

As that war continues—and by the way, we support Mexico's waging it—we may think that the United States has been mostly spared, but that really depends on your perspective. Fortunately, we have been spared the most gruesome acts of public violence by and large, although there are certainly notable exceptions.

The U.S. Centers for Disease Control and Prevention estimates that more than 72,000 Americans died from a drug overdose last year. I wonder why we don't read about this in the newspapers or hear about it on TV. We have somehow become numb or anesthetized to the fact that tens of thousands of Americans have taken their own lives accidentally through a drug overdose. Of those 72,000 people who died as a result of a drug overdose last year, 49,000 were associated with opioids, which include substances such as fentanyl and heroin.

The annual numbers continue to rise, with the death toll for 2017 nearly 10 percent higher than a year earlier. This problem is getting worse, not better. Experts believe the rise is attributable to opioids becoming more readily available and more potent than recent versions of the drug.

So here in the United States, we are losing lives as well. That is why the vote later this week or earlier next week on this bill is so important—it is how we will attempt to make some progress in dealing with this crisis. That is also why our partnership with Mexico must consistently be strengthened and reinforced.

Our drug problem—and ultimately the associated violence and criminality—is Mexico's, and Mexico's is ours.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER).

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING SEPTEMBER 11

Mr. SCHUMER. Mr. President, yesterday was the 17th anniversary of the 9/11 attacks—an event that changed my city and our country forever. I spent the morning at the 9/11 Memorial in Lower Manhattan. Two deep scars in the Earth remind us where mighty towers once stood.

I will never forget that day, nor the next: the phones—when they worked—ringing endlessly; the smell of death; the lines of hundreds of people holding homemade signs—I will never forget that—as I walked there. President Bush sent a plane, and we went to Ground Zero the day after. Hundreds of people were lined up asking: “Have you

seen my father Joe?” “Have you seen my daughter Mary?” The towers had crashed, but no one knew how many people had survived. It was awful.

Mr. President, 3,000 souls were lost in one day—one of the bloodiest days on American soil since the Civil War—people I knew: a guy I played basketball with in high school, a businessman who helped me on my way up, a firefighter with whom I went around the city to ask people to donate blood.

Seventeen years ago today, September 12, 2001, I called on Americans to wear the flag in remembrance of those who were lost, the brave men and women who rushed to find those who might still be alive. I have worn that flag every single day since. I will wear it every day of my life for the rest of my life in remembrance of those who were lost.

This year, I want to turn everyone's attention to a harrowing statistic. By the end of 2018, we expect that more people will have died from exposure to toxic chemicals on 9/11 than were killed on that day itself. Last year, 23 current or former members of the New York Police Department died of 9/11-related diseases—the same number who died on September 11. A new tablet was recently installed at the Hall of Heroes at One Police Plaza to commemorate all the new deaths of members of the FDNY. There is now an American living with a 9/11-related illness in every one of the 50 States and 429 of the 436 congressional districts. I guess they have 436 counting the District of Columbia.

Just as we will never forget the bravery so many fallen Americans showed that terrible day, let us never forget those first responders who did survive, only to contract cancer or a respiratory illness from breathing in a toxic cocktail of dust and ash at Ground Zero.

Nearly a decade ago, I was proud, along with my colleague from New York, to pass the Zadroga Act to provide healthcare for our first responders and a victim compensation fund to help survivors who get sick and the families who lost a loved one to illness. Three years ago, I was proud to work across the aisle to make the healthcare component of the Zadroga Act virtually permanent.

Next year, however, Congress must reauthorize the September 11th Victim Compensation Fund because the administrator of the fund now predicts that the funding will not last until 2020, as we had previously hoped. So many new claims are being filed because so many of these deadly cancers are now showing up. As the death tally from 9/11 continues to grow, we have to make sure the fund is capitalized with enough money to provide an ever longer list of 9/11 victims. So I want to remind my colleagues that soon we have to come together once again to do what is right for the families of the first responders and the surviving first responders themselves who, without

hesitation, risked their lives to save other lives 17 years ago yesterday.

