places such an enormous burden on so many people, on so many families across Kansas and around the country, and it has a huge impact on lives. There are currently more than 5 million Americans living with Alzheimer's and their combined care costs \$259 billion to our healthcare system each year.

I appreciate the opportunity to work on issues that combine the opportunity to help individuals and the care and compassion that come from one's heart to see that people's lives are improved and that families are changed as a result of the work. I also appreciate the opportunity to work on issues in which the mind kicks in and in which we can save significant dollars in our healthcare delivery system by finding the cure to Alzheimer's and delaying the onset of this horrific disease.

It is estimated that by 2050, this number—the \$259 billion to our healthcare system costs—could rise as high as 16 million people with Alzheimer's, or from 5 million to 16 million, and increase the cost from \$259 billion to over \$1 trillion. In fact, an individual develops Alzheimer's almost every single minute in our country. These predictions do not need to become a reality. That is what this Appropriations Committee report that we will discuss, debate, and vote on this week involves. These astronomical costs can be curbed if this disease can be made treatable and curable.

There is hope that progress is being made. I am hopeful, but I know that progress is being made. We have seen it. This past decade has bought a significantly increased awareness to Alzheimer's research, as well as important partnerships and developments at the National Alzheimer's Project, which is updated on an annual basis.

NIH researchers are now able to study an increased level of small images of proteins, including detailed physical structures of the brain that are common in individuals suffering from Alzheimer's. This new development could be the piece that brings the research and data together to find a way to reverse the disease's impact on the human brain. What a wonderful development that would be.

The only way to build on this progress is to solidify our commitment to supporting the National Institutes of Health through our annual funding increases. Again, I am pleased to see that we are once again adding significant dollars to the NIH, and particularly to NIA, for this research.

As a cofounder of the Senate NIH caucus, I visited NIH headquarters last year with directors of the University of Kansas Alzheimer's Disease Center. It is one of 31 NIH-designated Alzheimer's disease centers across our country. The promising research that we see at home at the KU Alzheimer's Disease Center demonstrates the benefits of NIH utilizing partnerships to increase research capacity that yields results.

It is critical to note that NIH's ability to support Alzheimer's at academic institutions such as KU is dependent upon stable annual appropriations. That stable annual appropriation is also important for us to be able to attract the best and the brightest researchers in this country, who need to know there is a stable source of research dollars for them to continue their efforts of finding this cure and delaying it at its onset.

So many of us care for people who have been affected by Alzheimer's and serious illnesses. This unfortunate circumstance that many share should make it easy to rally around NIH in hopes of that cure and improving the lives of those we love.

I am proud to say that with this proposed increase of \$425 million in fiscal year 2019, we have now worked to nearly triple the funding for Alzheimer's disease research over the past 3 years.

In addition to our work in the appropriations process, there are a number of legislative efforts that are under way. I will mention two of them: the BOLD Act and PCHETA. These are legislative initiatives sponsored by many of us who are speaking today about Alzheimer's that on the authorizing side, separate from the appropriations side, are deserving of the support of my colleagues here in the Senate, in the House of Representatives, and in our bill, which should be sent to the President of the United States for signature.

As a committee and as a Congress, we must work to provide the necessary support to NIH to discover treatments and cures, and we will continue to do that with this bill today.

I also want to take a moment to recognize a couple of people. In my involvement in this issue, and, as a matter of fact, in my involvement as a U.S. Senator with issues in general, we meet lots of interesting and caring people. There is a family I have met who, to the best of my knowledge, has nothing personally to gain from their efforts. Bob and Jill Thomas and brother Bill and Susan Thomas from Oklahoma have been relentless, tireless advocates on behalf of the Alzheimer's community. It is so pleasing to me to know people who have care and compassion for people and who spend their time and their resources making sure that Members of Congress, the American people, and the Alzheimer's Association have the resources and information necessary to accomplish the goal that we are all about: a better life for more Americans and their families, the elimination of this disease that Ameri-

cans now face, and the opportunity for us to find the cure to this horrific disease that affects so many.

So I want to use the moment to express my personal gratitude to Bob and Jill and to Bill and Susan and to others across the country and others in Kansas, who go to work, day to day, to make certain that life is better for their fellow Americans and for people around the globe.

Again, it is an honor to be here with my colleagues in support of this legislation. There are many reasons to be supportive of the Labor-HHS bill, but I would highlight this one as one that my colleagues can rally around. Republicans and Democrats of all walks of life should be pleased by our efforts today to see that there are more research dollars available for the cure.

I appreciate the opportunity to join my colleagues.

I now yield the floor to the Senator from Maine, Ms. COLLINS.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, what a pleasure it is to be here on the Senate floor with such determined advocates on behalf of the families all across our Nation who are dealing with this devastating disease of Alzheimer's.

I spoke earlier in the week about the many terrific provisions in this bill on the Defense appropriations side and on the Labor, Health, and Human Services part of the appropriations package, but I am delighted to be here today to shine a spotlight on the additional funding for Alzheimer's disease.

As a member of the Appropriations Committee, it has been such a pleasure to work with my colleagues, including Senator MORAN, Senator CAPITO, and our leader, Chairman BLUNT, on this shared priority year after year. I particularly want to recognize the extraordinary leadership of Chairman BLUNT in making sure that adequate funding is provided for this devastating disease.

Alzheimer's is the sixth leading cause of death in the Nation, and it is increasing at unprecedented rates. Like many families, mine too has known the pain of its devastating consequences. Today, an estimated 5.7 million Americans are living with Alzheimer's.

In addition to the human suffering it causes, Alzheimer's is our most costly disease at \$277 billion a year, with Medicare and Medicaid covering \$186 billion. Without a change in the current trajectory, the number of Americans with Alzheimer's is expected to triple to as many as 14 million by 2050, costing more than \$1.1 trillion per year and bankrupting the Medicaid system.

Fortunately, Congress has taken significant actions and in this bill recognizes the urgent need to continue our investment full speed ahead.

Since the 2011 signing of the National Alzheimer's Project Act, known as NAPA, which I coauthored with former Senator Evan Bayh, we have increased funding for Alzheimer's by \$1.36 billion.

Seven years ago, NIH received only \$440 million for this research, compared to more than \$5 billion for another very serious disease—cancer. Since that time, we have steadily boosted Federal research dollars for Alzheimer's—to \$936 million in 2016, \$1.4 billion in 2017, and \$1.8 billion last year—but this bill before us achieves a milestone because by adding another \$425 million for this research, the total funding for the first time will exceed the \$2 billion mark. This is the largest increase in history, and it allows us to reach the level that experts have advised us is necessary to find a means of prevention, effective treatments, or ultimately a cure by the year 2025.

This has been a bipartisan commitment. Alzheimer's doesn't care whether you are a Democrat, a Republican, an Independent, or a Green. It does not discriminate. This robust commitment promises returns such as we have seen for cancer, diabetes, and other chronic illnesses. Fueled by Federal support, researchers are beginning to understand more clearly the complex biology of Alzheimer's with sophisticated new tools that are leading to better imaging agents and therapies.

NIH research is laying the foundation for precision medicine through the Accelerating Medicines Partnership for Alzheimer's Disease, which will produce more targeted therapies that I believe will lead to a means of either preventing or at least delaying the onset of this disease. With NIH funds, scientists are also exploring possible risk factors, including diet, heart health, diabetes, and exposure to environmental toxins. Results from the Systolic Blood Pressure Intervention Trial released last month found that lowering blood pressure is associated with reducing the risk of mild cognitive impairment and dementia.

Through a \$25 million NIA grant, the Jackson Laboratory in Maine is co-leading the Alzheimer's Disease Precision Models Center with Indiana University—the first of its kind—to accelerate the most promising research into therapies from the bench to the bedside. This is exactly the kind of collaboration and sharing we need to make a difference.

As chairman of the Senate Aging Committee and founder and co-chair of the Senate Alzheimer's Task Force and as a Senator representing the oldest State in the Nation by median age, I am committed to making 2020 the dawn of light for Alzheimer's to alter the path for generations to come. The robust support in this bill represents a historic step forward that will promise dividends in the future. As glimmers of light seep through this door that has been shut tight for far too long, we must continue to push forward. We cannot let up on the accelerator of funding.

We need to improve the lives of those living with Alzheimer's and their caregivers. How many of us have seen an elderly parent caring for a beloved

spouse with severe dementia? It takes a toll not just on the victim of the disease but on the entire family and particularly on the caregivers. That is one reason I have introduced the BOLD Infrastructure for Alzheimer's Act with Senator CORTEZ MASTO. This bipartisan bill would promote public health knowledge and awareness of Alzheimer's disease, cognitive decline, and brain health by supporting implementation of the CDC's Healthy Brain Initiative: Public Health Road Map. BOLD now has 48 cosponsors, I am delighted to report, and we are on track to consider the bill soon in the HELP Committee, led by Senator ALEXANDER and Senator MURRAY. BOLD follows our previous efforts, such as NAPA, and, together with the extraordinary increase in NIH funding that we are providing today, these congressional actions are poised to usher in a whole new era in our battle against this devastating disease.

I have visited research laboratories all across the United States—the Mayo Clinic, NIH here in the Washington area, Jackson Laboratory in the great State of Maine, the University of Pennsylvania, Harvard—and I have seen what is going on in the labs due to the increases in NIH funding we have provided. It is so exciting. I am convinced that if we sustain this commitment, we will be able to avoid such tragedy for so many American families, as well as avoid the tremendous burden of our Nation's most costly disease.

Again, I salute Chairman BLUNT's efforts to continue to press forward and thank him for his leadership and strong support of biomedical research.

I yield the floor to the chairman of the subcommittee, Senator BLUNT.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, certainly I want to thank my colleagues today for the credit that they have shared with me and that I am reluctant to accept. This is clearly an effort to establish what our priorities are. There are a lot of things in this bill that are good things for somebody to do. In some cases over the years, we have not done them as well as we should have, and well-intentioned programs didn't work. We have gone through the process of eliminating programs and combining programs so we could set the priorities mentioned just this morning by Senator COLLINS, Senator CAPITO, and Senator MORAN.

When you think about what we are talking about here—healthcare research, the opioid epidemic, and what is happening in the Alzheimer's space—we would have never imagined these numbers in cost or family impact.

There is one thing I want to mention just briefly before we end this part of our discussion. I think between votes and other things this morning—Senator CARDIN is here and, like me, planned to do what I am doing now about an hour ago. So I am going to take just a couple minutes.

I want to talk a little about the labor part of this bill. For the first time in the 20 years we have been keeping statistics on jobs available and people looking for work, this is the first time there are more jobs available than people looking for work. That is a big number and a big thing to think about.

The other thing to think about is that the match between the people looking for work and the jobs available is not exact. In fact, most of the people looking for work don't have the skills for the jobs that need to be done. Recently, I was in Missouri visiting with a small manufacturing company. They had 20 job openings and were just waiting for somebody to come in the door who had the skill set for those job openings.

What we do to do a better job of combining the skills people need with the jobs that are out there or the jobs that will be out there—the apprenticeship programs in this bill that Senator MURRAY and I have particularly been focused on with Secretary Acosta give people new ways to get ready for work. They create new ways for partnering between people already in the workforce and someone they can mentor, an apprentice. We are looking at the Pell grant area for ways that the post-high school Pell grant can be used in different ways that allow not just traditional college programs but various kinds of certificated programs that allow people to go to work in areas where there are high demands. Right now, construction, energy, hospitality, healthcare, and manufacturing are only a few of the industries where jobs need to be done.

We have around 400 registered apprenticeship programs in my State, with more than 13,000 apprentices working with several hundred employees. There are 530,000 Americans in apprenticeship programs nationwide—over half a million Americans—getting ready for the jobs that are out there.

What the Department of Labor is doing with Job Corps—for years, the major Job Corps measurement has been “Did you get some kind of certificate?” Well, we are now shifting from “Did you get some kind of certificate?” to “Did you get a job?” It is great to have a certificate; it is a whole lot better to have a certificate that gets you a job.

Over the next 3 years, we are moving from—of course you get the certificate—that is a basic part of the program—but does it lead to a job, and do you still have that job or a job like it a year later? That is how the people running these programs are going to be measured in the future, as opposed to whether they just got somebody through the program. Now it will be “Did you get somebody through your program in a way that met the goal of the Job Corps?” It is not the Certificate Corps; it is the Job Corps—now measuring by getting a job.

This bill is reflective of the new efforts in our society to try to match people with the jobs that are out there

and to do the kinds things in our economy that ensure that those are jobs that allow people to raise a family and allow people to have opportunities they wouldn't have otherwise.

So I am looking forward to later today when I believe we will all vote for this bill—Labor, Health and Human Services, and Education, combined with the critically important bill on defense.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, before Senator BLUNT leaves the floor, let me thank him for his leadership in regard to the provisions in the bill before us that relate to Alzheimer's and the research.

As has been pointed out, this is bipartisan. We strongly support the efforts in this bill. I would just like to put one face on it, if I might.

REMEMBERING SALLY MICHEL

Mr. President, this past week, Sally Michel, a distinguished leader in our community, died after 10 years suffering from Alzheimer's. We lost her way too early to this disease. She was an extraordinary person—a professional civilian activist, advisor to Governors, mayors, and legislators, and she left a great legacy. She established the Parks and People Foundation in Baltimore and the SuperKids Camp Program. She helped start the Baltimore School for the Arts.

She developed private sector partnerships, working with government to get things done. She was a very effective youth in our community, and underserved areas benefit today from the programs she started. I was very proud of my granddaughter, Julia, when she volunteered at one of these SuperKids Camps this summer in Baltimore City.

My point is, she was taken way too early as a result of Alzheimer's. There are many reasons we have to make an extraordinary commitment to finding answers to this very challenging and cruel disease. I can assure my colleague from Missouri, all of us in this Chamber support the efforts that are being made to make sure we are full partners in the Senate to move forward on conquering this disease.

H.R. 6157

Mr. President, I want to talk about two amendments I filed for the bill that is before us and the reasons I filed those amendments. One deals with the cost of prescription drugs. Prescription drug costs are out of control. Any of us who have been to any townhall meetings—I have been to many in my State—we hear constituents all the time talk about the fact that there is a serious challenge as to whether they can afford to take the medicines they need in order to control their disease, whether it is diabetes, heart, kidney, or cancer.

So many patients have to make very tough decisions as to whether they can afford the prescription drugs that are necessary for their care. Many are going into debt. We are now seeing people going into bankruptcy because of

medical debt from prescription drugs, and many are going without the medicines themselves. We need to do something about it.

According to the Federal Government's own projections of cost, the projected cost for prescription medicines will exceed \$360 billion. A study in Maryland showed about \$1 out of every \$4 spent in healthcare goes to medicines and prescription drugs.

The projected growth rate of prescription drugs is much higher than the projected growth rate of healthcare costs, which is much higher than the projected growth rate of our cost of living. The costs of 4 of the top 10 drugs have increased more than 100 percent since 2011.

It is not just the exotic, expensive, or orphan drugs we are talking about. These are drugs that are desperately needed to deal with common illnesses. We all know the EpiPen story. In 8 years, a pack of two has gone up from \$100 to \$600.

We might say, well, there is a cost issue in developing new drugs.

When you look at what Americans pay for their prescription drugs versus what Canadians or individuals in the industrial nations of the world pay, you cannot justify the pricing in America. It is two to three times higher. In some cases, it is even more than what consumers in industrialized nations spend for the exact same medicines that are manufactured here.

What can we do about it? The amendment offers us the ability to get the information we need, but there are three proposals I urge our colleagues to take up in this Congress. One is the Medicare Prescription Drug Negotiating Act. We should use our bargaining power, our market power, to bring down the cost of medicines. That is what every other industrial nation does. Yet we do not allow Medicare to negotiate a collective price for the medicines they pay for under the program. That is costing our taxpayers and consumers money.

Second, there is a bill that is known as the SPIKE Act that deals with the exorbitant price hikes we have seen in certain medicines. The bill requires disclosure and explanation. The pharmaceutical industry should at least disclose and explain why we had the extraordinary increases.

Lastly, we need to improve Medicare Part D. The out-of-pocket costs are not affordable. We have to put reasonable limits on what people can afford and cover what is beyond those reasonable limits.

All of us support the development of new drugs to deal with the challenges of healthcare today. It is a cost-effective way to deal with the healthcare problems in our community, but we want to see fair pricing. Why should American consumers have to pay so much more than consumers in other industrial nations? In many cases, the basic research that went into developing that drug was paid for by U.S.

taxpayers, the work done at NIH and research facilities in this country. We need to have fair pricing, and we need to act. We can no longer wait.

The second amendment I wish to talk about is the amendment I filed that deals with the Army Futures Command. This amendment would prohibit funding for the establishment of the Army Futures Command headquarters for this fiscal year.

The purpose of this amendment is to delay the establishment of the Army Futures Command's headquarters until two current GAO investigations looking into the Army's rationale and plans for establishing a new command as well as the GAO's investigation into the impacts a new Futures Command, might have on small business have concluded. It will also give the Army time to respond to the reports on Futures Command required by the John S. McCain NDAA for fiscal year 2019.

These investigations and reports will conclude by the summer of next year, allowing the Army time to complete their plans for the command during this fiscal year. Most importantly, it gives the Army additional time to take a deliberative approach to their acquisitions overhaul.

Congress has asked questions about the Army's plan to establish this command. What are the true costs for moving personnel? How many studies did the Army conduct to develop this plan, and what were the options presented? Unfortunately, the Army has not been able to provide these answers. My fear is, the Army is not executing this organizational transformation in a deliberative and coherent manner.

We all want the men and women of the Army to have the best technology in the world. However, we also have a responsibility to be good stewards of the taxpayers' dollars. When the Army can't provide basic answers, provide clarity on their plan, or even identify how this plan was formulated, it leads me to believe the Army is building this tank while it is still moving.

History has proven this strategy has not led to the outcome for which we hoped. It took the Army almost a decade and multiple studies to establish a new physical fitness test. Surely, a new Army acquisition model should take more than a year to develop. How is it possible for the Army to establish a brandnew acquisition program in a far shorter amount of time without studying all the impacts and implications?

It is important to note, this amendment does not prevent the Army from moving forward on its Big Six priorities. This amendment would not stop the current research and development initiatives in which the Army is currently investigating the resources and energy. However, it does give the Army the time to develop a feasible plan to determine if creating a brandnew bureaucracy with the Army for acquisition is the wisest approach.

My biggest concern is, these major shifts in resources, time, and effort by

the Army will squander and amount to another waste of \$20 billion, as we saw in the Future Combat Systems. The Army has nothing to show for that program, our troops were not well served by the Army's leadership strategy, and no one was held accountable.

This measure guarantees the requisite accountability on the Army's part and congressional oversight in the matter at hand to safeguard our Armed Forces against another Future Combat System debacle.

Bottom line, oversight is our responsibility. We all support our men and women. We want the most sufficient system possible, but we have to get answers to questions before we commit to this type of change. My amendment will allow us to have adequate information before that decision goes forward.

With that, I yield the floor.
The PRESIDING OFFICER (Mrs. FISCHER). The Senator from New Jersey.

NOMINATION OF BRETT KAVANAUGH

Mr. MENENDEZ. Madam President, I come to the floor because President Trump, his administration, and this Republican Congress are engaged in a heartless and deliberate plot to rip healthcare away from millions of Americans, and it is only going to get worse.

It was a little over a year ago when Americans rose, made their voices heard, and stopped Republicans from passing TrumpCare. Ever since they were able to repeal the Affordable Care Act on the Senate floor, this administration has pursued a cynical campaign to sabotage the Affordable Care Act from behind closed doors. The Trump administration slashed the open enrollment period, leaving Americans with less time to get covered, and, to confuse consumers, they cut advertising and outreach funding. They abruptly eliminated cost-sharing payments, raising out-of-pocket expenses for many struggling families.

Earlier this summer, they rolled back consumer protections and gave insurers permission to sell more junk health plans to consumers—plans that leave people more vulnerable to massive medical bills that bankrupt their families. They even intervened in a court case to have protections for pre-existing conditions struck down, jeopardizing coverage for 3.8 million New Jerseyans who have a preexisting condition.

Every act of sabotage has contributed to soaring healthcare premiums, fewer choices for consumers, and millions of Americans losing their healthcare coverage under this President's watch. Now we face President Trump's greatest act of sabotage yet—the nomination of a judge to the Supreme Court who has decried the constitutionality of the Affordable Care Act at the very same time this administration is arguing in court that protections for preexisting conditions are unconstitutional—unconstitutional.

As a candidate and as President, Donald Trump repeatedly pledged to

protect people with preexisting conditions, saying on “60 Minutes” that he would “take care of everybody.”

Before the Affordable Care Act, insurance companies could discriminate against any American who had a preexisting condition. What is that? That is some illness you acquired in your life. It is that heart attack or the Parkinson’s disease or the birth defect you had when you were born that allowed an insurance company to discriminate against you and either deny you healthcare coverage or make the cost so exorbitant, it was impossible to afford. The Affordable Care Act I helped write ultimately eliminated that discrimination and the ability of insurance companies to do that.

In New Jersey alone, which has a little over 9 million people in the State, 3.8 million New Jerseyans have a preexisting condition.

The President also said he replaced the Affordable Care Act with “something terrific.” There is nothing terrific about breaking a promise that threatens the lives and livelihoods of millions of families.

I remember when President Trump promised to stand up for the so-called forgotten men. I guess he forgot about them when he signed a Republican tax scam into law, handing trillion-dollar tax cuts to big corporations at the expense of working families and New Jersey’s middle class, taking away or limiting significantly our State and local property tax deduction. He definitely forgot about the forgotten when he reversed his position on preexisting condition protections.

The administration’s plot to derail the Affordable Care Act and the nomination of Brett Kavanaugh has implications for every family in America, no matter whether they are covered by an employer or by their own insurance on the marketplace.

People remember what it was like before we passed the Affordable Care Act. It wasn’t so long ago that healthcare insurance companies could pick and choose who got covered and drop their customers the moment they got sick. Before the Affordable Care Act, women could be denied coverage for maternity care. Women in many parts of the country ultimately were discriminated against by being charged more than their male counterparts in the same age group, in the same geography, simply because they were women.

Today, women no longer are considered to have a preexisting condition under the law simply because they are a woman.

Before the Affordable Care Act, babies born with heart deformities could hit lifetime limits within days of being born. Today, families don’t have to worry about lifetime caps.

Before the Affordable Care Act, cancer survivors and Americans with chronic conditions like diabetes or asthma could be charged exorbitant premiums and priced out of coverage altogether. Today, those patients are protected from discrimination.

This guaranteed coverage for preexisting conditions formed the very heart of the Affordable Care Act. But if confirmed, Judge Kavanaugh could drive a stake right through it. That is because this judge has a long history of ruling against consumers and for big corporations, and that doesn’t bode well for the 133 million Americans who live with preexisting conditions in this country. That includes those 3.8 million people in New Jersey. For me, that is 3.8 million reasons to oppose Kavanaugh’s nomination, and that is before we even get to his hostile views with respect to *Roe v. Wade*.

Make no mistake, the anti-choice, anti-Affordable Care Act, and anti-everyday American views of Judge Kavanaugh are not up for debate. President Trump has been crystal clear about nominating only judges opposed to *Roe v. Wade* and a woman’s right to choose.

So when I read reports about Judge Kavanaugh telling my colleagues here in the Senate that *Roe v. Wade* is “settled law,” I have to chuckle because, let’s be clear, his hollow words mean absolutely nothing. The Supreme Court has the power to unsettle so-called settled law whenever they make a ruling, and we have seen in the Court’s recent decisions, such as in the *Janus* case, where years of settled law all of a sudden became unsettled.

I don’t question Judge Kavanaugh’s experience or his intelligence, but I do question his history of partisanship and impartiality. I question his ability to put aside his decades of work in Republican politics. I question his connections to far-right groups that have spent decades rolling back women’s constitutional rights and rigging our courts in favor of the rich and powerful.

