

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### NOMINATION OF BRETT KAVANAUGH

Mr. CORNYN. Mr. President, last night, the Senate Judiciary Committee announced that there would be an additional public hearing to address the allegations of misconduct that had been made against Judge Brett Kavanaugh, who has been nominated to the U.S. Supreme Court. So far, all we have is an accusation—one that, frankly, has a lot of holes in it as far as the time and circumstances under which this alleged event occurred. Nonetheless, it is a very serious allegation about misconduct that one claims happened about 36 years ago when she, Judge Kavanaugh, and others were involved as teenagers.

Judge Kavanaugh and the other individual allegedly involved have said that this incident did not happen. They unequivocally deny the claim, and, thus far, no other individuals have corroborated the accuser's statement.

The reason we find ourselves in this very unusual situation, where we have actually had the confirmation hearing of the nominee and we find it necessary to have a supplemental or additional hearing is that our Democratic colleagues failed to raise this accusation so that it could be handled in a bipartisan, regular manner in which the Judiciary Committee handles background investigations, understanding that when somebody goes through a background investigation, sometimes information comes up that is particularly sensitive, sometimes embarrassing; maybe it is about financial matters or other personal matters. So the practice of the Judiciary Committee is to have those background investigations handled with great care by specially cleared individuals. Then, following the hearing, the open hearing, that information will be shared with members of the committee, and they can then ask any questions they may want to ask in a closed session.

We did not have that opportunity because the ranking member did not even alert members of her own party about the existence of this accusation that she had had for some 6 weeks. So we weren't able to do the sort of due diligence that has come to be the practice of the Judiciary Committee on a bipartisan basis. The ranking member, who was forwarded the allegation, did not even attend the closed session where we considered the background investigation that had been done on Judge Kavanaugh, and, as I said, she didn't do anything with the allegation for almost 2 months.

What is clear is that this allegation has been handled—or I should say egregiously mishandled—up until now. But that is no excuse for us to continue to do the same. We need to return this process to its ordinary rules and procedures. We will take these accusations with the seriousness they deserve, and that is in a way that is fair to both the alleged victim and the judge himself.

Because of our friends on the other side's fondness for gotcha moments and political theater throughout the confirmation process, so far that fairness has mostly been lost. It has been denied the victim, who said that she wanted privacy, and it has been denied Judge Kavanaugh, who has flatly disavowed the claims. He had no opportunity during his confirmation hearing, either in open or in closed session, to answer questions about these allegations. This has really been a drive-by attack on the character of this judge.

Again, it is a serious accusation that we will take—and have taken—seriously, but, unfortunately, this process has gotten away from being about getting to the truth and has been more about gamesmanship and delay. The timing and the way in which this allegation was sprung attest to that. That is why, initially, I was somewhat skeptical about rewarding this bad behavior by calling for another public hearing. I had confidence in the committee's usual process for dealing with situations like this, which would ensure that both sides would be heard and that sensitive matters would be handled with the sensitivity they deserve.

When I spoke to him yesterday, Judge Kavanaugh's commitment to transparency and eagerness to address these false allegations head-on was clear.

When members of the committee met yesterday to discuss a possible path forward, we agreed that a supplemental hearing was in order. I went along with that consensus point of view.

I want to commend Chairman GRASSLEY for his leadership, and I certainly support his decision to hold an additional hearing next Monday. As he said yesterday, anyone who comes forward under circumstances like this deserves to be heard in an "appropriate, precedent and respectful manner." How our colleagues across the aisle conduct themselves will prove whether they are actually interested in getting to the truth of these allegations or whether this is just an exercise in character assassination.

#### OPIOID CRISIS RESPONSE ACT

Mr. CORNYN. Mr. President, on another matter, last night we voted on a very important piece of legislation called the Opioid Crisis Response Act, which came to us from the HELP Committee; that is, the Health, Education, Labor, and Pensions Committee.

Thanks to Chairman ALEXANDER, the chairman of the HELP Committee, and as a result of his hard work and the

contributions of 70 Senators and 5 standing committees, we were able to come up with a package that had overwhelming support. I believe it was 99 to 1, if I am not mistaken.

The House has already passed its version of this legislation, so it was important that we do the same and get the bill to the President soon. I am happy to report that we have now done that.

