

instead of vetting it through proper channels.

But this is where we are. So on Monday Chairman GRASSLEY and our colleagues on the Judiciary Committee will reconvene. They and the American people will hear testimony under oath.

#### OPIOID EPIDEMIC

Mr. McCONNELL. Madam President, on an entirely different matter, yesterday the Senate sent a message to the millions of Americans who have personally done battle with addiction to opioids and prescription drugs. We sent a message to the families who have watched our Nation's drug overdose fatalities double in the last decade alone; to those in recovery who have struggled to access the housing and work opportunities they need to get back on their feet; to the Governors, mayors, and local leaders who have seen communities from rural towns to inner cities literally hollowed out and threatened by this epidemic; to the police, firefighters, paramedics, and other first responders whom our Nation has asked to confront this crisis, often without all of the specialized training and resources they need; and to every American affected by the opioid epidemic.

The landmark legislation the Senate passed yesterday says: The Nation will not stand for this. More help is on the way. Yesterday evening we voted to build on Congress's prior efforts and deliver more relief to the communities that need it most.

This landmark legislation addresses the crisis at every step of the way. It contains provisions to cut down on fentanyl and other illegal drugs coming across our borders, to reform how painkillers are prescribed and packaged, to invest in comprehensive opioid recovery centers, and to provide for more long-term medical research.

It also contains two provisions I was pleased to secure for my fellow Kentuckians and for the whole country. The CAREER Act will help individuals in recovery to find housing and the job opportunities they need to rebuild lives of sobriety, and the Protecting Mothers and Infants Act will help the Federal Government to do more to support pregnant women and to protect unborn children from these drugs. This landmark legislation is like a Swiss Army knife that will help the Federal Government to fight opioid addiction in many different ways.

I am grateful to Chairman ALEXANDER for assembling this package, integrating the input of more than 70 Senators and shepherding it through passage.

#### CONFERENCE REPORT ON APPROPRIATIONS

Mr. McCONNELL. Madam President, on one final matter, currently before the Senate is a crucial appropriations measure for the upcoming fiscal year: the conference report that will fund

the Departments of Labor, Health and Human Services, Education, and Defense. It is the second minibuss conference report we have taken up in what has already been an important year for regular appropriations.

Thanks to the leadership of Senators SHELBY and LEAHY, all 12 spending bills were favorably reported from the Appropriations Committee by the end of June, the fastest pace in 30 years. For the first time in 15 years, the Senate passed our Labor-HHS-Education bill before the beginning of the fiscal year.

These milestones may sound like inside baseball, but what they signify is a Senate that is getting its appropriations process back on track, a Senate that is attending to vital priorities for our country. The package we are voting on today will account for over half of the Federal discretionary spending for next year. Critically, after subjecting America's All-Volunteer Armed Forces to years of belt-tightening, this legislation will build on our recent progress in rebuilding the readiness of our military and investing more in the men and women who wear the uniform. This conference report increases appropriations in the Department of Defense by \$19.8 billion over fiscal year 2018 levels. Once enacted, our warfighters will have certainty in their funding—on time, on October 1, for the first time in 10 years.

First and foremost, this reflects a major investment in personnel—more resources for recruiting the forces that our military commanders have called for and the largest servicemember pay increase in nearly a decade. It fully funds the Pentagon's stated requests for operational support, including hundreds of billions in base support and maintenance funding, ensuring that critical ongoing missions continue at Fort Knox, Fort Campbell, and the Blue Grass Army Depot in Kentucky and at installations all around the world.

It also supports our National Guard and Reserve components, including many of the important missions executed by the Kentucky National Guard. The bill further ensures that combat units are equipped with overwhelming, cutting-edge capabilities: critical funding for aircraft and aviation programs, for new battle force ships, and hundreds of millions for our missile defense capabilities.

In addition to our Armed Forces, this bill will also provide for communities wounded by drug addiction, for families working hard to save for college tuition, and for workers who are trying to catch up in ever-evolving industries.

Under the Labor-HHS-Education title, this package would fund critical medical research at the National Institutes of Health, ongoing support for State opioid response grants, and apprenticeship and job training programs. It sets aside special funds for priorities like combatting infectious diseases that ride on the coattails of the opioid epidemic and retaining dis-

located rural workers—both key priorities in States like Kentucky and around the country.

So to sum up, there is more support for the best trained, best equipped, and strongest military force in the world and more support for the health and prosperity of American communities and workers—all the more reasons why I will be proud to vote for this legislation and why I urge every one of my colleagues to join me.

#### ORDER OF PROCEDURE

Mr. McCONNELL. Madam President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the Senate vote on the motion to invoke cloture on the conference report to accompany H.R. 6157 at 12 noon today; further, that if invoked, all time be considered expired and the Senate vote on adoption of the conference report.

The ACTING PRESIDENT pro tempore. Is there objection?

Seeing none, it is so ordered.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, morning business is closed.

#### DEPARTMENT OF DEFENSE AND LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION APPROPRIATIONS ACT, 2019—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the conference report of H.R. 6157, which the clerk will report.

The senior assistant legislative clerk read as follows:

A conference report to accompany H.R. 6157, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

The ACTING PRESIDENT pro tempore. The assistant Democratic leader.

#### NOMINATION OF BRETT KAVANAUGH

Mr. DURBIN. Madam President, I think it is important for us at this moment to reflect on a little Senate history. This goes back to the year 1991, 27 years ago. It was a chapter in the history of the Senate and the Senate Judiciary Committee that many people who lived through it either as observers or participants will never forget. It refers to the hearings for the approval of the nomination of Clarence Thomas to the Supreme Court.

Let me read to you a summary of what occurred.

After Anita Hill alleged that Judge Clarence Thomas had sexually harassed her, the full Senate on October 8, 1991, agreed by unanimous consent to delay a vote on Thomas' nomination to the Supreme Court until October 15.

Let me underline that. The full Senate agreed by unanimous consent to delay the vote after the allegations surfaced.

Three days later, beginning on October 11, the Senate Judiciary Committee held public hearings over the course of 3 days, enabling Clarence Thomas, Anita Hill, and other witnesses to testify in an opening setting. Two days after the hearings ended, on October 15, the Senate then voted on Thomas' nomination.

However, we have learned subsequently that this process was rushed to a point where information came out after the hearings that, in fact, several other women had made similar allegations.

Having said that, according to press reports from 1991, Anita Hill faxed her four-page statement, making the allegations to the Judiciary Committee on September 23, 1991. Then the Senate Judiciary Committee chairman, Joe Biden, in turn, passed that information on to the White House and the FBI.

On the same day that this letter was faxed to the Senate Judiciary Committee, on September 23, 1991, White House Counsel C. Boyden Gray ordered the FBI to investigate Anita Hill's allegations. The FBI spent 2 days investigating the allegations, including conducting interviews with Anita Hill and Clarence Thomas, and completed its report on September 25, 1991.

I recount that history because it is remarkable in light of what we have witnessed with the allegations of Dr. Ford. First, the Senate, by unanimous consent—Democrats and Republicans—once that allegation surfaced by Anita Hill, voted to delay the vote on Thomas' nomination. Secondly, when the Senate Judiciary Committee chairman, Joe Biden, turned over the allegation, on the very day it was received at the White House, the White House Counsel, C. Boyden Gray, ordered an investigation by the FBI.

Apparently, at that moment in history, Democrats and Republicans in the Senate and on the Judiciary Committee and in the White House at least wanted to maintain an open mind as to whether there was truth to the allegations and ordered an FBI investigation.

Contrast that with what we are going through here. Contrast that with the fact that many, including the majority leader, who just spoke, have already presumed that any allegations by Dr. Ford should not be taken seriously and, as he said over and over again, that Judge Kavanaugh deserves the benefit of the doubt in this circumstance—or more.

That is a departure from where we were 27 years ago when a credible allegation appeared and both sides stepped back and said: Investigate it. Call them

both before the Judiciary Committee. Let's hear their testimony before we make a decision.

In many cases since Dr. Ford's allegations have come forward, Republicans have prejudged this and dismissed it as political.

Let me say a word about my friend and the ranking Democrat in the Senate Judiciary Committee, Senator DIANNE FEINSTEIN. Senator FEINSTEIN faced a choice that none of us would want to deal with. I think she did it responsibly. She received, through a Member of Congress, a letter making the allegations against Judge Kavanaugh, but it was clear in that letter that the woman making the allegations did not want her identity disclosed. The woman claimed to have been victimized by Brett Kavanaugh, and she did not want her name made public. What was Senator FEINSTEIN to do at that point—ignore her request, make it public to the embarrassment of her and her family?