The American people deserve a Supreme Court Justice who will defend their rights and strive for a legal system in which workers, consumers, patients, and families go to court on a level playing field at a time when powerful special interests are too often holding all the cards.

Instead, they have been given a nominee groomed by rightwing organizations like the Heritage Foundation and the Federalist Society to do the bidding of their big corporate donors.

If confirmed, Donald Trump will have replaced the only swing vote on the Supreme Court with a partisan who swings only to the far right, and Brett Kavanaugh will be in a position to cast a deciding vote, should the Trump administration’s assault on the Affordable Care Act end up in the Supreme Court. That is frightening, and it is frustrating, especially because any one of my Republican colleagues has the power to make a real difference. Any one of my colleagues in the majority could demand we don’t confirm a Supreme Court nominee until this administration stops its assault on the rights of patients with preexisting conditions. Republicans claim they support these

protections, but this is not a time for halfhearted statements. This is a time for action. If Republicans truly believed in preventing insurance companies from discriminating against patients who have endured complicated pregnancies or survived cancer or have a chronic disease, they would do something about it.

Instead, as the Trump administration carries out this campaign of sabotage against the Affordable Care Act, my Republican colleagues are engaged in a campaign of silence and complicity. When you have the power to use your voice and your vote to protect millions of patients and families across this Nation and you choose not to do so, you are indeed complicit. It is sad and shameful that not a single Republican in this body has put their foot down and stood up for the rights of patients, stood up for all of those millions of Americans who have a preexisting condition.

Failing to speak up means you are part of the problem. You are destabilizing our insurance markets and kicking millions off of their coverage. You are driving higher out-of-pocket costs for families and skyrocketing healthcare premiums. You are leaving Americans who have struggled with opioid addiction or endured a sexual assault vulnerable to discrimination. You are enabling President Trump’s worst instincts, which is to do whatever he pleases whenever he pleases, with no regard for the rule of law or the role of Congress or the havoc he is wreaking on people’s lives.

Most Americans can’t believe we have to refight the healthcare battles of the past. They want their leaders to work on building them a brighter future.

There are so many ways we could be working to improve our healthcare system and making a real difference in the lives of our constituents. We could be passing legislation that ensures that women have access to reproductive healthcare and the right to control their own bodies, no matter which State they live in, like the Women’s Health Protection Act. We could be holding powerful drug companies accountable for price gouging consumers and playing fast and loose with the rules by passing commonsense bills like the CREATES Act and the SPIKE Act. We could be pursuing reforms to reduce healthcare costs, not by reducing access to care but by encouraging efficiency and becoming better at preventing and managing costly chronic disease. We could be creating more transparency so that patients headed to surgery can shop around before going under the knife with a wish and a prayer that they don’t wake up to a massive medical bill. We could be pursuing solutions to reduce risk in the private marketplace and lower premiums for younger consumers, not by inflicting a punishing age tax but by letting Americans 55 years and older buy into Medicare.

Before we make our healthcare system better, we have to stop President Trump from making it worse. It is time we do the responsible thing: Put the brake on Brett Kavanaugh's nomination. Tell the President his nominee will not get a hearing until he drops his legal assault on patients with pre-existing conditions. Demand that the administration stop playing games with American lives and stand up for the right of every man, woman, and child across America to quality, affordable healthcare. We have that opportunity in this Senate.

I don't hear any of my colleagues on the other side of the aisle raising their voice in the midst of an attack against the essence of the protections under the Affordable Care Act that we supposedly all collectively embraced, that the President heralded, but now the President is directing the Justice Department to attack.

It is time to speak up. And if not, then one is complicit. If that ultimate attack against the Affordable Care Act is successful, then for 130 million Americans across this country who will no longer have those protections, I think they will remember on election day.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

PREEXISTING CONDITIONS

Mr. MANCHIN. Madam President, this body is about to vote on my resolution to protect nearly 800,000 West Virginians and millions of Americans from the dangerous lawsuit that 20 U.S. attorneys general, including my own attorney general from West Virginia, are leading to once again allow insurance companies to deny coverage to those with preexisting conditions.

This resolution will authorize the Senate legal counsel to intervene in this cruel lawsuit on behalf of the U.S. Senate to defend these men and women and children and fight for the right to affordable healthcare insurance.

The Department of Justice has recklessly refused to defend the law, and as a result, the nearly 800,000 West Virginians—91,000 of those being children—with cancer, heart disease, asthma, diabetes, or women who dare to have a baby are at risk of financial jeopardy if they get sick.

We have an opportunity today to stand up for the millions of Americans with preexisting conditions who are trusting us to protect their healthcare access. It is just common sense, and I encourage all of my colleagues on both sides of the aisle—because every one of us has someone in our family with a preexisting condition.

I will continue to look for ways to work across the aisle to ensure that every West Virginian and every American has access to affordable healthcare, no matter what their health condition may be. This is the right thing, this is the moral thing, for all of us to do.

I encourage each and every one of my colleagues to please vote for this amendment coming up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

PRESCRIPTION MEDICATION COSTS

Mr. DURBIN. Madam President, I thank my colleague from West Virginia and support his amendment. It is a good amendment for West Virginia and a good one for America, and I look forward to voting for it.

I ask unanimous consent at this point to enter a colloquy with my friend, the senior Senator from Iowa.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Madam President, have you heard of a drug pricing proposal that is supported by both Democratic and Republican Senators, the American Association of Retired Persons, the American Medical Association, the Federation of American Hospitals, America's health insurance plans, 76 percent of the American people, President Donald Trump, and the Department of Health and Human Services? What kind of idea can this be that has that kind of support, bipartisan support in Congress, as well as in the White House?

Well, Senator GRASSLEY and I have a simple amendment to the spending bill that is before us which provides \$1 million—small change by any Federal standard—for the Health and Human Services Department to issue rules regarding pricetags on direct-to-consumer ads for prescription drugs.

While this underlying bill includes many important provisions that I support, it doesn't do anything to tackle prescription drug costs. And we know, American families know across the board, that it is time for us to act.

If I ask you whether you have seen any commercials for prescription drugs on television and you answer no, then I know one thing for sure: You don't own a television, because they broadcast an average of nine drug ads that each of us see every single day—nine a day. You know what I am talking about. It is the ads with those unpronounceable names of drugs and then that long, mumbling "Don't take it if you are allergic to it; this may kill you"—all the warnings they give you at the end of the ad, over and over and over again.

The pharmaceutical industry spends \$6 billion a year so that we get a steady diet of these drug ads.

How many countries in the world have television advertising for prescription drugs? Two—the United States of America and New Zealand.

Each year, \$6 billion is being spent for one purpose: so that finally, after watching an ad for the 45th time, you can spell "XARELTO" and walk into the doctor's office and ask if you can have XARELTO blood thinner rather than Warfarin or some other version. The difference, of course, is that the XARELTO prescription drug costs \$560

a month, and it may not be any better for you than the generic version that is a lot cheaper.

Do you know what the No. 1 drug is that is advertised on television and sold in the United States of America? When I tell you, you will nod yes.

Here it is: HUMIRA—HUMIRA. It was designed to help people with rheumatoid arthritis, and that is a terrible disease, and the people needed a helping hand. Then they discovered it had a positive impact on psoriasis. Well, psoriasis can be a terrible thing to suffer from, but there are a lot of us who just have a little red patch on our elbow who technically have psoriasis.

What I showed you here you don't see on television, incidentally. How much does HUMIRA cost? It costs \$5,500 a month—a month. Do you wonder why the cost of healthcare is spiraling out of control—\$5,500 a month? Sadly, many of these high-priced prescription drugs are being prescribed by doctors when it is not necessary, and that drives up the cost of healthcare. It is why a major health insurance company in my State has told me they spend more money each year on high-cost prescription drugs than they spend on inpatient hospital care. Think about that—more money. It is going through the roof, and there is nothing to contain it.

So the Senator from Iowa, with his Midwestern commonsense approach to legislation, has joined with the Senator from Illinois, who hopes to aspire to the same goal, to come up with a basic idea: If you are going to run a drug ad, put the price of the product on the ad. We will then know what it really costs, and we will also know when they start raising it again and again and again.

Well, the pharmaceutical industry hates this bill and this amendment like the devil hates holy water. They don't want to tell you what it is going to cost. They want you to go into the doctor's office and say: I just have to have Humira. I have this little patch on my elbow, and I absolutely have to have it.

Too many doctors write the prescriptions. So what Senator GRASSLEY and I are trying to do is to give the American people more information about drugs and, particularly, their costs. We are trying to make sure that information gives transparency to the transaction, and we are trying our very best to give the American consumers a break and perhaps to start to slow down the cost of prescription drugs.

This is a simple amendment—\$1 million to the Department of HHS to issue rules requiring pricetags on ads. One Senator opposes this—one. We are trying our best to convince him not to oppose us. We think it is a good idea to move forward on this.

I yield the floor to my friend, my colleague, and cosponsor to this measure, Senator CHUCK GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I am glad to join my friend in this effort

because this fits into a lot of things we are trying to accomplish that Congress has done for decades—trying to give consumers information.

Remember maybe 40 years ago—I don't think it is 50 years ago—that Congress passed legislation that you had to have a window sticker on cars of the cost of the cars so that consumers wouldn't be bantering back and forth between dealers, not knowing what they were dealing with. You can't buy gas today without going to the filling station with a big sign knowing what it costs.

Even the pharmaceutical companies themselves want to educate consumers with these ads. I have always supported the advertising of these pharmaceutical drugs. They want to educate you not only about the value of their drugs but down to the bottom, and then half the ad usually tells you, if you take this drug, what the side effects are going to be, maybe implying that they are even life-threatening or dangerous. That is a very important thing to educate the public about.

So all we are trying to do here is to have the consumer get the additional information they need if they want to consider that drug, because everybody ought to want to consider the price, just like you consider the price of a car.

I try to buy gas at the cheapest filling station I can because it is just common sense, right? So that is what Senator DURBIN is pointing out. This is a Midwestern commonsense approach to educating the consumers. They want you to buy their product, and then they kind of have some question about it: Could you really afford this? A lot of these ads even indicate to the consumer: Well, maybe if you check with the company or check with somebody, you will even get some help buying the drug.

So the pharmaceutical companies are already interested in consumer education. We just want them to take it one step further. Part of it is because of the high cost of prescription drugs. We have an opportunity now to do what we all talk about doing—doing something about the cost of pharmaceutical drugs. This is just a very small step in that direction. It directs Health and Human Services to require drug companies to include the list price of these drugs in their TV ads.

The drug companies want you to know that there is a drug out there to help you. They want you to know the benefits of the drugs. So why don't they also want you to know about the price of the drug?

By not having that information out there, it is simply not a transparent way of doing business. In every other way you want to be transparent. We are just asking you to take one little small step and tell people what it is going to cost—like the price of gasoline, like the price of cars, or if you seem to be worried a little bit about the high cost of the drug, maybe some

people can't afford it and you might be criticized for that. You can get help.

What we are up against here is a very powerful interest in this town. It happens to be an interest that has made life better and provided longevity for people, for a longer life. So we aren't here to find fault with the pharmaceutical companies. We are here to encourage the pharmaceutical companies to let the public know what they need.

Around here it seems to me that we are running up against the big pharmaceutical companies all the time. The CREATES Act came out of my committee 15 to 6. We can't seem to get that up.

This amendment is being offered. We know who is fighting this amendment that DURBIN and GRASSLEY are sponsoring. It is the same companies. There is a scheme out there that they will keep their patent drug on the market longer if they pay a generic company to keep their drug off the market. We call it "pay for delay." The Klobuchar-Grassley bill doesn't get very far because of these interests.

They don't like the fact that they ought to have some competition from the importation of drugs. They don't like it now that the FDA's new Director is moving in the direction of getting generics on the market a little bit sooner, but we are not fighting those things now.

What we are trying to do is pretty darn simple. Think of what is behind this now. How often do you get Senator GRASSLEY and Senator DURBIN cooperating on the same thing? Not too often. So that is something people ought to take into consideration. We have a very good chairman—a very thorough chairman—Mr. ALEXANDER of the HELP Committee. He is backing this effort and has even had a colloquy on that point.

We have Mr. Azar, the Secretary of HHS, who says that this is a good thing to do. Maybe 2 months ago now, President Trump and Secretary Azar had a news conference on the high cost of drugs and what they could do administratively to move that along. Just this very day, Mr. Azar is announcing some regulations going to OMB to move along some of those things that the President was talking about 2 months ago.

Everybody gets irritated about Trump's tweets. Do they do any good? Probably, most of the time people don't think they do much good, but he tweeted at about the same time these big pharmaceutical companies announced about a whole bunch of their drugs that they were going to increase their prices by 35 percent and 40 percent, and he tweeted how outrageous that was. A week later a company said: We are not going to go ahead. A week later, another company said they were not going to go ahead. Now, whether other companies have said that, I don't know, but what I am trying to say is you have Chairman GRASSLEY and Chairman ALEXANDER and you have the

Secretary of HHS and the President of the United States trying to do something about pharmaceuticals. Here we have just a little simple amendment that we are trying to get on this bill, and we are running into this obstacle that you run into all the time, when all we are trying to do is to educate the consumer the same way the pharmaceutical companies want to educate the consumers. By the way, 76 percent of Americans in a poll support this.

I think Senator DURBIN did better than I did about the interests, but I will summarize. Doctors, hospitals, insurance companies, and the AARP support this amendment. So, really, it is so sensible. It is right in line with what the pharmaceutical companies are trying to do with all of their TV ads to educate the public, with what Congress has tried to do other times to educate the public, with what we are trying to do through some of our education to have transparency in the prices that you pay when you go to the hospital or what we are trying to do through health savings accounts to get the consumer involved to do some shopping to save the consumer some money. That is what this is all about.

It is so simple. I can't understand where commonsense stuff—well, this isn't a town for common sense, I guess, but we ought to get some of this commonsense stuff done.

So I want to thank Senator DURBIN because he led this effort, and I am glad to help him. I say thank you for doing it, and we are going to get this done one way or the other. If we don't get this done on this bill, we will get it done because it is the right thing to do.

People, if you try long enough and if you are right, you eventually get something done in this town.

Mr. DURBIN. I thank my colleague from Iowa. Patience certainly is an important part of this job, but the American people are impatient. They want to know why they elected us to office and we don't solve problems. This is a problem that Senator GRASSLEY and I want to start solving: informing consumers about the actual costs of prescription drugs—what a radical idea.

The first time you realize what a drug costs is when you stand in front of the cash register with your mouth wide open saying: You have to be kidding me. Instead, people ought to know going into this conversation what these drugs cost. That is not an unreasonable request. We do it for cars, for gas, for so many things. Why don't we do it for this?

The American people want to get it. We want to get it. I hope we can convince one Senator who is holding us up to give us a chance to inform the American people on a bipartisan basis of something that will help, in a small way, perhaps, but it will help to bring the costs of healthcare down in this country.

I thank the Senator from Iowa.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I join the chorus of Senators GRASSLEY and DURBIN about their proposal.

WALL STREET PROFITS

Madam President, I want to talk about another issue. Today, the Federal Deposit Insurance Corporation—which is the agency that does such things as every quarter announcing bank profits and bank profitability—issued an assessment of the banking industry. Lo and behold, as a number of us have been saying on this floor week after week, month after month, year after year: It is a great time to be on Wall Street.

Bank profits this second quarter of 2018—we announce it now—were \$60 billion, with a b. That is 60,000 million dollars—\$60 billion in bank profits. That number is fairly meaningless. It is a really big number. It is hard to grasp, but think about it this way. These bank profits this quarter were up 25 percent from 1 year ago, and it is typical of being able to compare quarter to quarter or year to year that way.

What is fairly stunning about this is that this Congress can't do enough for the banks. First, it was a decade ago, when Congress bailed out the banks. Then, we see bank profits go up and up and up. Congress last year gave a huge tax cut. The financial services industry did better than the rest of the economy with this tax cut, and, interestingly, the big banks did better than the community banks with the tax cut in terms of percentage, per capita—and anyway you measure it—in the amount of money or in assets, whatever.

Then, earlier this year, Congress passed another giveaway to the banks on legislation, another deregulation bill. When you hear “deregulation” think that it means that Wall Street gets away with even more. Now we are seeing even bigger profits from the banks.

It is like this. Congress thinks it never can do enough for Wall Street. Every time Wall Street asks for something, Republican leadership—Senator MCCONNELL's office down the hall, Speaker RYAN's office way down the hall, the President of the United States, President Trump—always want to do more for Wall Street, with \$60 billion in profits this quarter and 25 percent greater profits than 1 year ago.

Why does this Congress continue to do the bidding of Wall Street at the expense of Main Street?

During the 1½ years of President Trump, we have seen wages go down. We have seen profits go up. We have seen the stock market go up. We have seen executive compensation go way up. We have seen the banks do especially well. Yet wages, literally since President Trump has taken office, have declined in this country.

So why do we continue to help Wall Street, to shovel more money to Wall Street—more money, Senator GRASSLEY, to the drug companies—and the middle class continues to get squeezed.

I just think it is another lesson when bank profits keep going up, executive

compensation keeps going up, profits overall keep going up, but the middle class continues to get squeezed. There is a lesson there.

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

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

ROHINGYA CRISIS

Mr. MERKLEY. Madam President, I come to the floor to talk about two things. The first is that this Saturday will be the 1-year anniversary of the beginning of a horrific genocide against the Rohingya in the country of Myanmar.

This genocide was preplanned. All kinds of preparations were put in place, as various independent investigations have established. It is time for the United States to take a strong response as a statement of global leadership on human rights on behalf of this horrific circumstance. We have 350 or so villages burned, countless individuals slaughtered as they ran from their villages, shot from helicopters, systemic rape, and children tossed into burning piles. It doesn't get much worse anywhere in the world at any time in history.

Now 700,000 refugees who escaped have found their way to Bangladesh, but there is no room in Bangladesh. Bangladesh is a country half the size of Oregon. Yet Oregon has 4 million individuals, and Bangladesh has 160 million individuals.

Here are some things the United States should do right away on or before this Saturday. The State Department should release the report it has been compiling on the factual circumstances. Second, they should send this report to their legal counsel for an official determination if this constitutes genocide. The third thing they should do is ask the Senate to act quickly on the repatriation resolution that sets standards for the return of these refugees back to Burma, back to Myanmar. The fourth thing they should do is call on the Senate, followed by the House, to pass the Burma Human Rights and Freedom Act, which creates specific sanctions on those who planned and carried out this horrific ethnic cleansing.

Elie Wiesel said: “A destruction, an annihilation that only man can provoke, only man can prevent.” But if we do not respond clearly and effectively when there is this type of ethnic cleansing, this type of assault, then we are failing to prevent future assaults by those leaders who will be so tempted to divide their country on ethnic or racial lines, to take brutal action against a despised minority community.

The seeds of this slaughter began with a military coup in 1962, following which the military demonized this eth-

nic group year after year. Not only should the United States respond with a State Department report and a clear decision if this is genocide—and clear sanctions—but it is time for the President of the United States to speak out boldly and clearly on the international stage on this issue. A year has passed, and we have not a single public statement from the leader of the United States of America. So let that change.

NOMINATION OF BRETT KAVANAUGH

Madam President, the second issue I am here to talk about—and I am going to keep this short because my colleague is here, prepared to speak to his amendment—is the issue of whether the Senate proceeds to have hearings on nominee Brett Kavanaugh for the U.S. Supreme Court. The answer should be, by every Member in this Chamber, a resounding no.

First, we have the Kagan standard that has been set by the Republican majority, which states, when there is a Supreme Court nomination, it is essential to have all of the facts, all of the records that have been touched on, because only then will Senators be able to exercise their responsibility under the Constitution for advice and consent. So, if individuals want to exercise their responsibility effectively under advice and consent on a nominee from a Democratic President, shouldn't the same individuals make the same argument to exercise their responsibility effectively when the nominee comes from a Republican President?

The standard should be the standard. Let's stand up, out of the partisan troughs that have been dug, and fight for the vision of a fair and transparent and fully credible nomination process.

No hearing should be held until we have the full set of documents. It escapes no one's vision in the United States of America that only a fraction of the documents have been delivered. It escapes no one's vision in the United States that even those documents have been vetted by a Republican lawyer, a partisan lawyer, who has worked beforehand for the nominee. That is not transparent; that is not fair; and that does not allow us to have the full scope of the record.

Furthermore—and I will say this in just a summary format—there is an enormous conflict of interest here by which the President is attempting to print a “get out of jail free” card. Out of his 25 nominees who had been put forward from the list of names that had been given to him from the Federalist Society, one of them had an expansive view of the Presidency; that being that the President of the United States cannot be indicted and that the President of the United States cannot be investigated. That is the standard that says a President is above and beyond the law.

I challenge every Member in the Chamber to pull out the Constitution and find the provision that says our Founders established a kingdom and a King because I think they are going to

find that is not the case; that there is no clause in our Constitution that says the President is above and beyond the law.

As our oath of office requires, let's exercise our responsibility appropriately with the advice and consent responsibility, and let's get the full documents and resolve this conflict of interest before any hearing is held.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Connecticut.

COSPONSORS TO AMENDMENT NO. 4004

Mr. MURPHY. Madam President, I am about to speak on an amendment to the underlying appropriations bill. My amendment is No. 4004. Before I do, I ask unanimous consent that the following Senators be added as cosponsors to amendment No. 4004. They are Senators BALDWIN, MENENDEZ, VAN HOLLEN, BLUMENTHAL, REED, FEINSTEIN, MARKEY, and CARPER.

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

AMENDMENT NO. 4004

Mr. MURPHY. Madam President, maybe one of the most memorable moments from Secretary DeVos's confirmation hearing was her response to a question I posed to her. I thought I was giving her a softball. I thought I was giving her a very easy question at the end of my 5 minutes when I posed a simple question to her as to whether she thought it was a good thing to have guns in schools.

I thought she would give me an answer about how, of course—in listening to teachers and parents, as she claims to have done during her career in education—having more guns in schools was not the right thing in order to protect our kids. Instead, she said yes. In fact, she thought that question should be largely up to the States because of potential “grizzlies”—the idea that there are some schools that may need guns inside to protect against wild animals.

I assume she would probably answer that question differently today, as it has become a butt of jokes. Yet, as it turns out, what we may be learning today is that the Secretary was, indeed, serious. Reports this morning suggest that Secretary DeVos is planning to do the bidding of the firearms industry and put our kids at risk by allowing Federal funds to be used to arm teachers, which is in direct contravention of Federal law.

I have offered an amendment that will reiterate what has been the policy of this Congress—not of Congress in general but of this Congress—which is that Federal funds should not be used to arm teachers. Let me speak about why we have taken that position as a Congress, why Republicans and Democrats have voted for legislation that prohibits Federal dollars from being used to arm teachers.

First, we listen to teachers when we set educational policy, and teachers have told us they do not want to be responsible for carrying firearms. Two

different polls that have been taken of teachers suggest that three out of four definitively state they think their kids will be less safe, not more safe, if these teachers are armed. They tell us that because they know how difficult a teacher's job is.

I have a first grader and a fourth grader in the public schools, and I am in awe of how many things we ask our teachers to do. We ask our teachers to teach earlier than ever before; we ask them to be social workers; we ask them to engage in conflict resolution; we ask them to be nurses; we ask them to teach a range of children; we ask them to interact with the community and show our kids a broader view of the world; and we, as parents, want them on call to answer our questions all of the time.

Our teachers are probably the greatest multitaskers in this country, and they don't want an additional job description of having to be trained to carry a firearm at all times in order to guarantee that firearms stay out of the reach of little children. Earlier this year, we saw a series of events which showed us what happens when you do put guns inside classrooms.

In one incident, a teacher accidentally discharged his gun at a high school in California. Ironically, it was during a class that was devoted to teaching public safety. Three kids were injured when that gun accidentally went off.