Included in this Opioid Crisis Response Act was something called the STOP Act, which is a bipartisan piece of legislation that imposes new requirements on the U.S. Postal Service and Customs and Border Protection. It will close loopholes that are currently being exploited by drug traffickers to evade detection when shipping synthetic opioids, like fentanyl, because so few of those postal packages are actually inspected to find out whether they include drugs like fentanyl.

The package we voted on also includes a bill I sponsored with the senior Senator from California called the Substance Abuse Prevention Act, believing that we need to do something, not only about the supply side of the problem but the demand side as well. This piece of legislation is important because it will reauthorize the Office of National Drug Control Policy. We need a strategy, and we need an Office of National Drug Control Policy, not only to articulate but also to help execute that strategy.

This bill will also seek to reduce demand for illegal drugs in a variety of ways: education for medical providers, expanding drug awareness campaigns, and funding drug courts and nonprofits that provide interventions to people struggling with addiction.

I have seen drug courts in action, and they actually work. People who commit offenses involving illegal drugs can actually be monitored and given wrap-around care and support not only to help them deal with their addiction but also to help them reenter a productive society.

Unfortunately, Texas is no stranger when it comes to illegal drugs. In fact, one in three Texans responded to a recent poll saying that they knew somebody addicted to painkillers. One in three said they knew somebody addicted to painkillers. Last year, close to 3,000 Texans died from drug overdoses. That is nearly triple the number in 2000. That is simply unacceptable. Eighteen years have passed, and the number is three times higher.

Experts have said it is estimated to rise again by 6 percent this year. Those numbers are about real human beings and are a tragedy. Clearly, something is not working.

That suspicion is confirmed by the researchers who are saying that overdoses are now the leading cause of maternal deaths in my State. In Texas, emergency room personnel have said that they are seeing younger and younger children gaining access to these addictive opioids, and patients

are making violent threats when they are not given the prescriptions they need to address their addiction.

I wish I could say that this was just some bad movie or an episode of "Breaking Bad" and that we could turn it off or change the channel, but we simply can't.

This spike in drug use has occurred across the entire Nation, and it has multiple causes. There are enterprising drug entrepreneurs, some of them in China with new equipment and labs and marketing schemes and sales platforms.

Then there is the role of the drug cartels, primarily south of the border. These drug cartels' operations are increasingly sophisticated, and their income streams have become diversified, including fuel theft. In the words of one person with knowledge of this matter, they are commodity agnostics. These cartels will ship drugs; they will ship people; and they will traffic children for sex. They will do anything to make money, and they care nothing about their victims.

Then we know there is also the social isolation and breakdown in American communities that help contribute to this crisis. There are those men and women who, for their own reasons, turn to drugs for relief, either unaware of the dangers they pose or naively thinking that perhaps they are strong enough to avoid the attraction of addiction.

In many places, illegal drugs are now resulting in more deaths than criminal homicides, car crashes, or HIV. We know we have a jaw-dropping, society-wide problem on our hands. According to the Centers for Disease Control and Prevention, 72,000 Americans died last year as a result of drug overdoses—72,000. It is incumbent on us to do everything we can, including passing this opioid legislation and working in tandem with State and local governments, as well as nonprofit groups and religious ministries.

In the Texas capital of Austin, where I live, one of these groups is called Bridge of Angels. Every Sunday, it meets under an overpass right where Interstate Highway 35 cuts through the heart of Austin. Drug users and others struggling go there, and they find people who will listen and people who will help. But if you stay on Interstate Highway 35 and, instead of exiting, head south for 3½ hours, eventually you will hit Mexico. I-35 proceeds all the way to Laredo and, of course, Nuevo Laredo, all the way on the other side of the border. Unfortunately, that interstate and others are some of the conduits used to transport drugs from Mexico right to America's doorstep.

U.S. Customs and Border Protection, led by leaders like my friend, Rio Grande Valley Sector Chief Manny Padilla, and the new, very impressive Border Patrol Chief, Carla Provost, whom I met with last week, do everything in their power to detect these poisons before they can make it over to

the U.S. side. Many times, they are successful, but the smugglers are cunning, and they are driven by a ruthless profit motive. They hide drugs inside of food and drink containers, luggage, metal panels and equipment, and their cars and trucks. They are quite clever about when and how they cross the border, so sometimes these drugs get through, and then they spread.