Senator FEINSTEIN did not believe that is what she should have done, and she didn't. She continued to work with Dr. Ford. She reached out to her personally. She discussed the matter with her attorney. When I hear statements on the floor from the Senate majority leader that suggest there was a leaking to the press, I don't know where he is pointing his finger, but he shouldn't point it at Senator FEINSTEIN. She is an honorable person, and she is a person who is sensitive to the reality of a victim and the fact that some of them are afraid to step forward and tell their story publicly. I think that is what occurred here.

The time came when the story did leak to some credible—or maybe not credible; I don't know, I couldn't characterize them—but some publication known as the Intercept. It started to make the rounds. At that point, things started changing. It changed for the committee. Senate Judiciary Democrats met last week, talked it over, and said that we believe we should refer what we have, redacted, to the Federal Bureau of Investigations. We did. Then it was sent to the White House.

We did that unanimously. Then, of course, the decision was made over the weekend by Dr. Ford that she was willing to go public. I don't think that was an easy decision for her. Clearly, it wasn't, because for weeks she made it clear to Senator FEINSTEIN and others that she didn't want her identity disclosed. It is understandable. Look at the attacks she has faced already and what she is likely to face in the future. It is a reality of sexual harassment and sexual assault that victims are reluctant to speak for fear of what will happen to them and their family as a result of it.

Now we have the situation where we do not have an investigation of Dr. Ford's allegations by the Federal Bureau of Investigation. This morning, the Senate Judiciary Democrats are making a plea to the President, as well

as to the Republicans, to initiate the very FBI investigation that is necessary, certainly of Brett Kavanaugh's comments, as well as Dr. Ford's comments about this episode. I think, at a minimum, that should be done.

What has been said by the majority leader this morning, and I quote him: "So little order and so little sensitivity"—I think Senator FEINSTEIN from the start showed sensitivity to the reality of the victims of sexual assault. I applaud her for that. I think it was a humane approach, a sensible and rational approach on her part to work with Dr. Ford to the point where she was willing to speak publicly about it. Sensitivity, you know, goes in both directions, both to the Kavanaugh family, as well as to the Ford family in this circumstance.

In terms of order, it is difficult to judge when a person is willing to make a decision. Obviously, after 6 weeks, Dr. Ford made the decision that she would go public. That was not a timetable established by Senator FEINSTEIN for anyone else. It was one she had to come to grips with in her own mind from her personal point of view and her family's point of view.

It is ironic that just a few weeks ago we had a hearing before the Senate Judiciary Committee on this issue. I hope my Republican colleagues will think about that hearing and some of the things that were said. I hope they will treat Dr. Ford's allegations with the seriousness and dignity that survivors of sexual assault deserve.

Chairman CHUCK GRASSLEY, who is my friend, made a statement during that committee hearing on June 13. It was a hearing about the sexual harassment perpetrated by a Federal judge, Alex Kozinski. CHUCK GRASSLEY was addressing victims who spoke out against Judge Kozinski's harassment. This is what he said:

Speaking out against powerful federal judges in a system that doesn't always protect victims takes tremendous courage. But because of your bravery—

Referring to these witnesses— we can hopefully begin to make real, significant changes to these power imbalances that allow harassment to thrive.

I think I have a dual responsibility in serving on the Senate Judiciary Committee: a responsibility to fairness when it comes to the allegations made by Dr. Ford and responsibility, when it comes to fairness, to Brett Kavanaugh in this circumstance as well. That means that I am not allowed, in my own mind, to prejudge this and to say automatically that Dr. Ford is right or automatically Judge Kavanaugh is right.

What I need, what the American people need, are the facts. We should harken back to what occurred before with President Bush and C. Boyden Gray, his counsel, when they ordered an investigation by the FBI. That should occur now. If we are going to have a hearing on Monday, we should walk into that hearing after an investigation, which at least involves Brett

Kavanaugh being interviewed and at least involves Dr. Ford being interviewed and at least involves Mark Judge, the person who has been identified as an eyewitness to this occurrence being interviewed as well. There could be other relevant witnesses. I will leave it up to the FBI and their investigation to come to that conclusion.

Let's get the facts before the American people. Let's understand the seriousness of this responsibility. A lifetime appointment to the highest Court in the land is what is at stake here, as well as attacks on the credibility of an alleged sexual assault victim and others who are watching this carefully in light of their own life experiences.

I hope we meet that responsibility, but we will never meet it if Senators continue to come to the floor and prejudge the facts before any investigation, before any testimony by either of these individuals. If we are truly going to meet our responsibility to advise and consent under the Constitution, it is time for us to step back, put our Democratic and Republican clothes at the door, and stand together in judgment of an important issue that affects the future of this country and future of the Supreme Court.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### WATER RESOURCES DEVELOPMENT ACT

Mr. NELSON. Madam President, over the past few weeks, I have been meeting with residents and business owners in South Florida who are continuing to experience the health impacts and the financial troubles as a result of the persistent algae blooms which are on the east coast of Florida. On the west coast, those algae blooms that are going down the Caloosahatchee River are supercharging the red tide bacteria in the gulf, and the profound ecological effect is that of dead sea life literally littering the beaches. The smell is pungent, and it is irritating.

I am here to urge my colleagues to support the Water Resources Development Act—what we refer to as the WRDA bill—because it contains the authorization for an important reservoir project that could help alleviate some of the discharges.

When discharges come out of the big lake, Lake Okeechobee, that are already combined with local runoff and discharges of nutrient-laden water into the waters and lakes of Florida—particularly the Caloosahatchee on the west coast and the St. Lucie on the east coast—then all of that nutrient-laden water is like throwing fertilizer into water. Since algae is already in the water, if you throw fertilizer into

it, the algae is going to grow. The algae grows, and it turns into this green gunk. It absorbs all of the oxygen in the water, and it becomes a dead waterway. The fish can't live because the oxygen is not there.

There are important things in this Water Resources Development Act, particularly an in-excess-of-10,000-acre reservoir that is going to be authorized south of Lake Okeechobee, which would allow for the flow of some of those discharges.

Last week, the House and the Senate committees of jurisdiction resolved their differences in conference negotiations and reached an agreement that passed in the House by a voice vote. We are going to have the WRDA bill come up in the Senate. We should take it up and pass this bill immediately so it can go to the White House for signature and become law so we can get to work on the reservoir that will be south of Lake Okeechobee.

The reservoir is particularly important and timely right now because of this algae crisis in Florida. It is also a critical piece of our broader Everglades restoration effort. We need additional storage so we can move water gradually from Lake Okeechobee, clean it up, and send it south to the areas of the Everglades that are starved for freshwater.

One of the true champions of Everglades restoration, Nat Reed, passed away earlier this summer. I expressed remarks on the floor of the Senate about what he meant to our State and to our country and its environment. I note, today, that I am filing legislation with my colleague Senator RUBIO to formally rename the Hobe Sound National Wildlife Refuge after Nathaniel Reed.

When we all learned the sad news in July that Nat had passed away, there were conversations about the most fitting tribute and what it might be. Naming this particular refuge after Nat Reed makes sense because the refuge wouldn't be there without his family.

In 1967, Nat's father, Joseph Reed, established the Reed Wilderness Seashore Sanctuary on the northern end of Jupiter Island and had it designated as a national landmark. In 1969, he gave Florida Audubon the piece of land that today is the island portion of the Hobe Sound National Wildlife Refuge. Today, the refuge provides habitat for dozens of threatened and endangered species. In fact, this stretch of beach is one of the most productive sea turtle nesting areas in the entire Southeastern United States. So it is fitting that we rename the Hobe Sound National Refuge, which Nat Reed's father started, after this great American environmentalist.

I urge my colleagues to pass Senator RUBIO's and my bill, to take it up and pass it very soon to honor Nat Reed's legacy. I urge the majority leader to call up the WRDA bill for a vote immediately so we can get on with this new

reservoir project and many other projects that are in the water bill.

I yield the floor.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. SCHUMER. Madam President, first, let me thank the Senator from Florida for his steadfast actions in the Senate for many years protecting Florida's waterways, which are not only a treasure to Floridians but to all of us in America. He deserves to be congratulated on that.