NOMINATION OF BRETT KAVANAUGH

Now, last week, the Judiciary Committee concluded its hearings on President Trump's nominee to the Supreme Court, Judge Brett Kavanaugh. Over the course of 2 days of questioning, Brett Kavanaugh managed to avoid definitively answering nearly every question of substance, making a mockery of his participation in the hearings. He refused to say that he believed *Roe v. Wade* was correctly decided. He refused to say that he would affirmatively uphold the existing healthcare law, including protections for over 100 million Americans with preexisting conditions.

He even refused to visit what many consider to be his extreme views on executive power and would not even say if he believed the President was obligated to comply with a duly issued subpoena.

It didn't matter if members of the Judiciary Committee phrased the questions about already decided cases or hypothetical situations. When he got an already decided case, he said he couldn't talk about those. When he got a hypothetical case, he said he couldn't talk about those. He couldn't talk about anything—anything. What the heck did we have him before us and the American people for if he refused to answer any of these questions?

So after 2 full days of questioning, the American people are no closer to understanding the kind of jurist Judge Kavanaugh would be if confirmed to the Court.

In my view, Judge Kavanaugh's silence on crucial questions about *Roe*, healthcare, and executive power speaks volumes about his fitness for the Supreme Court. There were so many questions he failed to answer or were purposely evaded, and many times, when he did answer, his answers were totally unsatisfactory and did not answer the question.

Senators LEAHY and DURBIN, for instance, asked numerous questions about his involvement in the Bush administration controversies, including interrogations and the nominations of controversial judges, like Pryor and Pickering. Judge Kavanaugh either avoided answering or offered misleading testimony.

In 2004, Judge Kavanaugh told Senator FEINSTEIN that he didn't know about a potential judicial nominee's views on abortion in the vast majority of cases, but recently released emails show that he was told about and discussed nominees' views on ideology, including *Roe*.

Judge Kavanaugh repeatedly denied knowledge of the Bush administration's policy on detention and interrogation of combatants, but emails released last week indicate that he had meetings on the subject, reviewed talking points, and opined on legal strategy.

Judge Kavanaugh claimed that he only learned of President Bush's

warrantless surveillance program when it became public, but an email suggests he knew about a memo justifying the White House's authorization of the program.

Judge Kavanaugh said, for instance, again, that he didn't personally work on the extremely controversial Judge William Pryor, but new records tell a different story. Emails show Judge Kavanaugh was personally involved.

So the extent and the number of these discrepancies is very disturbing, and these discrepancies were made about only the small portion of his record that Republicans have released. Given what we heard last week, who knows what is hidden in the 90 percent of Judge Kavanaugh's record that Republicans continue to hide.

I was disappointed to hear that yesterday Chairman GRASSLEY said that his committee would not examine Judge Kavanaugh's misstatements. He said it was an "executive branch decision" to look at misleading testimony, which clearly defies all logic. Clearly, the chairman of the Judiciary Committee prefers to turn a blind eye to Judge Kavanaugh repeatedly misleading his committee. He, like his colleagues, just wants to rush the nomination through.

The misleading testimony Judge Kavanaugh gave in his confirmation hearing raises larger questions about Judge Kavanaugh's fitness for the bench. Here we have a partisan attorney, involved in every major partisan legal fight for two decades and who shaded the truth about those events to a congressional committee in order to cast his nomination in a more favorable light. What does that say about his impartiality? It certainly doesn't suggest that he is simply this nonideological, nonpolitical, neutral arbiter of the law.

Part of our responsibility in the Senate is to ensure that all judges, especially at the Supreme Court level, meet the highest standard of judicial impartiality and ethics, lest the Supreme Court become simply an extension of the partisanship we experience here in Congress and his rulings be viewed as illegitimate by half the country.

So I urge my colleagues on the other side to scrutinize Judge Kavanaugh's comments to the Judiciary Committee and decide for themselves whether he was completely forthcoming, because if a nominee provides false or misleading testimony to a committee, that should weigh very heavily on the minds of every Senator when it comes time to vote to confirm or reject the nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

#### APPROPRIATIONS MINIBUS

Mr. BOOZMAN. Mr. President, sometime soon the Senate will be voting on the first fiscal year 2019 appropriations minibus. It has been a long time since we have brought conferenced bills to the floor, and I am pleased that the

Military Construction, Veterans Affairs, and Related Agencies Appropriations bill is a part of this package. This bill is the result of a bipartisan commitment to return to regular order, and I thank Chairman SHELBY and Vice Chairman LEAHY for leading the Senate in this process and providing all Members a voice in determining how taxpayer dollars are spent.

We have worked hard with our House colleagues over the past two months to develop a thoughtful and responsible conference report that took into account the input of Members on both sides of the aisle. The conference committee made thoughtful decisions about how to provide maximum readiness for the warfighters and prioritize investments at the Department of Veterans Affairs so it can take care of our veterans.

This bill provides \$97.1 billion in discretionary spending, which is \$5.1 billion over last year's level. Within that, the VA is provided a record level of resources at \$86.5 billion in discretionary funding. That is \$5 billion over last year's level and \$1.1 billion over the President's request. These resources will provide healthcare and other important benefits earned by U.S. servicemembers.

Included in the bill is \$1.25 billion more than requested for medical services and community care to support the VA's traditional community care programs as it transitions to a new and improved program. The bill includes \$8.6 billion for mental health services, \$865 million for the caregivers program, and \$1.8 billion for VA homelessness programs, including \$380 million for the Supportive Services for Veteran Families Program. It includes \$400 million for opioid misuse prevention and treatment and \$270 million for rural health initiatives.

The bill provides \$10.3 billion to support military construction and family housing needs, a \$241 million increase over last year's level.

It also funds \$921 million for overseas contingency operations and the European Deterrence Initiative, \$171 million increase over last year's level. In total, 190 military construction projects are funded to restore warfighter readiness and increase lethality of our installations within the United States and around the globe.

This bill also funds improvements to fuel logistics at Little Rock Air Force Base, in addition to a measure to move forward with development on the base's runway.

I am also pleased that the package increases funding to the Veterans History Project, an initiative led by the Library of Congress that builds an archive of oral histories and personal documents of the men and women who served our country in uniform. This is a unique collection of memories of our veterans who served from World War I to the Iraq war and other recent conflicts. It is an important program that ensures future generations understand

the sacrifices our combat veterans made to protect our freedoms. Preserving the experiences of our veterans is an honorable way to recognize their bravery and dedication to our country.

Since its beginning, approximately two decades ago, the project has collected the stories of nearly 1,400 veterans from Arkansas, and nearly 50 of those have been conducted by my office. We are training more and more Arkansans to conduct these interviews for submission to the project.

These are all things that we can be excited about related to this bill. A lot of time and a lot of energy has gone into putting this legislation together. I would like to thank Senator SCHATZ and his staff, including Chad Schulken and Jason McMahon, and Chairman CARTER and Ranking Member WASSERMAN SCHULTZ and their staffs for working hard to address the needs of our servicemembers and our veterans.

I would also like to thank very much my own staff, including Patrick Magnuson, Jennifer Bastin, Joanne Hoff, and Carlos Elias for their dedication and hard work in moving this bill through the committee process, to the Senate floor, and through conference negotiations.

Finally, I want to thank Chairman SHELBY and Vice Chairman LEAHY, along with Chairman FRELINGHUYSEN and Ranking Member LOWEY, for the dedication and leadership they provided throughout this bipartisan process.

I strongly urge my colleagues in the Senate to support final passage so we can get this bill to the President's desk.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

#### NOMINATION OF CHARLES P. RETTIG

Mr. MENENDEZ. Mr. President, I rise today to oppose President Trump's nominee for Commissioner of the IRS, Mr. Charles Rettig. Now more than ever, the American people need government officials who are willing to stand up and speak truth to power. Unfortunately, Mr. Rettig failed to convince me that he is up for that part of the job.

During his time before the Senate Finance Committee, on which I serve, Mr. Rettig gave me no indication that he would protect New Jerseyans facing the threat of double taxation under the tax bill passed by this Congress and signed into law by President Trump late last year, nor did Mr. Rettig express any respect for the rights of States to administer their own constitutionally upheld charitable contribution tax credit programs. Instead, Mr. Rettig left me all but certain that he would be a rubberstamp for this administration's politically motivated tax policies and would allow a backdoor tax increase on countless middle-class families. At a time when we need independence and impartiality at the IRS, that is absolutely unacceptable.