As Chief Provost testified recently, one of the ways drugs make their way across the border is that the cartels, who are moving people from Central America, both unaccompanied minors and family units—because they know that it is such a labor-intensive job to process these children and these family units at the border because they require special procedures, many times the drug cartels will use that as a diversionary tactic to move drugs through another part of the border. So we are more vulnerable than I think perhaps most of our people recognize.

Of course, we know these drugs are hawked to children, to teenagers, and they are sold and distributed all across the country. What starts south of the border doesn't stay south of the border; it ends up in our neighborhoods, our schools, our hospitals, and, unfortunately, in our funeral parlors.

The point I want to make is the point I tried to emphasize last week, which is that our War on Drugs is Mexico's War on Drugs too.

I was in Mexico City about 3 weeks ago. Many of our outstanding professionals at the American Embassy say that many of the people in Mexico regard the drug and the immigration problem as our problem, not their problem. Well, it is their problem when more people have died of violence in Mexico—drug-related cartel violence—from 2007 to today than have died in Afghanistan and Iraq combined, and it is getting worse. To me, that is not just an American problem; that is a Mexican and American problem.

In 2006, Felipe Calderon, the President of Mexico, initiated an armed response to the cartels that were wreaking havoc in his country and, based on some estimates, now control more than a third of the country's geographical territory. Let me pause and reemphasize that. Now, according to some estimates, the drug cartels control a third or more of Mexico itself—a country of 125 million people, with a 1,200-mile common border with the United States of America, and that is just the Texas portion. Because of their success in displacing traditional authorities and usurping the role of law enforcement and government in many parts of the country, these cartels have sometimes created what has been referred to as a "parallel state" in Mexico—ungoverned by anyone except for the drug cartels. As a matter of fact, law enforcement can't even get into these areas for fear of being wiped out.

The Mexican legal system tries to keep up, and certainly the country has developed laws and institutions that

certainly I in no way want to denigrate, but because of corruption and these powerful criminal organizations, a genuine rule of law is missing in many large swaths of the country and has been for generations.

Again, our Mexican friends say: Well, if it weren't for the demand for these drugs in the United States, it wouldn't fuel these cartels and the violence that goes along with it. They have a very important point. But this is not just an American problem; this is, as I said, a Mexican and an American problem.

I hope that I have been able to sketch how difficult these deep-seated drug-related problems are for us to resolve, but we can't—we don't have the luxury of ignoring them or pretending they don't exist. They are real, and they are taking the lives of Americans on a daily, hourly, minute-by-minute basis, and they affect all segments of our society.

Thankfully, the United States has partnered with Mexico in recent years through programs like the Merida Initiative and directed funds toward strengthening communities and empowering the Mexican criminal justice system and judicial system so that a culture of impunity no longer exists. What I mean by that is if criminals feel that they can commit crimes, including murder, and that they will never be charged and convicted and imprisoned, then there is no deterrence, and so the killings continue. We have also collaborated on intelligence matters and have cooperated in a variety of ways on providing security.

But we have to do even more, I believe, together, on our side of the border—the drug demand—and on the Mexican side. At least based on the criminal violence last year rising to perhaps its highest levels ever before seen, our investments aren't paying off, and we need to double down, working with our Mexican partners in the commitment not only to provide the rule of law and eliminate impunity but to slow down and hopefully ultimately stop the flow of these illegal drugs that are killing so many Americans.

The consumption of these drugs in Mexico, at least, is not as high as it is in our country, but it is growing. Their people are suffering severe harm in that country—harm due to cartel violence and criminals targeting politicians, the clergy, journalists, and innocent civilians, in addition to the addictions. In the United States, as I mentioned, overdose levels have skyrocketed.

My point is that the opioids package we have now passed is one way we show our commitment to address these developments. It is how we say enough is enough. Again, I wish I could be confident that our efforts will stop and fix this problem once and for all, but they do represent a significant step in the right direction.

With this legislation, we will reduce the use and supply of illicit drugs and encourage recovery of those suffering

from addiction. We will support caregivers, and we will drive innovation and long-term solutions. It is a powerful first step as we continue, with our friends in Mexico, to work together hand in hand to fight this terrible scourge.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 766 and 868.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nominations.

The bill clerk read the nominations of John E. Whitley, of Virginia, to be an Assistant Secretary of the Army and Charles P. Verdon, of California, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. McCONNELL. I ask unanimous consent that 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 upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Whitley and Verdon nominations en bloc?

The nominations were confirmed.

## LEGISLATIVE SESSION

### MORNING BUSINESS

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

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

### BIPARTISANSHIP

Mr. HATCH. Mr. President, for more than four decades, I have had the dis-

tinct privilege of serving in the U.S. Senate, what some have called the world's greatest deliberative body. Speaking on the Senate floor, debating legislation in committee, corralling the support of my colleagues on compromise legislation—these are the moments I will miss. These are the memories I will cherish forever.

To address this body is to experience a singular feeling, a sense that you are a part of something bigger than yourself, a minor character in the grand narrative that is America.

No matter how often I come to speak at this lectern, I experience that feeling, again and again, but today, if I am being honest, I also feel sadness. Indeed, my heart is heavy. It aches for the times when we actually lived up to our reputation as the world's greatest deliberative body. It longs for the days in which Democrats and Republicans would meet on middle ground rather than retreat to their partisan trenches.

Now, some may say I am waxing nostalgic, yearning—as old men often do—for some golden age that never existed. They would be wrong.

The Senate I have described is not some fairytale but the reality we once knew. Having served as a Senator for nearly 42 years, I can tell you this: Things weren't always as they are now.

I was here when this body was at its best. I was here when regular order was the norm, when legislation was debated in committee, and when members worked constructively with one another for the good of the country. I was here when we could say, without any hint of irony, that we were Members of the world's greatest deliberative body.

Times have certainly changed.

Over the last several years, I have witnessed the subversion of Senate rules, the abandonment of regular order, and the full-scale deterioration of the judicial confirmation process. Polarization has ossified. Gridlock is the new norm. Like the humidity here, partisanship permeates everything we do.

On both the left and the right, the bar of decency has been set so low that jumping over it is no longer the objective. Limbo is the new name of the game. How low can you go? The answer, it seems, is always lower.

All the evidence points to an unsettling truth: The Senate, as an institution, is in crisis. The committee process lies in shambles. Regular order is a relic of the past. Compromise—once the guiding credo of this great institution—is now synonymous with surrender.

Since I first came to the Senate in 1978, the culture of this place has shifted fundamentally and not for the better. Here, there used to be a level of congeniality and kinship among colleagues that was hard to find anywhere else. In those days, I counted Democrats among my very best friends. One moment, we would be locking horns on the Senate floor; the next, we would be breaking bread together over family dinner.

My unlikely friendship with the late Senator Kennedy embodied the spirit of goodwill and collegiality that used to thrive here. Teddy and I were a case study in contradictions. He was a dyed-in-the-wool Democrat; I was a resolute Republican. But by choosing friendship over party loyalty, we were able to pass some of the most significant bipartisan achievements of modern times, from the Americans with Disabilities Act and the Religious Freedom Restoration Act to the Ryan White bill and the State Children's Health Insurance Program.

Nine years after Teddy's passing, it is worth asking: Could a relationship like this even exist in today's Senate? Could two people with polar opposite beliefs and from vastly different walks of life come together as often as Teddy and I did for the good of the country? Or are we too busy vilifying each other to even consider friendship with the other side?

Many factors contribute to the current dysfunction, but if I were to identify the root of our crisis, it would be this: the loss of comity and genuine good feeling among Senate colleagues.

Comity is the cartilage of the Senate, the soft connective tissue that cushions impact between opposing joints, but in recent years, that cartilage has been ground to a nub. All movement has become bone on bone. Our ideas grate against each other with increasing frequency and with nothing to absorb the friction. We hobble to get any bipartisan legislation to the Senate floor, much less to the President's desk. The pain is excruciating, and it is felt by the entire Nation.

We must remember that our dysfunction is not confined to the Capitol. It ripples far beyond these walls, to every State, to every town, and to every street corner in America.

The Senate sets the tone of American civic life. We don't mirror the political culture as much as we make it. It is incumbent on us, then, to move the culture in a positive direction, keeping in mind that everything we do here has a trickle-down effect. If we are divided, then the Nation is divided. If we abandon civility, then our constituents will follow.

To mend the Nation, we must first mend the Senate. We must restore the culture of comity, compromise, and mutual respect that used to exist here. Both in our personal and public conduct, we must be the very change we want to see in the country. We must not be enemies but friends.

"Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory will swell when again touched, as surely they will be, by the better angels of our nature."

These are not my words but the words of President Abraham Lincoln. They come from a heartfelt plea he made to the American people long ago on the eve of the Civil War. Lincoln's admonition is just as timely today as