#### NOMINATION OF BRETT KAVANAUGH

Madam President, last night, in the wake of extremely serious and troubling allegations about Supreme Court nominee Judge Kavanaugh, Chairman GRASSLEY announced he would hold a hearing of the Judiciary Committee next Monday to examine the allegations. I want to salute the six Republican Members who I believe changed Senator GRASSLEY's mind and Leader MCCONNELL's mind. Their first instinct was, of course, to rush it through, have this ridiculous phone call with Republican staff and both of the now witnesses. That made no sense. But because a good number of our Republican friends said there ought to be a hearing and testimony, Senator GRASSLEY and Senator MCCONNELL backed off the position of no hearings, and we will have one.

It is a good thing that we will have hearings, and they have to be done right. There must be an agreement on witnesses, and the FBI should be given time to reopen its background check investigation into Judge Kavanaugh to speak to any potential witnesses or other relevant individuals and update its analysis. That way, Senators will have the necessary information and expert analysis at their disposal at the hearing, making it much less likely that it will devolve into a he said, she said affair.

Many say: Well, they have done background check investigations several times on Judge Kavanaugh. That is true, but none of those background investigations brought up this specific incident that Professor Ford says happened. I believe that it did. Because the FBI didn't know of these allegations before, reopening the background investigation into these specific allegations, interviewing Judge Kavanaugh, Professor Ford, Mr. Judge, and all other relevant witnesses, is necessary.

We have two diametrically opposed stories. In my view, Professor Ford is telling the truth. But if you don't want the hearing to be just a he said, she said affair, an independent investigation—a background check—by the FBI is essential.

This is not a criminal investigation. It has nothing to do with the statute of limitations. It is simply what the FBI does for all witnesses. When there are new and troubling allegations that emerge, there is nothing wrong—in fact, it is fundamentally right to reopen the background investigation so

that the FBI can query the witnesses involved, more so now than ever because there are two diametrically opposed stories. It will make the hearing far more valuable because once the Members see what the witnesses have said to the FBI, they will be able to ask much better questions, and they will be able to get at the truth. I think every American wants the truth—Democrat, Republican, liberal, or conservative. Instead, there is still an instinct from Leader MCCONNELL and Chairman GRASSLEY to rush these things through.

The hearings must be done right, not rushed, fair to both sides, respectful to both parties, and as dignified as possible under the circumstances. Senators and witnesses need time to prepare testimony, and Senators who are not on the committee need time to review and consider that testimony once given. There must not be a hearing on Monday and then a possible vote on the nominee a day or two after.

This morning, Chairman GRASSLEY said there would be only two witnesses. That is simply inadequate, unfair, wrong, and a desire not to get at the whole truth and nothing but the truth. The minority has always been able to request a number of witnesses to provide context and expert opinion to the committee.

In this case, it certainly makes sense for one witness to be Mr. Mark Judge, who was named in the Washington Post as present during the event in question. How could we want to get at the truth and not have Mr. Judge come to the hearing and be asked questions? If the majority will not call him as a witness—as they should if they are really interested in getting the whole truth—the minority must be able to do so. The minority has always had a right to call witnesses.

But the bigger issue is that the committee must be able to call more than two witnesses in total. We must not repeat the mistake of the Anita Hill hearings. They were rushed and were a debacle. Do we want to repeat that mistake? We cannot let these hearings be even more rushed than the Anita Hill hearings.

My colleagues on the other side of the aisle are so hypocritical. Leader MCCONNELL delayed the nomination of Merrick Garland to fill the seat of the late Justice Scalia. Leader MCCONNELL delayed the filling of Justice Scalia's seat for 10 months, and now they are saying we can't take an additional 2 weeks to get to the truth of a very serious allegation? What hypocrisy. What a 180-degree turn, depending on who is charge and who is making the nomination. What a shame in this Senate.

Let's not rush the hearings. Let's not repeat the mistake that was made in the Anita Hill hearings. Let's call all of the relevant witnesses, not just two selected by Chairman GRASSLEY, who didn't want to call the hearing to begin with. Let's do this fair and full and right, and whatever the outcome, the

American people will at least think this Senate took a fair shot at getting to the truth.

One additional point, Madam President. Much of the focus these past few days has been on the nature of the allegations themselves, but there is another focus that is equally important, and that is Judge Kavanaugh's credibility.

Dr. Ford has made an exceptionally specific allegation, one she made years ago—I think 6 years ago—to a family therapist, long before Judge Kavanaugh was nominated for the Supreme Court. She volunteered to take a lie detector test, which she passed. Judge Kavanaugh, meanwhile, has “categorically and unequivocally” denied the entire story. There is no wiggle room in that denial. He didn't say he didn't remember. It is a whole and complete denial. Someone is not telling the truth. Someone is not telling the truth.

Now, here is what President Trump said about sexual assault allegations, quoted in Bob Woodward's book:

You've got to deny, deny, deny and push back on these women. If you admit to anything and any culpability, then you're dead. . . . You've got to be strong. You've got to be aggressive. You've got to push back hard. You've got to deny anything that's said about you. Never admit.

So the question looms, Is Judge Kavanaugh taking a page from President Trump's playbook? Are the people advising Judge Kavanaugh telling him to follow President Trump's dishonest strategy? We don't know the answer, but it is certainly an important question.

If the facts of Dr. Ford's allegations prove to be true, as bad as they are, they bring up a second point that is equally damning—that the nominee is not credible. I can't understand why, but there are some who say: Well, it happened 40 years ago; we should ignore it. These are not typical things that happened to people 40 years ago; these allegations are very serious stuff. But even if people want to dismiss it—and I hope they will not—there is the issue of credibility.

It wouldn't be the first time questions were raised about the judge's credibility. Facing a confirmation vote for the DC Circuit in 2004, Brett Kavanaugh told Senator FEINSTEIN that the White House didn't know about any potential judicial nominees' views on abortion in the vast majority of cases. Recently released emails show that wasn't entirely accurate. Judge Kavanaugh repeatedly denied knowledge of the Bush administration's policy on detention and interrogation, but recently released emails show that wasn't accurate. Judge Kavanaugh denied working on the controversial nomination of Judge William Pryor, but recently released emails show that wasn't accurate either.

In the case of Dr. Ford's allegations, the Senate and the American people must ask themselves, once again: Is

Judge Kavanaugh's complete denial credible? Both can't be true. What Dr. Ford is saying and what Judge Kavanaugh is saying cannot be true. That is why we need hearings, that is why we need a bunch of witnesses, and that is why we need the FBI to continue its investigation—because there is an issue of credibility here. When you are nominating someone to the highest Court in the land, their credibility should be unimpeachable.

#### MUELLER INVESTIGATION

Mr. President, now on another matter, last night, President Trump ordered the declassification of documents related to an ongoing investigation into his own campaign and administration, which seems to be a transparent attempt to give his legal team a sneak peek at the government's investigative materials against this campaign. Just on its face alone, the action by President Trump is an abuse of power and a direct slap in the face of the rule of law and even more troubling because President Trump regularly abuses power.

Even more troubling, law enforcement officials have informed Congress that some of the disclosures will put at risk the most sensitive sources and methods of our Nation's law enforcement and intelligence professionals. There are thousands of Americans risking their lives as informants in our intelligence services. If they can be exposed on the whim of a President for political purposes, what does that say to them? What does that say to future recruits, to the CIA, to the NSA, and so many of these other agencies that are so important to our national security?

It is a disgrace that the President did it. I have to say, it is an equal disgrace that our Republican leadership in the House lets a small band of House renegades, led by Chairman NUNES of the Intelligence Committee, help undermine our intelligence agencies and the brave men and women who risk their lives for us for his political purpose.

It is just like the infamous memo prepared by Representative NUNES and the fake wiretapping scam. President Trump and a handful of his water carriers in the House are willing to go to any length to cherry-pick, distort, and invent materials to discredit the Mueller investigation, even when our national security and the safety of the millions of Americans protected by the men and women in our intelligence agencies are on the line.

This latest disclosure by President Trump is a blatant abuse of power. It is the action of a dictator in a banana republic. It is not politics as usual. It is not just Democrats and Republicans bandying things about. It has never really happened before. It will make America less safe.

I yield the floor.

The PRESIDING OFFICER (Mr. KENNEDY). The Senator from Missouri.

H.R. 6157

Mr. BLUNT. Mr. President, today we are about to mark a milestone. Maybe it wouldn't be a milestone for any

other group except for the U.S. Congress; that milestone is getting a significant part of our work done on time.