In another incident this year, a school resource officer accidentally discharged his weapon while he was inside a school in Alexandria, which is just down the street from the U.S. Capitol. In Maplewood, MN, earlier this year, a third grader managed to pull the trigger on a gun in an officer's holster and fire a bullet into the floor. On that same day in Florida, a parent discovered one school resource officer's gun in a faculty bathroom.

It is important to note, those last three incidences were with respect to school resource officers whose entire jobs are to engage in public safety and who, in these cases, I would assume, had serious training on how to handle weapons. So, if these mistakes are being made with school resource officers, imagine what will happen when first grade teachers and art teachers, whose jobs are not primarily to learn how to handle and store and protect firearms, are equipped with these weapons.

The evidence also tells us that putting more guns into facilities—putting more guns into the hands of civilians—does not solve the problem we identify.

A comprehensive study on the effects of right-to-carry laws across the country has found that violent crimes had actually increased each additional year after right-to-carry laws had been passed. In fact, they had increased by 13 to 15 percent in the 10-year timeframe after the right-to-carry laws had been put into effect.

Another study of 111 of the most recent gun massacres has shown that not

a single one of them had been interrupted by an armed civilian.

The FBI has done its own analysis in which it has shown that unarmed citizens—civilians—are more than 20 times more likely to end an active shooting than are armed citizens, excluding police officers or security officers.

The data tells us this is not the way to protect our kids. Teachers are telling us this is not the way to protect our kids. Most importantly, Congress has told the Secretary this is not the way to protect our kids.

Earlier this year, as part of the Omnibus appropriations bill, we passed the STOP School Violence Act. This is a new source of funding that allows for schools to engage in trying to keep their kids safe. It is a very important piece of legislation that is supported by Republicans and Democrats.

Admittedly, this is not the source of funds Secretary DeVos is supposedly going to offer guidance on, but it is important to note that when we set up a new fund that is specifically dedicated to make schools safer, we wrote into the legislation this phrase within this new appropriated account: “No funds To provide firearms or training—No amounts provided as a grant under this part may be used for the provision to any person of a firearm or training in the use of a firearm.” That is Republicans and Democrats doing that together.

More importantly, the statute she claims to be relying on, or reportedly is going to offer guidance on, is title IV, which is kind of a grab bag of Federal dollars to be used for a variety of school initiatives. In that statute today, title IV offers this to the Secretary.

It reads: “[W]ith respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts . . . through the creation and maintenance of a school environment that is free of weapons.”

The title IV language allows for money to be used to try to quell violence, but there is a specific phrase that seems to give clear guidance to the Secretary because you can use the grant for a school environment that is free of weapons. Yet, reportedly, the Secretary is about to issue guidance that says that money can be used to load schools up with weapons, which is in direct contravention of the statute itself and is certainly in contravention of the spirit of Federal education law, given the act we passed earlier this year that prohibits school safety dollars from being used to arm teachers.

I understand the hour is late on the appropriations bill and that it is very unlikely that my amendment is going to get a vote. My amendment would make clear that title IV dollars cannot be used to arm teachers. Yet I hope, as this bill ultimately heads to conference, we will revisit the clear congressional intent we have expressed this year of keeping Federal funds away from arming teachers.

I hope the Secretary, as she considers whether to issue this guidance to States, will look again at the statute and come to the conclusion that she does not have the authority to allow States to use Federal money in order to arm teachers.

As it turns out, it was not a joke. It was not just a phrase she uttered in a congressional hearing that drew a lot of attention on the internet. Secretary DeVos is reportedly considering allowing Federal funds to be used to arm teachers. That is not what parents want. That is not what students want. That is not what teachers want. That is also not what the evidence tells us will make our schools safer. I hope she listens, and I hope, ultimately, this Congress acts.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Arizona.

Mr. FLAKE. Mr. President, have you heard the one about the three robots that walk into a bar? No, you haven't. It is not a joke but rather a project that has been paid for, in part, by the Department of Defense.

These robots, called beer bots—and you will see a depiction here—are programmed to serve cold beers to graduate students. Researchers say programming methods used for beer bots can be applied to other multi-robot systems in restaurants and bars. As you can see, the private sector has already developed robot bartenders, or robartenders. They have been mixing drinks at bars—and even on cruise ships—for years now.

With our national debt now exceeding \$21 trillion, taxpayers should not have to pick up the Pentagon's tab for beer bots and for many other unnecessary spending items which are in the bill that we are considering right now. This minibus bill provides over \$800 billion in funding to the Departments of Defense, Labor, Health and Human Services, and Education. Yet, over the past 3 days, we have considered just four amendments to the bill, and not a single one has offered a reduction in spending—not a single one.

I have introduced a handful of commonsense amendments that if adopted, would reduce Federal spending by nearly \$500 million. One would limit funding for the Littoral Combat Ship Program, which has been plagued by cost growth, construction issues, and underperformance on mission effectiveness. Even though the Navy has only requested funding for the procurement of one of these ships, this bill has needlessly provided funding for two ships.

My amendment would simply reduce the Department of Defense's budget by \$475 million to align with the Navy's request.

I understand that Senators are trying to protect jobs in their States by forcing the Navy to procure more of these unwanted ships. Sailors are going on longer and longer deployments because the ships that are actually needed to rotate them on are not ready to sail. It

is important to remember that the priority of this bill is not the parochial interests of Members of Congress but, rather, the needs of the Armed Forces.

I am proposing an amendment under this bill to also keep the costs of the military parade that the President would like to put on next year at a reasonable amount. Recent reports have indicated that local DC officials claim the parade would cost up to \$92 million, which is significantly higher than the \$10 to \$30 million originally estimated by the White House Office of Management and Budget Director, Mick Mulvaney.

I should point out that the last military parade was held in 1991 to celebrate the end of the gulf war. That cost about \$8 million. The Federal Government paid \$3 million, and the remainder was paid by private donations.

My amendment would cap the amount of money DOD would have to allocate for the parade to \$15 million. That is a significant growth—far more than inflation—over the past parade that was held in 1991, and I think this is reasonable, and I think most of us would.

Another amendment I filed would prohibit the Department of Health and Human Services from subsidizing the construction of fast food franchises. You might wonder, what in the world is Health and Human Services doing subsidizing this? And you would be right to question it.

A Healthy Lifestyles Initiative, funded with more than \$1.1 million in grants from HHS, is subsidizing fast food franchises in a Kansas county that year after year ranks as one of the State's most unhealthy. This is Health and Human Services, by the way. Grants are supporting the construction of two buildings—a combination Wendy's and Pizza Hut and a stand-alone Dunkin' Donuts.

This project contradicts the mission of HHS, which is "to enhance and protect the health and well-being of all Americans." Federal nutrition guidelines recommend the consumption of about 2,500 calories per day for males and 2,000 calories for females. Just one Dunkin's doughnut contains 290 or more calories. Wendy's Dave's triple burger contains 1,090 calories. A side of french fries adds another 400. A medium-sized soda is another 300 calories. A single slice of pepperoni pizza from Pizza Hut contains 370 calories.

Despite the source of funding, the executive director of the organization overseeing the project admits that "this is not a health initiative," arguing that it is about "economic health, not physical health." Why in the world is the Department of Health and Human Services spending money—taxpayer money—on these types of initiatives? It is really just corporate welfare for 3 of the top 10 most profitable fast food franchises in the United States, each of which earns billions of dollars a year in profits. Why is the Federal Government subsidizing it?

I am disappointed that I am unable to call up any of my amendments and debate the merits of these items and the importance of addressing our out-of-control debt. We need to get serious about how we are spending taxpayer money. We need to open up the amendment process and allow real debate on our national priorities.

I do appreciate the Appropriations Committee's willingness to consider including my amendment to prohibit further Pentagon funding of robot bartenders in the managers' package. I hope it stays in the package. At the very least, this may be the last call for the beerbots.

I yield back.

The PRESIDING OFFICER. The Senator from Wyoming.

ECONOMIC GROWTH

Mr. BARRASSO. Mr. President, we have been seeing a lot in the news lately about the American economy, and it is very good news.

Last Friday, the Wall Street Journal had an article with the headline "Youth Unemployment Hits 52-Year Low"—a 52-year low. For people between the ages of 16 and 24, this is the best job market we have had since 1966. The article went on to say that "more opportunities are available to some groups that historically have struggled to find jobs." People are getting opportunities because the American economy is booming. Since President Trump was elected, we have gotten more than 4 million additional Americans working. The economy grew at a rate of more than 4 percent last quarter. The Atlanta branch of the Federal Reserve is predicting that we are going to have another 4-percent growth this quarter. People are seeing the effect of the booming economy in their paychecks and in their lives. Average wages were up more than 3 percent last year.

You look at all of the good news, and it is no wonder that confidence is going through the roof. Small businesses are now much more optimistic than they have been since 1983. They are hiring, they are expanding, they are raising wages, and they are much more confident about the future.

It is all happening because of the Republican policies and the Republican priorities we have been putting in place. It is what happens when you have a President who puts the needs of the people first instead of the desires of unelected, unaccountable, heavy-handed Washington bureaucrats.

When President Trump took office, one of the first things he did was to put Washington on a regulation diet. He said that America was again open for business. What does all that mean? What happened? In the Trump administration's first year, they issued 3 new regulations and they cut 67 regulations. Three regulatory actions and 67 deregulatory actions—that is a ratio of 22 to 1. It is in favor of cutting redtape, eliminating regulations, and cutting the amount of paperwork people have

to fill out. Nobody has ever seen anything like this. Working with this Senate and this House, this administration has been streamlining, simplifying, and striking out regulations from the very beginning, and we are not slowing down. When you add it all up, it amounts to about \$14 billion in savings since the start of the Trump administration.

Republicans in Congress have been doing our part as well. We know that the reason America's economy had been struggling for so long was because it was being strangled by all of the red-tape that comes out of Washington. So we used the authority of Congress to roll back major regulations that were harming our economy, burdensome to industries in our communities and in our States, punishing to people who are just trying to do their jobs. We cut 16 unnecessary, burdensome rules and saved Americans \$36 billion in the process.

If you combine what the President has done and what we have done in Congress by passing the Congressional Review Act, Republicans have saved Americans \$50 billion and over 16 million hours of filling out needless paperwork.

Of course, Republicans also passed the biggest tax cut in 36 years. That is the other big thing Republicans have done to get the American economy booming. Every Democrat in the Senate voted against the tax cut that Republicans passed. This tax relief bill, and now the law, gave people an immediate boost in their take-home pay. Millions of Americans also got bonuses and raises because of the law.

Because Republicans have cut regulations and cut taxes, America has a strong, healthy, and growing economy today.

The Congressional Budget Office recently came out with a new report. They looked at the numbers for the first 10 months of the fiscal year we are now in. They looked at the rising wages, the rising employment, and the falling unemployment—all of those things—and they said that those are big reasons why revenue for the Federal Government coming in from the workers of the country is actually \$26 billion higher than it was at this point last year.

More money is coming in. Well, how do you do that? By cutting taxes. How do you get more money to come in? Well, because more people are working and more people are getting higher wages. All of those things are leading to increased revenue coming into the government because of the fact that we cut taxes. When you cut taxes, you turn the economy loose. You turn it loose to create jobs. Good things happen. The economy grows. More people find work. More people get raises. More people get more money in their pockets—they can decide if they want to save it or spend it or invest it and how they want to do it—and revenue goes up as well.

Republicans want to keep going with more of these policies that have worked so well to spur the economy. We want to do more to help the economy create jobs and help people keep more of what they earn. I think that is what the American people want as well. That is what I hear about in Wyoming every weekend.

What do Democrats in Washington want? Well, they seem to want the exact opposite. That is the way they vote, and that is what they have been saying.

Senator ELIZABETH WARREN of Massachusetts actually introduced legislation last week that would create an entirely new government bureaucracy. Republicans are trying to rein in the bureaucrats; Democrats are trying to give bureaucrats more power. This new Democratic plan would give Washington more power to control how American businesses operate. It would take away the freedom of the owners and the executives of these companies to create jobs, to serve their customers, and to grow the economy. According to this legislation, the government ought to make that decision. Democrats are clearly hoping that this will become the new and latest liberal litmus test. It would be an absolute disaster, just like all of the other plans that we heard from the Democrats that they are trying to put in place.

It is like the Democrats' plan—they claim they want to raise taxes. I mean, that is actually what NANCY PELOSI, the former Speaker of the House, said Democrats would do if they took back Congress. She said: We would raise taxes.

One very prominent Democratic leader and Governor of one of the major cities said on television: We are not going to make America great again. He actually went on to say that America "was never that great." That is what the Democratic mayor of New York said last week.

There are some very big differences between Democrats and Republicans. Republicans want policies that put more money in the pockets of hard-working people. That is what we want—more money in the pockets of hard-working American families. Republicans want policies that take more control out of Washington and let the decisions be made back at home in the hands of the States and the towns and families. Democrats seem to want to raise taxes and raise barriers to the economy.

We are coming up on Labor Day, and I hope Democrats in Washington and around the country will embrace the policies that will actually help create jobs. I hope Democrats will embrace the policies that are helping young people find work at the highest rate in 52 years. I hope Democrats will embrace the policies that are actually raising wages for American families. I hope Democrats will recognize that America is a great country, and it is getting better every day.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

HURRICANE HARVEY

Mr. CORNYN. Mr. President, this Saturday marks the 1-year anniversary of Hurricane Harvey making landfall on the Texas gulf coast. What began as a wave in the Atlantic in early August of last year morphed into a tropical disturbance and then strengthened into a full-blown hurricane, category 4.

This is not your average hurricane by any means, dropping a few buckets of rain, maybe soaking through floorboards or tearing off a shingle or two on a roof. This was a juggernaut. First it crashed into the San Jose Island off the coast of Rockport, with wind gusts measured as high as 145 miles an hour. It is hard to know what that means until you see it up close and personal, or so I am told.

Two days after landfall, I saw the wreckage firsthand with Mayor C.J. Wax and Governor Greg Abbott. On Broadway and North Austin Streets in Rockport, you could smell the natural gas in the air. Storefronts had been leveled. Windows had been shattered. Power lines had fallen to the ground. Entire boats lay upside down on the side of the road, their sails torn to shreds. Roughly 94 percent of the homes in Rockport were damaged, and 30 percent were destroyed outright.

Keep in mind, this was just the small town of Rockport. This was only the beginning. Port Arthur, Beaumont, Victoria, Houston, and many other communities soon faced the brunt of this terrible storm. Harvey was relentless, dropping more than 60 inches of rain over the course of several days in some of those places.

Unlike many hurricanes, it parked itself and stayed put after making landfall. Trapped between two high-pressure systems with nowhere to go, the storm went on to shatter records. Some people called it a storm that comes only once every 1,000 years. Others dubbed it the most extreme rain event in U.S. history.

For people who don't live on the gulf coast of Texas, who didn't see the shelters firsthand, as I did with my friend and colleague Senator CRUZ at the NRG Center in Houston, it is really hard to imagine what it looked and felt like—all the closed roads, flooded homes, and exhausted faces of people praying for life to return to normal.

Over in Friendswood, which is right outside of Houston, I helped out what is known as Texas Rubicon, a terrific nonprofit made up of military veterans. We removed sheetrock and

hauled debris off a resident's yard. I remember having to wear a protective mask and gloves because of the contamination, but it was also in the context of intense heat and mosquitoes and the mud. All of this was just a small taste of what those in the community had to endure for days on end.

Then there were folks like Amy, a single mother in Houston. This is a scene of her house after the hurricane. You can see on August 22, 2018, a very nice suburban neighborhood, and this was her house or what is left of her house and the interior of her house after the hurricane hit.

I think these pictures speak to the resiliency of the Texans I got to know in the aftermath of Hurricane Harvey. Their attitude was, well, we have been dealt a major setback, but there is no use crying about it. We have to dig ourselves out of this mess. And that is exactly what they did, with the help of tens of thousands of volunteers, donors, philanthropists, business leaders, and Good Samaritans across the country.

We are grateful to the many rescuers, people like Dan LeBlanc from Port Arthur, Doug Barnes from Dallas, and Robert Bode for managing evacuations at the Cypress Glen Nursing Home, which was no easy task.

Here is a picture of those three gentlemen and the great work they did at the Cypress Glen Nursing Home.

These three had no special expertise in search and rescue, but they saved close to 100 patients, some of whom were bedridden and required special boats that could power their life support systems.

Then there were the bakers at El Bolillo in Houston, who provided bread to flood victims.

Then there was a man we have come to know in Houston as Mattress Mack, who opened his showroom for the displaced.

There was Officer Steve Perez, a 34-year veteran of the Houston Police Department, who paid the ultimate sacrifice during rescue efforts. After the storm hit, he knew the conditions were dangerous, but he insisted on doing his part to help save those he was sworn to protect and defend. He said simply: "We've got work to do." We remember Officer Perez today and always. And we remember all of those courageous first responders who swung into action.

The outpouring of Texans helping their neighbors over and over again reminded me of a saying I heard years ago at another natural disaster, that being a Texan doesn't describe where you are from, it describes who your family is.

During those tough days and long nights that followed, people were hurting after losing so much, not only their homes but schools that their kids attended, schools like Aloe Elementary in Victoria, which I visited with Principal Hurley and Dr. Jaklich, the district superintendent.

In the wake of all this devastation, they and many others were wondering

what was being done to recover and rebuild. The short answer is: a lot. First came the initial response. Unlike Noah, we didn't have an ark, but we had 104 boats courtesy of the U.S. Coast Guard, which rescued more than 11,000 people.

FEMA—the Federal Emergency Management Agency—had prepositioned supplies before the storm and worked to coordinate temporary housing after it hit. Led by Administrator Brock Long, FEMA did a good job.

Meanwhile, the Environmental Protection Agency worked to restore drinking water. The Department of Energy worked to restore power. The Small Business Administration approved disaster loans. The National Flood Insurance Program expedited claims. Gradually, ports reopened, schools and roads started to as well. And Governor Abbott immediately formed the Commission to Rebuild Texas and wisely appointed a great Texan, John Sharp, to chair it.

Following the emergency response, our job here in Washington was just beginning. In the weeks and months following landfall, Congress passed three separate aid bills totaling \$147 billion. Of course, this wasn't just for Hurricane Harvey, it was for the wildfires out West and the hurricanes in Puerto Rico and Florida as well as Texas.

We also passed a new law allowing Texans to receive tax deductions for hurricane-related expenses and successfully encouraged FEMA to reverse a policy that prevented houses of worship from accessing disaster relief funds. Afterward, we codified this change into law.

Meanwhile, the Department of Housing and Urban Development announced plans to use \$5 billion of the disaster funds to help homeowners rebuild through the Community Development Block Grant Program. These resources will help pay for buyouts, the construction of rental property, and reimbursements for repairs incurred in the wake of the storm. Once HUD finalizes an additional \$5 billion, those funds will flow to Texas for mitigation purposes.

Of course, there isn't much sense in rebuilding without ensuring the region can withstand another major weather event in the future. That is why we made sure that the third disaster aid bill, a response to multiple hurricanes and wildfires across the country, designated roughly half of the relevant U.S. Army Corps of Engineer construction funds for Texas-specific projects.

The Corps, of course, is a Federal entity primarily responsible for flood mitigation, and after Harvey laid bare just how vulnerable the Houston region truly is, its expertise became an increasingly valuable asset.

Thanks to the Corps, as well as State and local partners, as well as our colleagues here in Congress, some of the most pressing infrastructure improvements are underway. Across more than 4,000 square miles between Sabine Pass and Galveston Bay, a series of storm surge and flood protection measures

will update levy systems, and in some cases, construct new ones.

In places like Clear Creek and Brays Bayou, meanwhile, the funds will be used to widen channels, construct detention basins replace bridges, and renovate dams.

Importantly, these projects include cost-share requirements reflecting the partnership between Texas, local officials, and the Trump administration to rebuild. Instead of a single infrastructure project, the result will be a new, multilayered system of improvements to address our most acute vulnerabilities.

At the same time, the long-term planning with the Texas General Land Office, as well as the Governor's office and the entire Texas delegation continues.

Adding to these efforts is the Corps' ongoing Coastal Texas Study, which Congress has funded and which will provide a comprehensive strategy for flood mitigation, which is the necessary next step toward coastal protection because this is not the last hurricane that will hit the gulf coast of Texas or the huge economic engine known as Houston.

I am confident that having the smartest minds study our coast will ultimately result in recommendations that Congress can then authorize. Once that happens, and in coordination with State legislative and local officials, who, let's not forget, play a very large role, will fight to ensure our coastal communities flourish and are protected for generations to come.

We have to face the facts: Harvey was an unthinkable catastrophe, one of a kind. I can't believe it has already been a year. But for some down there, though, I am sure it feels like a whole lot longer than that.

It is my privilege to serve the people of the great State of Texas, and as part of my job, I have unfortunately had the occasion to see plenty of heartache and tragedy over the years. Few disasters, however, have impacted so many Texans and in such a devastating way as Hurricane Harvey. Over the last year, working together, Texans have begun to heal and rebuild, but the job isn't finished, so I pledge my efforts to work to ensure our State remains protected, and I appreciate the work and support of all of our colleagues as we have met this terrible disaster with an appropriate Federal response.

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

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

CLIMATE CHANGE

Mr. CARPER. Mr. President, I rise today with a number of my colleagues to speak out against the Trump administration EPA's dirty power plan—a

proposal to replace the Obama administration's Clean Power Plan. This proposal from this administration fails in at least two aspects: First, it fails to address climate change, and second, it will put Americans' health at risk.

Millions of American children are heading back to school in my State and in your State and in States across the country this week and next week. All three of my children are grown, but not so long ago, we were sending them off to school, helping them with their homework, and making sure they were getting good grades. As far as we know, they never brought home any failing grades. However, I can't say the same for the Trump administration with respect to this latest proposal.

A friend of mine recently said: "If corruption were a class, the Trump administration would be getting an A-plus." Well, in just about everything else—especially public health and economics—the Trump administration continues to fail the American people almost every day. It is clear this administration needs to do a little remedial work, maybe take some courses again, especially in basic science.

Let's be clear. The science behind climate change is settled. It is over. Climate change is real. It is happening. It is a growing threat to America, and it is getting worse every year. Climate change is leading to rising global temperatures, rising sea levels, and more intense and frequent weather events. NOAA tells us that extreme weather events costing \$1 billion or more have doubled in frequency over the past decade, with \$425 billion in losses having occurred over the last 5 years alone.

It is now hard to find a part of our country that isn't being affected in some way by climate change. We see the examples almost everywhere. Not too far from my home in Delaware is a place called Ellicott City, MD.

My wife visited there with a bunch of her friends from the DuPont Company. They are all retired now, and they wanted to go visit there and actually support the local economy in Ellicott City, the local people who have been through just terrible devastation. In the last 2 years alone, two 1,000-year floods have devastated Ellicott City, MD, just north of Washington, DC. There have been two 1,000-year floods in the last 2 years.

Forest fires fueled by extreme heat and drought continue to ravage States like Montana, California, and Oregon.

Since we started keeping records, only 49 category 5 hurricanes have threatened the United States. That is since we started keeping records, and I think we have been keeping records for maybe a century. Three of those 49 category 5 hurricanes occurred in the last year. Think of that. Out of 49 category 5 hurricanes since we have been keeping track—and I think it has been a century—3 of those were in the last year. Right now, one of those is threatening the people of Hawaii.

I can go on and on and on. Make no mistake—it is costing Americans in

the form of lost income, lost livelihoods, and sadly, in some cases, lost lives.

As someone who proudly represents the lowest lying State in the Nation—Delaware—climate change is not a science lecture for us; it affects my constituents daily. For us, this issue is intensely personal. That is why for my entire career in the Senate, I have fought to find ways to move us away from fossil fuels and reduce carbon pollution. It started in 2002, when I introduced one of the first bills in Congress to cap carbon emissions from coal-fired powerplants.

The good news is that we have made some progress in this country. That is in part due to the large investments that the Obama administration and Congress made over the last decade in clean energy. It is also due in part to smart regulations, such as the Clean Power Plan. I proudly supported those efforts, and I still do.

In addition, many companies across our Nation have stepped up, and they deserve some credit. Making real investments in clean energy has turned out to be the right thing and to be a wise investment, demonstrating that it is possible once again to do well and do good at the same time.

As a result of these actions, in the last decade, our country rebounded from one of its greatest economic downturns in history. We lowered energy costs, reduced air pollution, and added 16 million new jobs during the Obama administration. We also launched the longest running economic expansion in the history of our country, which continues to this day.

We have a chart here that shows that since 1970, the United States has cut common air pollutants by almost 75 percent, while the U.S. GDP has grown by over 200 percent.

Instead of building on the Obama administration's forward-looking environmental standards, this administration has taken pride in tearing the protections apart. This administration's so-called affordable clean energy proposal fails to provide industry with the certainty needed to make clean energy investments for the future, while also providing an uncertain future for generations to come.

People say, at least where I am from and maybe in North Carolina—my wife is from North Carolina, and she tells me they say this in North Carolina as well. You can put lipstick on a pig, but it is still a pig. No matter what EPA calls this proposal, by the Agency's own account, it doesn't achieve affordable energy or clean energy, and it definitely doesn't address climate change. The EPA's proposal, which I think might more appropriately be called the dirty power plan, is instead another step by this administration to dismantle the Nation's environmental protections and protect polluters over the public.

If I were to grade the EPA's proposal to replace the Clean Power Plan, I

would not give it an A, and I would not give it a B, a C, or a D. I might well give it an F. I take no joy in saying that, but that is the way—calling balls and strikes, that is pretty much what I would call it.

A friend of mine—maybe you have a friend like this, too, Mr. President—a friend of mine, when we ask him how he is doing, sometimes responds with these words: "Compared to what?" When compared against the Clean Power Plan, using EPA's own numbers, it is easy to see the dirty power plan's shortcomings.

Let's start with the Clean Power Plan. We have a chart here that says that "the Clean Power Plan would create \$54 billion per year in public health and climate benefits."

Compare that to the dirty power plan. We have another chart. This one indicates—and this is EPA's own analysis. This is not my analysis, not the Democratic Party's analysis; this is EPA's own analysis of Trump's Clean Power Plan replacement. What happens to smog? It goes up. What happens to soot? It goes up. What happens to mercury? It goes up. What happens to carbon pollution? It goes up. How about premature deaths per year? Well, they go up. By a couple? By 100? By 1,000? No, no. Up to 1,400 premature deaths per year.

That is enough for me to say no thank you and to give the dirty power plan a failing grade, but there is more. The Clean Power Plan would reduce household energy prices by \$85 a year through energy efficiency investment. The Clean Power Plan also provides long-term certainty for U.S. businesses, helping American companies make smart investments at home and compete in the global clean energy market. The dirty power plan does not help consumers save money on energy costs, does not provide businesses with certainty, and instead will likely cede clean energy jobs to places like—you guessed it—China.

Let's recap. When we compare the dirty power plan over there in red to the Clean Power Plan here in green—cleaner air? The clear winner is the Clean Power Plan. Saving lives? The clear winner is the Clean Power Plan. Job creation? The clear winner is the Clean Power Plan. Energy savings? Again, the clear winner is the Clean Power Plan. Safer climate? Again, the Clean Power Plan. Where I come from, we call that running the table. That is why, in my class, if I were the teacher, if I were assigning grades, this dirty power plan would not get an A, B, C, or D; it would get a failing grade.

Let's be honest. EPA's dirty power plan proposal is not a climate change replacement, it is a retreat. Let me say that again. EPA's dirty power plan proposal from this administration is not a climate change replacement; it is a retreat. It is a retreat from EPA's most basic responsibilities to ensure breathable air. It is a retreat as well from EPA's most basic responsibility to

usher in economic progress and tackle the greatest environmental crisis that I think we face on this planet of ours.

The Clean Power Plan, with its long-term certainty and flexibility structure, is the Federal policy that moves us in the right direction and fulfills EPA's legal and scientific obligations to address climate pollution. Repealing the Clean Power Plan and replacing it with a proposal as ill-conceived as the dirty power plan will have serious consequences for the health of the public, our economy, and this planet with which we are entrusted.

The American people deserve better than a dirty power plan, plain and simple. My colleagues and I are going to do everything in our power to make sure that happens.

Let me close with this real quick. I see some of my colleagues are waiting to speak. I would say maybe 10 years or so ago, one of my colleagues—I think it was either George Voinovich or LAMAR ALEXANDER—was working on legislation to address four air pollutants: sulfur oxide, nitrogen oxide, mercury, and carbon dioxide. We offered legislation in response to the George W. Bush administration's proposal. Those affiliated with SO_x, NO_x, and mercury—sulfur oxide, nitrogen oxide, and mercury—called the Bush administration's proposal Clear Skies. Pretty clever. We added to that carbon dioxide. We called our proposal Really Clear Skies.

I remember having a meeting in my office about a decade ago. In my office, we had my colleague, my Republican cosponsor, and we also had representatives from six, seven, eight, nine utilities from all over the country debating and discussing whether Clear Skies, the Bush proposal, or Really Clear Skies, our proposal, made more sense. I will never forget what one utility CEO said at the end of the discussion. He might have been from North Carolina. He was from someplace down South. He said: Senators, here is what you should do. Tell us what the rules are going to be, give us a reasonable amount of time, some flexibility, and get out of the way. That is what he said. I will never forget that: Tell us what the rules will be with respect to air emission, give us a reasonable amount of time, some flexibility, and get out of the way.

I think that is what the Clean Power Plan did. We need to get back a lot closer to that proposal. I think it actually mirrors and reflects the advice we received a decade ago.

My time has expired. I thank my colleagues for their patience.

I am happy to yield to the Senator from Arizona, Mr. FLAKE.

The PRESIDING OFFICER. The Senator from Arizona.

SOUTH AFRICA

Mr. FLAKE. Mr. President, I want to rise briefly to address something that happened overnight that the President tweeted with regard to South Africa. I serve as chairman of the Africa Subcommittee on the Foreign Relations

Committee. The President tweeted the following:

I have asked Secretary of State @SecPompeo to closely study the South Africa land and farm seizures and expropriations and large scale killing of farmers. "South African Government is now seizing land from white farmers."

I think it is important for the President, if he is going to conduct foreign policy by tweet, to be more careful and to not base something on one news report. These things matter.

South Africa is, in fact, the ruling party and has proposed land reform measures in South Africa's Parliament. I hope they think long and hard about some of the proposals that are coming forward and not mimic what happened in Zimbabwe 15 years ago that Zimbabwe is still recovering from. In my view, this would not be a good road to take, to expropriate land without compensation. Having said that, it is simply a proposal. It has not been implemented.

On the second part of that, "There is a large scale killing of farmers," there is no evidence to suggest there is a large-scale killing of farmers. Of course, the death of one farmer is too many, but it is wrong to suggest there is somehow a large-scale killing going on, when the evidence suggests that the number of farmers who have been killed over the past year is about one-third the level that was reached in the 1990s.

I would encourage the President to be more careful when he tweets, to not conduct foreign policy by tweet, and to certainly say to our South African friends—a new government we are working with on a number of issues, with which we have a good relationship and want to remain close to—that we in the Congress believe we are their friends, and we want to move forward in ways that will bring the best to South Africans and a good partnership with our country.

I yield back.

Mr. DURBIN. Mr. President, 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. KAINÉ. Mr. President, I ask unanimous consent to enter into a colloquy with my colleagues Senator WICKER, Senator WARNER, and Senator DURBIN to address a pressing issue in the defense appropriations bill, and that is language to allow the Navy to proceed with a two-ship buy for aircraft carriers.

The PRESIDING OFFICER. Without objection.

Mr. KAINÉ. The Navy has been working on a two-ship buy since last year, culminating in its release of a request for proposal, RFP, in April. If the Navy is able to procure the next two Ford-class carriers in a single contract, initial estimates point to over \$2 billion in savings, at least 10 percent. Funds that would be saved could be applied to

other programs within the shipbuilding account or within the Department of Defense generally.

Those savings come about in part through the shipbuilding suppliers across the country who would be able to provide the parts and material needed to build an aircraft carrier in a much more efficient and cost-effective manner. We would be giving these suppliers some degree of predictability. Many of these suppliers are small businesses and single source suppliers who need a demand signal that the country is serious about building up the Navy fleet.

The military shipbuilding supply base is fragile and has shrunk significantly since the last Navy buildup. For nuclear shipbuilding, during the 20-year period between 1977 and 1996, Electric Boat, Newport News, and the industrial base delivered almost 90 nuclear ships in the Ohio-, Los Angeles-, Seawolf- and Nimitz-class programs. The industrial base population during that time was in excess of 17,000 suppliers. Today there are about 3,000 carrier suppliers. The predictability provided by the two-ship carrier buy would enable industry to invest in increasing the capacity of their facilities. This investment will contribute to lower shipbuilding acquisition costs and enable our country to build the Navy our Nation needs.

The two-ship buy would enable the Navy to field an aircraft carrier at least 1 year sooner than the program of record.

I was proud to work with my friend and partner in shipbuilding, Senator ROGER WICKER, to cosponsor a bipartisan letter addressed to Secretary Mattis in December asking for the Department to support a two-ship buy in its fiscal year 2019 budget. In addition to Senator WICKER and me, 15 Senators cosigned, and a similar letter with 131 signatures came from the House.

I ask unanimous consent that the letter sent to Secretary Mattis by me and my fellow Senators be printed in the RECORD at the conclusion of this colloquy.

The PRESIDING OFFICER. Without objection.

Mr. KAINÉ. When Assistant Secretary of the Navy Geurts testified before the Seapower subcommittee in April, he and I spoke about the need to get the Navy's assessment of the RFP and validation of the savings in time to support necessary legislation in the fiscal year 2019 defense bills. Secretary Geurts promised an initial look in early May, but as the authorization and appropriations processes move forward, unfortunately, we are still waiting to hear from the Department of Defense. I must say I am very disappointed with the lack of urgency which the Pentagon is displaying on this initiative.

As we wait, the great savings that this proposal would generate will erode as the Navy is only able to contract for one ship at a time.

In the National Defense Authorization Act for fiscal year 2019, we included specific preconditions in authorizing the two-ship buy, including detail on how significant savings will be achieved and a commitment to full transparency to any changes to the funding profile.

As currently written, the defense appropriations bill would not allow the Navy to procure two aircraft carriers in one contract, and I understand this is probably out of frustration with the lack of a proposal to the committee including complete budgetary estimates and funding profiles. Again, let me say I share the concern that the Department of Defense has been slow to complete necessary analyses and present the Defense committees with a plan.

We often talk about acquisition reform and smarter buying in this body, and this is a perfect opportunity to innovate procurement and contracting. Let's not squander this chance because of bureaucratic inaction.

While I will not seek to amend the appropriations bill today, I ask the chairman of the committee, Senator SHELBY, and Ranking Members LEAHY and DURBIN to ensure that, when this bill goes to conference with the House, the final language be written in a way that would not preclude the two-ship buy from going forward in fiscal year 2019, with all the requisite approvals from the Defense committees being preserved.

Mr. WICKER. Mr. President, I agree with my Seapower Subcommittee colleague, and his approach is consistent with the fiscal year 2019 NDAA, which the Senate approved in a vote of 87-10. The President has signed the bill into law. I join with my colleague in asking for the two-ship carrier buy to be supported, as we did in the NDAA, subject to the requisite requirements that includes a Secretary of Defense certification based on significant savings and other supporting information.

Mr. WARNER. Mr. President, a two-ship block buy would increase predictability and stability for our suppliers, including the many shipbuilders and shipyard workers in the Hampton Roads region. It would also generate significant costs savings for U.S. taxpayers. It is critical that the Navy has access to the next-generation of warships for the world's challenges, while also being responsible in how it procures and budgets. For some time, I have been encouraging the Navy to move forward with a block buy of two aircraft carriers, as it makes strategic sense. Estimates have found that it would be an opportunity to save over \$2 billion in the Defense Department's budget through this block buy.

Mr. DURBIN. Mr. President, I thank Senator KAINE, Senator WICKER and Senator WARNER for raising this issue. Plans for procurement of Ford-class carriers will be debated in the upcoming conference on the defense appropriations bill. I look forward to the Department of Defense and the Navy pro-

viding more information on the proposal, and I will keep Senator KAINE's comments in mind as the discussion continues.

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

U.S. SENATE,

Washington, DC, December 14, 2017.

Hon. JAMES MATTIS,
Secretary of Defense,
Washington, DC.

DEAR SECRETARY MATTIS: As you continue preparation of the Fiscal Year 2019 Budget Request for the Department of Defense, we write to express our support for the block buy of *Gerald R. Ford*-class aircraft carriers. It is our understanding that the Navy and industry have been evaluating the feasibility of block-buy for CVN-80 and CVN-81, as well as the potential cost savings from such a procurement strategy. We applaud the Department of Defense's efforts to examine smarter and more efficient acquisition approaches and would actively support the Department's pursuit of a block buy of *Ford*-class aircraft carriers in Fiscal Year 2019.

Previous block-buys have yielded savings of several percent of the total cost of the ships when compared to annual procurements, which could be in excess of \$1 billion for two *Ford*-class carriers. Total savings could grow to something closer to \$2 billion if the procurement intervals between the ships are additionally shortened from five-year centers to three- or four-year centers, which would be consistent with the Navy's goal of achieving and maintaining the 12-carrier force called for in the Navy's 355-ship requirement.

In light of the increased budgetary demands placed on the Department, we believe that revisiting a proven acquisition method, one that could be executed without reducing funding for other vital shipbuilding programs, is not only warranted, but a sound investment.

As recent events in the Pacific have shown, our nation's carrier fleet is under considerable demand, with 3 of 11 deployed and 7 of 11 carriers underway in recent weeks. A block-buy of *Ford*-class will help the Navy achieve its objective of 12 carriers that better meets combatant commander requirements and readiness goals to sustain worldwide operations. Additionally, a block-buy would continue to signal to the shipbuilding industrial base about our nation's resolve to field a 355 ship fleet. Over the past 25 years, our shipbuilding industrial base has undergone a massive consolidation. The community, which used to tap into more than 17,000 suppliers now relies on fewer than 3,000 across the country. These remaining suppliers would significantly benefit from the predictability and stability of a known future workload. We believe the stability offered by a block-buy approach would enable suppliers to develop greater efficiencies and invest in their own businesses which would further benefit other Navy shipbuilding programs as well.

At the forefront of today's Navy is the *Nimitz* class carrier and *Virginia*-class submarine, both of which are successful products of block-buy type initiatives. As we look to the next 50 years, we believe a wise investment of our precious defense dollars would be in the time-proven acquisition method of block-buy for our next generation of aircraft carrier. Thank you for your consideration and service to our country.

Sincerely,

Roger F. Wicker, U.S. Senator; Tammy Baldwin, U.S. Senator; Cory Gardner, U.S. Senator; James M. Inhofe, U.S. Senator; Marco Rubio, U.S. Senator;

Luther Strange, U.S. Senator; Sherrod Brown, U.S. Senator; Tim Kaine, U.S. Senator; Tom Cotton, U.S. Senator; Mazie Hirono, U.S. Senator; Bill Nelson, U.S. Senator; Jeanne Shaheen, U.S. Senator; Mark R. Warner, U.S. Senator; Thom Tillis, U.S. Senator; Patty Murray, U.S. Senator; Tim Scott, U.S. Senator; Maria Cantwell, U.S. Senator.

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

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

AMENDMENT NO. 3967

Mr. PAUL. Mr. President, Planned Parenthood ends the lives of 320,000 babies each year. That is about 900 babies every day. Planned Parenthood receives over \$400 million of taxpayer money. The government, with a wink and a nod, tells us that Planned Parenthood doesn't spend the money on abortions, but everybody knows that the taxpayer is really cross-subsidizing Planned Parenthood's abortion mills.

My amendment would end the funding to Planned Parenthood. My amendment is already included in the House's version. Yet my amendment is now being blocked by Republicans. Why would Republicans block a vote on defunding Planned Parenthood? It may surprise some because so many Republicans go home and say they are against Planned Parenthood, but this vote could happen right now—right now, today—if Republicans don't object.

Everybody knows that the Democrats love abortion and Planned Parenthood more than life itself. But Republicans? Many voters think Republicans actually care about the unborn. Many voters think Republicans are really opposed to government-funded abortions. But the dirty little secret is that Republican leadership is blocking my amendment to defund Planned Parenthood. That is right. The Republican leadership has filled the amendment tree to block my "defund Planned Parenthood" amendment. But how can that be? Surely, the Republican leadership doesn't favor abortion funding, so the answer is a curious one.

The truth is that the Republican leadership favors bloated government spending more than it cares about Planned Parenthood. This appropriations bill before us exceeds the spending caps by nearly \$100 billion. Big-spending Republicans fear that blocking funding for Planned Parenthood would derail their plans to greatly expand the welfare-warfare state. So be it. The public has long known that the Democrats are the abortion party. Now the public will know that many Republicans just give lip service to pro-life issues and are really more concerned with bloated government spending than with saving lives.

Of the 320,000 babies that Planned Parenthood will abort this year, about 6,400 of these babies would be geniuses. They would develop into geniuses if

they would be allowed to live. Perhaps one of these potential geniuses would discover a cure for cancer or Lou Gehrig's disease. Of the 320,000 babies aborted by Planned Parenthood every year, about 1,000 would become doctors, 1,500 would become engineers, 1,200 would become lawyers, 3,400 would become teachers, and 400 would become pastors. Yet all of that potential is lost each year as a consequence of Planned Parenthood.

What I would say to my Republican colleagues is to please explain to voters at home why they allow Planned Parenthood to continue receiving taxpayer funds; to explain to those at home why they purposely filled the amendment tree in order to block an amendment to defund Planned Parenthood; to please explain to voters at home why passing huge deficit spending bills is more important than trying to save lives; and to please explain to America why anyone would trust politicians who continue to break their promises.

Make no mistake about it—my amendment to block funding for Planned Parenthood is being blocked by Republicans.

In a moment, one of the Democratic leaders will stand up and ask for a vote on my amendment as well as on a Democratic amendment. We don't agree on the policy, but we agree that if you allow an amendment from each side, that we could have some comity, that we could have some debate, and that we could live to disagree on another day. This amendment is not being blocked by the Democrats; this amendment is being blocked by Republicans who refuse to vote on a Democratic amendment.

Republican leadership has the power to unblock the amendment tree and allow the vote. The question is, What is more important to these Republicans—saving lives or spending money?

I ask unanimous consent to set aside the pending amendment in order to call up my amendment, No. 3967.

The PRESIDING OFFICER. Is there objection?

The Senator from Illinois.

Mr. DURBIN. Reserving the right to object, Mr. President, at the outset, the issue of abortion is a divisive issue in America. Many people have different and strongly held beliefs on this particular issue.

We have a law on the books now—and have for decades—that no Federal funds may be spent for the performance of abortion procedures, including at Planned Parenthood. Yet Planned Parenthood does much more than that. Planned Parenthood provides healthcare for millions of women across the United States, and Planned Parenthood provides family planning so that these women can avoid unplanned pregnancies, which, sadly, in many cases, lead to abortion. Regardless of your position on abortion, the position of Planned Parenthood is to counsel families so they can control

the number of children they have and avoid unplanned pregnancies and the likelihood of abortion procedures to follow.

It is for this reason that I have consistently voted against Senator PAUL when he has stood here to defund Planned Parenthood, and I will today. Yet I am about to make a modification request in the hopes that we can have the vote that he just asked for, the vote on Planned Parenthood, as long as we can also have a Democratic vote—one of each—on an amendment that is being offered by Senator JOE MANCHIN of West Virginia, which basically states that we in the U.S. Senate will join in an effort to preserve those portions of the Affordable Care Act that protect families who have members with preexisting conditions. That is basically it.

Time and again, we have heard Republicans say they don't want there to be discrimination against families because there is a child who is a cancer survivor or because there is a spouse who has diabetes. They do not want them discriminated against and to be charged more for health insurance. That is all Senator MANCHIN is asking for.

So we will have a vote on the Paul amendment on Planned Parenthood and on the Manchin amendment, which goes to the heart of the Affordable Care Act's preexisting condition protection. Those two amendments can bring us to a close on this debate. I think that is a fair, bipartisan conclusion. I agree with what Senator RAND PAUL of Kentucky has said in that this is the right way to end this debate—with a Republican amendment and a Democratic amendment.

I move to modify Senator PAUL's request. I ask unanimous consent that the following amendments be called up en bloc and reported by number: Paul No. 3967 and Manchin No. 3865. I further ask consent that at 4 p.m., the Senate vote in relation to the amendments in the order listed and that there be no second-degree amendments in order to the amendments prior to the votes and that each amendment be subject to a 60-vote affirmative threshold for adoption. I further ask consent that following the disposition of the Paul amendment, the managers' package, which is at the desk, be agreed to—a bipartisan package—and that all postcloture time be yielded back.

The PRESIDING OFFICER. Is there an objection to the modification?

The Senator from Texas.

Mr. CORNYN. Reserving the right to object, Mr. President, the Paul amendment is a germane amendment. It should be taken up and passed with a majority vote in the U.S. Senate.

This counterproposal asks that a 60-vote threshold be set for the Paul amendment, which, obviously, would make it much less likely to actually pass. What I think makes a whole lot more sense is to have a vote on the Paul amendment as a stand-alone to

defund Planned Parenthood with a majority vote of 50, but I believe that the Manchin amendment has problems as well.

Firstly, this Manchin amendment inserts itself into pending litigation in Federal court, which is being led by my home State of Texas, by intervening as a party only a few weeks prior to there being oral arguments. This is a role that is generally reserved for the executive branch, and I believe that the legislature—the Senate—should exercise caution and deference to the constitutional role of other branches before injecting itself into a contested lawsuit at a late hour.

Secondly, the Manchin amendment asserts that the Senate should defend all provisions of the Affordable Care Act. While that may be the position of the senior Senator from West Virginia, I have a number of concerns and objections to ObamaCare which are well-known, as do so many of my Republican colleagues. There are many problematic and possibly illegal provisions of ObamaCare that should not be defended by this body, as the Manchin amendment would urge.

Finally, I strongly believe in protecting Americans who have preexisting conditions and in ensuring they have access to affordable healthcare. Our friends across the aisle act as if the only way you can protect against preexisting conditions is through ObamaCare. That is demonstrably false. There is a much better and more reasonable way to protect Americans who have preexisting conditions other than to shackle them to ObamaCare. I believe the best way for us to address this is by legislating—by working together and coming up with legislation that will actually solve the problem—rather than by injecting ourselves into ongoing litigation against ObamaCare.

While I am opposed to the extraneous amendment by the senior Senator from West Virginia, I am completely in support of voting on Senator PAUL's amendment. Frankly, I am a little confused by his statement that Republicans oppose his amendment when, at this point, I renew the request of the Senator from Kentucky. Yet I ask that it be set at a 50-vote threshold as a germane amendment to the pending legislation.

The PRESIDING OFFICER. Is there an objection to this modification?

Mr. DURBIN. Reserving the right to object, Mr. President, I would like some explanation as to where we are on the floor at this moment.

The PRESIDING OFFICER. Senator PAUL has the floor. He has a unanimous consent request to which there have been two modifications sought.

Is there an objection to the modification for the Senator from Texas?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Is there an objection to the modification for the Senator from Illinois?

Mr. CORNYN. I object.

The PRESIDING OFFICER. Objection is heard.

Is there an objection to the original request by the Senator from Kentucky?

Mr. DURBIN. Reserving the right to object, Mr. President, we have agreed that the Republican Senator from Kentucky is to offer an amendment to defund Planned Parenthood. I will be opposing that, but I believe he is entitled to a vote. On the Democratic side, we are asking to have an amendment, in a bipartisan nature, so that the Democratic amendment can be offered, which may be opposed by both of the Republican Senators. With that, there would be a real debate in the Senate, which we rarely have.

Because Senator PAUL and I agree that there should be both amendments—the Democratic and Republican amendments—and that we should move forward to close down debate on the overall bill, I will object until we get Senator CORNYN's agreement.

The PRESIDING OFFICER. Objection is heard.

The Senator from West Virginia.

AMENDMENT NO. 3865

Mr. MANCHIN. Mr. President, I can't believe that we are getting into this tit-for-tat in politics and that politics always rules the day here. Do you know what? Whether or not you agree on the amendment that is up, we thought we had an agreement that both amendments would be voted on.

My amendment is simply using the Senate's legal staff to intervene on pre-existing conditions. This affects every one of us. This affects 1.8 million Kentuckians. This affects 800,000 West Virginians. Every State has people who have some form of preexisting condition, and every family has someone with one.

What we are asking for is to be able to fight the good fight. The suit that we are dealing with right now is that of Texas v. United States, wherein 20 attorneys general are bringing suit to basically take preexisting conditions away and allow insurance companies to decide as to whether they are going to sell you insurance or not or how much they are going to charge you for the insurance or whether they are going to put caps back on and say you are just too sick for them to spend more money on or for them to invest any more money in you.

All we are asking for is to give us a vote on it. Let's see if the Senate wants to intervene, and let's see if we can fight to save some of the people's healthcare around the country. There are 800,000 West Virginians who are depending on this. That is all we ask for.

Senator PAUL has asked for a vote on his amendment, and I think that should be granted. I think it is equally right that ours should be granted. We thought there was an agreement earlier. I don't know why I would believe that politics would not be involved, but I don't know why it got involved at this level of giving us a vote.

Again, all I am asking for is for common sense and cooler heads to prevail here and to move on. We can get this accomplished. We thought we had it worked out. We were talking about cancer, heart disease, diabetes, arthritis, asthma, and other types of illnesses that can be determined to be preexisting conditions.

We have 400,000 West Virginians who have severe preexisting conditions who will not even be able to buy insurance because the insurance companies will not sell it to them as it will just be too costly and there will not be enough profit in it. They will be too sick, so they will be out. Another 400,000 will have the rates raised to the point at which they probably won't be able to afford it.

I just don't know why we are going down this path again. I don't think there is a Democrat or Republican—this is not a political issue. This is not a life-or-death issue. All I am asking my colleagues on the Republican side to do is to please consider this. Let us vote on it. You can vote the way you want to and go home and explain your vote. I am OK with that. If you want us to vote on Planned Parenthood, whether people think that they should or should not, that is OK. You can go home and explain it. But to not let us vote and to not even talk about it because—I look here at Kentucky. There are 1.8 million people in Kentucky who have been diagnosed with preexisting conditions. I am sure they would like to be able to buy insurance. I am sure they would like to have protection and not have the insurance companies say: I am sorry, not for you today.

I hope you all consider this. Let's put it up for a vote and see where it goes, and let's go after them in court. This happens September 5th. I think Senator CORNYN said it is not germane, and he is using different terminology or different reasoning for that. But since they moved this court date from the 14th to the 5th, it is of urgent necessity for us to get in and intervene to see whether we can protect the people of America. I need to fight to protect the people of West Virginia, and I will continue to do that.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

UNANIMOUS CONSENT REQUEST—S. 896

Mr. BURR. Mr. President, I rise today to talk about the Land and Water Conservation Fund. I talked a lot yesterday about the benefits of the Land and Water Conservation Fund and how it is one of the most popular and successful bipartisan programs that exist for conservation.

I shared with my colleagues and with those who listened a newsletter from the Blue Ridge Parkway Foundation that stated some of the great things they are doing with private sector dollars. They are taking what the Land and Water Conservation Fund provides—which is zero in taxpayer dollars

but royalties off of exploration—and they are giving that to the States to protect treasures we have.

In those States and localities, they use that Federal seed money to leverage private sector dollars to produce inholdings, edge-holdings, and outparcels, sometimes traded so that we protect the land that is most valuable to us and that leverages volunteers and private dollars. It is on the order of 10 to 1 private dollars to Federal dollars.

Today, I want to give you a great example how LWCF money was used for acquisition of land that has made it safer for outdoor enthusiasts and also easier for local governments in my State of North Carolina.

We have a falls called the Catawba Falls. It is a popular attraction in western North Carolina, but the trail to get to the falls is over private land; therefore, those who venture there for recreational benefits and the beauty of Catawba Falls find a circuitous route to get there, and in many cases, we have individuals who have gotten injured. This becomes very costly to local emergency services because when you extract somebody from an inholding that you have no public access to, you have to airlift those individuals.

The Foothills Conservancy recognized the need, and this wonderful local land trust was able to move quickly when the landowner became willing to sell for public access.

I think it is an interesting fact that this family who sold to Foothills was the first family in the United States to sell land to the U.S. Forest Service in 1911 under the Weeks Act.

The Forest Service was eventually able to acquire the land through the Land and Water Conservation Fund. Now there is a road and a parking lot for visitors. The cost of emergency services to get to the falls to respond to accidents has been dramatically reduced. Visiting the attraction is now safer for hikers. Visitor experiences were improved with parking and restrooms. A beautiful trail that belongs to the public was made, and local government's burden was eased.

They average one medical situation a month. Since the Presiding Officer is a physician by practice, I know he understands the cost that is incurred with an emergency of that magnitude. Because of this access, they have saved one hour per extraction, and McDowell County Emergency Management is saving \$1 million annually because they don't have to do helicopter extractions.

It is an economic stimulus to the town of Old Fort and protects the headwaters of the Catawba River, which, I might add, is the drinking supply for the city of Charlotte, NC.

Talk about a win-win-win. This is one of them. This is a perfect example of how LWCF helps make access for the public easier by purchasing an edge-holding.

As Americans, we need more outdoor recreation and access opportunities,

not fewer. The program is widely supported by outdoor recreation industry enthusiasts, conservationists, anglers, hunters, birdwatchers, and all who appreciate access to America's unparalleled lands. If I didn't mention it, it requires zero in taxpayer money. Let me say that again. There is zero taxpayer money.

The U.S. outdoor recreation economy generates \$87 billion in consumer spending. It generates \$65 billion in tax revenue. If you don't utilize the outdoors as an individual and you are a budget hawk, it is a good program. It grows the economy. It produces revenues for the Federal Government.

The program has been so successful that just a decade after its original enactment, in 1977, the Congress decided to triple its authorization to a level of \$900 million—the level it remains at today. I might add that the first two authorizations of this bill were for 25 years—25 years. Eventually, the authorization level for funding went to \$900 million. It has only been funded at \$900 million one time in the over 50 years since it has been established.

In our great wisdom, for some reason, 3 years ago, we authorized it at 3 years, and on September 30, it will expire. As of March 30, the Land and Water Conservation Fund had a credit in its account of \$21.5 billion because over the years Congress chose not to allocate the full \$900 million that has been credited to the fund. This bill puts the money toward deferred maintenance and returns the rest to Treasury.

Very quickly, let me just tell you about a bill that I am going to ask unanimous consent that this body take up and pass. The base of the new bill is permanent authorization of the program. It also includes a provision that I sprung on everybody yesterday.

Members of the U.S. Senate have expressed a concern about a permanent reauthorization with no ability to go in and alter that, so what I did was I added a provision that allows for the Congress to take up a dissolution resolution every 3 years where, with a 60-vote margin, they can disapprove the automatic renewal.

We have tried to address all of the concerns that have been raised. Since the beginning of the 115th Congress, I have tried to come down here and get this bill on the floor, only to hear: Not today. It needs to be on something else. We can't have a vote on it.

We have never been allowed to have a vote on it. I am sympathetic to individuals who have raised questions on the ability to vote.

If future Congresses believe they need to review the program, this provision allows them to do it by simply passing the joint resolution of disapproval. Every 3 years, they are given the opportunity.

Additionally, this bill shares funds currently available to the LWCF program. Again, let me remind everybody of the background. Every year—\$900 million is credited on an annual basis

to the Land and Water Conservation Fund. That is in the statute. Every year, appropriators determine how much money they intend to appropriate, and in only one of the years since 1977, when we raised the allocation to \$900 million, has it actually been funded at \$900 million. So each year, \$900 million goes in, and appropriators dole out what they want to. It is all royalty money; it doesn't have anything to do with taxpayer money. That has left a hefty chunk of change just sitting there, waiting for Congress to appropriate—\$21.4 billion.

To meet my colleagues halfway, in addition to a 3-year review, with a vote to disapprove an automatic renewal, my bill does this. I have decided to put those available funds toward a program that many of my colleagues have been very vocally supportive of in the past year. This bill would reallocate \$11 billion out of the LWCF trust fund, and it would allocate that money and dedicate it to the National Park Service for maintenance.

I know many Members are anxious to get a parks maintenance bill through, and we have had trouble doing that. I am giving you an opportunity and an option that would fund it at a level we haven't even talked about. We are talking about somewhere right around \$1 billion. Yet we know we have \$10 billion worth of deferred maintenance. With just the reauthorization of this one conservation program, we would shift \$11 billion out of the LWCF account and into the parks maintenance account. It doesn't take a mathematician to realize that the money would be available immediately. It would still require the appropriations process.

There would be an additional \$10 billion left in the LWCF fund. So what I propose in this legislation is that the bill would credit back to the General Treasury \$10 billion to go toward paying down debt.

I have heard a lot of my colleagues stand up here—as a matter of fact, many in this body voted for a rescissions package that had a \$16 million reduction in the LWCF fund. I voted against it because I got no help in trying to understand why we were going to cut money out of a program that we had yet to fund at the level at which it was authorized. If they were willing to cut \$16 million of LWCF to pay down debt, I am giving them a great opportunity—I am giving them \$10 billion in this bill.

So we are going to take \$21 billion that the LWCF has accrued over its existence, that has been unallocated to them but is still there, and we are going to give \$11 billion to the parks and recreation maintenance fund, and we are going to give \$10 billion to the Treasury to pay down debt.

I have been working on all aspects of LWCF for about 5 years, if not longer. I think that in the last 24 hours, I have addressed every concern that has been expressed—budget, taxpayer money, parks maintenance, why we should do

it. Let me suggest to the Presiding Officer and to my colleagues why we should do it. Because Americans really appreciate this program because across this country, there are generations today who believe that their children and their grandchildren will be able to experience the same experience they had because we have been smart enough to protect some of those treasures.

I don't want to be greedy. I would love to appropriate \$21 billion, as I am sure my colleague from Colorado, who I see standing over there, would love to do. It is probably not needed all at one time, but the credit is there. If we are willing to reauthorize this program and to give them some degree of permanence, then I believe every person who is the beneficiary of or interested in the Land and Water Conservation Fund will not argue with saying: OK, we will take the \$21 billion we built up, and we will give \$11 billion to the parks maintenance program and we will pay \$10 billion to the Treasury. And we will start over at accruing at \$900 billion a year what the American people, through their Congress, in the past have said we are going to invest in these conservation efforts.

It is a significant gift. There are winners and winners and winners. There is no difference between this and the Catawba Falls example I gave you where the winners were the local community, the individual who sold the land, and the emergency services cost to the county. This is a win-win for America, and we are doing all of this with zero taxpayer money. We are using the royalties off of exploration to fund it.

I am going to do something that is probably a first in this body. There are individuals who still would like to object to this. I am going to ask unanimous consent, and then I will object to my own unanimous consent request because I understand the rights of any one individual in the Senate.

I could have waited hours to speak until one of them came to object, but I saw it more worthy of my time to come here and to raise this issue, to present solutions, and to object to my own unanimous consent request because I respect the rights of every individual.

But I hope through doing this those colleagues that might have an objection to this would alleviate that objection. If you don't like the program, that is one thing, but don't claim that it is because you want to reduce the debt. Don't claim that you don't want to use taxpayer money. Don't claim that you want to package this with the parks and maintenance program.

I am giving it all to you in one bill. The only thing I am asking in return for the Land and Water Conservation Fund is to give us the ability to know long-term that this is in place so that we can leverage every private sector dollar in this country that we possibly can toward whatever appropriations the appropriators decide on an annual basis to give to the fund.

So at this time, I ask unanimous consent that at a time determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the immediate consideration of my bill in relation to LWCF, which is at the desk, with 1 hour of debate, and the Senate then vote on the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BURR. Mr. President, I reluctantly object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Colorado.

CLIMATE CHANGE

Mr. BENNET. Mr. President, I would save my colleague from North Carolina from having to object to his own motion, but I so much believe in what he is trying to do that I can't object. I thank him for his leadership, through the Chair, on this issue over many years. This should be a bipartisan issue. It is a bipartisan issue. My colleague from Colorado, CORY GARDNER, and I wrote an op-ed piece together—can you believe that?—in the Denver Post, supporting the work that Senator BURR from North Carolina is trying to do.

It is long past time for us to stop continuing to play these political games and actually do some work for the American people. There is not a county in America that doesn't have a Land and Water Conservation Fund project. That is not what I am here to talk about, but I thank him for his leadership.

I am here to talk about another area that should be bipartisan, and that is addressing the urgent matter of climate change in the United States of America with the leadership of our government. Instead, this week, President Trump made his latest assault on our country's climate policy by gutting the Clean Power Plan. This decision creates more uncertainty for coal miners by delaying for 2 years what everyone knows we ultimately have to do, and it creates uncertainty for everybody else.

President Trump has campaigned for years on the idea that there is a war on coal, ignoring his own Department of Energy's observation that the reason why coal has fallen as a source of our energy is that natural gas, because of the ingenuity of the American people, has become so cheap. That is what displaced coal, but he is ignoring it, just like he ignores economic reality after economic reality.

This is not going to help Colorado. We have added 60,000 clean energy jobs and 230,000 outdoor recreation jobs, and we have 170,000 agriculture jobs that are inseparably linked to the stability of our climate. One of the reasons this sector is growing so rapidly is that Colorado does not have the luxury of operating in a fictitious economy. We see the threat of climate change every day, from an infestation of pine and spruce beetles that have destroyed our

drought-stricken trees to wildfires that are no longer bound to a season because now they burn, or can burn, all year long, to shorter ski seasons and longer droughts that are affecting our farmers and ranchers.

These consequences of climate change are costing Coloradans billions of dollars each year, and this cost is only expected to increase.

I have said it before. My State is one-third Republican, one-third Democratic, and one-third Independent. We have a consensus in my State that climate change is real and that humans are contributing to it. That doesn't mean everybody agrees with what the solution should be, but there is a consensus that if we do not act, we will not be fulfilling our obligation to the next generations of Coloradans.

In Colorado, for that reason, we have made significant progress transitioning to a cleaner energy mix because we are betting on the economy as it actually exists, not as Donald Trump imagines. So far, that bet has paid off. We have had \$6 billion invested in clean energy. We have created hundreds of thousands of clean energy jobs in construction, maintenance, and installation that cannot be outsourced and cannot be sent to China.

Wind jobs alone are expected to triple by 2020, and our largest utility, Xcel Energy, announced this past June that it is retiring two coal plants early and replacing them with wind, solar, and natural gas, and energy storage.

This has nothing to do with the Environmental Protection Agency—nothing—or regulation. It is because it is cheaper. It is cleaner for the environment, but it is also cheaper for the rate base. That is what we are accomplishing in Colorado, and I know it is true across the country.

This assault by President Trump on the Clean Power Plan, which so many States were already complying with, is just the latest in a year-and-a-half attack on important environmental regulations: fuel economy standards for cars and trucks that he got rid of that will make our automobiles and our trucks less competitive overseas; commonsense rules to decrease methane leaks from oil and gas production; opening up of the Arctic National Wildlife Refuge and our coasts for drilling; attacking the Antiquities Act and the Endangered Species Act; appointing Scott Pruitt, a climate denier, to be the head of the EPA; trying to roll back the clean water rule; trying to use taxpayer dollars to revive retiring coal and nuclear plants on the taxpayers' dime; trying to delay ozone standards to limit smog to prevent our children and seniors from getting sick; and withdrawing from the global climate agreement. We now have the distinction of being the only country in the world not to be part of that agreement. Syria has now joined it, but we are by ourselves.

I can tell you that the generation of people in this Chamber who are the age

of the pages in this Chamber have a consensus that climate change is real.

I know my colleague is here. So I am going to bring this to a close, but let me say that the Republican Party nationally has had a distinguished record on environmental matters until very recently. That may surprise people who have seen the debate and watched it, but it is true. Richard Nixon, a Republican President, signed the Clean Air Act and signed the Clean Water Act. He created the Environmental Protection Agency. Anybody who wants to remember what was going on back then only needs to think about the Cuyahoga River catching on fire and what that looked like. Anybody who remembers that knows that it is very hard to make the argument that net-net the Clean Air Act and the Clean Water Act haven't been good for our economy. That doesn't mean that it is perfect, but it is very hard to make that argument. People will, but I think it is very hard to make it convincingly.

Ronald Reagan, one of the great conservative Republicans in the history of America, is the guy who was President when the ozone layer got a hole in it. He was a survivor of skin cancer. Kids who come to my meetings today don't know what the hole in the ozone layer is. They can thank Ronald Reagan for that.

Both Bushes said that climate change is real and that humans are contributing and that we have to do something about it, and we need to work through multilateral organizations—in that case it was the U.N.—to do something about this.

Then, what changed? In 2010 the Supreme Court made a decision in Citizens United that opened up our entire Federal Government to billions of dollars of outside money, and the threat of outside money came with a promise to sign something called the "climate pledge," which denied that it was real. Ever since then, we haven't been able to do any bipartisan work on it.

The Supreme Court in that opinion talked about its worries about the corruption of action. What we have is the corruption of inaction—the bills that aren't written, the amendments that never get a vote, and the committee hearings that are never held because of a distortion in our political system. We have to change that together because if we are serious about climate, we need an enduring solution. We can't have something that is ripped out like the Clean Power Plan after a year and a half. That will not fulfill the responsibility we have for the next generation of Americans—or to the planet, for that matter.

So I am very sorry to be here today under the circumstances that I am here, but I thought it was important to note what the President had done, and I will say again that I hope the time will come when we can make bipartisan progress on climate change.

Mr. President, I ask unanimous consent that an article from the Wall

Street Journal and an article from the Washington Post be printed in the RECORD.

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

[From the Wall Street Journal, Mar. 8, 2016]
COMPANIES GO GREEN ON THEIR OWN STEAM
(By Cassandra Sweet)

U.S. companies are cutting emissions voluntarily and buying clean energy at the fastest pace ever, as lower renewable energy prices and easier availability of these sources makes these economical options.

Companies such as Salesforce.com Inc. have started to embrace energy generated from wind, solar and other clean-energy sources in earnest this past year, while General Motors Co. GM 1.18%, and Whole Foods Market Inc. have doubled down on their renewable energy usage.

U.S. companies, in 2015, agreed to buy 3,440 megawatts of solar and wind power under long-term contracts—enough to power Sacramento, Calif.—and, roughly three times the amount they bought in 2014, said Herve Touati, research director at the Rocky Mountain Institute, a clean-energy think tank. Displacing fossil fuel energy with that amount of renewable energy is roughly equivalent to taking 1.4 million cars off the road, according to the institute.

“It’s a combination of social pressure on large, visible corporations to do good for the world, and the fact that today you can sign deals that are attractive economically,” Mr. Touati said.

A decline in renewable-energy prices alongside a larger energy slump are playing a key part in the shift. The price of wind power averaged \$29 a megawatt-hour in 2015, down 27% from 2012, according to research firm Bloomberg New Energy Finance.

Solar power bought under multiyear contracts also fell last year to \$57 a megawatt-hour on average, down by nearly one-fifth from 2012. One megawatt of wind energy can serve about 270 average U.S. homes, and the same amount of solar power can serve 164 average homes, according to wind and solar power industry groups.

The price of fossil-fuel based power averaged \$35 a megawatt-hour in 2015, according to a Wall Street Journal analysis of data compiled by the Energy Department.

GM signed a deal last year to operate more than half its assembly line in a Dallas suburb on electricity generated by a West Texas wind farm. Workers at the plant in Arlington, Texas, are expected to assemble 1,200 Chevrolet Suburbans, GMC Yukons and Cadillac Escalades daily using a renewable power source when the wind farm goes online later this year.

GM says it has saved more than \$80 million from green-energy purchases and investments since 1993, when it started on its renewable energy initiatives, said Rob Threlkeld, the company’s global manager of renewable energy.

“Any renewable energy project has to provide a savings,” he said, adding that in Michigan, Ohio and Indiana the auto maker is using electricity generated from burning landfill gas and trash to power its factories.

Mounting solar panels on the roofs of its big-box stores and warehouses has helped Wal-Mart Stores Inc. trim its electric bills, the company says. With nearly 350 commercial solar installations on its buildings, the Bentonville, Ark.-based company outpaces every other corporation in America for on-site solar adoption, according to the Solar Energy Industries Association.

“The financial impact is important to us. Our customers vote with their pocket

books,” said David Ozment, Wal-Mart’s senior director of energy.

Wal-Mart buys enough wind, solar and other renewable energy every year to power 26% of its stores, warehouses and distribution centers around the world.

By 2020, the retailer also aims to save \$1 billion a year by more than doubling the amount of renewable energy it uses and trimming its electricity consumption at each store by 20%. “Customers have said, ‘We love what Wal-Mart is doing in this space. We want you to continue doing this. But we don’t want to pay a premium for our diapers for that,’” Mr. Ozment said.

Intel Corp., as part of efforts to shrink its carbon footprint, has installed a lot of solar panels. The company’s green efforts help attract and retain top-flight talent in California’s competitive hiring environment, according to a study by Bain & Co.

“We have a variety of awards and programs that are associated with sustainability objectives and actions,” says Intel spokeswoman Claudine Mangano. For example, the company awards “bonus points” to employees who figure out ways for Intel to meet its annual environmental goals, such as cutting power use. The points can be converted to cash.

Whole Foods, the chain that markets itself as a purveyor of organic food, has faced obstacles in trying to establish an environmentally friendly image. One of the grocery chain’s main initiatives—the repurposing of used cooking oil to generate power in a kitchen outside Boston that made prepared meals for Whole Foods stores across New England—failed. Lower crude oil prices forced the cooking-oil supplier to abandon the project.

Whole Foods is going solar, and plans to install solar panels at 100 stores after putting arrays on 25 others.

[From the Washington Post, Nov. 17, 2017]

THE U.S. HAS MORE CLIMATE SKEPTICS THAN ANYWHERE ELSE ON EARTH. BLAME THE GOP.

(By Amanda Erickson)

In most of the world, climate change is settled science.

Not so in the United States. President Trump has called human-made climate change a “hoax perpetuated by and for the Chinese in order to make U.S. manufacturing noncompetitive.” Former House speaker Newt Gingrich has suggested that climate change is the “newest excuse to take control of our lives by left-leaning intellectuals.” Conservative broadcaster Rush Limbaugh called it “one of the most preposterous hoaxes in the history of the planet.”

In fact, the United States is home to more climate-change skeptics than most other countries. Don’t believe me? The U.K.-based market research firm surveyed 16,000 people in 20 countries about their attitudes on climate change.

More people in the United States doubt that humans are responsible for climate change than just about any other country. What accounts for this discrepancy?

Our politics. Climate-change denial is a core tenet of one of our two major political parties. Its skepticism is unmatched around the world. A paper from researchers at the University of Bergen in Norway found that among major political parties—even conservative ones—the GOP stands alone in its rejection of the need to tackle climate change. One analysis by PolitiFact agreed that “virtually no Republican” in Washington accepts climate-change science.

It wasn’t always this way. In 2008, Republican presidential candidate John McCain produced an ad praising him as a candidate who “sounded the alarm on global warm-

ing.” According to an insightful New York Times article, the party transformed itself into a party of skeptics in just a decade, thanks to “big political money, Democratic hubris in the Obama years and a partisan chasm that grew over nine years like a crack in the Antarctic shelf, favoring extreme positions and uncompromising rhetoric over cooperation and conciliation.”

The Times explains that fossil fuel industry players, like Charles D. and David H. Koch, funded a powerful campaign to scare Republican lawmakers away from supporting climate-change legislation. Their group Americans for Prosperity pushed a “No Climate Tax” pledge and helped unseat supportive Democrats from Virginia. (When the smoke cleared from the 2010 midterms, 83 of the 92 new members of Congress had signed that pledge.) President Obama, frustrated by Congress’s inability to act, pushed executive actions to combat climate change, moves that only further infuriated the right. (“It fell into this notion of executive overreach,” Heather Zichal, an Obama climate adviser, told the New York Times.) The tea party, too, saw fighting climate change as one more big government program it wanted nothing to do with.

That reality is reflected in our news coverage. A 2011 report by James Painter from the University of Oxford and the Reuters Institute for the Study of Journalism looked specifically at how climate change was covered in newspapers in six countries.

He found that U.S. and U.K. print media quoted or mentioned climate change skeptics significantly more than outlets in Brazil, China, India and France. Together, outlets in the United States and Great Britain accounted for about 80 percent of all skeptic quotes and mentions. About 40 percent of those articles ran in opinion sections. American publications were much more likely to quote a skeptical politician than outlets in the other countries, in large part because politicians in the U.K. and U.S. are more skeptical, on the whole, of human-caused climate change.

Painter also found that right-leaning outlets are much more likely to publish skeptics than left-leaning outlets.

And it’s reflected in how Americans think about climate change. Americans are unusually divided on climate change among major democracies. A large percentage of Democrats believe in human-made climate change; many Republicans don’t. As Painter explained to me in an email, “the polarization of attitudes towards climate change between Republicans and Democrats is very acute, and this is not replicated to the same extent in other countries.”

As Pew explained in a 2015 report, this polarization doesn’t look so different than American divides on a lot of other things like abortion and gun control.

In other countries, climate change just isn’t a partisan issue. Broad majorities of people accept what scientists say—that climate change is being caused by humans, who are pumping carbon dioxide into the air at alarming and unprecedented rates. That might be because in many places, people are experiencing the impact of a changing climate directly, so they’re more likely to believe the science. It’s also true that in countries with the highest carbon emissions like the United States, concern about human-created climate change is lowest. Most other places, too, don’t have big lobby groups or think tanks with links to fossil fuel companies pushing out their message into the public sphere and media.

Mr. BENNET. I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

DEPARTMENT OF JUSTICE

Mr. SASSE. Mr. President, I rise today to speak to the issue of the leadership of the Department of Justice.

It has been a strange couple of hours around this building with lots of talk about firing the Attorney General. I would just like to say in public what I have been saying to my colleagues in a message that I just communicated to the President of the United States; that is, that it would be a very, very, very bad idea to fire the Attorney General because he is not executing his job as a political hack. That is not the job of the Attorney General. The Attorney General's job is to be faithful to the Constitution and to the rule of law.

Jeff Sessions just had to issue a statement about 2 hours ago that I would like to read. The Attorney General says:

While I am Attorney General, the actions of the Department of Justice will not be improperly influenced by political considerations. I demand the highest standards, and where they are not met, I take action. However, no nation has a more talented, more dedicated group of law enforcement investigators and prosecutors than the United States.

I am proud to serve with them and proud of the work we have done in successfully advancing the rule of law.

That is his job. The Attorney General is a man who, when he served in this body, would have policy disputes with probably all 99 of us or 100 of us now, but the 99 people he served alongside. There are a bunch of issues where I agree with Jeff Sessions on policy, and there are some issues where I disagree with Jeff Sessions on policy.

The Democrats disagree with Jeff Sessions on lots of policy, but I think everybody in this body knows that Jeff Sessions has been executing his job in a way faithful to his oath of office, to the Constitution, and to trying to defend the rule of law. I think Jeff Sessions' statement today that the U.S. Department of Justice is filled with honorable, dispassionate, career prosecutors who execute their job in ways that the American people should be proud of is indisputably true. What he said is something that basically everybody in this body knows and agrees with. Yet, bizarrely, there are people in this body now talking like the Attorney General will be fired, should be fired. I am not sure how to interpret the comments of the last couple of hours.

I guess I would just like to say, as a member of the Judiciary Committee and as a Member of this body, that I find it really difficult to envision any circumstance where I would vote to confirm a successor to Jeff Sessions if he is fired because he is executing his job rather than choosing to act as a partisan hack.

I think everybody in this body knows that Jeff Sessions is doing his job honorably, and the Attorney General of the United States should not be fired for acting honorably and for being faithful to the rule of law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I did want to thank my colleague for his statement about the Attorney General. I think he is absolutely correct about what he said. I used to work at the Department of Justice, and the FBI and the DOJ are filled with honorable civil servants who are doing their best to enforce the law. I thank him for his remarks.

I yield to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, somebody once said: What is the use of a house if you don't have a tolerable planet to put it on?

That is a question that we should all grapple with in this Chamber. It is a question that propels my colleagues from the Environment Committee to come to the floor and take note that the Trump administration's plan to replace the Clean Power Plan with a dirty power plan is one egregious step in damaging our planet. It is an egregious step to increase carbon pollution.

Carbon pollution has all kinds of effects that we are seeing across the country, from raging forest fires in the Northwest, with my State covered in smoke, to the stronger, more powerful hurricanes that hit the city of Houston of my colleague from Texas and the cities in Florida of my colleague from Florida, to the impact across the country on agriculture, to the impact with greater droughts in some cases and greater floods in others. One of the single most effective steps that can be taken is to reduce the amount of carbon pollution from powerplants and transportation.

Let's be clear. This dirty power plan from the administration increases the damage to the citizens of the United States, all just to pander to polluters. We have seen so much of this in the last year and a half.

I know that we are living in an era in which the administration has created a parallel universe of alternative facts, where truth isn't necessarily truth, as the President's lawyer said this past couple of weeks. But let's remember that if you are outside that parallel universe, if you are in the real world, there are real numbers.

By 2030, the Clean Power Plan would stop 870 million tons of pollution from poisoning the air that you and I, our families, our children, and our friends breathe. That is represented here by looking at this blue line in the year 2030 and the descending line of carbon pollution that is driven both by the fuel economy standards and the electricity standards. What we see under the President's dirty power plan is that, from here into the future, there is no further reduction—essentially zero reduction—then, past 2030, an increase in the carbon pollution that is doing all this damage across the country.

There is damage in every one of our States. This damage doesn't just hap-

pen in blue States. Texas is not a blue State. Texas suffered horrific consequences of this carbon pollution, so certainly representatives from that State would want to do something about it, and so on, through every single State. The amount of difference in the carbon pollution between the Clean Power Plan and the dirty power plan is equivalent to the pollution from 166 million cars on the road for a year.

It isn't just the impact on forest fires and the impact on hurricanes and the impact on drought, affecting agriculture, and the impact on floods. It is also the impact on human health. The estimate is that, by the year 2030, the difference between the Clean Power Plan and the dirty power plan is 4,500 premature deaths. So this decision kills people.

The difference between those two lines, by the year 2030, is 90,000 children's asthma attacks. The difference between those two lines is 1,700 heart attacks. Picture that many children with asthma attacks going to the hospital, 90,000 children. Picture that many heart attacks. Picture that many premature deaths. Aren't we here to make America stronger and better, not to kill Americans, not to put Americans in the hospital? Yet the President's plan does exactly that.

Those health problems result in a lot more expenses. The Clean Power Plan could result in \$54 billion in health and climate benefits, and it creates a lot of jobs by driving renovation of the energy industry. When you renovate a house, you create a number of jobs. When you renovate an energy economy, you create a lot of jobs—millions of jobs—millions of jobs in clean and renewable energy, in wind and solar and geothermal.

The dirty power plan the President is putting forward says this: Instead of having a plan, we will simply tell the States to develop an idea of what they should do. In other words, the States have the responsibility, but no requirements, to act.

There is a little bit in there about improving the efficiency of coal-fired plants. But the idea is that if you extend the plants for a couple of years by making them more efficient, then you will reduce the adoption of renewable energy that is cheaper. So we are also talking about more expensive power by keeping inefficient, expensive forms of power, producing into the future.

These ideas that the administration has put forward about making the plants work a little bit more efficiently come with the caveat that, if you do that, you don't have to put the additional modernization pollution controls on them. It means more fine particulates, it means more sulfur, and it means more mercury—all things that damage human health. So it all keeps coming back to this assault on the health of Americans and on ag and on forests and on fishing. All three of those are affected by carbon pollution and climate chaos. That is the basic picture we are looking at.

Why don't we take a step back and just ask the simple question: What is the best outcome for America? Is it the adoption of cheaper renewable energy over more expensive fossil fuels? I would say: Yes, let's adopt the cheaper energy.

Is it the adoption of cleaner energy over dirtier energy? Yes, let's keep our air cleaner.

Is it doing what is right for the health of Americans? Yes, let's do right by the health of Americans.

Is it taking and contributing to a strategy of driving carbon pollution hopefully, eventually, down to zero? We want a plan that drives carbon down, not a plan that drives it sideways—that is, no change—or works eventually upward.

The question that David Thoreau put before us, "What is the use of a house if you haven't got a tolerable planet to put it on?" includes great significance for those American citizens who had their homes burned down this year because of carbon pollution. It would certainly be very relevant to those working in agriculture in America who are losing their farms because of drought or floods. It would certainly be relevant to those citizens living in Texas and Florida who have been deeply damaged by the hurricane storms of last year.

So let's do right for Americans, and let's reject this dirty power plan that will hurt us in every way possible.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am very happy to join my colleagues to express our view of how pathetic this new Clean Power Plan replacement rule is and how it really makes fools of huge portions of the American people.

For farmers who are out there facing drought and floods like they have never seen before as our weather extremes expand, this makes fools of them. This makes losers of them. For people who live near our forests or work in our forests or enjoy using our forests, and for the people Senator MERKLEY just spoke of, for those downwind from our forests when they burn—they are made a laughing stock by this new rule. The wildfires that are tearing through our forests are expanding both in season and severity. In some States, where there used to be a wildfire season, there isn't a season any longer. Any time could be wildfire time. This is all new and unprecedented.

For hunters, for fishermen, for skiers, for outdoor enthusiasts of all kinds, the changes that are happening to the species and the weather patterns that folks have come to rely on are damaging. This plan ignores all of it.

Its harm to coastal communities is particularly important to Rhode Island and to the Presiding Officer's home State of Louisiana. We have coastal communities facing dramatic sea level rise. We are seeing new risks for local communities from storm surge as well as from sea level rise. We are seeing

great American cities filled with seawater on bright, sunny days just because high tide and sea level rise combine to bring flooding into what once was dry land. All of these concerns are made a mockery of by this phony EPA rule.

Even if you are not a farmer or even if you don't care about or live near forests, even if you have no interest in the outdoors, even if you don't live on or visit the coast, you are a part of the American economy, and the American economy is going to take a whack from our failure to do right by the environment and from our failure to win the transition to a low-carbon economy. We are all involved in this together, and we are all, in that sense, made losers and made a mockery of by this ridiculous rule.

The only other thing I would add is that we are a country that has for a long time been proud of our reputation and example. One of our Presidents said that the power of our American example has always mattered more in the world than any example of our power. Well, what an example we are setting now, the only Nation in the world not to participate in the Paris Agreement. Even the Syrians got in, for Pete's sake, and here we are, strange outliers.

We try to compete in the international contest for the way that people live, putting forward our American system of government and our American way of life. Our American system of government is not looking so good right now on this question, and as the inevitable march of climate change and deep climate havoc continues, our failure to act is going to look worse and worse. People are going to ask questions, and we don't have good answers for those questions. The truth is, the reason we are not doing anything about this is the corrupt influence of the fossil fuel industry, period, end of story.

I was here during the years when we had bipartisan activity in the Senate on climate change. There were multiple bipartisan bills floating around. There were bipartisan hearings. In fact, the first climate change hearing in the Senate was chaired by Republican Senator John Chafee of Rhode Island. All of that came to a shuddering halt in January of 2010, when the five Republican judges on the Supreme Court gave to the fossil fuel industry a pearl beyond price: the Citizens United decision that allowed unlimited political spending by big special interests—unlimited—and it took the fossil fuel industry about 2 minutes to figure out how to make that hidden dark money political spending. The result has been the absolute shutdown of bipartisanship as the fossil fuel industry has moved to exercise full dominion over a once great Republican political party.

I see the majority leader on his feet, from which I deduce that he may seek the floor, in which case, as a courtesy, I am most inclined to yield it to him.

Is that the case, Mr. Leader? Does the leader seek the floor?

Mr. MCCONNELL. Does the Senator yield the floor?

Mr. WHITEHOUSE. I yield the floor.
The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the following amendment be called up: Paul No. 3967. I further ask that at 4:10 p.m., the Senate vote in relation to the amendment; that there be no second-degree amendments in order to the amendment prior to the vote; and that it be subject to a 60-vote affirmative threshold for adoption. I further ask unanimous consent that following disposition of the Paul amendment, the managers' package, which is at the desk, be agreed to and all postcloture time be yielded back; further, that Senator ENZI or his designee be recognized to offer a budget point of order and that Senator LEAHY or his designee be recognized to make a motion to waive; finally, that following disposition of the motion to waive, amendment No. 3699 be withdrawn and the substitute amendment, as amended, be agreed to and the cloture motion on H.R. 6157 be withdrawn, the bill be read a third time, and the Senate vote on passage of the bill, as amended, with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Mr. President, we have no objection.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. PAUL, proposes an amendment numbered 3967 to amendment No. 3695.

The amendment is as follows:

(Purpose: To prohibit Federal funds being made available to a prohibited entity)

At the appropriate place in title V of division B, insert the following:

SEC. ____ (a) IN GENERAL.—None of the funds made available by this Act may be available directly or through a State (including through managed care contracts with a State) to a prohibited entity.

(b) PROHIBITED ENTITY.—The term "prohibited entity" means an entity, including its affiliates, subsidiaries, successors, and clinics—

(1) that, as of the date of enactment of this Act—

(A) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

(B) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(C) performs, or provides any funds to any other entity that performs abortions, other than an abortion performed—

(i) in the case of a pregnancy that is the result of an act of rape or incest; or

(ii) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death

unless an abortion is performed, including a life endangering physical condition caused by, or arising from, the pregnancy itself; and (2) for which the total amount of Federal grants to such entity, including grants to any affiliates, subsidiaries, or clinics of such entity, under title X of the Public Health Service Act in fiscal year 2016 exceeded \$23,000,000.

(C) END OF PROHIBITION.—The definition in subsection (b) shall cease to apply to an entity if such entity certifies that it, including its affiliates, subsidiaries, successors, and clinics, will not perform, and will not provide any funds to any other entity that performs, an abortion as described in subsection (b)(1)(C).

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I will take a minute to conclude my remarks and then yield to Senator KING of Maine, who I believe will be followed by Mr. VAN HOLLEN of Maryland.

The rule we are looking at is basically about 98 percent Scott Pruitt, if you look at the timing. Scott Pruitt had one of the most disgraceful tenures in any Cabinet position in the history of the United States. To the extent I have anything good to say about him, it is that he wasn't very good.

The EPA, following the direction of the fossil fuel industry, lost over and over again as its phony sham activities, rulings, and regulations were challenged in court. What we saw over and over again was the process at the EPA was a sham; that the review of public comment was a sham; that the legal analysis they had to go through was a sham. As a result, they came up with rules, regulations, and policies that were a sham.

Once you expose some of that stuff in court, where people have to tell the truth, discovery has to happen, you see documents, and you get judges who are not in tow to the fossil fuel industry, it doesn't look so good. I think probably our best hope for this phony-baloney dirty power plan that Pruitt 98 percent put out—and the new Administrator, I guess, we should give him 2 percent partial credit—is it is not likely to last very long. It is not likely to survive judicial scrutiny. It, like so much else the EPA has done in this administration, is completely fossil fuel-funded, phony, and a sham.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, my colleagues have spoken eloquently about the weaknesses of the supposed new Clean Power Plan, which is anything but. I wish to speak a minute about why this is such a detrimental idea for the country but also for my State.

Let's put it in very stark terms. Even by the terms of the new plan that has been announced, the original Clean Power Plan would have reduced carbon emissions by 30 percent, CO₂ by 30 percent, and the new plan by about 1 percent. That may be being generous.

We have clean air and water in Maine, but pollution knows no boundaries. That is one of the problems with

this plan. It essentially leaves up to each State how to regulate the plants within its borders. That is a good idea, except the pollution from these plants does not stay within those borders.

This is a representation of the way air moves in the Northeast part of the United States. What you can see is, the arrows are coming up over Massachusetts, the Gulf of Maine, and then into Maine, west through Vermont, New Hampshire into Maine, through Quebec, and back into Maine. We are literally the end of the country's tailpipe. Therefore, anything that weakens pollution controls to our west or south or, indeed, north is a direct harm to my people. That is why I think this plan is so ill-conceived and will not achieve meaningful results. By its own terms, we will see more deaths as a result of this plan. In the data that has been submitted with the plan, they admit deaths will increase.

In my State of Maine, we already have higher than average asthma rates. This will only exacerbate that. What this plan is doing, essentially, is extending the life of dirty polluting plants and shortening the life of real people. I don't think that is the direction we should be moving in. I think this body should correct that, and I believe this is important to the country, to the region, and particularly to the State I represent.

The word "clean" should not be in this plan because that is not what it does. A Clean Power Plan should do what it says it is. It should improve the environment. It should improve the air for the people of this country, not make them worse, which is what this plan would do.

Mr. President, I yield the floor to my colleague from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I thank my colleagues from Maine and Rhode Island who were here today to draw attention to the Trump administration's very dangerous proposal that takes a wrecking ball to the Clean Power Plan that has been put in place. It has been put in place to try to reduce the costs we are facing from climate pollution and carbon pollution.

What we see in the Trump administration's plan is going to drag us backward. In fact, an analysis was done of their plan, and it will be worse than doing nothing at all.

We know, and my colleagues have talked about this, that every day the American people are already paying the costs of carbon pollution in extreme weather events, whether those are forest fires, whether they are droughts that are wreaking havoc on crops, whether it is flooding. My colleague from Maryland, Senator CARDIN, and I were just in Ellicott City, MD, 2 days ago, where within a 2-year period they have been hit by what are called 1,000-year floods because there is only supposed to be one-tenth of 1 percent of a chance that happens. Yet we have

seen two of them in 2 years, causing loss of human life and incredible property damage.

The cost of doing nothing is huge. That is why the previous administration adopted the Clean Power Plan. With this administration taking us backward, those costs of doing nothing are going to rise again. As the Senator from Maine said, it is not just incredible property damage, but you will see loss of life and greater asthma deaths and other negative healthcare effects.

I know there is a vote coming up. I wanted to say a lot more about this, but the main point was made by the Senator from Rhode Island, which is, this is not going to stand. This will not be accepted in the courts. We will fight this in the courts because the American people deserve to have a system where the American people don't pay for the pollution being spewed out by others. Polluters should pay, not the public.

Let's defeat this new plan put forward by the Trump administration that takes us backward, and let's try to work together to address what is a very serious national and international issue.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Paul amendment No. 3967.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Texas (Mr. CRUZ), the Senator from Nebraska (Mrs. FISCHER), and the Senator from Arizona (Mr. MCCAIN).

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

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO), the Senator from Washington (Mrs. MURRAY), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

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

The result was announced—yeas 45, nays 48, as follows:

[Rollcall Vote No. 191 Leg.]

YEAS—45

Alexander	Graham	Perdue
Barrasso	Grassley	Portman
Blunt	Hatch	Risch
Boozman	Heller	Roberts
Burr	Hoeben	Rounds
Capito	Hyde-Smith	Rubio
Cassidy	Inhofe	Sasse
Cornyn	Isakson	Scott
Cotton	Johnson	Shelby
Crapo	Kennedy	Sullivan
Daines	Lankford	Thune
Enzi	Lee	Tillis
Ernst	McConnell	Toomey
Flake	Moran	Wicker
Gardner	Paul	Young

NAYS—48

Baldwin	Gillibrand	Murphy
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Jones	Schumer
Cardin	Kaine	Shaheen
Carper	King	Smith
Casey	Klobuchar	Stabenow
Collins	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murkowski	Wyden

NOT VOTING—7

Corker	Hirono	Schatz
Cruz	McCain	
Fischer	Murray	

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 48.

Under the previous order requiring 60 votes for adoption, the amendment is rejected.

AMENDMENT NOS. 3731, 3722, 3903, 3702, 3710, 3717, 3860, 3764, 3750, 3981, 3910, 3880, 3727, 3733, 3830, 3926, 3796, 3857, 3831, 3940, 3809, 3835, 3841, 3707, 3721, 3751, 3759, 3763, 3765, 3810, 3812, 3825, 3853, 3858, 3862, 3870, 3875, 3881, 3883, 3893, 3897, 3908, 3912, 3927, 3933, 3950, 3951, 3977, 3979, 3982, 3985, 3998, 3964

The PRESIDING OFFICER. Under the previous order, the managers' package at the desk is agreed to and all postclosure time is yielded back.

The amendments were agreed to en bloc as follows:

AMENDMENT NO. 3731

(Purpose: To make available \$2,000,000 for a program to commemorate the 75th anniversary of World War II)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Of the amount appropriated by title II of this division under the heading "Operation and Maintenance, Defense-Wide", up to \$2,000,000 may be available for a program to commemorate the 75th anniversary of World War II.

AMENDMENT NO. 3722

(Purpose: To improve the bill)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. The Secretary of Defense shall post on a public Website in a searchable format awards of grants of the Department of Defense that are appropriate for public notice.

AMENDMENT NO. 3903

(Purpose: To require a report on the portion of the Department of Defense's advertising budget that is spent on advertising and public relations contracts with socially and economically disadvantaged small businesses)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report estimating the portion of the Department of Defense's advertising budget that is spent on advertising and public relations contracts with socially and economically disadvantaged small businesses and women, low-income, veteran (as that term is defined in section 3(q) of the Small Business Act (15 U.S.C. 632(q)), and minority entrepreneurs and business owners at the prime and subcontracting levels.

AMENDMENT NO. 3702

(Purpose: To provide funding for the defense community infrastructure pilot program)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Of the amount appropriated or otherwise made available by this division under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE", up to \$20,000,000 may be available for the defense community infrastructure pilot program under section 2391(d) of title 10, United States Code.

AMENDMENT NO. 3710

(Purpose: To make available \$4,000,000 for the Cyberspace Solarium Commission)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Of the amount appropriated or otherwise made available by title II of this division under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE", up to \$4,000,000 may be available to carry out section 1652 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019.

AMENDMENT NO. 3717

(Purpose: To make available funds for Operation and Maintenance, Army for the sustainment of certain morale, welfare, and recreation facilities)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Of the amounts appropriated or otherwise made available by title II of this division under the heading "Operation and Maintenance, Army", up to \$1,000,000 may be used to sustain morale, welfare, and recreation (MWR) facilities that—

(1) have been closed as a result of flooding, an earthquake, a wildfire, or a volcanic event in 2018;

(2) have furloughed or put employees on administrative leave in connection with such closure; and

(3) have used revenue or operating reserves to pay operation and maintenance expenses during such closure.

AMENDMENT NO. 3860

(Purpose: To express the sense of the Senate on research regarding blast exposure on the cellular level of the brain)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. **SENSE OF SENATE ON RESEARCH REGARDING BLAST EXPOSURE ON THE CELLULAR LEVEL OF THE BRAIN.**

It is the sense of the Senate that—

(1) further research is necessary regarding blast exposure on the cellular level of the brain;

(2) such research is needed to develop blast protection requirements for helmets and other personal protective equipment; and

(3) the Department of Defense should increase ongoing efforts, to the maximum extent possible, to develop a predictive traumatic brain injury model for blast, in order to better understand the cellular response to blast impulses and the interaction of the human brain and protective equipment related to blast exposure.

AMENDMENT NO. 3764

(Purpose: To make available from amounts appropriated for Operation and Maintenance, Defense-Wide \$7,000,000 for the Information Assurance Scholarship Program)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Of the amount appropriated by title II of this Act under the heading "Operation and Maintenance, Defense-Wide", up to \$7,000,000 may be available for the Office of the Secretary of Defense for the Information Assurance Scholarship Program.

AMENDMENT NO. 3750

(Purpose: To require a report on investments of the Armed Forces in research on energetics)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Research and Engineering, submit to the congressional defense committees a report on current investments of the Armed Forces in research on energetics. The report shall include the following:

(1) A comparison between current investments of the Navy in research on energetics and current investments of the other military departments in such research.

(2) Recommendations for the most appropriate investments by the Armed Forces in research on energetics in the future, and a strategic roadmap for such investments.

AMENDMENT NO. 3981

(Purpose: To make available from Operation and Maintenance, Air Force and Operation and Maintenance, Air National Guard \$45,000,000 for payments to local water authorities and States for treatment of certain acids in drinking water as a result of Air Force-supported activities)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Of the funds appropriated to the Department of Defense under the headings "Operation and Maintenance, Air Force" and "Operation and Maintenance, Air National Guard", not more than \$45,000,000 shall be available to the Secretary of the Air Force for payments to a local water authority located in the vicinity of an Air Force or Air National Guard base (including a base not Federally-owned, or to a State in which the local water authority is located, for the treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water from the water source and/or wells owned and operated by the local water authority undertaken to attain the Environmental Protection Agency Lifetime Health Advisory level for such acids: *Provided*, That the applicable Lifetime Health Advisory shall be the one in effect on the date of the enactment of this Act: *Provided further*, That the local water authority or State must have requested such a payment from the Air Force or National Guard Bureau not later than the date that is 120 days after the date of the enactment of this Act: *Provided further*, That the elevated levels of such acids in the water was the result of activities conducted by or paid for by the Department of the Air Force or the Air National Guard: *Provided further*, That such funds may be expended without regard to existing contractual provisions in agreements between the Department of the Air Force or the National Guard Bureau, as the case may be, and the State in which the base is located relating to environmental response actions or indemnification: *Provided further*, That, in order to be eligible for payment under this section, such treatment must have taken place after January 1, 2016, and the local water authority or State, as the case may be, must waive all claims for treatment expenses incurred before such date: *Provided further*, That any payment under this section may not exceed the actual cost of such treatment resulting from the activities conducted by or paid for by the Department of the Air Force: *Provided further*, That the Secretary may enter into such agreements with the local water authority or State as may be necessary to implement this section: *Provided further*, That the Secretary may pay, utilizing the Defense State

Memorandum of Agreement, costs that would otherwise be eligible for payment under that agreement were those costs paid using funds appropriated to the Environmental Restoration Account, Air Force, established under section 2703(a)(4) of title 10, United States Code.

AMENDMENT NO. 3910

(Purpose: To make a technical amendment)

In section 8010 of division A, in the matter immediately preceding the sixth proviso, insert after paragraph (5) the following:

(6) SSN Virginia Class Submarines and Government-furnished equipment:

AMENDMENT NO. 3880

(Purpose: To prohibit payments to corporations that have delinquent federal tax liabilities)

At the appropriate place, insert the following:

SEC. _____. (a) None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting such tax liability, provided that the applicable Federal agency is aware of the unpaid Federal tax liability.

(b) Subsection (a) shall not apply if the applicable Federal agency has considered suspension or debarment of the corporation described in such subsection and has made a determination that such suspension or debarment is not necessary to protect the interests of the Federal Government.

AMENDMENT NO. 3727

(Purpose: To prohibit the use of funds for assistance to the Islamic Republic of Iran)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for assistance to the Islamic Republic of Iran unless specifically appropriated for that purpose.

AMENDMENT NO. 3733

(Purpose: To authorize the use of amounts to reimburse the Government of the Republic of Palau for land acquisition costs for defense sites)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. From amounts appropriated or otherwise made available by title II of this division under the heading "OPERATION AND MAINTENANCE, AIR FORCE", the Secretary of Defense may reimburse the Government of the Republic of Palau in an amount not to exceed \$9,700,000 for land acquisition costs for defense sites.

AMENDMENT NO. 3830

(Purpose: To make available from Research, Development, Test and Evaluation, Navy \$2,000,000 for research on means of reducing fighter aircraft engine noise at the source)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Of the amount appropriated or otherwise made available by title IV of this division under the heading "Research, Development, Test and Evaluation, Navy", up to \$2,000,000 may be available for research on a practical means of reducing fighter aircraft engine noise (both near and far noise impacts) at the source while maintaining operational performance.

AMENDMENT NO. 3926

(Purpose: To require the Secretary of Defense to submit to Congress a report on improving trauma training for trauma teams of the Department of Defense)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. (a) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on improving trauma training for trauma teams of the Department of Defense, including through the use of the Joint Trauma Education and Training Directorate established under section 708 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 1071 note).

(b) The report required by subsection (a) shall include recommendations regarding how to best coordinate trauma teams of the Department of Defense with trauma partners in the civilian sector, including evaluating how trauma surgeons and physicians of the Department can best partner with civilian level 1 trauma centers verified by the American College of Surgeons, including those trauma centers coupled to a burn center that offers burn rotations and clinical experience, to provide adequate training and readiness for the next generation of medical providers to treat critically injured burn patients and other military trauma victims.

AMENDMENT NO. 3796

(Purpose: To increase certain funding for the Air National Guard, and to provide an offset)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. (a)(1) The amount appropriated by title I of this division under the heading "National Guard Personnel, Air Force" is hereby increased by \$450,000.

(2) The amount appropriated by title II of this division under the heading "Operation and Maintenance, Air National Guard" is hereby increased by \$50,000.

(b)(1) The amount appropriated by title I of this division under the heading "National Guard Personnel, Army" is hereby decreased by \$450,000.

(2) The amount appropriated by title II of this division under the heading "Operation and Maintenance, Army National Guard" is hereby decreased by \$50,000.

AMENDMENT NO. 3857

(Purpose: To require a Comptroller General of the United States report on the monitoring, compliance, and remediation of lead in military housing)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall, in consultation with the Secretary of Defense and the Secretaries of the military departments, submit to the appropriate committees of Congress a report on the monitoring, compliance, and remediation by the Department of Defense of lead in military housing, including the lead exposure monitoring protocols of the Department for military housing.

(b) The report required by subsection (a) shall include the following:

(1) A description and assessment of the effectiveness of the Department and its lead exposure monitoring protocols in monitoring lead exposure in military housing.

(2) A description and assessment of the compliance of military housing with applicable lead exposure limitations.

(3) A description and assessment of the remediation efforts of the Department with respect to lead in military housing.

(4) Such recommendations as the Comptroller General considers appropriate for the

expansion of blood testing for lead among children who have lived in military housing.

(c) In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

AMENDMENT NO. 3831

(Purpose: To make available from Operation and Maintenance, Defense-Wide \$20,000,000 for the Department of Defense Family Advocacy Program)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Of the amount appropriated or otherwise made available by title II of this division under the heading "Operation and Maintenance, Defense-Wide", up to \$20,000,000 may be available for the Department of Defense Family Advocacy Program to do the following:

(1) To address allegations of juvenile problematic sexual behavior occurring on military installations, including to ensure that the Program has the resources necessary to ensure a consistent, standardized response to allegations of juvenile problematic sexual behavior across the Department of Defense (including the appropriate level of staff and training resources).

(2) To maintain a centralized database with information on reported incidents of juvenile problematic sexual behavior.

AMENDMENT NO. 3940

(Purpose: To require the Comptroller General of the United States to submit to Congress a report on maintenance of the E-8C Joint Surveillance Target Attack Radar System aircraft fleet)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. Not later than January 31, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report—

(1) comparing the cost expenditures of organic industrial depot maintenance of the E-8C Joint Surveillance Target Attack Radar System aircraft fleet versus contracted or non-organic maintenance; and

(2) comparing the cost variance and cost savings of different programmed depot maintenance cycles or procedures for the E-8C, including comparisons to such other platforms as the Comptroller General considers appropriate.

AMENDMENT NO. 3809

(Purpose: To limit the use of funds to implement the Arms Trade Treaty)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by this division may be obligated or expended to implement the Arms Trade Treaty until the resolution of ratification of the Treaty is approved by the Senate.

AMENDMENT NO. 3835

(Purpose: To prohibit the use of funds for the development of beerbots or other robot bartenders)

At the appropriate place in title VIII of division A, insert the following:

SEC. _____. None of the amounts appropriated or otherwise made available by this Act may be obligated or expended for the development of a beerbot or other robot bartender.

AMENDMENT NO. 3841

(Purpose: To require the Secretary of Defense to use amounts appropriated or otherwise made available to the Department of Defense to provide testing for elevated blood lead levels at military treatment facilities for babies during their 12-month and 24-month wellness checks or annual physical examinations)

At the appropriate place in division A, insert the following:

SEC. _____. The Secretary of Defense shall use amounts appropriated or otherwise made available to the Department of Defense under this division to provide testing for elevated blood lead levels at military treatment facilities for babies during their 12-month and 24-month wellness checks or annual physical examinations.

AMENDMENT NO. 3707

(Purpose: To increase funding for the guidelines for investigation of potential cancer clusters)

At the appropriate place in title II of division B insert the following:

SEC. _____. (a) There are appropriated under the heading "Environmental Health" under the heading "Centers for Disease Control and Prevention," in addition to any other amounts made available under such heading, \$1,000,000 to implement section 399V-6(c) of the PHS Act.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading "National Institute for Occupational Safety and Health" under the heading "Centers for Disease Control and Prevention" is hereby reduced by \$1,000,000.

AMENDMENT NO. 3721

(Purpose: To authorize student aid administration funds to be available for payments for student loan servicing to an institution of higher education that services outstanding Federal Perkins Loans)

At the appropriate place in title III of division B, under the heading "Student Aid Administration", insert the following before the period: "*Provided further*, That funds appropriated under this heading may be available for payments for student loan servicing to an institution of higher education that services outstanding Federal Perkins Loans under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.)".

AMENDMENT NO. 3751

(Purpose: To require a report on barriers to obtaining and paying for adequate medical care for survivors of childhood cancer)

At the appropriate place in division B, insert the following:

SEC. _____. Using amounts appropriated under this division, the Comptroller General of the United States shall, not later than 18 months after the date of enactment of this Act, conduct a review and submit a report to Congress on barriers to obtaining and paying for adequate medical care for survivors of childhood cancer. Such report shall identify existing barriers to the availability of complete and coordinated survivorship care for survivors of childhood cancer and of expert pediatric palliative care, and recommendations to provide improved access and payment plans for childhood cancer survivorship programs and palliative care, including psychosocial services and coverage of such services.

AMENDMENT NO. 3759

(Purpose: To increase funding for Lyme Disease activities)

At the appropriate place in title II of division B, insert the following:

SEC. _____. (a) There are appropriated under the heading "Emerging and Zoonotic Infec-

tious Diseases" under the heading "Centers for Disease Control and Prevention", in addition to any other amounts made available under such heading and in order to provide additional funding for Lyme disease activities, \$1,300,000.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading "Chronic Disease Prevention and Health Promotion" under the heading "Centers for Disease Control and Prevention" is hereby reduced by \$1,300,000.

AMENDMENT NO. 3763

(Purpose: To require a report to Congress on potential barriers to participation in the Coal Workers' Health Surveillance program)

At the appropriate place in title II of division B, insert the following:

SEC. _____. Not later than 180 days after the enactment of this Act, and using funds appropriated under this title, the Director of the National Institute for Occupational Safety and Health shall submit to Congress a report that—

(1) includes a description of those active and non-active coal miner populations that are currently covered by the Coal Workers' Health Surveillance program;

(2) identifies and describes potential barriers that limit active and non-active coal miner participation in such program; and

(3) describes existing or planned outreach efforts to improve the participation of active and non-active coal miners in periodic health surveillance.

AMENDMENT NO. 3765

(Purpose: To require the Secretary of Health and Human Services to provide Congress a status update on rulemaking, with respect to conditions of certification of health information technology and information blocking, required by the 21st Century Cures Act)

At the appropriate place in title II of division B insert the following:

SEC. _____. Not later than November 1, 2018, the Secretary shall provide, to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives, a status update on the rulemaking required under sections 3001(c)(5)(D), and 3022(a)(3), of the PHS Act.

AMENDMENT NO. 3810

(Purpose: To require the Secretary of Education to report to Congress regarding coordination between the Department of Education, the National Aeronautics and Space Administration, and the National Science Foundation on STEM programs for students in grades pre-kindergarten through 12)

At the appropriate place in title III of division B, insert the following:

SEC. _____. Using funds appropriated under the heading "PROGRAM ADMINISTRATION" under the heading "DEPARTMENTAL MANAGEMENT" under the heading "DEPARTMENT OF EDUCATION", and not later than 180 days after the date of enactment of this Act, the Secretary of Education shall submit, to the Committee on Appropriations, the Committee on Commerce, Science, and Transportation, and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Appropriations, the Committee on Science, Space, and Technology, and the Committee on Education and the Workforce of the House of Representatives, a report on how the Department of Education is coordinating with the National Aeronautics and Space Administration and

the National Science Foundation to promote science, technology, engineering, and mathematics programs that benefit students in grades pre-kindergarten through 12.

AMENDMENT NO. 3812

(Purpose: To improve section 115 of title I of division B with regard to Unemployment Insurance State consortia)

Section 115 of title I of division B is amended by striking "shall be applied in fiscal year 2019 by substituting 'seven' for 'six'" and inserting "is amended by striking 'six' and inserting 'seven'".

AMENDMENT NO. 3825

(Purpose: To provide for the conduct of a study on the relationship between intimate partner violence and traumatic brain injury)

At the appropriate place in title II of division B, insert the following:

SEC. _____. STUDY ON TRAUMATIC BRAIN INJURY.

(a) STUDY.—The Comptroller General of the United States, in meaningful consultation with experts on the intersections of domestic violence, disabilities, trauma, and mental health, shall conduct a study to evaluate the status of—

(1) research on the relationship between intimate partner violence and traumatic brain injury experienced by victims; and

(2) public awareness and education campaigns related to the effects of intimate partner violence on victims' brain health and its connection to traumatic brain injury experienced by victims.

(b) CONTENT.—The study conducted under subsection (a) shall include—

(1) a review on the outcomes of any previous research, the status of existing research activities, and efforts to address knowledge gaps across agencies of the Federal Government; and

(2) recommendations to—

(A) encourage increased research to address existing knowledge gaps relating to the relationship between intimate partner violence and traumatic brain injury experienced by victims;

(B) increase awareness of the effects of intimate partner violence on the brain health of victims for health care and other treatment providers;

(C) increase victim service providers' awareness of the effects of intimate partner violence on victims' brain health, enhance their capacity to identify victims with traumatic brain injuries and provide services that support victims' healing and recovery; and

(D) increase awareness of the links between intimate partner violence and the brain health of victims' for the general public.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on the Judiciary of the Senate, the Committee on Appropriations of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Ways and Means of the House of Representatives, and the Committee on Appropriations of the House of Representatives a report on the study conducted under subsection (a).

AMENDMENT NO. 3853

(Purpose: To provide funds to enhance harmful algal bloom exposure activities)

On page 201, line 2, strike the period and insert the following "*Provided*, that of the funds made available under this heading, \$1,000,000 shall be available to enhance harmful algal bloom exposure activities, including surveillance, mitigation, and event response

efforts, with a priority given to geographic locations subject to a state of emergency designation related to toxic algae blooms within the past 12 months.”.

AMENDMENT NO. 3858

(Purpose: To require the Director of the NIH shall conduct a comprehensive study and submit to Congress a report that includes a portfolio analysis of current funding levels of the NIH related to mental health and substance use disorder)

At the appropriate place in title II of division B, insert the following:

SEC. _____. Not later than 1 year after the date of enactment of this Act, and using funds appropriated under this division, the Director of the NIH shall conduct a comprehensive study and submit to Congress a report that—

(1) includes a portfolio analysis of current funding levels of the NIH related to mental health and substance use disorder; and

(2) identifies the process by which the NIH set funding priorities for mental health and substance use disorder programs, including how NIH takes into account newly developed public health needs, disease burden, emerging scientific opportunities, and scientific progress.

AMENDMENT NO. 3862

(Purpose: To provide \$10,000,000 to the Department of Education to fund a demonstration program to test and evaluate innovative partnerships between institutions of higher education and high-needs State or local educational agencies to train school counselors, social workers, psychologists, or other mental health professionals qualified to provide school-based mental health services in order to expand the employment pipeline and address employment shortages relating to school-based mental health services in low-income public elementary schools and secondary schools)

In title III of division B, under the heading “Safe Schools and Citizenship Education”, strike “(‘Project SERV’) program:” and insert “(‘Project Serve’) program and not more than \$10,000,000 may be for a demonstration program to test and evaluate innovative partnerships between institutions of higher education and high-needs State or local educational agencies to train school counselors, social workers, psychologists, or other mental health professionals qualified to provide school-based mental health services, with the goal of expanding the pipeline of these workers into low-income public elementary schools and secondary schools in order to address the shortages of mental health service professionals in such schools:”.

AMENDMENT NO. 3870

(Purpose: To ensure youth are considered when the Substance Abuse and Mental Health Services Administration follows guidance on the medication-assisted treatment for prescription drug and opioid addiction program)

At the appropriate place in title II of division B, insert the following:

SEC. _____. Not later than 180 days after the date of enactment of this Act, the Administrator of the Substance Abuse and Mental Health Services Administration shall submit to Congress a report on agency activities related to medication-assisted treatment. The report submitted by the Administrator under this section shall include a description of how the agency is taking steps to overcome barriers to medication-assisted treatment for adolescents and young adults.

AMENDMENT NO. 3875

(Purpose: To provide funding for the Secretary of Health and Human Services to establish the Advisory Council to Support Grandparents Raising Grandchildren)

At the appropriate place in title II of division B insert the following:

SEC. _____. Out of amounts appropriated under the heading “Administration for Community Living”, \$300,000 shall be available for the Secretary to establish the Advisory Council to Support Grandparents Raising Grandchildren under section 3 of the Supporting Grandparents Raising Grandchildren Act (Public Law 115-196).

AMENDMENT NO. 3881

(Purpose: To require the Secretary of Labor to provide a report to the Committees on Appropriations on the implementation of the plan to reduce improper payments published by the Department of Labor in the fiscal year 2017 Agency Financial Report)

At the appropriate place in title I of division B, insert the following:

SEC. _____. (a) From funds appropriated under this title, not later than 180 days after the date of enactment of this Act, the Secretary of Labor shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate on the implementation of the plan to reduce improper payments published by the Department of Labor in the fiscal year 2017 Agency Financial Report.

(b) The report submitted under subsection (a) shall identify barriers to the reduction of improper payments that may require Congressional action to address.

AMENDMENT NO. 3883

(Purpose: To provide a sense of Congress that computer science education programs, including coding academies, can provide important benefits to local industries and the economy and help meet in-demand workforce needs, and the Department of Education and Department of Labor should work together with industry to improve and expand computer science education programs and opportunities, including through apprenticeships)

At the appropriate place in title V of division B, insert the following:

SEC. _____. It is the sense of Congress that—

(1) computer science education programs, including coding academies, can provide important benefits to local industries and the economy and help meet in-demand workforce needs; and

(2) the Department of Education and Department of Labor should work together with industry to improve and expand computer science education programs and opportunities, including through apprenticeships.

AMENDMENT NO. 3893

(Purpose: To provide funding for the SOAR (Stop, Observe, Ask, Respond) to Health and Wellness Program)

At the appropriate place in title II of division B, insert the following:

SEC. _____. Of the funds appropriated under the heading “Refugee and Entrant Assistance” for carrying out Victims of Trafficking programs, the amount made available to continue carrying out the SOAR (Stop, Observe, Ask, Respond) to Health and Wellness Program, to train health care and social service providers on how to identify, treat, and respond appropriately to human trafficking, shall be not less than the amount made available for such program in fiscal year 2018.

AMENDMENT NO. 3897

(Purpose: To assess the ongoing mental health impact to the children and families impacted by a volcanic eruption covered by a major disaster declared by the President in calendar year 2018)

At the appropriate place in title II of division B insert the following:

SEC. _____. Using amounts made available under this title, the Assistant Secretary for Mental Health and Substance Use shall provide technical assistance to any State or county impacted by a volcanic eruption covered by a major disaster declared by the President in calendar year 2018 in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Such technical assistance shall be—

(1) to conduct a needs assessment for supporting the mental health of the impacted children and families; and

(2) to develop mental health crisis recovery plans for the impacted children and families.

AMENDMENT NO. 3908

(Purpose: To provide a sense of the Senate that dedicated funding for coding courses in kindergarten through grade 12 education should be a top priority)

At the appropriate place in title III of division B, insert the following:

SEC. _____. (a) It is the sense of the Senate that dedicated funding for coding courses in kindergarten through grade 12 education should be a top priority.

(b) It is the sense of the Senate that the Secretary of Education should use the authority granted under section 114(e) of the Carl D. Perkins Career and Technical Education Act of 2006, as in effect on July 1, 2019, to award innovation and modernization grants. The use of such innovation and modernization grant funds for coding programs are especially important for rural and underserved areas that don’t have access to coding resources in order to close the skills gap. These grants are opportunities for rural America to learn to read and write code to prepare students for the jobs of the future.

AMENDMENT NO. 3912

(Purpose: To provide additional funding for activities related to neonatal abstinence syndrome)

At the appropriate place in title II of division B insert the following:

SEC. _____. (a) There are appropriated under the heading “Birth Defects, Developmental Disabilities, Disabilities and Health” under the heading “Centers for Disease Control and Prevention”, in addition to any other amounts made available under such heading and in order to provide additional funding for activities related to neonatal abstinence syndrome, \$2,000,000: *Provided*, That funds shall make use of existing State biosurveillance and other surveillance tools to improve voluntary, de-identified prenatal and newborn health data, which may include opioid-related information during pregnancy and early motherhood, to reduce risks associated with neonatal abstinence syndrome and optimize care.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “Chronic Disease Prevention and Health Promotion” under the heading “Centers for Disease Control and Prevention” is hereby reduced by \$2,000,000.

AMENDMENT NO. 3927

(Purpose: To provide for the establishment of the National Neurological Conditions Surveillance System)

At the appropriate place in title II of division B, insert the following:

SEC. _____. (a) There are appropriated under the heading “Public Health Scientific Services” under the heading “Centers for Disease

Control and Prevention”, in addition to any other amounts made available under such heading, \$5,000,000 to be available for the establishment of the National Neurological Conditions Surveillance System as authorized in 21st Century Cures Act (Public Law 114-255).

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “Substance Abuse and Mental Health Services Administration” is hereby reduced by \$5,000,000

AMENDMENT NO. 3933

(Purpose: To improve obstetric care for pregnant women living in rural areas)

At the appropriate place in title II of division B, insert the following:

SEC. _____. From amounts appropriated under this title, under the heading “Maternal and Child Health”, up to \$1,000,000 shall be used for awarding grants for the purchase and implementation of telehealth services, including pilots and demonstrations for the use of electronic health records or other necessary technology and equipment (including ultra sound machines or other technology and equipment that is useful for caring for pregnant women) to coordinate obstetric care between pregnant women living in rural areas and obstetric care providers.

AMENDMENT NO. 3950

(Purpose: To increase funding for oversight of grant programs and operations of the National Institutes of Health)

At the appropriate place in title II of division B, insert the following:

SEC. _____. Of the funds appropriated under the heading “Office of the Director” under the heading “National Institutes of Health”, \$5,000,000 shall be transferred to and merged with the appropriation for the “Office of the Inspector General” for oversight of grant programs and operations of the National Institutes of Health, including agency efforts to ensure the integrity of its grant application evaluation and selection processes, and shall be in addition to funds otherwise made available for oversight of the National Institutes of Health: *Provided*, That funds may be transferred from one specified activity to another with 15 days prior approval of the Committees of Appropriations of the House of Representatives and the Senate: *Provided further*, That the Inspector General shall consult with the House and Senate Committees on Appropriations before submitting to the Committees an audit plan for fiscal years 2019 and 2020 no later than 30 days after the date of enactment of this Act.

AMENDMENT NO. 3951

(Purpose: To authorize the use of \$2,000,000 to carry out a pilot program for preparing members of the Armed Forces transitioning to civilian life to qualify for, and for assisting in placing them in, apprenticeship programs)

At the appropriate place in division B, insert the following:

SEC. _____. Of the amounts appropriated or otherwise made available under paragraph (2) under the heading “VETERANS EMPLOYMENT AND TRAINING” under title I, \$2,000,000 may be used to carry out a pilot program for preparing members of the Armed Forces transitioning to civilian life to qualify for, and for assisting in placing them in, apprenticeship programs.

AMENDMENT NO. 3977

(Purpose: To require a report on Civilian Conservation Centers)

At the appropriate place in title I of division B, insert the following:

SEC. _____. The Secretary, prior to July 1, 2019, shall prepare and submit to the Committee on Appropriations of the House of

Representatives and the Committee on Appropriations of the Senate a report that includes—

(1) a copy of the interagency agreement between the Secretary of Labor and the Secretary of Agriculture relating to the Civilian Conservation Centers;

(2) a list of all active Civilian Conservation Centers and contractors administering such Centers; and

(3) a cumulative record of the funding provided to Civilian Conservation Centers during the 10 years preceding the date of the report, including, for each Civilian Conservation Center—

(A) the funds allocated to the Civilian Conservation Center;

(B) the number of enrollment slots maintained, disaggregated by gender and by residential or nonresidential training type;

(C) the career technical training offerings available;

(D) the staffing levels and staffing patterns at the Civilian Conservation Center; and

“(E) the number of Career Technical Skills Training slots available.”.

AMENDMENT NO. 3979

(Purpose: To promote school safety in rural areas)

On page 199, line 3, strike the period and insert the following: “: *Provided further*, that of the funds made available under this heading, \$1,000,000 shall be available through the Telehealth Network grant to fund awards that use evidence-based practices that promote school safety and individual health, mental health, and well-being by providing assessment and referrals for health, mental health, or substance use disorder services to students who may be struggling with behavioral or mental health issues and providing training and support to teachers, school counselors, administrative staff, school resource officers, and other relevant staff to identify, refer, and intervene to help students experiencing mental health needs or who are considering harming themselves or others.”.

AMENDMENT NO. 3982

(Purpose: To increase amounts available for the Child Abuse Prevention and Treatment Act State grant program)

At the appropriate place in title II of division B, insert the following:

SEC. _____. (a) In addition to amounts appropriated under the heading “Children and Families Services Programs” under the heading “Administration for Children and Families”, there is appropriated \$10,000,000 for purposes of carrying out title I of the Child Abuse Prevention and Treatment Act.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “Children and Families Services Programs” is hereby reduced by \$10,000,000.

AMENDMENT NO. 3985

(Purpose: To require the Comptroller General of the United States to study and report on the condition of the public school facilities of the United States)

At the appropriate place in title III of division B, insert the following:

“SEC. _____. (a) The Comptroller General of the United States shall conduct a study on the condition of the public school facilities of the United States.

“(b) In conducting the study under subsection (a), the Comptroller General shall study the following factors related to supporting a 21st century education:

“(1) Structural integrity.

“(2) Plumbing.

“(3) Heating, ventilation, and air conditioning systems.

“(4) Compliance with fire and safety codes.

“(5) Compliance with Federal laws, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

“(6) Lighting.

“(7) Indoor air quality.

“(8) Environmental conditions, such as exposure to asbestos, lead, and mold.

“(9) Physical security.

“(10) Sufficient space for instruction.

“(c) Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Appropriations and the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations and the Committee on Education and the Workforce of the House of Representatives, the findings of the study under this section.”.

AMENDMENT NO. 3998

(Purpose: To require a report on circumstances in which the Centers for Medicare & Medicaid Services may be providing Medicare or Medicaid payments to, or otherwise funding, entities that process genome or exome data in the People’s Republic of China or the Russian Federation)

At the appropriate place in title II of division B, insert the following:

SEC. _____. Not later than 90 days after the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives, detailing the circumstances in which the Centers for Medicare & Medicaid Services may be providing Medicare or Medicaid payments to, or otherwise funding, entities that process genome or exome data in the People’s Republic of China or the Russian Federation. The report shall outline the extent to which payments or other funding have been provided to such entities over the past 5 years, including amounts paid to each entity, the implications of such payments, including vulnerabilities, and specific recommendations on steps to ensure that payments are lawful and appropriate in the future. In developing the report, the Secretary shall also coordinate with other relevant agencies, as determined by the Secretary, to examine the potential effect of allowing beneficiaries’ genome or exome data to be processed in the People’s Republic of China or the Russian Federation on United States national security, United States intellectual property protections, HIPAA privacy protections, future biomedical development capabilities and competitiveness, and global competitiveness for United States laboratories.

AMENDMENT NO. 3964

(Purpose: To provide for the use of funds by the Secretary of Health and Human Services to issue regulations on direct-to-consumer advertising of prescription drugs and biological products)

At the appropriate place in title II of division B, insert the following:

SEC. _____. Of the funds made available under this Act, not more than \$1,000,000 shall be used by the Secretary of Health and Human Services to issue a regulation requiring that direct-to-consumer prescription drug and biological product advertisements include an appropriate disclosure of pricing information with respect to such products.

The PRESIDING OFFICER. The Senator from Wyoming.

BUDGET POINT OF ORDER

Mr. ENZI. Mr. President, immediately following some comments I will

be raising a budget point of order. I find this circumstance to be unfortunate, given that I have filed an amendment that would have cured the budget violation.

The substitute increases the maximum discretionary Pell grant award. Under the Pell Grant Program's complicated funding structure, this increase triggers a point of order for a change in mandatory spending, or CHIMP, which results in a net increase in spending and would increase mandatory spending by a total of \$390 million.

While we are unable to consider my solution—one supported by the National Taxpayers Union and the Committee for a Responsible Federal Budget—I believe the only alternative I have as Budget chairman is to enforce the budget rules we have agreed to. In this case, the budget rule being violated is bipartisan. It was first created by the Senate Democrats in 2008.

If this point of order is sustained, the bill can still move forward, but together we will have prevented \$350 million in increased direct mandatory spending from being rolled into the baseline where it will evade budget enforcement. Now is the time to enforce our budget rules. I urge my colleagues to support fiscal discipline and not to waive this point of order.

The provision on page 270 of the pending substitute amendment in division B, title III, lines 7 and 8 under "Student Financial Assistance" would result in a net increase in the cost of mandatory programs affected by the bill.

Therefore, I raise a point of order against that provision pursuant to section 314(a) of S. Con. Res. 70, the concurrent resolution on the budget for fiscal year 2009.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that Act and applicable budget resolutions for purposes of the pending amendment.

I ask for the yeas and nays. The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays have been ordered. The Senator from Vermont.

Mr. LEAHY. Mr. President, the reason I did that—and I rarely disagree with my good friend from Wyoming; we are, after all, the only two Irish Italians in this body. But people are hurting. It is hard enough going to college, and cutting the Pell grant awards just adds to it. The student debt today exceeds one-half trillion dollars, and that is because of the erosion of Federal support.

I am stating my point of order, standing with the middle class in this country, so their children and their families can be educated, and I am ready to vote.

The PRESIDING OFFICER. The question is on the motion.

The Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I appreciate the concern of my friend from Wyoming on this. I will be voting to waive the point of order.

My colleague from Wyoming was exactly right when he said this is a complicated formula. It is a combination of discretionary and mandatory funding for the Higher Education Act. The discretionary portion of the maximum award is established annually in the Labor-HHS bill. We changed the maximum Pell for discretionary funding from \$5,035 to \$5,135 for the 2019-2020 school year. That is an additional mandatory funding of \$1,060. Maximum Pell will be \$6,195. That is in line with the kind of increases we have had now for the last 12 years in a row.

I will be voting to waive and urge my colleagues to do the same.

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

The yeas and nays were previously ordered.

The clerk will call the roll. The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Nebraska (Mrs. FISCHER), and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO), the Senator from Washington (Mrs. MURRAY), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

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

The result was announced—yeas 68, nays 24, as follows:

[Rollcall Vote No. 192 Leg.]

YEAS—68

Alexander	Graham	Peters
Baldwin	Harris	Portman
Bennet	Hassan	Reed
Blumenthal	Heinrich	Roberts
Blunt	Heitkamp	Rubio
Booker	Heller	Sanders
Brown	Hoeven	Schumer
Burr	Hyde-Smith	Shaheen
Cantwell	Jones	Shelby
Capito	Kaine	Smith
Cardin	King	Stabenow
Carper	Klobuchar	Sullivan
Casey	Leahy	Sullivan
Collins	Manchin	Tester
Coons	Markey	Tillis
Cortez Masto	McCaskey	Udall
Daines	McConnell	Van Hollen
Donnelly	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Moran	Whitehouse
Feinstein	Murkowski	Wicker
Gardner	Murphy	Wyden
Gillibrand	Nelson	Young

NAYS—24

Barrasso	Flake	Lankford
Boozman	Grassley	Lee
Cassidy	Hatch	Paul
Cotton	Inhofe	Perdue
Crapo	Isakson	
Enzi	Johnson	
Ernst	Kennedy	

Risch	Sasse	Thune
Rounds	Scott	Toomey

NOT VOTING—8

Corker	Fischer	Murray
Cornyn	Hirono	Schatz
Cruz	McCain	

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 24.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The point of order falls. The Senator from Alabama.

Mr. SHELBY. Mr. President, I ask unanimous consent that I be given 2 minutes before the vote and that Senator LEAHY, from Vermont, be given 2 minutes if he so desires.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SHELBY. Mr. President, I will be brief here. I just want to mark what we have accomplished here today and thank the many folks—Senators and staff—who made it possible.

Mr. President, 1999—nearly 20 years ago—was the last time the Senate passed nine appropriations bills by the end of August—1999. Some of us are still here. This is the milestone here today that we are about to mark with the passage of two appropriations bills and with the most moneys than in any appropriations bill.

Earlier this year, we collectively called for a return to regular order in the appropriations process because it was broken. The leaders on both sides, Senator MCCONNELL and Senator SCHUMER, provided us with the opportunity to follow through. So I take a moment to thank both of them for their leadership. I believe that we, together in the Senate, are demonstrating that they made the right call.

I also recognize the vice chairman of the Appropriations Committee, Senator LEAHY, for his work in this regard. I can't say enough about the importance of his role in passing appropriations bills in a bipartisan manner, because that is the only way we are going to get them done. I thank Senator LEAHY, the vice chairman.

Senator DURBIN, Senator BLUNT, and Senator MURRAY also played vital roles in what we have been doing here today. Their diligence and commitment to work in a bipartisan manner have been essential in passing the bills that are currently before the Senate. I thank all of them for their work.

Last but not least, I thank my staff on the Defense Subcommittee. I thank the majority clerk, Brian Potts, and his team: Jacqui Russell, Katy Hagan, Colleen Gaydos, Mike Clementi, Chris Hall, Hanz Heinrichs, Kate Kaufer, Will Todd, Carlos Elias, and Marisa Rhode. All of them worked day and night to make this happen. Without their dedication and expertise—and they have a lot of it—we would not be in a position today to send a Defense spending bill, on time, to the President's desk. I thank them for their work.

Finally, I thank all of my colleagues here on both sides of the aisle for their

cooperation in passing these appropriations bills. I think it shows what the Senate can do when it works together, and I hope we will continue to do this. We all know it is not easy, but it works. I believe it is the right thing for the American people.

Thank you.

The PRESIDING OFFICER (Mr. KENNEDY). The Senator from Vermont.

Mr. LEAHY. Mr. President, the Senate, and Congress as a whole, best serves the American people when we reach real, bipartisan solutions. Today, the Senate will pass its third bipartisan appropriations package, completing Senate consideration of 9 of the 12 appropriations bills reported by the Senate Appropriations Committee and accounting for 87 percent of all discretionary spending.

We are proving that when we put partisan politics aside, we can do the work of the American people. This progress would not have been possible without my dear friend, the chair of the Appropriations Committee, Senator RICHARD SHELBY. Senator SHELBY and I made a commitment, along with Leader MCCONNELL and Leader SCHUMER, to only move forward on appropriations bills that have bipartisan support, are at spending levels agreed to in the bipartisan budget deal, and that reject poison pill riders and controversial authorizing language. This allowed us to complete our bills committee and pass three appropriations packages on the Senate floor.

I am disappointed that House Republicans have thus far rejected this reasonable path in favor of partisan grandstanding by producing bills that have no chance of passing the Senate, but I remain hopeful that once they return from their 5-week recess, they will be ready to work with the Senate on real solutions for the American people and to pass these bills before the end of the fiscal year.

The Senate approach is what this bill represents: real, bipartisan solutions for the American people. We adopted 52 amendments in a bipartisan managers' package, allowing input on the floor from Members outside of the Appropriations Committee on matters that are important to them and to their constituents. We adhered to the bipartisan budget agreement and turned those priorities into policy solutions.

We make good on our promise to families to invest in access to higher education and child care. We make a second major investment in addressing the opioid crisis. Everyone in this Chamber has experienced the opioid crisis firsthand. Whether it is a friend, a family member or a loved one, no one has escaped the grips of this scourge, and we put the force of the United States Government behind the search for cures to diseases like Alzheimer's, cancer, and diabetes by increasing funding for the National Institutes of Health.

This bill invests in our military and their families, allowing the men and

women in our Armed Forces to carry out their missions safely and effectively. By investing in both our immediate national security needs and our long-term domestic needs, like education and health care, this package recognizes the deep ties that run between defense and non-defense priorities.

Ask any military leader, and he will tell you an investment in education is an investment in national security.

By combining these bills in one package, we increase the certainty that they will be enacted into law, on time, avoiding the waste and inefficiency produced by long-term continuing resolutions. I urge our House counterparts to commit, as we have, to producing a conference report that contains both bills so we can move swiftly toward final passage and address the devastating consequences of sequestration on both sides of the ledger.

I remain hopeful that we can continue the bipartisan momentum we have built in the Senate into our conference negotiations with the House.

I want to thank Senators BLUNT, DURBIN, and MURRAY for their hard work on these bills and, of course, Senator SHELBY.

I also want to thank the Majority staff, Shannon Hines, David Adkins, and Jonathan Graffeo, as well as the Defense and Labor-HHS subcommittee staffs, for their hard work and cooperation on this bill.

And I want to thank my staff for their long hours over the last few weeks, Charles Kieffer, Chanda Betourney, Jessica Berry, Erik Raven, and Alex Keenan and all of the Defense and Labor-HHS subcommittee staff.

This package, which represents 65 percent of all discretionary spending, will improve lives in every State, and I urge an aye vote.

Mr. President, I ask unanimous consent that a list of all Appropriations Committee staff, whose hard work made this bill happen, be printed in the RECORD.

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

Charles Kieffer
Chanda Betourney
Jessica Berry
Jay Tilton
Jean Kwon
Erik Raven
Alex Keenan
David Gillies
Brigid Houton
John Lucio
Andy Vanlandingham
Mark Laisch
Lisa Bernhardt
Kelly Brown
Catie Finley
Teri Curtin
Shannon Hines
Jonathan Graffeo
David Adkins
Brian Potts
Laura Friedel
Mike Clementi
Colleen Gaydos
Katy Hagan

Chris Hall
Hanz Heinrichs
Kate Käufer
Jacqui Russell
Will Todd
Carlos Elias
Michael Gentile
Ashley Palmer
Jeff Reczek
Courtney Bradford
Jenny Winkler
Valerie Hutton
Bob Putnam

Mr. LEAHY. Mr. President, I yield back my time.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, it has been 11 years since this bill has been on the floor. Consequently, none of these staffers have probably ever been mentioned on the floor before, even though every single year they have made this continued, great effort.

Senator SHELBY, Senator LEAHY, and Senator DURBIN decided, along with Senator MURRAY and me, that we would bring this combination of bills together that has never been on the floor at any time—Labor-H and Defense.

The Defense staff has been recognized, but let me just mention the Labor, HHS, and Education staff: Mike Gentile, Jeff Reczek, Ashley Palmer, Courtney Bradford, and Laura Friedel, our staff director. All of them are on our side of the aisle.

Obviously, Senator MURRAY's staff played a critically important part in this as well: Mark Laisch, Lisa Bernhardt, Kelly Brown, Catie Finley, and Teri Curtin.

Clearly, this bill would not be here today, in the condition it is in, or we would not have been able to have responded to all of the suggestions this week without both of these staffs having worked to have made it happen.

I yield back.

The PRESIDING OFFICER. Under the previous order, amendment No. 3699 is withdrawn.

Amendment No. 3695, as amended, is agreed to.

The cloture motion with respect to H.R. 6157 is withdrawn.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Nebraska (Mrs. FISCHER), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Texas (Mr. CRUZ) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO), the Senator from Washington (Mrs. MURRAY), and the Senator from Hawaii (Mr. SCHATZ), are necessarily absent.

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

The result was announced—yeas 85, nays 7, as follows:

[Rollcall Vote No. 193 Leg.]

YEAS—85

Alexander	Graham	Nelson
Baldwin	Grassley	Perdue
Barrasso	Harris	Peters
Bennet	Hassan	Portman
Blumenthal	Hatch	Reed
Blunt	Heinrich	Roberts
Booker	Heitkamp	Rounds
Boozman	Heller	Rubio
Brown	Hoeven	Sasse
Burr	Hyde-Smith	Schumer
Cantwell	Inhofe	Scott
Capito	Isakson	Shaheen
Cardin	Johnson	Shelby
Carper	Jones	Smith
Casey	Kaine	Stabenow
Cassidy	Kennedy	Sullivan
Collins	King	Tester
Coons	Klobuchar	Thune
Cortez Masto	Lankford	Tillis
Cotton	Leahy	Udall
Daines	Manchin	Van Hollen
Donnelly	Markey	Warner
Duckworth	McCaskill	Warren
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Ernst	Merkley	Wyden
Feinstein	Moran	Young
Gardner	Murkowski	
Gillibrand	Murphy	

NAYS—7

Crapo	Paul	Toomey
Flake	Risch	
Lee	Sanders	

NOT VOTING—8

Corker	Fischer	Murray
Cornyn	Hirono	Schatz
Cruz	McCain	

The bill (H.R. 6157), as amended, was passed.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, is it appropriate to give a speech at this time?

The PRESIDING OFFICER. The Senator is recognized.

SPORTS BETTING

Mr. HATCH. Mr. President, I wish to begin on the topic of sports betting.

In May, the Supreme Court cleared the way for any State to legalize sports betting, which had been prohibited in all but a handful of States since 1992.

I would like to say upfront, I am not a fan of sports betting. I have grave concerns about gambling in general and sports betting in particular. There is no question that sports betting, like other types of gambling and addictive behavior, has ruined far too many lives. Add to those deleterious social effects the threat sports betting poses to the integrity of the game, and we can see why the prohibition on sports wagering in the Professional and Amateur Sports Protection Act passed the Senate 88 to 5. I authored this legisla-

tion—and fought tooth and nail to get it passed—because I knew that without it, sports gambling would corrupt the integrity of the game.

Despite these views, I am also a realist. With the nearly \$5 billion annually in legal sports wagers in Nevada, plus an estimated \$150 billion a year in illegal sports wagers in the United States, we can’t put the genie back in the bottle. Prohibition is not a possibility or a prudent path forward.

Instead, now that States are free to legalize sports betting, our goal should be to bring that illegal wagering activity into well-regulated, legal markets that can better protect consumers and the integrity of sports. As I wrote in Sports Illustrated earlier this year, “Sports Betting is Inevitable—Let’s Make Sure It’s Done Right.”

To do it right, we need to ensure that State regulatory frameworks are not a race to the bottom. I firmly believe we need a set of fundamental Federal standards that will protect the integrity of the game, that will protect consumers and the sports wagering market.

Since the Supreme Court decision in May, sports betting has been conspicuously absent from the public dialogue on Capitol Hill. A hearing on the issue was scheduled by the House Judiciary Committee but then postponed, and I hope it will be rescheduled so Congress can explore what a post-PASPA world would look like.

Sports betting implicates a whole host of complex issues, and I have been diving into those issues as I work toward draft legislation that will establish some much needed guardrails to protect the integrity of the game. I am grateful for all the guidance and insight many stakeholders have provided, and I invite others who are interested to do the same.

Let me pause for a moment to discuss integrity—a word frequently used in the sports betting debate but often left undefined. In the context of sports, integrity is used to describe events that are recognized as honest and genuine competition. There is a reason predetermined outcomes in professional wrestling attract a small fraction of the following enjoyed by baseball, football, basketball, and other sports. The integrity of sport—the sense that the game is a real competition free from outside influence—is what attracts fans and keeps them coming back.

Integrity can be compromised in various ways. Take, for example, the doping scandals in cycling that took down Lance Armstrong and led fans to question whether races were won by the best athlete or the rider on the best drug regimen, but there is no greater threat to sports integrity than match fixing. There is no question a big payoff in the sports betting market is the leading reason criminals and cheaters get involved with match fixing.

This relationship between sports integrity and sports betting, including

match fixing, cannot be ignored. In the world of gambling, sports betting is a unique product with unique risks. When a casino patron pulls the handle on a slot machine or rolls the dice at a crap table, money may change hands, but there is little connection to the outside world. When a patron places a sports bet, however, there is the potential—and in far too many cases it has been the reality—that the sports wagering market is being used to profit off match fixing. There is a connection, and not always a positive one, between the bets placed in a casino and the outcome on the field.

The integrity concerns related to sports wagering are nothing new. For years, billions of dollars in bets have been placed on sports each year, presenting these very concerns, but the offshore books where the vast majority of these wagers have been placed are under no obligation to take steps to mitigate the threats to integrity. As States move to legalize sports betting and bring that offshore activity into the regulated market, they should be taking reasonable steps to protect the integrity of sports and the marketplace. We can, and should, expect more from the legal operators than those in the illicit market, and those legal operators are quickly getting in the game. It would be a mistake to think that seeming disinterest in the issue at the Federal level has carried over to the States. States, understandably so, seek legalized sports betting as a way to bring in much needed tax revenue. It is amazing how quickly things get done when money is a motivator.

At the beginning of May, full-scale sports betting was available only in Nevada. Today you can also place sports wagers in Delaware, New Jersey, and Mississippi. Sports betting in West Virginia will officially launch on September 1. Pennsylvania and Rhode Island may have sports betting by the end of the year, and more than a dozen other States have taken steps to move toward legalization. All of this is progress in just the past 3 months.

Watching this flurry of activity in the States has only underscored for me the need for some consistent, minimum standards to protect the integrity of sports and the sports wagering market.

Let’s look at a specific example. Who should be allowed to place a sports wager? Imagine if players or referees were able to place wagers on games in which they were participating. They certainly have the ability to influence the outcome, and if players or referees were betting on the game, there could be reason to question their actions on the field. How could fans have faith that the outcome is the result of honest competition and not an intentional effort to get the biggest payout?

I suspect there is a fairly broad consensus that certain categories of folks should not be able to place bets on certain events. For instance, players should not be allowed to place bets, and certainly not referees. But the