

Alert Program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6443. An act to amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to establish a continuous diagnostics and mitigation program at the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6447. An act to amend the Homeland Security Act of 2002 to establish the position of Chief Data Officer of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6459. An act to amend the Homeland Security Act of 2002 to require a strategy to diversify the technology stakeholder marketplace regarding the acquisition by the Transportation Security Administration of security screening technologies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 6461. An act to amend title 49, United States Code, to establish in the Transportation Security Administration a National Deployment Office, and for other purposes; to the Committee on Commerce, Science, and Transportation.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. 2515. A bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian Tribes, and for other purposes (Rept. No. 115-335).

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. CORTEZ MASTO (for herself, Mrs. GILLIBRAND, Mr. BENNET, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Ms. HARRIS, Mrs. FEINSTEIN, and Ms. HIRONO):

S. 3408. A bill to amend the Higher Education Act of 1965 to direct the Secretary of Education to award grants for teaching English learners to institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NELSON (for himself and Mr. SCHATZ):

S. 3409. A bill to allow veterans to use, possess, or transport medical marijuana and to discuss the use of medical marijuana with a physician of the Department of Veterans Affairs as authorized by State law, and for other purposes; to the Committee on the Judiciary.

By Mr. SANDERS:

S. 3410. A bill to amend the Internal Revenue Code of 1986 to impose a tax on employers whose employees receive certain Federal benefits, and for other purposes; to the Committee on Finance.

By Ms. SMITH (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HASSAN, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. REED, Mr. SANDERS, Mr. UDALL, Ms. WARREN, and Mr. WHITEHOUSE):

S. 3411. A bill to ensure medications are affordable; to the Committee on Finance.

### ADDITIONAL COSPONSORS

S. 479

At the request of Mr. BROWN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 510

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 510, a bill to protect a woman's right and ability to determine whether and when to bear a child or end a pregnancy by limiting restrictions on the provision of abortion services.

S. 1121

At the request of Mr. HATCH, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 1121, a bill to establish a postsecondary student data system.

S. 1364

At the request of Mr. MENENDEZ, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Maryland (Mr. CARDIN) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 1364, a bill to establish within the Smithsonian Institution the National Museum of the American Latino, and for other purposes.

S. 2144

At the request of Mr. VAN HOLLEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2144, a bill to provide a process for granting lawful permanent resident status to aliens from certain countries who meet specified eligibility requirements.

S. 2958

At the request of Mr. UDALL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2958, a bill to require the Federal Communications Commission to make the provision of Wi-Fi access on school buses eligible for E-rate support.

S. 3030

At the request of Mr. THUNE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3030, a bill to allow tribal grant schools to participate in the Federal Employee Health Benefits program.

S. 3063

At the request of Mr. BARRASSO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3063, a bill to delay the reimposition of the annual fee on health insurance providers until after 2020.

S. 3196

At the request of Mr. PORTMAN, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 3196, a bill to defend economic livelihoods and threatened animals in the greater Okavango River Basin, and for other purposes.

S. 3231

At the request of Mr. YOUNG, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3231, a bill to establish the Task Force on the Impact of the Affordable Housing Crisis, and for other purposes.

S. 3257

At the request of Mr. CRUZ, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3257, a bill to impose sanctions on foreign persons responsible for serious violations of international law regarding the protection of civilians during armed conflict, and for other purposes.

S. 3381

At the request of Ms. STABENOW, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 3381, a bill to encourage Federal agencies to expeditiously enter into or amend cooperative agreements with States for removal and remedial actions to address PFAS contamination in drinking, surface, and ground water and land surface and subsurface strata, and for other purposes.

S. 3382

At the request of Ms. STABENOW, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 3382, a bill to require the Director of the United States Geological Survey to perform a nationwide survey of perfluorinated compounds, and for other purposes.

### ORDERS FOR THURSDAY, SEPTEMBER 6, 2018

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Thursday, September 6; further, that following the prayer and pledge, morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; and that following leader remarks, the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate adjourn under the previous order, following the remarks of Senators MANCHIN and INHOFE.

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

The Senator from West Virginia.

UNANIMOUS CONSENT REQUEST—  
S. RES. 581

Mr. MANCHIN. Madam President, today I call for a live unanimous consent request on my resolution to protect nearly 800,000 West Virginians and millions of Americans from losing their health insurance because of their preexisting conditions. This is an immediate danger. It is life and death for over 800,000 West Virginians and millions of Americans.

Today oral arguments began in the Texas v. United States lawsuit being waged by 20 U.S. attorneys general, including West Virginia's attorney general, that will, once again, allow insurance companies to have total control to be able to deny health insurance to people with preexisting conditions. Now that the Department of Justice has recklessly refused to defend the existing law, people with cancer, heart disease, asthma, diabetes, or pregnant women are at risk of financial and physical duress. Today, we have a chance to help right this wrong.

My resolution, S. Res. 581, will allow the Senate legal counsel to intervene and defend West Virginians and Americans with preexisting conditions from this inhumane lawsuit. Even my Republican colleagues have admitted that millions of Americans will lose their health insurance if Republican attorneys general succeed.

Now, that is something when my own colleagues, over nine of my Republican friends in the Senate, have introduced a piece of legislation that also acknowledges how destructive this will be.

In a press release, my good friend from North Carolina, Senator TILLIS, and nine other Republicans who introduced the bill wrote that oral arguments in Texas v. United States will begin today, on September 5, and if the judge rules in favor of the plaintiffs, protections for patients with preexisting conditions could be eliminated. What it basically says is, insurance companies will be allowed to determine if you are too sick and too costly for them and they can't make enough profit or see that there is no end in sight, they will just deny you.

Four hundred thousand West Virginians will be denied. They couldn't even buy insurance if they could afford it. The other 400,000 in West Virginia are going to basically have their rates raised or capped. That means they are one illness away—one illness away—from financial disaster.

Senator TILLIS said this legislation is a commonsense solution. This is a commonsense solution. We want to fix it together. We are just asking people, who basically believe the same as we all have agreed on both sides of the aisle, to ask our attorneys general to stop this senseless lawsuit and withdraw it. That would cure the problem overnight, but without it, we need to intervene, and we are asking for this to happen.

Madam President, I ask unanimous consent that the Committee on Rules

and Administration be discharged from further consideration of S. Res. 581; that the Senate proceed to its immediate consideration; and that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Is there objection?

The Senator from Oklahoma.

Mr. INHOFE. Madam President, reserving the right to object.

Right now, there is a court case being heard in Texas on the constitutionality of ObamaCare. We are all aware of that.

In their decision upholding the constitutionality of ObamaCare, the Supreme Court said that under the commerce clause alone, ObamaCare would be unconstitutional. It was only because of the individual mandate, which they saw as a tax, that ObamaCare was upheld.

Last year, we eliminated the individual mandate in our tax cut, so the constitutionality needs to be revisited, which is what these States are doing. It would be inappropriate for the Senate to intervene in this case.

Further, this resolution instructs all provisions of ObamaCare to be defended, including the medical device tax, the Cadillac tax, the health insurance tax, and other provisions that have proven extremely unpopular on both sides of the aisle. For that reason, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. MANCHIN. Madam President, if I could please respond?

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. INHOFE. I have already objected.

The PRESIDING OFFICER. The objection is heard.

The Senator from West Virginia has the floor.

Mr. MANCHIN. Madam President, let me just say that I hear my good friend from Oklahoma. I understand where he is coming from. I would only say that if that were the intent—and they keep saying Affordable Care Act, ObamaCare, TrumpCare, no matter what you want to call it, politicizing it—we can fix it. We have a fix. We have had a bipartisan fix lying on the majority leader's desk for over a year now—12 Democrats and 12 Republicans, working together to fix the things we talked about.

One thing we all agreed on is people with preexisting conditions should not be left in an inhumane situation where they have nothing to count on—no insurance whatsoever. We have been down that road before. This is a correction. We have had this.

Basically, it is against the law for an insurance company to say: Listen, you are too sick. You have had high blood pressure. You were born with a heart defect. You had cancer when you were 40 years of age, and now you are 70; it

might return. We don't want to go down that road again. That is all we have asked for, and even our Republican colleagues agreed with us too.

If that were the intent, to rule this unconstitutional, then that would have been in the tax cut bill. The tax cut bill was the mandate. It had nothing to do with the preexisting condition. That is still the law. That is still the law of the land. All we are asking is for them to withdraw their lawsuit. They withdraw the lawsuit, and it is still against the law for any insurance company—if they pass this lawsuit, then they are going to be at the hands and the mercy of the insurance companies to pick and choose life and death for so many thousands of people—millions of people, 800,000 West Virginians. That is all.

I understand this is a hot topic, but I can tell you one thing, healthcare in West Virginia is something that is needed. It is something we now have a chance to fix that we haven't. We have opioid addiction, and we are able to treat that. Mental illness, we are able to treat that. Senior citizens, we are able to help them close the doughnut hole. These are a lot of good things we have all agreed on.

The things we want to fix is what they are harping on, and, basically, that can be taken care of and keep the Affordable Care Act where it should be, in the hands of the people who need it.

Right now, we are in jeopardy so I am asking for the consideration. I understand the objection, and I understand the process here, but basically what we are asking for is for human decency, and it is basically the concern of millions of people in America.

Thank you.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, while I have the floor, I want to make one comment about the statement that was made by my good friend from West Virginia. The States are looking at it now. In some of these areas, preexisting conditions, the Senator is correct; there is a broad support for this. For that reason, various States are now looking at it.

I want to share something, since I have the floor. We have had an exciting day with the addition of a new Member, JON KYL. I want to mention one thing about Senator KYL. Many years ago, Senator KYL and I were actually elected to the House of Representatives on the same day, and we were elected to the Senate on the same day.

I remember so well, many years ago, when I was first elected to the House, it happened that my father—I lived in Iowa at that time, and JON's father was a Member of Congress. So the first thing he said to me was, when you get elected, go over and meet a guy named JON KYL. Never did I dream we would go through all of this, and we would be meeting again for the third time in another election.

He will be a great addition. Everyone knows that no one can fill the shoes of