This will be the first time in 22 years that we have passed the Labor-Health and Human Services appropriations bill before the start of the fiscal year. Just a few days ago was the first time in 11 years this bill has even been debated on the Senate floor. So we are heading in a good direction.

This is a bipartisan agreement. It isn't exactly the bill that I would prefer; it isn't exactly what my ranking member Senator MURRAY would like to have done here. But working with our House colleagues and with Senator SHELBY and Senator LEAHY, we have actually done the job this year that the appropriating committee is supposed to do, which is to appropriate the money—to decide how to spend the people's money that we have been entrusted with.

For instance, this bill funds things like the opioid bill that 99 Senators voted for yesterday. It is one thing to vote on a bill that says: Here is what we ought to do. It is another thing to then actually do it. Most of the things we voted on yesterday will not happen unless we decide to fund the things we said we wanted to do.

This is one of the most difficult bills to negotiate. It is 30 percent of all non-defense spending. It is, interestingly, combined this year with the defense bill. So you have the No. 1 priority of the Federal Government—to defend the country—as part of the bill, which is 50 percent of all the discretionary spending, and then another 12 percent or so with the Labor-HHS bill. Sixty-two percent of all of the spending the government will do that we have a choice in—that is not mandatory spending—happens in the bill the Senate is voting on today.

There is a lot of push and pull in this bill. In fact, our committee got 6,164 requests from Senators during committee negotiations about things they cared for in this bill. There were 31 amendments that were offered in the debate on the bill on the floor.

Today's bill, I think, reflects the priorities of both sides of the Capitol and both sides of the aisle. We fulfilled the commitments the leaders made in the February budget agreement to keep the extraneous issues off these bills that fund the government. It also fulfills the President's demand that he doesn't want any more omnibus spending bills. He wants these bills in small packages that we can debate and he can look at.

It invests in national priorities, like fighting the opioid epidemic, expanding medical research, promoting college affordability, and strengthening our workforce. This bill accomplishes a huge goal that I, Senator MURRAY, Senator DURBIN, Senator ALEXANDER, and others have had for several years now, which is to get back, fully committed, to health research funding, the NIH grant process that to a great ex-

tent had gone into a stagnant, no-growth mode for over a decade.

This bill looks at things like Alzheimer's. We are spending well over \$200 billion a year in tax dollars for Alzheimer's and dementia care. Now we will spend 1 percent of that in a way that will try to find a solution. If we don't find a solution, the tax dollars spent on Alzheimer's disease alone are anticipated to increase to the size of twice today's defense budget by 2050. Twice what we are spending today to defend the country is what we will be spending to deal with Alzheimer's if we don't find more ways than we know now to diagnose and delay onset. If you could delay onset by 5 years, you would cut that number by 46 percent.

So there is a focus on research—whether it is Alzheimer's, immunotherapy for cancer, or CRISPR technology. Young researchers are back in the business of getting grants that encourage them to stay in research. That is an important part of this bill.

Things we are doing with opioids—again, yesterday was about what we want to do; today is about whether or not we are willing to do it. This continues that commitment. The Council of Economic Advisers says that the cost of opioids is more than \$500 billion a year in lost work, family trauma, other health matters that occur, and loss of life.

The No. 1 cause of accidental death in America today is drug overdose. This bill provides \$3.8 billion toward targeted opioid funding and represents the fourth year we have increased opioid treatment, prevention, and recovery programs. One of those programs is \$1.5 billion that would be divided among the States to see what they can do in their State. Again, it is not only the No. 1 accidental cause of death in America; it is the No. 1 accidental cause of death in most States in the country today.

We have \$200 million for community health centers to expand behavioral health and substance abuse disorders. If you don't have a behavioral health problem before you get addicted to opioids and other drugs, you certainly have one after. We increase funding to improve surveillance and prevention in all 50 States.

There are extra dollars for research at NIH in pain management to try to figure out a better way to manage pain without the addictive impacts of opioids. We have a set-aside for the hardest hit rural communities. On a per capita basis, rural America is much more dramatically impacted by this opioid epidemic than urban America is.

There is money here for services for children at risk—children who have to be taken out of the home they are in and helped and assisted back to some normal environment where a kid can grow up.

We have money to help people in schools to be ready to learn and to be prepared for careers and training. Cer-

tainly, the apprenticeship programs are programs that Senator MURRAY has advocated effectively for, both in this bill and on the floor. The bill includes an increase for Head Start—again, getting kids ready to go to school—more title I money to support students in low-income schools and help them meet challenging State economic or academic standards.

There is an increase for the Individuals with Disabilities Education Act, so students with disabilities have more Federal encouragement, even though more of that burden is still borne locally than was ever thought possible when the IDEA was passed.

There is more funding for academic enrichment grants and charter schools, impact aid for dedicated, evidence-based STEM education programs, and for career and technical programs.

I will say that in the 4 years we have worked on this committee together, we do have a little more funding this year than we had in previous years, but we continued to move in all of those directions the first 2 years, and we did that by eliminating programs and combining programs that weren't working. So this bill still reflects hard choices—things that allow people to get to college, to stay in college, returning to year-round Pell grants and increasing the maximum Pell grants.

As I said earlier, I believe, for the first time ever, it is on the floor with the defense bill. It is something our leaders on both sides of the aisle thought we might be able to do. It was, frankly, by a lot of standards, a pretty bold experiment. But I believe the vote today is likely to show it is an experiment that really makes a lot of sense.

So I am certainly urging my colleagues to support this bill today, and I thank Senator MURRAY and others who have worked so hard to make this happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington State.

Mrs. MURRAY. Mr. President, I thank my colleague Senator BLUNT and echo his comments this morning. I come to the floor to urge our colleagues to support this conference report.

I do thank Chairman SHELBY, Vice Chairman LEAHY, Chairman FRELINGHUYSEN, and Ranking Member LOWEY, as well as Leaders MCCONNELL and SCHUMER. Because of their hard work and leadership, we have been able to work together across the aisle and pass bills under regular order in a way that we have been unable to do for many years.

I also want to again thank my partners on the LHHS part of this bill—Senator BLUNT, Representative COLE, and Representative DELAULO—and I want to recognize the effort of the staffs on both sides of the aisle who worked extremely hard over the summer. Thank you to all who have brought us this far.

I am very proud that we were able to negotiate and pass our bill through our

committees and the Senate floor of Congress—something that has not been done here on the Senate side for over a decade—and that we were able to work together to get this conference report done. I believe this was possible because we rejected partisanship and poison pill riders and worked together to make strong investments in families, patients, students, children, workers, and our middle class.

Our bill builds on the strong work we have done to increase access to child care and early learning. It includes targeted funding to address the opioid epidemic, especially in underserved areas, and significant new resources to address the truly alarming issue of maternal mortality. Senator BLUNT just went through much of what is in this bill, so I will not repeat that but will just echo that we have done much in this bill for a lot of our families. I am proud of the work we have been able to do.

I do want to note, I was disappointed that we were unable to include language clarifying that the Department of Education can't allow title IV funding to be used to arm teachers and put more guns into our schools. I believe Congress was clear when we passed the bipartisan Every Student Succeeds Act; that is not what the funds are intended for. I was heartened to hear many Republicans on our committee agree. I had hoped we could clarify this further for Secretary DeVos in our bill, and I do want Senators to know that I will keep working with Democrats and Republicans to keep the pressure on her to do the right thing.

The conference report we will be voting on today is a product of hard work and a commitment to bipartisanship. I am really glad we are taking this next step and moving it closer to becoming law.

Again, I thank Chairman SHELBY, Senator DURBIN, Representative GRANGER, and Representative VIS-CLOSKY for their work and leadership on the defense side of this bill. I encourage all of our colleagues to vote in support of this conference report.

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

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

#### APPROPRIATIONS PROCESS

Mr. MORAN. Mr. President, I want to speak on the appropriations process. I am pleased we are moving forward, and in a few short minutes we will have a couple of additional votes in regard to appropriations bills.

I want to acknowledge the recent success we have had in moving our appropriations process forward. One would think we would easily be able to meet our legislative mandate. The law

says we should pass a budget by April 15 of every year and then follow that with 12 appropriations bills that fill in the spaces in that budget. That turned out to be much more complicated, difficult, and politically challenging than I would have hoped.

As a member of the Appropriations Committee, I want this to work, but as a representative of taxpayers in Kansas and across the country, I need the appropriations process to work. It is the place we establish priorities. Spend more money here, less money here, no money here—those are important decisions that need to be made every year. It is also the opportunity we have to send messages and directives to the administration. By the administration, I mean Cabinet Secretaries, Bureau Chiefs, and Agency heads.

The power of the purse string is an important tool for Congress under article I of the U.S. Constitution to direct how taxpayer dollars are spent in the United States. It is a cause of mine to see that the appropriations process works so we can establish those priorities but also so we can have input into any administration's intentions to establish rules and regulations, develop new policies. The power of the purse string should be exhibited by Congress in a way that allows us, on behalf of the citizens of this country, to have input into what goes on in any administration.

We are doing much better than we have been for a long time. This has been a year of success. The Senate Appropriations Committee has passed all 12 bills from the Appropriations Committee, and we will today pass several more on the Senate floor. The goal would be, in my view should be, that we complete all 12 bills hopefully before the end of the fiscal year, which ends on September 30, but more likely between now and the end of November or early December.

We have had significant guidance certainly from the majority and minority leaders of the U.S. Senate, but especially with the help of RICHARD SHELBY, the chairman of the Appropriations Committee, and the vice chairman of the Appropriations Committee, the Senator from Vermont, Mr. LEAHY, in avoiding the usual contentious issues in our appropriations bills that then cause this deadlock to occur with no result, no capability of moving appropriations bills. Way too often, the end result has been what we call a CR, a continuing resolution, that funds the Federal Government next year at the same level as it does last year, as it was funded in the previous year, or ultimately it can end up in an omnibus spending bill in which all the spending is combined. The opportunity for us as members of the Appropriations Committee but equally or more importantly Members of the U.S. Senate and the U.S. House of Representatives to have input into those spending items is greatly diminished, and the amount of knowledge of what one can have about

what is in that appropriations bill when it covers everything and results in trillions of dollars of spending is pretty limited.

The President was correct in his admonition, his desire, to see that we get spending bills done and avoid another Omnibus appropriations bill. I want to thank both sets of leadership—the full Senate leadership and the Appropriations Committee leadership—for their efforts to get us back to what we around here call regular order, and I am pleased to see we are moving solidly in that direction.

I applaud these developments, but I continue to believe that all 12 appropriations bills should continue to be worked on and should be pursued toward a final conclusion between now and the end of the fiscal year or certainly between now and December 7, a date that is established in the legislation we are soon to vote on.

We should not simply kick the can. That proverbial can has been kicked down a long road for a long time, and those 12 appropriations measures should be completed. We should work quickly among ourselves, with a sense of cooperation and for a desired outcome, to see that our work is done.

#### COMMERCE, JUSTICE, AND SCIENCE APPROPRIATIONS

Mr. President, of those 12 appropriations bills, I have the privilege of working with the Senator from New Hampshire, Mrs. SHAHEEN, the vice chairman of that committee. I serve as the chairman of the subcommittee called CJS. Again in our words, the C, J, and S stand for Commerce, Justice, and Science. We are on the floor today—in particular, Senator SHAHEEN and I—to encourage that bill not be left behind and that it, too, be considered on the Senate floor as it has come out of the Appropriations Committee on a vote of 30 to 1. I suppose you can say it could be slightly more unanimous than that if it had been 31 to 0, but there is broad support—Republicans and Democrats—for the legislation we have crafted that deals with very important issues for the citizens of our Nation.

I want to make certain the message is delivered that we stand ready to work with our House colleagues and with the administration to see that the Commerce-Justice-Science bill ultimately passes the Senate and the House and is signed into law by the President.

In particular, I also would raise four bills that have been packaged together after having had their approval by the U.S. Senate Committee on Appropriations. There are four subcommittee bills that are awaiting final resolution. It sounds like, from everything I can understand, with a modest level of cooperation, those bills could also be completed, and those bills are: Interior, Transportation, Financial Services, and Agriculture. Again, without exception, all of them are important to Kansans and important to the country.

We have come extremely far, and we are so close. Please do not let this



process get bogged down and prevent those four bills from being considered and also the legislation Senator SHAHEEN and I are here to support, the Commerce-Justice-Science bill.

I do recognize, within our bill, there are contentious issues. We worked together—Senator SHAHEEN and I—to resolve those differences. We have worked with our Republican and Democratic colleagues on our subcommittee and on the full committee to reach a resolution that was satisfactory broadly—again, a 30-to-1 vote.

It is important, having come this far, that we don't stop now, and we are here to again express our willingness to work in every way possible with House colleagues to make certain these bills are fully considered and passed.

These bills are important. They are important for what, in our case, CJS includes. As we look at crime statistics today in this country, one would think we would be focused on what resources our law enforcement officials need, and CJS—the J stands for justice—funds law enforcement and funds the Federal aspect of enforcement of our laws in this country, and this funding is the partnership that works with local and State law enforcement officials to combat increasing crime.

This bill involves national security in so many ways, and economic development is so important, particularly to a State like mine, which is rural. While the national statistics suggest that the economy is increasing and that job growth is occurring, it is less likely to see that in my home State of Kansas. We need to make certain that we devote the necessary attention and resources toward job creation and so-called economic development.

Scientific research and space exploration are awfully important and are included in the appropriate way at an appropriate level, and, certainly, there is an agreed-upon level of funding in support of those programs.

In light of this administration's aggressive trade agenda, the CJS bill provides increased funding for several of the Federal agencies involved in promoting U.S. trade and our products abroad and in enforcing trade. As we engage in the trade policies that we are currently engaged in, we ought to be doing everything we can to export around the world, and the CJS appropriations bill highlights and prioritizes that.

Our subcommittee, in fact, has held two hearings recently, one with Ambassador Lighthizer and then one with the agencies within the Department of Commerce that are responsible for trade issues.

Whether or not you agree with this administration's use of tariffs and its general direction on trade, I would think, perhaps without exception, my colleagues would agree that resources are needed to help to implement a transparent and expeditious exclusion process for U.S. stakeholders—our businesses here in the United States—to

to ensure that they are not unfairly impacted by retaliatory actions.

The CJS bill includes important funding which allows businesses, manufacturers, and farmers to continue exporting, promoting, and procuring their products abroad.

Additionally, one would think that at this point in time, it is probably nothing that we think about easily, but if we think about the point in time where we are in the calendar, the census is approaching in 2020, the decennial census. The Census Bureau is entering a critical stage of development, and as it prepares for the 2020 census, the funding in this bill—the CJS bill for fiscal year 2019—allows the census to prepare to execute its constitutional responsibilities.

Data from the census is so important. It needs to be accurate and correct because it facilitates the distribution, for example, of billions in Federal funding for grants supporting States, counties, and municipalities determined upon the population of those communities.

Congressional reapportionment will occur using that census data. There are so many reasons that we want to make certain the dollars and the resources are available, and this bill addresses those priorities.

Furthermore, the Senate CJS bill maintains strong support for science and innovation by crafting a balanced space program within NASA, and it contains increased funding for the National Science Foundation and for NOAA.

The Senate CJS bill includes funding for the NOAA satellite and data imagery programs, which support the National Weather Service's ability to timely issue warnings in advance of severe weather. It is demonstrated by the agency's continued response to Hurricane Florence's assault on the Carolinas and severe flooding throughout the east coast.

This data and information accumulated and distributed by NOAA helps to keep Americans safe. It also provides valuable information to members of our ag community at home, where we experience the opposite of floods—droughts—and other intense storms.

The bill supports Federal law enforcement, as I indicated, providing grant funding for State and local and Tribal enforcement and other governmental entities—all to protect the citizens of their community.

We have had a transparent product and have worked in a bipartisan manner to accommodate Members' priorities that address the needs of the Nation and the needs of our constituents at home.

I again urge the Senate not to walk away from this opportunity to complete its work, to establish priorities, and to give directions to those agencies within the jurisdiction of this appropriations bill.

I hope we will consider CJS on the floor quickly and send a final product to the President.

I am going to yield the floor in just a moment to the vice chairman of our subcommittee, but let me take this opportunity to express my gratitude to her, Senator SHAHEEN from New Hampshire. She and I only knew each other tangentially before I arrived as the new chairman of the subcommittee a few months earlier this year, and I want to compliment her and express my gratitude for the manner in which she has treated me and the respect that we have developed, in my view, for each other and our constituencies and our work. We bring ideas to the table, we sort them out, and we work hard to accomplish an end result. I don't think any of us came to the Senate for the purpose of just having our name on the door or perhaps a nice office. We came here to accomplish good work on behalf of the American people. This appropriations bill is an example of that. It needs to be concluded, and it would only be in the position that it is because of the character, the abilities, the intellect, and the capabilities of my colleague from New Hampshire, Senator SHAHEEN.

I yield the floor to her.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I want to start by thanking my colleague and chairman, Senator MORAN, for his very kind remarks and for his leadership on the Commerce, Justice, Science, and Related Agencies Subcommittee of the Appropriations Committee.

As he says, it has been a great partnership this year. It has involved give and take. We both have compromised. Neither of us has gotten everything we wanted for the appropriations, for the committee, for our States, or for the country, but I think we made a commitment that I think has been shared by the Appropriations Committee as a whole that we were going to get back to regular order of passing these appropriations bills, of funding the government on a reasonable timetable that people could count on. That is what this bill represents, and I applaud Senator MORAN and all of the staff, the majority and the minority staff, who have worked with us to get this done.

I also want to congratulate, as you did, Senator MORAN, Chairman SHELBY and Vice Chairman LEAHY on moving all 12 appropriation bills out of committee in a bipartisan manner. Nine of those bills have passed the Senate by now. Three are already on the President's desk, and the Senate today will pass a conference report with two more of those bills and a continuing funding resolution. We expect that those bills will become law before the end of the fiscal year on September 30.

This is the first time since I have been in the Senate—I started in 2009—when we will actually see the bills that were passed out of the Appropriations Committee. We have seen them taken up on the floor, and we are going to see them pass and get signed into law by the President.

Now, unfortunately, for the work that we have done on CJS, the CR that we are going to be acting on today includes the funding for the departments and agencies in the Commerce-Justice-Science bill, among others, but like Senator MORAN, I believe that passing the short-term CR today should not keep us from working to pass full-year funding for CJS. That is why we are here on the floor today urging that the Senate continue to take up and pass the CJS appropriations bill. I am sure that is what Chairman SHELBY would support and what Vice Chairman LEAHY would also support if they joined us on the floor.

If you have any doubts about why what is in the CJS bill is so important and why we should take it up, all you have to do is turn on the TV or have watched the television coverage over the last 4 days of Hurricane Florence as it has hit the Carolina coast. It has caused devastation. It has caused deadly flooding. I know that we all empathize and support the people of the Carolinas with what they are dealing with with Hurricane Florence, but we have been able to predict the course of that hurricane because of the National Weather Service hurricane forecasters. They got a lot right about Florence's track, and the forecasters didn't do it alone. They need models to track wind intensity, to track storm surge, to track the direction of hurricanes, and we need researchers who are constantly working to improve those models and to make the forecasts more accurate. Those predictions rely on satellite imagery. They rely on direct measurements from the National Oceanic and Atmospheric Administration and hurricane hunter aircraft, and all of those programs and initiatives are funded in the Commerce-Justice-Science appropriations bill. That is why we need to make sure the whole bill actually gets passed and signed into law ultimately.

The other thing that is in the CJS bill that I think all of us share in the importance of in a bipartisan way is the support that it provides to address the opioid epidemic. This is an issue that is particularly important to us in New Hampshire, where we have the second highest overdose death rate from opioids in the country, but it is important to the entire country because from 2015 to 2017, the number of deaths from drug overdoses has risen nearly 40 percent, from 52,000 in 2015 to 72,000 in 2017. That rise was driven in large part by continuing increases in deaths from synthetic opioids, such as fentanyl, as well as heroin. Of those 72,000 overdose deaths, 30,000 are estimated to be from fentanyl.

Last year, the U.S. Surgeon General reported that 21 million Americans have a substance use disorder. That is far more people than are affected by cancer, but only 1 in 10 is receiving any kind of treatment. That is one of the things that is so important in this CJS bill, because it would provide funding

to State and local governments and organizations working on the frontlines, for law enforcement, for treatment and recovery, and for those resources that help our communities deal with the opioid and fentanyl crisis.

The bill also continues the COPS anti-heroin task force grant program, despite efforts by the administration to discontinue that very effective law enforcement program. I want to enact the whole CJS bill into law because I don't want to lose these critical increases in funding that are going to support people in New Hampshire and across the country who are dealing with substance use disorders.

Senator MORAN mentioned trade and what is in this bill that is related to trade. Our subcommittee has held two hearings on the administration's trade policies in the last month or so, and I think it is fair to say that at these hearings there has been bipartisan concern about the impact of the administration's tariffs on manufacturers, on farmers, and on small businesses. I am hearing from small businesses in New Hampshire about what they are seeing as the result of these tariffs.

While I don't support those tariffs, I think it is important that we make sure that the Department of Commerce has the resources that are included in our bill to quickly and fairly evaluate and decide on American manufacturers' requests for exemption from those tariffs so that we can continue to promote American exports abroad.

Also, to keep the American economy going strong, the bill supports strong investments in research and development at the National Science Foundation, the National Aeronautics and Space Administration, and especially at the National Oceanic and Atmospheric Administration.

Again, my colleague mentioned NASA and the breakthroughs that we are seeing at NASA that are helping to drive innovation. This scientific innovation creates new discoveries that lead to new industries and to new American jobs. That is good for this country, and we need to make sure that the funding that is in this bill actually gets passed out of the Senate and the Congress before we get to the next appropriations process for 2020.

Instead, today, what we are going to do is to vote to put the agencies that are funded by CJS on autopilot until December through a continuing resolution. They will spend the same amount on programs and initiatives on the same items with no adjustment under the CR. We know that businesses don't operate this way, families don't operate this way, and the U.S. Government shouldn't operate this way.

Senator MORAN and I are going to continue to argue that we need to pass this bill. I would urge the leaders here in the Senate and our leaders on the Appropriations Committee to bring the full bill to the floor. Let's have a robust debate. Let's pass the fiscal year 2019 Commerce-Justice-Science bill.

Thank you, Mr. Chairman.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I am a Republican because I am a conservative. I am a conservative because I believe the Constitution and the ideals that it asserts on behalf of the American people are worth protecting, worth defending, even when they are untimely, even when they are unpopular, and especially for the vulnerable, for the marginalized, and for the forgotten among us.

Equal rights, equal opportunity, equal justice under the law, equal dignity under God—we fail as Americans when we violate these ideals, when we neglect them to whatever degree, when we exclude some number of our neighbors from their God-given share of our common inheritance, when we declare in the interest of expedience and in defiance of our own national creed that some people somehow are less equal than others.

Such was the cruelty of our Nation through our laws, long-visited on African Americans, Native Americans, immigrants, and ethnic minorities, on women, on the disabled, and on religious minorities, including religious minorities like my own forebears as members of the Church of Jesus Christ of Latter-day Saints.

Happily, this is no longer the case. Happily, all of these groups—who, taken together, comprise the vast majority of all Americans—were at different times in our history affirmatively brought under the protection of our laws. This work of inclusion, of expanding the circle of legal and constitutional protection, was not a natural, organic, spontaneous, evolutionary process; it was the product of hard work—the work of vigilant citizens, activists, and lawmakers who affirmatively, aggressively, painstakingly advanced the cause of justice at every opportunity, even against the entrenched forces of the political status quo.

Republicans in this Congress have undertaken such efforts on behalf of certain priorities—in particular, the tax relief and spending increases that are poised to yield a budget deficit of nearly \$1 trillion this year.

But no such legislative progress has been achieved advancing the right to life nor the plight of those denied it. For the second straight year of unified Republican governance—unified pro-life governance—Congress's annual spending bills will include no new reforms protecting unborn children or getting Federal taxpayers out of the abortion business.

The House version of this Health and Human Services spending bill included multiple reforms. It denied taxpayer funds to the largest abortion provider in the country, Planned Parenthood. It eliminated title X family planning grants, which cross-subsidize abortion providers. It prohibited Federal funding of research on aborted fetal tissue.



It included the Conscience Protection Act protecting pro-life people and groups from funding discrimination. None of these modest, commonsense spending reforms survived the House-Senate negotiations—none of them. None was made a priority by the people empowered to set the priorities.

The authors of this bill defend their \$1.3 trillion compromise. And of course, this being Washington, I know, as is always the case, that in this case, it could always be worse. But before this bill passes with an overwhelming bipartisan supermajority as its base of support—despite it being mostly unread by its supporters—someone ought to speak up for the Americans whom this legislation conspicuously leaves behind.

The best measure of any government or any policy or proposal can be measured according to its impact on the least among us. Too often today, Washington acts as though “the least among us” refers to our most vulnerable incumbents rather than our most vulnerable constituents. This \$1.3 trillion spending bill exemplifies that very confusion and fails that very test. Under this bill, neither the unborn nor taxpayers are any more protected from the abortion industry than they were under President Obama and a unified Democratic Congress.

I understand that fighting on contentious issues comes with a cost. I understand that it is not easy. But other things come with a cost too. It is not just this that comes with a cost—so, too, does not fighting on them, especially in the rare moments when we could win.

This bill represents a significant opportunity missed—and missed at a time when we can’t be sure how many more we will be given going forward, how many more opportunities like this one we might have.

Some causes are worth fighting for, even in defeat—the God-given equal rights and the dignity of all human beings paramount among them.

The arc of history may, as I hope, bend toward life, but only if we bend it. I oppose this legislation, but I do so neither in anger nor in sadness; rather, I do so in hope, looking forward to another bill, another time in the not-too-distant future, one that stands up for those Americans who asked nothing more than the chance to one day stand up for themselves.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I want to thank my colleagues, particularly Leaders MCCONNELL and SCHUMER and Vice Chairman LEAHY for their help in moving this package. The conference report before the Senate accelerates the rebuilding of America’s military and provides our men and women in uniform with the largest pay increase in nearly a decade. It also increases NIH’s budget by \$2 billion and provides critical resources to combat the opioid

epidemic. And, it contains no poison pill riders.

On the whole, the conference report tracks very closely with the Senate version of this package, which passed by a vote of 85 to 7. I hope it will receive the same level of support today and urge my colleagues to vote yes.

If this conference report is signed into law next week when the House returns, we will have funded 75 percent of the Federal Government before the end of the fiscal year. And it will be the first time in a decade that our military will not be operating under a continuing resolution at the beginning of a new fiscal year.

What a remarkable turn of events from just 6 months ago, when the entire government was funded in one omnibus spending package—6 months behind schedule.

I think it is important to give the President some credit here for the progress we are making. He has been adamant about the need to rebuild our military and fund the government in a deliberate manner. Not only do I agree with him, but I believe most Americans agree with him, and with this package we are taking an important step in that direction.

I say to my colleagues, this is the most significant step we have taken yet, but we still have work to do. This conference report contains a continuing resolution to account for the appropriations bills not yet signed into law. I want to stress that my colleagues should not read this as a sign that we have reached an impasse with the House on the remaining bills in conference. To the contrary, we are very close to an agreement on four additional bills: Interior, Financial Services, Transportation, and Agriculture. While we still have differences to resolve on each of the bills, none of them are insurmountable, in my judgement.

So we will continue to work diligently and hopefully return to the floor soon with yet another conference report in hand.

In closing, I want to thank my colleagues once again for their help on this conference report. This is a big deal. Let’s keep working together to accomplish even more.

Mr. President, I want to take a few minutes and briefly explain to the Senate where we are on appropriations, where we have come from, and where we hope to go.

Thanks to the work of my colleague on the Appropriations Committee—and many others but especially Senator LEAHY—we have hung together, as the Presiding Officer knows, to make the Appropriations Committee work again. It hasn’t worked by regular order in years and years. But today, if we pass this minibus dealing with Defense and HHS, that will be 74.9 percent of all appropriations money in these five bills, including the three we passed and the two we hope to pass in a few minutes. It is 75 percent, if you want to round it up, that we have pending.

As the Presiding Officer knows, we have another minibus consisting of four bills, and if we are able to move those bills, and we hope we will—dealing with the House now—that will be 87 percent of the whole appropriations.

We know that is progress, but it didn’t happen by itself; it happened because people worked together. We worked to bring regular order.

Back in the spring, I talked to Senator LEAHY about bringing the Appropriations Committee back to where it used to be, and he said: Let’s work together to do it. The only way we can do it is to do it together. I talked to Senator MCCONNELL, Senator SCHUMER, and Senator DURBIN. I talked to everybody, including the Presiding Officer and everybody on our committee.

We made great progress, and I want to again thank the people—starting with Senator LEAHY, Senator MCCONNELL, Senator SCHUMER, and Senator DURBIN—who really helped this come about. I want to take a second to thank some of the staff of the Defense Subcommittee, headed by Brian Potts and Eric Raven, along with Senators DURBIN, BLUNT, and MURRAY, for their work on these bills that are imminent here today.

This is a good start for us. We are not there yet, but we are getting there. If we keep on the road and keep the trains running, we are going to make the Appropriations Committee work again.

Thank you very much.

Mr. DURBIN. Mr. President, I am pleased that the Defense appropriations bill will soon pass the Senate and be sent to the President’s desk. This is a massive spending bill—\$675 billion—and it has been 10 years since one was enacted on schedule. Passing appropriations bills on time is about being good stewards of the taxpayer’s money.

When appropriations bills are not signed into law on schedule, government programs are put on autopilot, known as a continuing resolution, or CR. CRs create financial headaches, including inefficiency, waste, and unnecessary additional spending. Last year, the Navy estimated that due to CRs, it has wasted \$4 billion since 2011—\$4 billion. That is enough money to buy 18 F-35s or two new destroyers or 3,000 Harpoon anti-ship missiles. Thanks to good work on both sides of the aisle, we are looking at real savings in every part of the Pentagon just by getting our work done on time.

I am proud of many things in this Defense appropriations bill, including how this bill prioritizes research by including \$94.9 billion for defense R&D, a record level for the Defense Department. GPS, the internet, and satellites are all examples of how Federal innovation research dollars have changed the world. On a bipartisan basis, we are building on previous year’s investments, and I am confident that we will see similar breakthroughs.

In addition, for the fifth year in a row, this bill increases defense medical

research funding by 5 percent real growth for a total of \$2.4 billion in defense medical research for fiscal year 2019. Defense medical research is making breakthroughs in a wide range of fields, from trauma medicine to breast cancer treatments. We have all heard of the quick-clotting tools that paramedics use around the country to stop bleeding in gunshot victims; that was a defense medical research breakthrough.

Just this past year, researchers discovered a treatment to speed healing of combat-infected wounds and regrow the skin around them more effectively. Others proved that a particular medical assessment tool can accurately assess potentially suicidal behavior. I encourage everyone to go to the Army's medical research website and read the list yourself—a long list—of worthwhile uses of these funds.

The defense bill is paired with the Labor, Health and Human Services, and Education bill this year, which includes another \$2 billion funding increase for medical research at the National Institutes of Health. This will be the fourth year in a row that Congress has provided the NIH with at least a 5-percent budget increase. Every NIH institute and center will see their budgets increase, but there are also noteworthy increases for Alzheimer's disease and cancer research.

I wish we could have given the Centers for Disease Control and Prevention a bigger increase, but I am pleased with what we were able to accomplish here, including the continued investment—with an additional \$5 million in fiscal year 2019—for the Open Textbooks Pilot to help save college students money on textbook costs.

I am, however, disappointed that this bill does not include the bipartisan Durbin-Grassley-King amendment, which would have helped ensure that pharmaceutical companies disclose the cost of their drugs television advertising. Our amendment passed the Senate unanimously. It is supported by President Trump, HHS Secretary Azar, the AARP, the American Medical Association, the American Hospital Association, 76 percent of Americans, and many others. House Republicans—apparently more indebted to Big Pharma than their constituents—prevented this commonsense proposal from being included in the final bill, but I will not stop fighting.

In conclusion, the outcome of much of this bill shows what we can accomplish when Democrats and Republicans work together. I want to thank my partner and chairman, Senator SHELBY, as well as the ranking member, Senator LEAHY.

But our work is only half done. There remain seven other appropriations bills that remain in limbo, dealing with foreign aid, agriculture, and even border security. The Senate will have to make an important choice very soon: either we work together to wrap up the appropriations process or we head back to

Washington gridlock and wasteful stalemates.

I urge the Republican leader to look at what we have accomplished in these bills, working together, and use that as a model for finishing our work in the coming weeks.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished senior Senator from Alabama. Before I start, I should note that we have votes scheduled for 12 noon, and I may go a little bit over that, so I ask unanimous consent that I be allowed to finish my whole statement.

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

Mr. LEAHY. Mr. President, the Senator from Alabama and I have been friends for decades. Our wives have been friends, as the Presiding Officer knows. We have different political philosophies, but we join together in wanting to make the Senate work the way it should work and the way it used to work. We have done that in these appropriations bills. It means that the Senator from Alabama has had to decline some things in this bill that he might have liked otherwise, but I have had to do the same. That is why we are here today.

The two bills in the package before us—the Defense bill and the Labor-HHS-Education bill—are a product of hard work and bipartisan cooperation. I am pleased that those of us working together have been able to work out the differences between the House and Senate bills. It goes way beyond the procedures, way beyond working together.

These bills make important investments not only in our national security but also in the future of our country for us, our children, and our grandchildren. They demonstrate the importance of the bipartisan budget agreement we reached earlier this year.

The Labor-HHS-Education bill makes new investments in healthcare and education. We increase funding for the National Institutes of Health, the jewel that we have here in this country. We invest in working families by improving access to childcare and promoting college affordability. We provide new resources to combat the opioid epidemic—something that hits every single State represented in this body. The Defense bill provides critical resources to support our men and women in uniform and their families and invest in national security.

I am glad we do not have controversial poison pill riders on either the right or the left in here. What we did is we did our job. We focused on what we should be doing—making responsible, thoughtful decisions on how to fund these Federal agencies. We left controversial policy issues out of it. If people want to have debates on those, then bring up separate bills and debate them up or down.

We have a continuing resolution to keep Federal agencies up and running

through December 7. That is to make sure we don't face a government shutdown in the event we don't finish our work on the remaining bills. We never want to fund the government by continuing resolution; that is inefficient and actually wastes money. That is why Chairman SHELBY and I have worked so hard to get the appropriations process back on track. We have more work to do. We are still in conference on a four-bill minibuss. We should finish that work and send it to the President's desk before the start of the fiscal year so we won't have a CR on those agencies.

This will be a far more effective, cost-saving, efficient way of doing things, and it can be done. In fact, I think the chairman would agree we are very close to an agreement. Most of the funding issues have been resolved. We do have some controversial poison pill riders. We shouldn't delay this package over unrelated policy matters that have no place on must-pass spending bills. Get the poison pills out and pass the bills.

There are four bills—the Interior bill, the Financial Services bill, the Agriculture bill, and the Transportation-HUD bill. These are programs that are important to the American people. They should not be frozen at fiscal year 2018 funding levels—not even for a few months.

The rest of them are so close. Look at the Agriculture bill. It provides critical support for our farmers all over the country and rural communities through investments in rural development and housing, agriculture research, and clean water programs. Every State in this Nation has rural communities—and I think of especially my own State of Vermont—and farm economies that benefit from these programs. They shouldn't have to operate under a CR.

The Financial Services bill supports regulatory agencies that the American people rely on to protect them from unfair, unsafe, or fraudulent business practices. We should fund these agencies in a responsible way, not put them on autopilot.

I am also pushing to include cost-of-living adjustments for Federal civilian workers in the final bill. That is not provided for under the CR. Failure to pass this bill on time and with a cost-of-living adjustment included will mean 2.1 million Federal workers will not see a pay raise, including doctors and nurses serving our veterans and FEMA employees responding to Federal disasters.

The Interior bill is important. It means our children and grandchildren will enjoy clean air and clean water. It supports important conservation programs, including funding for our national parks. It also provides funding for fire suppression. We just had a fire season that has been one of the worst in recent memory.

Finally, we are close to a deal on the Transportation, Housing and Urban Development bill. I hope we can finish negotiations on this bill this week. This is our Nation's infrastructure bill. I worked very closely with Senator SHELBY on this. We want to rebuild our crumbling bridges and roads. We want to invest in our communities and create jobs for thousands of workers across this country.

Funding the government is one of Congress's basic responsibilities. I would urge my friends in the other body to do what Senator SHELBY and I have done. Drop poison pill riders so that we can send this bill to the President before October 1. We can do it. I realize we need 60 votes in the Senate. We don't have poison pill riders, so that should be easy to do. We can get 9 of the 12 bills across the finish line by October 1.

I am pleased we are going to be voting on the Defense and Labor-HHS package today. I thank Chairman SHELBY and the chair and ranking members of the subcommittees, Senators BLUNT, MURRAY, and DURBIN, and the staff of the Appropriations Committee. We never could have done this without the hard work of both the Democratic staff and the Republican staff.

Mr. President, I ask unanimous consent to have printed in the RECORD the names of all those staff members.

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, Mary Collins Atkinson, 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, Robert Putnam, Christy Greene, Jenny Winkler, Clint Trocchio, George Castro, Hong Nguyen, Valerie Hutton, Elmer Barnes, Penny Myles, Karin Thames.

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

I think we are ready to vote.

#### CLOTURE MOTION

The PRESIDING OFFICER (Mr. CRUZ). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 6157, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

Mitch McConnell, Orrin G. Hatch, John Boozman, John Barrasso, Lamar Alex-

ander, Marco Rubio, Johnny Isakson, Mike Rounds, Pat Roberts, John Hoeven, Steve Daines, James M. Inhofe, Cory Gardner, Shelley Moore Capito, John Cornyn, Roger F. Wicker, John Thune.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the conference report to accompany H.R. 6157, an act to make appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

(Mr. GARDNER assumed the Chair.)

The yeas and nays resulted—yeas 92, nays 8, as follows:

[Rollcall Vote No. 211 Leg.]

#### YEAS—92

Alexander	Gardner	Murphy
Baldwin	Gillibrand	Murray
Barrasso	Graham	Nelson
Bennet	Grassley	Peters
Blumenthal	Harris	Portman
Blunt	Hassan	Reed
Booker	Hatch	Risch
Boozman	Heinrich	Roberts
Brown	Heitkamp	Rounds
Burr	Heller	Rubio
Cantwell	Hirono	Sasse
Capito	Hoeven	Schatz
Cardin	Hyde-Smith	Schumer
Carper	Inhofe	Scott
Casey	Isakson	Shaheen
Cassidy	Johnson	Shelby
Collins	Jones	Smith
Coons	Kaine	Stabenow
Corker	Kennedy	Sullivan
Cornyn	King	Tester
Cortez Masto	Klobuchar	Thune
Cotton	Kyl	Tillis
Crapo	Leahy	Udall
Cruz	Manchin	Van Hollen
Donnelly	Markey	Warner
Duckworth	McCaskill	Warren
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Feinstein	Merkley	Wyden
Fischer	Moran	Young
Flake	Murkowski	

#### NAYS—8

Daines	Lee	Sanders
Ernst	Paul	Toomey
Lankford	Perdue	

The PRESIDING OFFICER (Mr. BOOZMAN). On this vote, the yeas are 92, the nays are 8.

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

Under the previous order, the question occurs on the adoption of the conference report to accompany H.R. 6157.

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 senior assistant legislative clerk called the roll.

The result was announced—yeas 93, nays 7, as follows:

[Rollcall Vote No. 212 Leg.]

#### YEAS—93

Alexander	Fischer	Moran
Baldwin	Gardner	Murkowski
Barrasso	Gillibrand	Murphy
Bennet	Graham	Murray
Blumenthal	Grassley	Nelson
Blunt	Harris	Peters
Booker	Hassan	Portman
Boozman	Hatch	Reed
Brown	Heinrich	Risch
Burr	Heitkamp	Roberts
Cantwell	Heller	Rounds
Capito	Hirono	Rubio
Cardin	Hoeven	Schatz
Carper	Hyde-Smith	Schumer
Casey	Inhofe	Scott
Cassidy	Isakson	Shaheen
Collins	Johnson	Shelby
Coons	Jones	Smith
Corker	Kaine	Stabenow
Cornyn	Kennedy	Sullivan
Cortez Masto	King	Tester
Cotton	Klobuchar	Thune
Crapo	Kyl	Tillis
Cruz	Lankford	Udall
Daines	Leahy	Van Hollen
Donnelly	Manchin	Warner
Duckworth	Markey	Warren
Durbin	McCaskill	Whitehouse
Enzi	McConnell	Wicker
Ernst	Menendez	Wyden
Feinstein	Merkley	Young

#### NAYS—7

Flake	Perdue	Toomey
Lee	Sanders	
Paul	Sasse	

The conference report was agreed to.  
The PRESIDING OFFICER. The Senator from Arizona.

#### MORNING BUSINESS

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:07 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

#### MORNING BUSINESS—Continued

The PRESIDING OFFICER. The Senate will come to order.

The majority leader is recognized.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5:30 p.m. on Monday, September 24, the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 849 and 850.

I further ask that there then be 2 minutes of debate equally divided in the usual form and that following the use or yielding back of time, the Senate vote on the nominations en bloc, with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid