

State, aviation and aerospace companies employ over 98,000 people. It is “big time” to us in Florida.

Most important of all, we have heard weary travelers loud and clear with their cries for help, and help is on the way. That is why this bill contains a number of comprehensive consumer protections.

We have all experienced the indignity and the frustration of being squeezed into smaller and smaller airline seats. Under this bill, the FAA will be required to establish minimum dimensions for passenger seats. For airline passengers who purchased airline services that were never received, the legislation requires prompt refunds. Remember how infuriating it is if your bag doesn't arrive or if it is completely lost—the indignity that you have already paid for that bag. You are going to get a refund.

We also addressed the needs of traveling families by requiring early boarding during pregnancy, private space in airports for nursing mothers, and ensuring that strollers can be checked at the gate.

By the way, do you know how cigarettes are prohibited on flights? This prohibits e-cigarettes, electronic cigarettes, on flights.

The bill calls for the development of a bill of rights for passengers with disabilities.

We also established an aviation consumer advocate within the Department of Transportation. The aviation consumer advocate will now be there to help travelers who have been mistreated by the airlines.

Those are just some of the consumer-oriented reforms. It will be incumbent on the Trump administration to carry out these improvements. This Senate will be enacting our constitutional responsibility of oversight to see that the executive branch is doing just that.

Aside from the consumer wins, I would also like to mention that the bill advances the TSA's mission of securing our transportation system by expanding the use of bomb-sniffing dogs, speeding up the deployment of technology, and addressing gaps in surface transportation security.

The bill also addresses another topic, disaster recovery and response, by including protections for local governments that have experienced a natural disaster, by limiting the number of years the Federal Emergency Management Agency, FEMA, can demand repayment of disaster assistance in cases that don't involve fraud or abuse. That is a real problem in Florida, where years later—they call it a clawback—FEMA is trying to clawback disaster assistance funds that it had already sent to the State or local governments and then claimed years later: No, you shouldn't have had that. Of course, those funds have already been spent. It is a very important issue for Florida and for so many of our cities and counties that are put in this economic, fiscal bind.

For the residents of Puerto Rico and the U.S. Virgin Islands, there is also an

extension of disaster unemployment assistance. Believe me, after those island territories—our fellow U.S. citizens—had been hit by the hurricanes that roared through that part of the world last year, there is still a lot of unemployment, and they need that unemployment assistance as a result of the natural disaster that occurred.

In the case of Puerto Rico, not just one but two hurricanes, Irma and Maria, hit and devastated that island. This is, certainly, going to help those who lost their jobs or those who were unable to work due to Hurricane Maria to get back on their feet.

As the ranking member of the Commerce Committee, I have always sought to address the national challenges by reaching across the aisle to find bipartisan consensus, and this bill does that. As I said in my comments, Senator THUNE has been a great partner to work with. I appreciate the opportunity to have worked with him, along with Senators BLUNT and CANTWELL, as well as with Representatives SHUSTER, DEFAZIO, MCCAUL, and THOMPSON, on this important legislation—5 years, an FAA bill.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. ERNST). Under the previous order, the leadership time is reserved.

Under the previous order, all postcloture time has expired, and the question occurs on the motion to concur.

Mr. INHOFE. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

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

The result was announced—yeas 93, nays 6, as follows:

[Rollcall Vote No. 220 Leg.]

YEAS—93

Alexander	Enzi	Kyl
Baldwin	Ernst	Lankford
Bennet	Feinstein	Leahy
Blumenthal	Fischer	Manchin
Blunt	Flake	McCaskill
Booker	Gardner	McConnell
Boozman	Gillibrand	Menendez
Brown	Graham	Moran
Burr	Grassley	Murkowski
Cantwell	Harris	Murphy
Capito	Hassan	Murray
Cardin	Hatch	Nelson
Carper	Heinrich	Perdue
Casey	Heitkamp	Peters
Cassidy	Heller	Portman
Collins	Hirono	Reed
Coons	Hoeven	Risch
Corker	Hyde-Smith	Roberts
Cornyn	Inhofe	Rounds
Cortez Masto	Isakson	Rubio
Cotton	Johnson	Sanders
Crapo	Jones	Sasse
Daines	Kaine	Schatz
Donnelly	Kennedy	Schumer
Duckworth	King	Scott
Durbin	Klobuchar	Shaheen

Shelby	Thune	Warner
Smith	Tillis	Warren
Stabenow	Toomey	Whitehouse
Sullivan	Udall	Wicker
Tester	Van Hollen	Young

NAYS—6

Barrasso	Markey	Paul
Lee	Merkley	Wyden

NOT VOTING—1

Cruz

The motion was agreed to.

The PRESIDING OFFICER. The motion to concur having been agreed to, the motion to concur with amendments is rendered moot.

SUBSTANCE USE-DISORDER PREVENTION THAT PROMOTES OPIOID RECOVERY AND TREATMENT FOR PATIENTS AND COMMUNITIES ACT

The PRESIDING OFFICER. As if in legislative session, under the previous order, the Chair lays before the Senate the House message with respect to H.R. 6.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 6) entitled “An Act to provide for opioid use disorder prevention, recovery, and treatment, and for other purposes,” with an amendment.

MOTION TO CONCUR

Mr. THUNE. As if in legislative session, I move to concur in the House amendment to the Senate amendment to H.R. 6 under the previous order.

The PRESIDING OFFICER. The motion is pending.

The Senator from South Dakota.

FAA REAUTHORIZATION ACT

Mr. THUNE. Madam President, it is oftentimes easy to believe the news reporting on how the Senate is broken and bipartisanship is dead, but then you work with your colleagues—both Democrats and Republicans, from the House and the Senate—on something like the FAA Reauthorization Act, which we just passed, and you are reminded that we can still come together and get things done for the American people.

The bill we just overwhelmingly passed and sent to the President's desk is the longest FAA reauthorization since the 1980s, and it will improve our aviation system for travelers, manufacturers, and innovators alike.

The bill also reauthorizes the Transportation Security Administration, ensuring improved screening technologies and more explosive detection K-9s, additional focus on security and surface transportation to public areas, and new pathways to mitigate airport security delays for an overall better travel experience.

It also reauthorizes the National Transportation Safety Board, providing key reforms to modernize and improve transparency in this important safety agency's investigations, recommendations, and Board member discussions. These important provisions are just the three-quarters of the

bill in the jurisdiction of the Senate Commerce Committee, of which I have the privilege to serve as chairman.

As chairman, I would like to personally thank the members of our committee for all of their hard work this Congress and especially Senator NELSON, the committee's ranking member; Senators BLUNT and CANTWELL, the chairman and ranking member of our Aviation Subcommittee; and Senators FISCHER and PETERS, the chairman and ranking member of our Surface Transportation Subcommittee.

I would also like to acknowledge, on the House side, Chairman SHUSTER and Ranking Member DEFAZIO of the House Committee on Transportation and Infrastructure, Chairman MCCAUL and Ranking Member THOMPSON of the House Committee on Homeland Security and Governmental Affairs, and Chairman SMITH and Ranking Member JOHNSON of the House Science Committee. They have been great partners, and I appreciate their efforts in helping to get this bill across the finish line.

Finally, I would like to thank all of the staff from both Chambers who worked tirelessly, including many late nights and weekends, on this bill. Without their efforts, the final product would not have been such a success. While everyone on the team worked hard on this bill, on my staff I would like to especially thank Nick Rossi, Adrian Arnakis, Mike Reynolds, Simone Perez, Jackie Keshian, Missye Brickell, Fern Gibbons, Jason Smith, Andrew Neely, Isaiah Wonnenberg, Chance Costello, Alison Graab, Fredrick Hill, and Brianna Manzelli.

On Senator NELSON's staff, thanks should go to Kim Lipsky, Mohsin Syed, Tom Chapman, Chris Day, Laurence Wildgoose, and Danny Blum.

I would also ask unanimous consent to have printed in the RECORD the names of the staffers who are part of the committees in the House who played key roles in the legislation and, of course, the staff members from the committee Chairman SHUSTER chairs, the Transportation and Infrastructure Committee in the House, which was very instrumental in getting this bill across the floor in the House and ultimately over to us in the Senate and then the ranking member, as I mentioned, PETER DEFAZIO's staff.

I ask unanimous consent to have printed in the RECORD the names of their staffs to whom we are grateful.

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

Chairman Shuster's staff who should be thanked include: Chris Vieson, Geoff Gosselin, Fred Miller, Holly Woodruff Lyons, Naveen Rao, Hunter Presti, Cameron Humphrey, and Hannah Matesic.

From Ranking Member DeFazio's staff: Kathy Dedrick, Alex Burkett, Rachel Carr, Michael Tien, and Luke Strimer.

Mr. THUNE. Madam President, I also ask unanimous consent to have printed in the RECORD the names of Chairman MCCAUL's staff and Ranking Member THOMPSON's staff.

Also, we are grateful to the staff of Chairman SMITH, who chairs the House Science Committee. There was a good amount of science policy that was ultimately included in this legislation.

Also, we are very grateful to Ranking Member JOHNSON's staff, Pam Whitney and Allen Li.

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

From Chairman McCaul's staff: Brendan Shields, Kyle Klein, Alex Rosen, Emily Trapani, and Forrest McConnell.

From Ranking Member Thompson's staff: Hope Goins, Alex Marston, and Rosalyn Cohen.

From Chairman Smith's staff: Chris Wylder, Ashley Callen, Mike Mineiro, and Sam Amber.

Mr. THUNE. I am sure there will be people whom I have left off this list, and I apologize for that, but it just underscores the amount of collective effort that underpins our work.

I could also easily expand that list to include those at the Department of Transportation and the Federal Aviation Administration who provided valuable assistance and technical expertise. We look forward, now that this bill has passed and headed to the President's desk for his signature, to working with them on its implementation.

So again, I say thank you to my colleagues who supported this bill and all of those who were involved in bringing us to a conclusion. This is the culmination of many months of hard work, bipartisan negotiation. Frankly, it wasn't easy, and that is a great credit to the staff members I mentioned and to the individual members of our committee and the other committees who were so involved in seeing this get across the finish line.

So I say thanks to the Members on the floor and the members of our committee.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I would like to extend my congratulations to the Senator from South Dakota. This is a significant agreement on which he and Senator NELSON and others have worked very hard. I want to especially thank him for including in the bill something Senator FEINSTEIN of California and I have worked on for several years; that is, the provision to ban the use of cell phones on airplanes. There is nothing worse than sitting next to someone on a 4-hour flight who would make it his or her business of revealing all of the intimate details of their life to someone on a cell phone. This would take care of that.

I would say to the Senator from South Dakota that sometimes I suggest to my friends in Tennessee that they look at Washington, DC, as a split-screen television. On the one side are tweets and Supreme Court contention and cable television and arguments, and on the other side we are getting quite a bit done, like the FAA

bill, like the songwriters bill, like the appropriations bills that have kept us first in the world in supercomputing. Thanks to the leadership of Senator BLUNT of Missouri and Senator MURRAY of Washington, we have, for the fourth consecutive year, included record funding for biomedical research. That doesn't capture as much attention as the other side of the TV screen, but it demonstrates that we are capable in this body of both vigorous contention on arguments, and we are also capable of doing the basic work of the Senate, which is to take big issues, see if we can come to some agreement about it, and come to a lasting conclusion, which the Senator was able to do, and I congratulate him for it.

I want to speak for a few minutes about another example of that. We are in the midst of contentious disagreement about the Supreme Court, but at the same time we have an urgent, bipartisan consensus, of virtually unanimous agreement, to deal with the most urgent public health epidemic facing our country today in virtually every community; that is, the opioids crisis. Each one of us has stories about how the opioids epidemic is ravaging our hometowns and our home States.

For example, at one of the several hearings we had in the Health Committee which I chair, a mother, Becky Savage, talked about her two sons whom she found in her basement after a graduation party one night, both dead. She was happy they were in their basement because instead of out driving around town, doing what teenagers might be doing, they were at home, but someone brought alcohol, someone brought opioid pills from the medicine cabinet in some home, and someone mixed those two together, producing two overdoses for two children who were not drug addicts, who were not alcoholics but who made a mistake.

Another hearing involved visiting the Niswonger Children's Hospital in Johnson City, TN, where one-third of the babies born in the neonatal center there are born withdrawing from opioids because their mothers are addicted, and it takes them days or weeks more to get over that. We listened to two judges in Upper East Tennessee, two criminal court judges, State judges, who said that of 6,000 completed cases they heard last year, two-thirds of them had something to do with the opioid epidemic.

There was the drug agent from Tennessee who was in my office who deals with meth and all sorts of drugs, and he described for me what had happened when they seized some fentanyl. Fentanyl is the white powder that is 50 times stronger than opioids—which comes from China, often in the mail—and which this bill we are about to talk about deals with. This drug agent, who is an experienced law enforcement officer, told me that just by opening a small plastic bag with a little of the white powder getting into the air, he was almost overcome and had to leave

the room because it would cause him to pass out. That is the epidemic we are dealing with everywhere in America.

Before I describe the bill, let me talk about two things that have to do with the bill. One is money and one is moonshot. People often say, when I describe our bill—which we called the Opioid Crisis Response Act but is now called by, I think, a better name, the SUPPORT for Patients and Communities Act—when I describe the bill, people ask: Where is the money? Well, the money is not in this bill. This is an authorization bill. We do money in other bills. We call them appropriations bills. The Congress and President Trump have both been attentive to the money.

Since just March, including the appropriations bill passed in March and the appropriations bills approved by the Senate last week, we will have directed in the Congress \$8.5 billion toward the opioid crisis—everything from hundreds of millions for nonaddictive pain medicines to \$1 billion for grants to States for more treatment—so \$8.5 billion just this year. That is the money.

Then, so far as the moonshot, some people say to me, “Well, we need a moonshot for the opioids,” and I wish we could have one. We probably need the energy, we probably need the money, and we probably need the resources and the determination it took in the 1960s for President Kennedy to say: Let’s go to the Moon in a decade. Unfortunately, we can’t do that from Washington, DC. This problem will not solve itself from here.

We can’t assign this task to an agency and say: Fix it in 10 years. That is why we call this bill the SUPPORT for Patients and Communities Act. The opioids epidemic is going to have to be solved in Ames, IA, and Nashville, TN, and Sacramento, CA, and communities all across this country by Governors who work with medical faculty to change the curriculum on how doctors learn about pain medicine; by States that, like Tennessee, have begun to limit the opioid prescriptions to 3 days at a time to try to avoid the 60-day, 60-pill bottle that someone might take home and use 15 pills and then have the rest taken by a teenager to a party, with a terrible result at the end; by the judges who deal with opioids and their criminal cases; and by the nurses and the treatment officials who try to help people with medication. All of this has to be solved community by community by community. We know that. We are not pretending that a single act here can fix the problem. We have had urgent bipartisan consensus on this. There have been contributions from 5 Senate committees, and 72 different Senators are reflected in this bill. That is why we have urgent bipartisan consensus, because we want to do everything we can do to provide tools to parents and patients and doctors and nurses and communities and Governors—anyone we can find—to deal with this crisis.

Senator MCCONNELL has called this opioid legislation “landmark legislation,” and I believe he is right. In our State, as in most States, more people are killed by opioid overdoses than by car crashes—in Tennessee, 1,776 last year. That is why the House passed this bill by 393 to 8 last Friday. That is why, after we vote on this bill today at 3:15, it will go directly to the President, and I am confident he will sign it quickly.

With more than 70 different provisions, there is no way to talk about them all. Each one is important, but here are a few of the most important:

Senator PORTMAN’s STOP Act. I talked about fentanyl—the white powder that is 50 times more powerful than opioids—coming by mail from China. FedEx and UPS can stop it, but the U.S. Postal Service can’t. This gives the government the authority to stop that powder from coming in from China.

Nonaddictive painkillers. The most common reason Americans see a doctor is because they hurt. They have pain. There are 100 million Americans with some pain, and there are 25 million Americans with chronic pain. They need help, and if opioids can’t help over a long term, they need a nonaddictive pain medicine, which is why we have put in hundreds of millions of dollars and passed fast-tracked legislation to find that.

Blister packs for opioids. States have begun to limit the doses of opioids that can be prescribed. We give to the Food and Drug Administration the authority to require manufacturers to sell opioids in blister packs of three, five, or seven.

Extend support for Medicaid patients. Again, Senator PORTMAN worked hard on this one, as did others. This extends from 15 to 30 days the time for treatment for people with a substance use disorder, and it expands it to all those disorders.

The TREAT Act. Senator PAUL and Senator MARKEY have pushed this. It permanently allows more medical professionals to treat people in recovery to prevent relapse and overdose.

The bill prevents doctor-shopping by improving State prescription drug monitoring programs, and it provides more behavioral and mental health providers and support for comprehensive opioid recovery centers—all three of the major techniques we know.

It provides help for babies born in opioid withdrawal and for mothers with opioid use disorders and more early intervention with vulnerable children who have experienced trauma.

As I said, there are more than 70 different proposals from Senators themselves, equally divided between Democrats and Republicans. That is why this bill, which is the most complex one, I suspect, I have ever worked on—I have worked on some complex ones, but it is as complex as any—it literally had to have the support of every single one of the Senators to move through this body once, to the House, and I suspect

it will almost get it 100 percent again because of the urgency and the participation in this.

I mentioned the \$8.5 billion. Senator BLUNT says there has been a 1,300-percent increase in congressional funding to combat the opioid crisis over the last 4 years.

Eight committees in the House. Five committees in the Senate. Seventy-two Senators. Senator PORTMAN’s STOP Act. Senators PAUL and MARKEY’s TREAT Act. Senator RUBIO worked with us as we moved the Senate bill forward, and in the final version is his Eliminating Kickbacks in Recovery Act, which we were able to include in this final consensus legislation.

I thank Senator MCCONNELL, the majority leader, and Senator SCHUMER, the Democratic leader. They have lots to think about. They have many demands on them and their time. But they have made it possible through this whole process to make room for this because they understood the importance of it, and I thank them for that.

I thank the chairmen and ranking members of the other Senate committees—Senators HATCH, GRASSLEY, THUNE, CRAPO, MURRAY, WYDEN, FEINSTEIN, NELSON, BROWN—and their staffs. It is not that easy for that many committees to put down their jurisdictional jealousies and work across committee jurisdictions to work together, but we had an urgent bipartisan consensus that we needed a result here.

I thank Senator MCCONNELL’s staff, Scott Raab and John Abegg, as well as Senator SCHUMER’s staff, Veronica Duron, for all of their work on the legislation. They expedited it when it needed to be expedited.

I thank David Cleary on my staff and Evan Schatz on Senator MURRAY’s staff. They are the chiefs on those issues. When they work together and Senator MURRAY and I work together, we often can get a lot done.

On my staff, I especially want to thank Grace Stuntz, who was the policewoman on all of this, working with the various committees here and the various committees in the House, and her team: Andy Vogt, Melissa Pfaff, Margaret Coulter, Curtis Vann, Tyler Shrive, Brett Meeks, and Jen Boyer. They did a tremendous amount of work. I also thank Lindsey Seidman, Bobby McMillin, Jake Baker, Jordan Hynes, Liz Wolgemuth, Taylor Haulsee, Ashton Davies, Elizabeth Gibson, Christina Mandreucci, Evan Dixon, and William Heartsill.

On Senator MURRAY’s staff, I thank John Righter, Nick Bath, Andi Fristedt, Laurel Sakai, Colin Goldfinch, Madeleine Pannell, Allie Kimmel, Katherine McClelland, Lori Achman, Sheri Lou Santos, and Remy Brim.

We worked closely with the House of Representatives. I called both Representative WALDEN and Representative BRADY and talked with them before we went ahead with this, and they

worked seamlessly with us for the last several months. The chairmen and ranking members of the House who made contributions included Representatives WALDEN, BRADY, GOODLATTE, FOX, SHUSTER, PALLONE, NEAL, CONYERS, SCOTT, DEFAZIO, and their staffs.

Lastly, I would like to thank the staff of the Senate and House Legislative Counsel. They helped us write the bill. With all of the changes and all the Senators and all the provisions, they did a spectacular job. The staff of the administration provided technical assistance along the way, as well as the staff of the Congressional Budget Office. They worked literally around the clock. They worked on weekends to make it possible for us to get through the House and to now get through the Senate and down Pennsylvania Avenue to the President of the United States. This wouldn't be here without them.

This is a landmark piece of legislation. This legislation, with more than 70 contributions from U.S. Senators—really equally divided between both parties—and \$8.5 billion of funding since March, is an important step toward dealing with the most serious public health epidemic in any of our communities. The Supreme Court debate is important, but in hundreds of thousands of families and literally every community across this country, this is more important. This is more important, and this legislation will help.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

FAA REAUTHORIZATION ACT

Ms. CANTWELL. Madam President, I come to the floor to follow my colleagues, Senators THUNE and NELSON and to thank them for the FAA bill which we just passed and which is on its way to the President's desk. I so appreciated working with the chairman and ranking member and my colleague on the subcommittee, Senator BLUNT, on this FAA reauthorization bill.

As mentioned by the chairman, this is the first long-term reauthorization in decades, and it represents a 5-year investment in critical infrastructure that our airports need all throughout the United States.

It represents for us in the Pacific Northwest hundreds of millions of dollars of investments in our airports that help us continue to grow our economic and regional economies. Everybody in the State of Washington knows that we are bursting at the seams when it comes to our airports and that we need more capacity—particularly at Seattle-Tacoma International Airport, where we saw an increase of nearly 2 million passengers. It has been one of the fastest growing airports in the Nation for the last 5 years. This long-term infrastructure bill will provide hundreds of millions of dollars for airport investments in our State and will help us meet that growth and demand.

This bill is also a major down payment on security and efficiency to help

us handle that growth and the impact to our economy and to our transportation systems. That is one of the reasons this bill has provisions to bring more K-9 units to airports throughout the United States, including the State of Washington. The K-9 units have been vital to helping us cut nearly in half the time it takes to get passengers through the airport screening process, and I believe they are a tremendous deterrent, and they make sure that our airports are safe and secure from those who may want to do harm. The fact that we are improving the ability of these K-9 units to be supported by local airports is one of the great aspects of this bill as well.

We also want to note that our airport infrastructure across the State includes a lot of contract towers; that is, airports that help us with regional transportation, private transportation, and a diverse range of operations. Yet these airports are often in the shadows of larger airports, whether that is Felt's Field in Spokane or Walla Walla Airport. Making sure that these contract tower airports receive support and funding so they can continue to help our aviation sector and the flying public is a great aspect of this bill.

Also, many of my colleagues have talked about the other improvements to safety and security. We are continuing to make a down payment on next-generation technology; that is, our air traffic control system. I can't say enough about how important it is for us to continue to move forward on the NextGen aviation system. It helps us fly more efficiently. It saves on fuel costs. It helps our system operate more efficiently. The bill's innovation also takes a next step forward on unmanned aerial vehicles.

I again thank our colleagues—particularly Senator THUNE and Senator NELSON—for their great work on this, and my colleague Senator BLUNT. Making aviation investments is critical to continuing to grow an aviation economy in the United States. It is also just as critical to growing economies around the State because air transportation helps them attract and keep businesses in the area. While we have Sea-Tac bursting at the seams, we have other regional airports that are still trying to grow, and giving them this infrastructure investment will help in the future.

I again thank our colleagues. I am glad we are moving forward on the first long-term aviation infrastructure investment in decades. Some of us here may remember the last bill, on which I think we had something like 23 extensions over many, many years before we finally got a bill. So this represents the first time in many decades that we now have a 5-year picture that we can look at and see the investment for aviation moving forward.

I thank my colleagues and will continue to work with them on other aspects of aviation improvement for the future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

OPIOID EPIDEMIC

Mr. DONNELLY. Mr. President, I come to the floor today to discuss the opioid abuse epidemic, which has taken the lives of too many Hoosiers, harming families and communities across my State and our country. This is a public health crisis. It is a complex problem, and addressing it will require all of us to work together in a bipartisan way at the Federal, State, and local levels.

I am very pleased that the House and the Senate have worked together over many months to write this bipartisan legislation, the SUPPORT for Patients and Communities Act. This bill provides important new tools to combat the opioid epidemic and to work to ensure that those providing prevention, treatment, and recovery services in our communities have the resources necessary to help those in need of assistance. I am also proud that this legislation contains several bipartisan bills I helped lead over the past year.

For Hoosiers in Northern Indiana, one particular provision in this legislation is particularly significant. On July 26, 2017, Dr. Todd Graham was senselessly murdered in South Bend after refusing to prescribe an opioid to a patient. To honor Dr. Graham's memory, I helped to introduce the bipartisan Dr. Todd Graham Pain Management Improvement Act with my friend and fellow Hoosier Senator TODD YOUNG. This bill directs the Department of Health and Human Services to study Medicare's payment and coverage policies for nonopioid pain treatments. It could also help to increase access to nonopioid treatments and prevent future patients from developing an addiction. It would never have been possible without the leadership and courage of Julie Graham and the Graham family.

Another way of increasing access to nonopioid pain treatments is to encourage the development of new nonopioid pain treatments. I helped to introduce two bipartisan bills to achieve that goal. These bills would require the FDA to clarify how nonopioid pain treatments can qualify for expedited approval and to clarify how it will assess treatments that reduce the need for opioids. Provisions based on both of these two bills are included in this legislation so we can get closer to helping treat pain without the risk of addiction.

On another front, as we work to provide health professionals with new treatment options, we must also make sure that there are enough health professionals to provide substance abuse

disorder treatment in communities that need them. There are far too many areas in my State of Indiana and across America that lack access to meaningful addiction treatment and the trained professionals to provide it.

Earlier this year, I worked with Senators LISA MURKOWSKI and MAGGIE HASSAN to address this issue by introducing the bipartisan Substance Use Disorder Workforce Loan Repayment Act. This bill provides up to \$250,000 in student loan forgiveness for trained addiction treatment providers who will work in areas with a shortage of mental health professionals or an above-average overdose death rate. This new initiative helps to recruit more providers to work in addiction medicine and to serve in areas that most need their services. I am very proud to report that the Donnelly-Murkowski-Hassan bill was included in this larger legislative package.

Drug overdoses killed more than 72,000 Americans in 2017, including nearly 30,000 from opioid overdose. In Indiana, 1,840 Hoosiers were lost to overdoses just last year alone. That is heartbreaking, as each person is someone's loved one and someone's family member.

We have a lot of work to do, and I will not rest until we reduce this overdose rate, because one overdose is one too many. The SUPPORT for Patients and Communities Act will provide critical resources to communities across Indiana and across America.

I look forward to seeing this legislation passed here in the Senate and then signed into law by the President. I look forward to continuing to work with my colleagues on both sides of the aisle to address this epidemic.

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.

The PRESIDING OFFICER. The Senator from West Virginia.

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

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

OPIOID EPIDEMIC

Mrs. CAPITO. Mr. President, today I rise to strongly support the passage of the SUPPORT for Patients and Communities Act, the SUPPORT Act. Actually, I think that is a great title, the SUPPORT Act.

The SUPPORT Act combines the work of the House of Representatives with the Senate's Opioid Crisis Response Act, which we recently passed with overwhelming bipartisan support.

As we anticipate voting on this groundbreaking legislation soon and sending it to the President's desk, I wanted to highlight some of the provisions I think are most critical, many of which I worked on with my colleagues on the other side of the aisle to move forward.

The SUPPORT Act successfully builds on the work Congress began with the passage of the Comprehensive Addiction and Recovery Act back in July of 2016, and it is a critical next step in our fight against an epidemic that continues to devastate families and communities across this country, especially in my home State of West Virginia.

This legislation reflects what we have learned in the past few years since we passed CARA. West Virginia has been struggling so much with the opioid crisis; we have been struggling longer and harder than many of our other States. This is not something we are particularly proud of, but it is a reality with which we live, and we really face the challenge.

This crisis has shaped our ongoing response to the epidemic, as well as my contributions to the bill. In West Virginia, we understand better, I think, some of the causes of the crisis and how we can deal with them. We have discovered what is working in our State, and we have learned that the ripple effects go far beyond those struggling with addiction. It affects families and children and communities.

When thinking about next steps for fighting the opioid epidemic, one of the first things I realized was that the formula for State funding was not providing adequate resources to the hardest hit States—States like West Virginia. I joined with my colleague Senator SHAHEEN from New Hampshire—her State also has been devastated by this epidemic—to help change that formula.

I am pleased that this bill reauthorizes the State grants in a way that ensures that States like ours—small States with very large problems—will begin to receive more resources and those resources that we desperately need.

Something else we quickly realized in West Virginia was that we didn't have the treatment facilities or the trained workforce to adequately support individuals seeking treatment. To address these needs, I worked with my colleague Senator HASSAN from New Hampshire to create a grant program establishing comprehensive opioid recovery centers, or CORKs, in the most affected areas, and I worked on provisions that will help increase and better prepare our healthcare workers.

We also realized, sadly, that there will always be bad actors who attempt to take advantage of those in crisis. I have talked to friends of mine whose young adult children are in the throes of addiction and will literally pay anything—anything—to get the help they feel their loved one deserves, making them particularly vulnerable, I think, to bad actors and to folks who might take advantage of that. So we introduced the Opioid Addiction Recovery Fraud Prevention Act with Senator CORTEZ MASTO from Nevada. This measure will hold fraudulent substance abuse treatment programs and recovery

centers accountable by empowering the FTC to bring enforcement actions against them.

Another issue I hear about often is the need among employers for potential employees who are able to pass a drug test. Our economy is booming, our workforce is expanding, but we are having difficulty in some areas finding enough employees who can actually pass a drug test. It is not unusual; I will hear that 10 people get tested, and only 2 will pass.

We also have the need for recovering addicts to be able to find that pathway back to employment. To address both of these needs, this legislation authorizes grants that will align job training and treatment services, including several provisions from the CARA Act that I sponsored with Senator BROWN from Ohio.

As to the causes of the crisis, there are many, but there are two areas that come up again and again.

First is the need to reduce the number of prescriptions for opioids. To get at the root of the problem, Senator FEINSTEIN and I introduced the Using Data to Prevent Opioid Diversion Act. Our bill, which is now a part of the SUPPORT Act, provides drug manufacturers and distributors with data to identify pharmacies that are suspiciously ordering prescription opioids, and it grants law enforcement the authority to hold them accountable, as they should be, if they fail to use this data to identify, report, and stop suspicious orders.

Had something like this been on the books before, we may have been able to stop—and I want you to hear this statistic—the 780 million oxycodone and hydrocodone pills that were distributed to pharmacies in my State alone—my 1.8 million population State, between the years of 2007 and 2012, 780 million pills, including the nearly 9 million pills that were distributed between 2007 and 2008 to a single pharmacy in Kermit, WV, where the population is 392.

The second issue that comes up often is the need to reduce the amount of synthetic opioids like fentanyl, which is killing—killing—people. It is 100 times more potent than heroin.

The STOP Act will help prevent the shipment of synthetic opioids into the United States through the international mail system, where the vast amount of these originate. This measure, which Senator PORTMAN led and I joined with him to introduce, imposes tough new requirements for our U.S. Postal Service and Customs and Border Protection. By better targeting illegal packages, we can keep those dangerous drugs from ending up on our streets and in our local communities.

West Virginia has a more mature opioid epidemic, which has helped us to learn what is working and what is not working. One great example of something that is working is our Quick Response Teams, or QRTs, which has been piloted in Huntington, WV. Based on

similar programs around the country, a QRT is a three-pronged effort by medical professionals, mental health agencies, and law enforcement. These teams contact individuals who overdose within 72 hours of their overdose to help get them into treatment programs. In other words, let's not have them just go to the emergency room, stop the overdose, and have them walk back out with no followup.

Given the success of the QRTs in our State, I worked with Senator MURPHY to include a grant program in the SUPPORT Act that will allow communities across the country to implement similar programs.

When it comes to what is not working, over the last year or so, I began to hear from hospice staff who, due to a DEA rule—I seriously didn't understand this rule—were not allowed to destroy unused medication unless authorized by State law.

A lot of times in hospice, particularly elderly people in hospice—or anybody who is in a great deal of pain—have medications on the shelf, and if they are left to the disposal of a family member, you could see how they are ripe for falling into the wrong hands of a grieving family member or possibly somebody in and out of the home who has an addiction issue. I worked with Senator COLLINS to ensure that the SUPPORT Act includes language that would allow hospice employees to dispose of those controlled substances.

Another example of a policy that is not working is a 40-year-old regulation related to substance use disorder privacy records. This came to my attention following a terrible tragedy for my fellow West Virginian, Jessie Grubb, which was caused by confusion and misinformation.

Jessie was a daughter, a great sister, an athlete, and someone who was recovering from addiction. Following surgery from a running injury, despite her family's and her own best efforts to make clear that she was not to be prescribed opioids, she was discharged from the hospital with a prescription for 50 oxycodone pills. Jessie overdosed on those pills. She was 30 years old.

Following her tragic death, Senator MANCHIN and I introduced Jessie's Law. Jessie's Law makes it easier for doctors to know if a patient has a history of opioid abuse. It requires HHS to develop best practices for prominently displaying this information in electronic health records when requested by the patient so that they can see them right there as they are discharging the patient.

Although Jessie's Law passed the Senate in August, it had not passed the House, and I am glad to see it in the SUPPORT Act.

Still, while this may help avert future tragedies, many in the addiction community have encouraged further action to assure that providers can safely and effectively coordinate high-quality treatments for patients with substance abuse disorder. To meet

those needs, Senator MANCHIN and I introduced the Protecting Jessie Grubb's Legacy Act. Part 2 is not in the SUPPORT Act, and we will continue to work on this Legacy Act to make sure that this important policy change happens.

Something we have seen in West Virginia are the ripple effects of the opioid epidemic. These are the children, the families. An unbelievably increasing number of children are being raised by their grandparents, raised by their great-grandparents, or are in foster care. It is putting a major strain on our social services but also on the individual child who, through no fault of their own, has ping-ponged from house to house in very emotional kinds of ways.

There are more babies receiving neonatal care, and I have worked with my colleagues to make sure the CRIB Act, which I worked on with Senator BROWN as well—this measure clarifies a State's ability, under Medicaid, to provide care for infants with neonatal abstinence syndrome in residential pediatric recovery centers like Lily's Place, which we have in Huntington, WV. The First Lady actually visited Lily's Place, and we would welcome her to come back.

We also reauthorized the Residential Treatment for Pregnant and Postpartum Women, a grant program I worked with my former colleague Senator Ayotte to include in CARA. This provides new resources to identify, prevent, and mitigate the effects of trauma related to the opioid epidemic on infants, children, and their families.

If nothing is done for this generation and the ripple effect on children, I fear we are at real risk of losing not just one generation to opioids but the next generation as well. Fortunately, there are lots of things that are being done. I will mention one: the Martinsburg Initiative in West Virginia, which is a combination among Shepherd University, the Martinsburg Police Department, and Berkeley County Schools, as well as the Boys & Girls Clubs of the Eastern Panhandle working together, based on a CDC study which shows that when children have adverse childhood experiences, such as exposure to drugs and alcohol, it can have a major impact on their physical and mental development. When we started CARA 2 years ago, it was a good start, and the SUPPORT Act is a great next step. A lot of this has to do with funding. The Defense-Labor conference report that the President signed into law last week includes \$3.8 billion for the opioid epidemic—an increase of \$250 million. With this year's funding, funding for related programs has increased by more than \$3.5 billion over 4 years. Clearly, we have a commitment to this as a body, as all of us working together.

I would like to applaud the efforts of all the committees involved and especially the dedication of the HELP Committee—Chairman ALEXANDER and his

staff and those who have worked together. I look forward to continuing to work with my colleagues on ongoing and emerging problems in this space. Methamphetamine is something that is way on the rise and taking over, unfortunately, from heroin, which is just a terrific tragedy.

There is no one silver bullet when it comes to the opioid epidemic, but one thing is certain: I and we will keep fighting against those who are bringing deadly drugs into our communities. We will fight for those struggling with addiction and seeking treatment. We will fight for the children who are caught in the middle, and we will fight for every other person who is affected by this crisis.

I am going to keep fighting for States like mine. Even in the darkest hours in West Virginia with this crisis, we have continued to move forward to a better place. Overdoses are down in Huntington, WV, by 41 percent because of our community efforts toward a brighter, drug-free future. That is what we are all fighting for.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I join my colleague from West Virginia and thank her for her leadership on this work.

The continuing problem of opioid abuse—the epidemic that has swept our Nation—has struck at the heart of my State, like West Virginia. In my State, there were 694 deaths from opioids and other drug overdoses in 2017. That is more than the number of people who died from car crashes and homicides combined in the State of Minnesota.

No matter where I go, I hear heart-breaking stories. It is not just beloved superstars like Prince whom we have lost in Minnesota; it is teenagers in Duluth and young people in our farmland, 12-year-olds.

One story I heard from some people at a small town gathering was about 12-year-olds being courted by drug pushers. The drug pushers tell them to go home to their parents' medicine cabinet. They are given a list of stuff to look for and are told: If you bring one of those bottles of pills with those names on it, we will give you a beer. That is happening in my State.

There is the story of Shelly Elkington's daughter, Casey Jo, who was a champion swimmer who hoped to study nursing like her mom, but in 2008, she was diagnosed with Crohn's disease. After painful complications, Casey Jo received her first prescription opioid for pain relief.

As many of you know, about four out of five heroin users got their start on prescription drugs. The very pills that are supposed to ease someone's pain end up getting them hooked or, worse yet, getting them killed. That is what happened to Casey Jo. She died of an illegal drug overdose, but she first became addicted because of that painkiller she took that day. That is what

is happening to too many families in Minnesota and across the country.

Here in the Senate, we have made some progress on the epidemic. Last Congress, I led a bill with three other Senators—Senators ROB PORTMAN of Ohio, SHELDON WHITEHOUSE of Rhode Island, and Kelly Ayotte of New Hampshire. It is called the Comprehensive Addiction and Recovery Act, known as CARA, and it was signed into law. It encourages States and communities to pursue several strategies, including increasing the availability of naloxone to save lives in overdose situations.

Later in 2016, this Senate and this Congress made \$1 billion in funding available for treatment and prevention with the passage of the 21st Century Cures Act. I got to be at the bill-signing with President Obama and Vice President Biden.

Earlier this year, we made an additional \$3.3 billion available as part of the government funding bill.

That is all progress, but we still have a lot of work to do. We are taking important steps forward by passing this legislation today, which includes more than 70 provisions to take on addiction. We have worked with the administration, we have worked with the House, and we see this as a bipartisan priority.

One of the major pieces that are in this legislation is based on the STOP Act that I introduced with Senator PORTMAN to help stop dangerous synthetic drugs from entering our country in the first place.

We know this is a serious problem. Powerful synthetic drugs like fentanyl, which is up to 100 times more potent than morphine, keep coming in from China. In my State, there were 172 deaths involving synthetic opioids last year. That is a 74-percent increase from the year before. More than 90 percent of those deaths involved fentanyl.

That is the reason I joined with Senator PORTMAN to introduce legislation to close the loophole that allows substances like fentanyl to be shipped into our country in the mail using the U.S. Postal Service. That is what the traffickers are doing. They are sending these drugs in the mail to our country from China and from other places.

Under current law, the U.S. Postal Service doesn't require advance electronic data for packages entering the country. That makes it easier on the traffickers and harder for our law enforcement officers to locate packages that contain illicit drugs. Our commonsense legislation requires that these shipments provide this data to make it easier for our Customs agents to detect packages containing synthetic drugs and stop them from being shipped to communities across the country.

The way I look at it is this: If Target—a hometown company in Minnesota—can find a pair of shoes in Hawaii from a simple SKU number, I would think we would be able to stop traffickers and criminals from sending in incredibly dangerous drugs that lit-

erally can kill people with an amount basically the size of a pinch of salt, that we would be able to stop them from bringing this into the country in U.S. Postal Service packages. That is just wrong.

With 318 million international packages having entered our country without advance electronic data last year, it is clear that we must do more. I look forward to this measure being signed into law as part of this package.

Another provision in this legislation is a provision called the SALTS Act that I authored with Senator GRAHAM. It passed the Judiciary Committee in May. Our bill will help to crack down on criminals who sell and distribute analogue synthetic drugs. Senator GRAHAM and I have been trying to pass this for a long period of time, and I am glad this is finally getting done.

The issue of synthetic drugs hit home for me when, a few years ago, a 19-year-old from Blaine, MN, died after overdosing on a drug called 2C-E. Back then, I introduced a bill to outlaw 2C-E and eight similar substances, and it was signed into law as part of a broader bill. I remember we worked on that with Senators GRAHAM, GRASSLEY, SCHUMER, and others, and we combined the bill and were able to get those listed on the illegal drug list. But that is not enough because we are seeing that new synthetic drugs are constantly coming into the market. Criminals are adjusting the chemical composition of these drugs, so as we get one listed, they just change it a little bit so that it is no longer contained on the list because it has a different chemical composition. But it is still an illegal drug manufactured for the purpose of getting people hooked.

The bill Senator GRAHAM and I have crafted will make it easier for law enforcement to prosecute the criminals who traffic what are called analogue drugs—similar drugs where compositions have been changed enough to make it so that they are not on the list. The bill addresses a loophole in current law that allows drug dealers to skirt the law by labeling these drugs as “not intended for human consumption” when they are placing people in danger every day. They slap that label on and say “See, we didn't mean that to be illegal,” and they change the composition so it is not illegal on the list.

What our bill does as part of this opioid package is it allows for the consideration of factors to help to make clear that these dangerous substances really are intended for human consumption no matter what label they slap on them, such as the substance's marketing, labeling, or the difference between its price and the price at which the substance that it is represented as—like candy or bath salts—is normally sold. That is a good clue that it is not just candy or bath salts.

Since I first introduced this bill, the Drug Enforcement Administration has taken action to emergency schedule fentanyl analogues on a temporary

basis. But we know that criminals are continuing to come up with new analogue drugs, and this measure will help us to meet those threats.

The last provision in this bill that I want to talk about is based on legislation that Senator RUBIO and I introduced, and that is the Eliminating Kickbacks in Recovery Act. Our bill targets unscrupulous actors who prey on patients seeking treatment to exploit their health insurance by making it illegal to provide or receive kickbacks for referring patients to recovery homes and treatment facilities. These kickbacks are already illegal under Federal healthcare plans like Medicare, but there is no Federal law to prohibit them in private health insurance plans. When people are struggling with addiction, their focus should be on getting well, not on worrying whether treatment facilities are trying to take advantage of them to make more money. It is simply outrageous. Our bill will crack down on healthcare facilities or providers who try to game the system to take advantage of these vulnerable patients.

Those are three provisions I have worked on that are in this bill, but, as we know, there is a lot of other good work that has been done in this bill. In the end, the way I look at this is that our first goal is to stop people from getting addicted in the first place. That means doing all we can to stop this fentanyl, carfentanil, and all the illegal drugs from coming in. That means providing education in our schools so kids understand what is happening and how dangerous these drugs are. That means working with our doctors and healthcare providers so they are not overprescribing opioids. We now know that four out of five heroin users got their start on legal prescription drugs. We want to put limits—and that is going on all over the country with Republican and Democratic Governors—and we must do more here.

The second piece of this is making sure we have treatment available for people who are addicted. There are all kinds of work being done on treatment, from SUBOXONE, to the work that is being done in the medical device industry as they look at potential ways to get people off of these drugs, to traditional treatment methods. We have to be openminded to all possibilities to get people off of these drugs because once addiction occurs, they are very hard drugs to kick. That means we are going to have to put in resources to combat that.

I personally support Senator MANCHIN's bill, the LifeBOAT Act, which is a commonsense approach that allows a one-penny additional fee on each milligram of active opioid in these drugs so that that money can be used to pay for treatment. We should be using those kinds of innovative ideas at the Federal and State level.

The last point is to go after the bad guys, the people who are trying to get people hooked on these drugs. That is

where two of the bills I just discussed—the analogue bill with Senator GRAHAM and the bill that Senator PORTMAN introduced with me, the STOP Act, which requires the Postal Service to track these packages—it is a combined effort.

There is a law enforcement piece of this, but we cannot forget that at its core, we want to stop this cycle where people are getting addicted. And when they do get addicted, when that happens, we have to get them the treatment they deserve.

I used to be a prosecutor in the criminal justice system, and I always said that we wanted to run our office as efficiently as possible. We wanted to use business techniques in how we ran an office. But there was one important way that we were not like a business: We didn't want to see repeat customers. We didn't want to see people cycling in and out of the criminal justice system. The best way we can ensure that doesn't happen is by making sure that people get the treatment they need so that they can go on to lead happy, productive lives.

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

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

NOMINATION OF BRETT KAVANAUGH

Mr. MERKLEY. Mr. President, the most important words of our Constitution are the first three, "We the People." This describes the entire purpose of our Constitution, which is to create a government responsive to the people and to produce laws that reflect the will of the people. It requires a close adherence to the vision embodied in the Constitution, including the advice and consent vision in the Constitution.

We know that the Founders of our country struggled with how to appoint people to high positions in the executive branch and in our courts. It was Alexander Hamilton who laid out the deliberations. He said: If a body or an assembly has that power, there will be a lot of horse trading back and forth, and we will not get the best people suited to the positions in the executive branch and in the courts. So the responsibility should rest with one person. That is how the nominating power came to be vested with the President.

The Founders also discussed the fact that a single person can go off track. The President might have favoritism toward people from his or her home State. The President might favor people who, in turn, had done favors for him or her and so forth.

They said that the way to avoid this is to have the Senate be a check upon the President, and that "would tend to greatly prevent the appointment of unfit characters." That is how Alexander Hamilton summed it up.

Our responsibility is to review the record of individuals and make sure that no one is appointed who is of unfit character. That separation of powers has been honored over the centuries with the President nominating and then the Senate reviewing the entire record of the individual to honor its responsibility to figure out if this individual is fit or if this individual is unfit.

But now we have something we have never seen before, which is that the President's team has intervened in a massive way to block a thorough review of the nominee's record. There are three parts of this intervention. The first was to weigh in with Senate leadership and say: Don't request anything about his 3 years as Staff Secretary. There was a conspiracy then between the President's team and a few Senators to prevent the entire body from being able to review Nominee Kavanaugh's record.

That is unacceptable because each and every one of us has that responsibility. Each and every one of us takes the oath of office. This isn't just a responsibility that exists for one or two people who refer to themselves by title like majority leader or chairman of the Judiciary Committee. This is a responsibility that every one of us has, and that responsibility has been violated with this violation of the separation of powers.

The second thing the President did was to proceed to appoint an individual to use the stamp "Presidential privilege," meaning executive privilege, to deny access to the Senate of some 100,000 documents when the individual served in the capacity of a lawyer on the team of White House Counsel. In this case, the Senate did request the records. This is solely the exercise of the President and perhaps, therefore, it is the clearest example of the violation of the separation of powers.

We have from the individual himself the statement: "The White House . . . has directed that we not provide these documents." That is referring directly to the documents on which William Burck marked "Presidential privilege"—100,000 documents.

Why are these documents important? Well, we know from the more limited ones we have received that it addresses his actions and his opinions on a host of important topics.

The documents reveal, for example, that while he said he wasn't involved in the discussions around certain nominations, we know that, at least in a modest way, he was, from the documents we have. But we don't have the bulk of the documents to explain the whole story.

He said he wasn't involved with the discussions regarding the use of torture, but we have a limited glimpse from the documents we did get that he was involved in those discussions. The remaining documents probably have a much more expanded vision of his involvement.

He said he wasn't involved in the receipt of stolen documents that regard nomination discussions—documents stolen from the Senate Democrats—and yet we find out from the existing documents that we have that he was and that these were received directly by him.

Here we are with this limited glimpse of three cases in which he misrepresented the story. We certainly didn't get the full story. What is in the 100,000 documents that were censored that we never got?

We have never been in this situation before where a President deliberately obstructed the review of the nominee's record in this vast procedure. Did the President's team go through them carefully and say: Oh, well, because of the sensitivity of XYZ, therefore, we are going to block documents ABC, and therefore create an index explaining that. No, they did not. We have a whole-scale blockage of key parts of the record.

There is more than that. There is also the President's role in marking documents "committee confidential." Here is the challenge. We have a responsibility—a constitutional responsibility—that has been violated. That is why today I filed a motion to compel the President to provide those 100,000 documents marked "Presidential privilege" to us in the Senate, so we can review them and do our responsibility under the Constitution.

Let me switch topics. I have heard Senators here say: Well, we certainly couldn't vote for this individual if he lied to the committee in his testimony. That certainly would mean he was unsuited to serve. Yet we have numerous instances in which he has lied to the committee, and he is unsuited to serve.

At a minimum, the President should withdraw this nominee. It is certainly an enormous dark mark on the integrity of the Court to take someone who misled the Senate—Democrats and Republicans—about numerous topics. In just those three issues I mentioned, we had deception. On issues related to whether he received stolen documents, he did. He said he didn't.

Was he involved in the proceedings for certain nominees? He said he wasn't, but he was.

Was he involved in the conversations over torture? He said he wasn't, but he was.

That is just with the limited information we have.

Then we have the hearing in which he said that his friends who were at the gathering with Dr. Ford refuted her story. That is a straight-out lie. Not one of them refuted her story. They said they didn't remember. They said they didn't know. They certainly didn't refute it. That is a lie.

He said she wasn't in the same social circle, but we know she was. She dated his good friend.

When he was asked about certain things like "boofing" and "Devil's Triangle," he lied to the committee about

what those terms meant and what all his friends knew they meant. They meant things I will not discuss here, but he wasn't honest with the committee. The list then goes on and on.

He said he was not aware of the story until he read it in *The New Yorker* magazine. It turns out that it was not true when, in fact, he intervened to try to sabotage that story before it was ever printed because he knew about it beforehand.

Colleagues, look, there are times when we may have an individual who suits one's judicial philosophy but who is totally unsuited to serve on the Court. Stand up for this institution. Stand up for the Senate. It has been unable to carry out its responsibility under the Constitution of reviewing this man's whole record. Stand up for the integrity of the committee process and the fact that we don't put people on the Court who lie to this body. Stand up for the vision of the United States of America—the vision of a “we the people” nation, not of a government by and for the powerful. Yet that is exactly what his decisions stand for. Stand up for the vision of a President and a republic instead of for the vision of a King and a kingdom, which is what his view of Presidential power turns into—a President above and beyond the law.

Colleagues, do your job. That means we do not vote until we have the documents and review his entire record, and when we vote, if he is still the nominee, we reject him because he lied, because he demonstrated intense partisanship, because he is angry under stress, because he threatened retaliation, because he is unsuited to serve on any court, let alone the Supreme Court of the United States of America.

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

Mr. BLUNT. Mr. President, my colleague just talked about standing up for the Senate, about standing up for the values that traditionally have been our values. One of those principal values has been “innocent until proven guilty.” What we have seen happen here in the last week is something that did not need to happen, certainly, in the way it has happened.

The hearing, the hours of questions, the picking apart of those answers at leisure—we have seen all of that. Do you know what would have happened if we had followed this process the right way? It is hard to do when a significant majority of the committee says that it is against the nominee before he has the hearing and when several Senators say they are against the nominee before he is even nominated, no matter who the nominee will be.

There would have been a normal background check that would have occurred if the information that had been available to the committee—to the Democrats and their staffs—had been turned over at the time. How would they have handled that? How would those in the FBI have handled that on

July 30 or August 30 or on any other date? They would have handled that by going and talking to the people involved. Dr. Ford and Judge Kavanaugh would have been interviewed by the FBI. The people they would have mentioned with whom the FBI should also talk would have been interviewed by the FBI, and that would have been put in the file. The material could have been presented to the committee as it should have been.

In Judge Kavanaugh's private hearing, they were willing to talk about baseball tickets. They could have pursued this in the private hearing: Here is what is in this file. What do you have to say about that?

Dr. Ford, as she said she had wanted to be, would have been kept anonymous in that process. There would have been no reason—unless the committee would have decided to do what somebody on that committee did—to have used her name and for this to have become a major public confrontation. This could have been handled in another way. Her letter and her personal trauma could have been handled in a way that they were not. In fact, it couldn't have been handled more poorly or politically by some in the minority or by their staffs than it was.

Only after the original hearings had ended, only after it was obvious that Judge Kavanaugh—in my view, it was obvious—had the votes to be confirmed, then, suddenly, were these unverifiable charges made public by the Democrats on the committee and by their staffs.

I work hard in the Senate to find agreement with my colleagues of both parties. I have been the principal Republican cosponsor on legislation with all but four of the Democrats in the Senate. I do my best to find the areas we can agree on. In fact, with regard to this FAA bill today, Senator CANTWELL and I chair that subcommittee, while Senator THUNE and Senator NELSON chair the full committee. There is this and appropriations. There are a lot of things that have happened this year that haven't happened for a while, and it is because we have reached out to try to work together.

What we have with this nomination is a new principle. I find the “guilty until proven innocent” conduct by some of our colleagues to be totally unacceptable. It is not who we are. It cannot become the new standard. I heard somebody say at a meeting this week: Well, if these charges are out there, this person will always be impacted when there is a case before the Court that might possibly involve those charges. That cannot be how we pursue the future. We cannot pursue the future by thinking: If you are charged with something, you will be, from that point on, somehow unable to do the job that you are eminently qualified for.

We have a person here who has 300 court of appeals opinions on the most challenging court of appeals in the country—more than a dozen of those

accepted almost word for word by the Supreme Court. There is plenty to determine judicial temperament. There is plenty to determine whether the judge can do what the judge is supposed to do.

Unless later today, somehow, we see something, which is highly unlikely based on all of the things that are already out there, I intend to vote for Judge Kavanaugh. I don't think he would have said he categorically and unequivocally didn't do this—or anything like it regarding the specific charge—if he had. It was not necessary. You wouldn't have to say that about conduct over three decades ago. You could say all kinds of other things, but here is a lawyer whose legal capacity has never been challenged. He would not have had to make that unequivocal statement if there had been any reason to be concerned about that statement.

He said he didn't do it. All who were mentioned and who were asked if they saw it happen say they didn't see it. I believe something traumatic did happen to Dr. Ford. I don't believe it involved Judge Kavanaugh. With the obvious, specific three-decades-later memory of the person involved—with that exception—you could actually believe that both of them are telling the truth.

I joined Judge Kavanaugh's daughter in praying for Dr. Ford and her family. I also think we should all pray for Judge Kavanaugh and his family.

This is an issue that has gotten totally out of hand. It is an issue that has gone well beyond the bounds of what we believe in our country. It is an issue that we can't let begin to determine the future way we do these things. You cannot have guilty until proven innocent. You cannot have innocent until nominated as the standard for the country. We cannot let this go forward that way.

Some relationships here—and they are important ones to me and others—are going to take a little while to restore, but we will have to restore them. There aren't enough of us to walk away from each other and say: We cannot possibly move forward in working with you. I intend to continue to work with my colleagues, but I also intend to continue to stand up for the fundamental values of fairness that this country has always held most dear. We need to do that this week with this nomination as well.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I rise, as well, to speak about the nomination of Judge Brett Kavanaugh to serve on the U.S. Supreme Court. He was nominated on July 9—86 days ago today.

Even before he was nominated, a number of Members of this body stood and said they would oppose the nomination to the Supreme Court with their not even knowing who he or she might be. After the name came out that evening, other Members of the Senate

said they opposed him. CHUCK SCHUMER, the Democrat minority leader, said he would oppose the nomination with everything he had. It used to be that we could just disregard language like this as empty rhetoric—not anymore. Now we know exactly what the Democrats had in mind from the very start. We have seen the kind of smear campaign they had planned from the very beginning.

What I have heard from people at home, in Wyoming, is that they didn't think things could get any lower in Washington, DC, until they saw this. The Democrats have done everything under the Sun to delay Judge Kavanaugh's nomination and to tarnish his reputation. It began with misrepresenting Judge Kavanaugh's sterling judicial record. Well, that didn't work.

Then they unfairly complained that they didn't have enough documents by Judge Kavanaugh. When that didn't work, they shifted to surprise attacks on his character.

The only thing they have accomplished is to set a new low for how the Democrats treat people in Washington, DC.

There is a way we do things in the Senate to make sure we can fairly and fully investigate nominees for important jobs. What we have seen is that the Democrats have absolutely rejected this bipartisan tradition. They hid information for more than 2 months. Then, after Judge Kavanaugh had gone through 4 days of confirmation hearings, the Democrats leaked that information to the press—information that they had been sitting on and hiding from the American people, hiding from the Republicans on the committee, hiding from the judge himself.

This isn't the first time we have seen the Democrats try to change the rules when it comes to judicial nominees. The Democrats really do have a double standard. They do it time and again. They want one set of rules for when there is a Democratic President and then a totally different set of rules for when there is a Republican President.

The Democrats have had for years something known as the Biden rule, which was named after then-Senator Biden and then-Vice President Joe Biden. This Biden rule says you shouldn't confirm a Supreme Court nominee once a Presidential election is in full swing. The Democrats wanted that rule in place when George Bush was President. Once President Obama was in office, the Democrats wanted to pretend they had never said it, never heard of it, and that it no longer applied. They wanted a totally different set of rules for considering nominees for a Democratic President than those for a Republican President.

Then they had what we saw here in the Senate as the Reid nuclear option. That is when the Democrats decided and voted overwhelmingly to get rid of the filibuster for confirming judges and

other nominees. The Democrats set the rule when they were in the majority, when there was a Democrat in the White House, and they wanted to confirm people who were nominated by President Obama. As soon as a Republican got into the White House, the Democrats who voted to change the rule now complained when the rule they changed was applied to them. The Democrats have a double standard.

Now what we see is the Schumer rule. The Democrats took the normal process for how we review nominees, and they threw it out the window. The Democrats' new rule is this: Defeat the nominee no matter what. The Democrats are willing to do whatever it takes to delay, disrupt, intimidate, and obstruct this Republican nominee. The Democrats haven't just thrown out the standards for how we do our work here; they have absolutely trampled on common human decency.

It was bad enough when Democrats were just trying to delay things. They demanded reams of paperwork. Well, Senators have been given access to 500,000 pages of records—one-half million pages of records—from the judge's time as a judge and throughout his career in public service. That is triple the amount of information they have ever gotten about any other Supreme Court nominee.

After Judge Kavanaugh's confirmation hearings, he responded to nearly 1,300 written questions from Senators. Those are more questions than we have had for every other Supreme Court nominee in history, combined—combined.

Judge Kavanaugh has served on the circuit court in the District of Columbia—the second highest court in the land—for 12 years. He has written opinions in 300 cases. If anyone wants to know how he will act as a judge, they should look at how he has already acted as a judge for the past dozen years. These are the documents that matter. These are the ones that tell you how he approaches being a judge.

People can look at the 13 cases where the Supreme Court adopted Judge Kavanaugh's reasoning. That is how much respect other judges and Justices have for his careful and compelling decisions.

Washington Democrats don't seem to care about any of this. Democrats got the documents they asked for so they just changed their demands.

You can see how transparent Democrats have been by looking at what they said last week. As late as last Friday morning, Democrats were saying we should pause for a week. That is what Senator SCHUMER, Senator FEINSTEIN, and other members of the Judiciary Committee said. They said: Let's pause for 1 week.

As soon as Republicans said we would do that, the Democrats said that is not good enough. They said it doesn't matter what happens in that week, they are still voting no. For them, it was never about finding the truth. For

many, it was never even about the name of the nominee because they came out opposing him before his name was even placed in nomination by the President.

This has always been about the far-left wing of the Democratic Party doing—as they have described it—whatever it takes to push their talking points.

It is now all about the politics of personal destruction. They don't seem to care much about what they do and how they damage the people involved. They don't care about the damage they are doing to the Senate and the damage they are doing to the Supreme Court.

The American people deserve better than this. It is time for the Democrats to end their charade before they do more harm to the Senate, to the Supreme Court, and to the United States of America.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF BRETT KAVANAUGH

Mr. PERDUE. Mr. President, this has the potential of being a historic week in America. The last 10 days have been very troubling to me as a U.S. Senator, as an individual citizen, husband, father, son.

I am very troubled today by the extreme measures we see being made right now about a case my colleagues across the aisle are trying to make. I am outraged, actually. After a personal incident that involved my wife and me this week, we have seen firsthand the length to which Members of the other side of the aisle will go to distract us away from the truth.

This body, the U.S. Senate, has become nothing more than a bully pulpit for someone's special cause, when it should be a deliberative body. We should be finding the truth.

My Democratic colleagues claim they want to work together with Republicans. They talk all the time about working in a bipartisan way. Yet, when we get into the heat of the battle, nothing could be further from the truth.

This is bigger than confirming Judge Kavanaugh to the U.S. Supreme Court. This is about civility in our country. People have died supporting our Constitution and fighting for the freedoms we have in this country: innocent until proven guilty, for goodness' sake. When that is not convenient with an argument you are trying to make, it gets trashed. That is what we have seen this week in this body.

This is about the common discourse in America. Whoever said we always have to agree? We don't. But whoever

said you have to hate someone if you disagree with them?

Senate Democrats have made it clear, they are willing to say or do anything to stop the President's agenda which, by the way, is working. We are growing this economy at twice the rate we achieved under President Obama. We have over 331 nominees today waiting to be confirmed—the first time in history this has ever been done to this degree.

One of my Democratic colleagues called Judge Kavanaugh “your worst nightmare.” Another called him “a nominee who wants to pave the path of tyranny.” Yet another said: This Supreme Court confirmation would mean “the destruction of the Constitution.” Seriously? That is irresponsible for somebody in this body. She said that before Judge Kavanaugh was even announced as a nominee. Worst of all, another one of my Democratic colleagues said anyone who supports Judge Kavanaugh’s confirmation is “complicit in the evil.” I just don’t understand that.

Really? Senate Democrats want to be reasonable and work together? Seriously? This rhetoric sounds anything but reasonable to me. In fact, I believe my Democratic colleagues have gone one tick too far this time. When paid activists who support you attack my wife, you have gone too far. The American people will know that on both sides. That didn’t start outside this body; it actually started in here. You are inciting this disrespect of our law.

One of my Democratic colleagues in this body has encouraged people to “get in the face of some Congresspeople.” Really? How does that move the cause of justice forward? The House minority leader wants to see “uprisings all over the country.” Seriously?

Another Member of the House said—and I am quoting the entire quote here.

They’re not going to be able to go to a restaurant—

Talking about Republicans—

they’re not going to be able to stop at a gas station, they’re not going to be able to shop at a department store. The people are going to turn on them. They’re going to protest. They’re going to absolutely harass them until they decide that they’re going to tell the president, no I can’t hang with you.

The same Member of the House also said:

If you see anybody from that cabinet in a restaurant, in a department store, at a gasoline station . . . you get out and create a crowd, and you push back on them and you tell them they’re not welcome.

This is America, but these are the tactics of the Brown Shirts in Germany in the 1930s—unacceptable, totally irresponsible. This is outrageous and unacceptable behavior for anyone but much less a Member of this body, a Member of Congress, and a Member of the U.S. Senate. You have crossed a line. Inciting dangerous behavior is not something we should be about in this body.

Now, when it comes to Judge Kavanaugh, America was built on a

bedrock principle that we were trying to instill in America as opposed to what we lived with under different rule in Europe, and that is this: The presumption of innocence is sacred. An individual here is innocent until proven guilty. That is part of what makes our country so exceptional.

Unfortunately, Senate Democrats have become so far removed from getting to the truth that they will stop at nothing to delay this Supreme Court confirmation. That is all this week is about. It is another delay.

Any objective observer would agree that Chairman GRASSLEY afforded both Dr. Ford and Judge Kavanaugh an equal opportunity to speak before the U.S. Senate Judiciary Committee and to the American people. As a matter of fact, any war on women this week and in this sad story here has been perpetrated on Dr. Ford by Senate Democrats. She wanted this to be confidential, and this body could have done that. They could have done all the investigation confidentially without dragging her name through the media—or Judge Kavanaugh’s.

Some people on the Democratic side of the Senate want America to believe this is just a simple case of he said, she said, and it comes down to whom do you believe. It is a lot more than that. It is not only he said, she said, but it is “they said.”

The accuser in this case named three people who she said would corroborate her story. Not only did they not corroborate her story, they actually corroborated his story.

Senate Democrats were not satisfied even with that. They weren’t satisfied that when the letter was leaked to the press—it wasn’t given to the committee—but when it was leaked to the press some 6 weeks after it was received by Senate Democrats—6 weeks—an investigation was started immediately by the Judiciary Committee. Oh, but wait. Senate Democrats chose not to participate. How is that for looking for the truth? Instead, what they did is they waited until we had a hearing and then said: Oh, we need another FBI investigation that we knew would be totally redundant with what had just been done by Federal investigators employed by the Senate Judiciary Committee, but we went ahead and agreed as a committee to do just what you wanted; that is, to allow a full and open FBI investigation into this, which is nothing more than redundant with what had just been done in the prior couple of weeks.

Judge Kavanaugh has had six—six—FBI investigations. This is the seventh formal FBI investigation. Not only that, the minute the committee saw Dr. Ford’s letter, it immediately, as I said, went into detail with these outside Federal investigators, without the help of Senate Democrats who are members of that committee. As a matter of fact, when the ranking member of the Senate Judiciary Committee met with Judge Kavanaugh a few

weeks ago, she had been in possession of this letter from Dr. Ford for several weeks, and her staff had already recommended an attorney to Dr. Ford, but in that meeting with Judge Kavanaugh—the first meeting between the ranking member and Judge Kavanaugh—she didn’t mention the letter one time. That is in the testimony. She held on to Dr. Ford’s letter for 6 weeks before it was leaked to the press.

Again, it is clear this is all a well-orchestrated effort to cause delay and push this decision, hopefully—in their minds—past the election. Shame on any Member of this body, Republican or Democratic, that puts self-interests and political interests before their constitutional responsibility.

The committee has voted favorably to move Judge Brett Kavanaugh’s nomination forward. That means it comes to this floor. It is time to take a full vote before this body, before the U.S. Senate.

We hope in the next few hours, the next day, to have this FBI report and to put this sad saga to bed. It is time to put partisan politics and delays behind us. It is time to confirm Judge Brett Kavanaugh to the U.S. Supreme Court.

I want to say one more thing. It is time for this body to reread their oath of office, to uphold and defend the Constitution of the United States, to make sure that what we say in this body is the best and the very best America has to offer, to move our concerns forward.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

SUPPORT FOR PATIENTS AND COMMUNITIES ACT

Mr. PORTMAN. Mr. President, today the U.S. Senate is going to vote on legislation that is representative of years of work that has been done to help address the opioid crisis. That vote will occur in about half an hour.

This is historic legislation. It is legislation that was put together by the House and Senate, on a bipartisan basis, to answer some of the pleas and calls from our communities back home—pleas from people asking: Can’t you do more to help us reverse the tide of this opioid epidemic?

I would like to start by thanking and commending Senator LAMAR ALEXANDER for putting together this legislation, taking the work from five different committees of Congress—the HELP Committee, Judiciary, Finance, Banking, the Commerce Committee—putting those different legislative projects together, along with projects that had come over from the House. Seventy Members of this body have contributed to this legislation.

This legislation is important because although Congress acted a couple years ago, unfortunately, the problem has gotten worse, not better, and we have learned more. The last major legislation we passed on opioid legislation was about 2 years ago. By the way, during those 2 years, I am told I have been

on this floor 56 times talking about this issue. I have been talking about how the legislation we passed is working or not working, talking about stories from back home, talking about the need to implement the legislation we passed in a more expeditious way because of this problem, talking about the urgency, and talking about having the necessary funding.

Here is the good news: We have increased funding dramatically. The two bills we passed in 2016 are beginning to work. One is called the Comprehensive Addiction and Recovery Act that I co-authored with Senator WHITEHOUSE; the other is called the Cures legislation. Both of them helped. CARA has grants that go directly to nonprofits, to programs that work that are evidence-based, to help with prevention and education, treatment, and longer term recovery, and to help our first responders.

The second one, the Cures legislation, gives grants that are going directly to the States from the Federal Government and then back to the programs States think work best for them. These funds, which are unprecedented, along with these two laws, are helping. They are helping to make the Federal Government a better partner with State and local government and with nonprofits to combat this crisis.

I have been all over my State to see how these programs are working, and I have spoken on the floor a lot about the people I have met who have been helped. I have spoken about some of the cases of hope—cases where somebody who stepped forward to take advantage of one of these programs and found the treatment that worked for him or her.

I have also talked about the need for us to do more. That is why earlier this year—again on a bipartisan basis—we introduced CARA 2.0—the Comprehensive Addiction Recovery Act 2.0—to learn from what we are seeing back home, what is working or not working with the first legislation and to move it forward.

The legislation we are about to vote on this afternoon includes a number of provisions of CARA 2.0, and I appreciate that. Again, I thank my colleagues for including those and the leadership for bringing this to the floor.

It also, though, includes some other legislation I think is really important. Unfortunately, again, we have to do it. Seventy-two thousand—that is the number of Americans who died from opioid and other drug overdoses last year. In 1 year, more people have died from opioid and other drug overdoses than in the entire Vietnam war.

Opioids was the No. 1 cause of death. Within opioids, the No. 1 cause of death was fentanyl, the synthetic form of opioids. Even though we have made progress with the legislation I am talking about, we have this record level of overdose deaths in my home State and in our country. I believe one reason for

that is that despite doing a better job on prevention and treatment and longer term recovery, we have had this influx of a new deadly drug. This is the fentanyl influx. It comes mostly from China. It comes mostly through our Postal Service. It is the No. 1 killer right now in my State and probably the No. 1 killer in the country in terms of drugs.

In Ohio, there has been a 4,000-percent increase in the last 5 years in fentanyl overdoses and deaths. It is inexpensive. It is cheap. It is deadly. It is 50 times more powerful than heroin; a few specs can kill you. Because it is synthetic, there seems to be a limitless supply. We need to push back.

One thing this legislation before us today does is it says we are going to stop having our Postal Service be the conduit for this poison coming into our communities. It is about time. The legislation is very simple. It says this loophole where you can send this deadly poison through the mail system is going to be closed because we are going to say that now the post office has to provide law enforcement the information, in advance, electronically, that all the other private carriers already have to provide.

We spent 2 years investigating this. One thing we found in our Permanent Subcommittee on Investigations was the dealers—the traffickers—were saying: If you send it through the Postal Service, delivery is guaranteed because they don't have the screening at the Postal Service.

The STOP Act is important. It will serve as a tourniquet, stemming the flow of this deadly poison that has led to record-level overdose deaths and endangers anyone—including first responders and mail carriers—who comes in contact with it. This is important because it pushes back on the supply, but that is not all we have to do.

We have to do a better job in terms of getting people into treatment to be able to overcome their addiction. This legislation we are about to vote on does that as well. It includes a bipartisan proposal I introduced with a group of colleagues to expand Americans' access to treatment by lifting what is called the IMD, or Institutions for Mental Disease, exclusion.

This is how it works. It is an outdated policy. It is a vestige of a policy from years ago to try to discourage institutional care, which was well-meaning at the time. But this is what it does today: It says that in a residential treatment setting—and some of them are doing a great job—you are limited to 16 beds if you want Medicaid reimbursement.

One of the most heartbreaking things I do as a Senator is talk to families, parents, and loved ones of people who overdosed and died after they wanted to get into treatment but were turned away and told there was no more room for them. I have talked to a father and a mother whose daughter went to treatment. Finally, she was ready.

They turned her away because there wasn't room. In the 2 weeks while she was on the waiting list, what happened? She used heroin, she overdosed, and she died. She was ready, but they weren't ready for her. This legislation will help prevent that and will allow more people who are ready to overcome their addiction get into a treatment center and get a form of medication-assisted treatment that is right for them.

Significantly, the final version that we will vote on today, agreed to by the House and Senate, is an improvement from the House-passed legislation because it now is covering any kind of substance abuse, not just opioids, not just cocaine, not just crystal meth, not just alcohol but any kind of substance abuse. That is very important. All of them are problems in our communities. Crystal meth has increased in a lot of areas of Ohio, even as we have made progress against opioids, as an example.

This legislation will also ensure that once people get into treatment, it is up to the high standards and the standards of best care that we all want. It includes several provisions I have been working on to do just that. One is national quality standards and best practices for recovery housing, so people who are transitioning out of treatment and into longer term recovery have high-quality housing options that eliminate the gaps that so often occur in recovery.

It also helps young people struggling with addiction by authorizing support programs in high schools and colleges—we have some great examples of this in Ohio, spreading around the country—to focus on people who are already addicted but also to act as further encouragement for people who want to come and learn more about this for prevention and education.

It will help provide resources and care for some of the most vulnerable affected by this crisis. There is \$60 million in this legislation for a plan of care for babies who are born dependent on drugs. These babies have what is called neonatal abstinence syndrome because their mom was addicted and was using while they were in the womb. They come out needing to go through withdrawal themselves. They need more help. We don't know what the impact is going to be longer term, but we know our hospitals across the country are being filled with innocent babies who need our help.

It has the CRIB Act included in this legislation, a bipartisan bill I coauthored that will help newborns suffering from addiction recover in the best setting possible for them and allows, again, reimbursement for great organizations, such as Brigid's Path back home in Dayton, OH, where people come and provide care to kids whose parents are addicted. They aren't in foster care yet, but they need this care and transition to be able to ensure their longer term success.

Finally, it reauthorizes some really important programs: drug courts,

which are working to get people who are incarcerated into treatment; drug-free community prevention grants, which are helping to push back in our high schools and middle schools and even elementary schools; high-intensity drug trafficking areas, HIDTA grants, which focus on the Federal Government working more with State and local government on drug interdiction.

This opioid epidemic has gripped my State of Ohio. We are among the States hardest hit. But every State in this Chamber has been hit, and it is personal. It is personal for all of us because we have all heard the stories.

On Monday, before I came here to vote in this Chamber, I went to the funeral of a young man whose family I have known my entire life. His mom, whom I have known since I was born, was heartbroken, talking about his opioid addiction and talking about everything they tried to do to get over this. We talked about it as a disease, which it is. This young man's life was cut way too short. I shared in their heartbreak, mourning his beautiful life cut short by addiction.

I am tired of reading about tragedies like this in the news, hearing about it from friends and families, and watching the devastation caused by opioids across my State. We need to do more to turn this tide, and I believe this legislation will help.

In the midst of this opioid epidemic, we have to do more to cut off the supply of these deadly drugs. That is done here. We need to do more to close the gaps that occur in treatment. That is part of this. We need to do more to catch those who fall through the cracks and help those gripped by addiction get into treatment, get over their addiction, and get on to lives of meaning and purpose—a life with purpose.

To those I represent who are struggling with addiction, to those who have friends or loved ones who have struggled or continue to struggle with addiction, and to the millions of people in communities across this country who have been crippled by this crisis, this legislation is a turning point and a glimmer of hope. It is a glimmer of hope at the end of a dark tunnel. It will not solve all of the problems. Ultimately, those are going to come from our communities, from our families, from within our own hearts. But this legislation will help by allowing law enforcement to stop the flow of these deadly drugs, allowing people ready to turn their lives around to get treatment and support, and allowing our communities to begin to heal.

I urge all of my colleagues to support this legislation this afternoon.

I yield back my time.

The PRESIDING OFFICER. The Senator from Vermont.

NOMINATION OF BRETT KAVANAUGH

Mr. SANDERS. Mr. President, one out of four women in this country has been a victim of sexual assault. This is an epidemic, and it tells me—and I

think the vast majority of the American people—that we need a culture change in the way boys and men respond to women.

Last night, the President of the United States—instead of understanding that we have to change our culture, instead of understanding that we have to make it easier for women who have been victims of sexual assault to come forward and tell their stories—got up on a podium in Mississippi and mocked Dr. Ford, made fun of her.

Here is a woman who has come forward to do what she thought was right as an American citizen, understanding from day one that she would be attacked by political opponents. The result of her having come forward was that she has received death threats; she has been separated from her children; and she has had Nazis protesting outside her house. That is what she has gone through, and the President's response to her courage is to mock her, to make fun of her.

What kind of message does that send to women and men all over this country—women who are struggling to determine whether, when they come forward, they will be laughed at, they will be rejected?

The President of the United States should lead this country in changing that type of culture, making it easier for women to come forward and tell their stories, making it clear to boys and men that in this country, that type of behavior is unacceptable. Yet we had a leader of our country, a President of the United States, mocking this woman.

I hope that every Member of this Chamber, regardless of their feelings about Kavanaugh, would come forward and express disgust and outrage at the behavior of President Trump with regard to Dr. Ford.

A number of my Republican colleagues have come forward and said: You know, at the very beginning of this process, well before the allegations of sexual assault or the veracity of Mr. Kavanaugh, there were people coming forward, saying they were opposed to the nomination. I plead guilty. I was one of those people. I announced my opposition to Judge Kavanaugh probably a day after Trump made that nomination.

Let me tell you exactly why I came out early against Judge Kavanaugh. The reason is that for years now there has been a hard right 5-to-4 majority on the Supreme Court who have time and again made rulings that represented the wealthy and the powerful, rulings against the interests of working families, women, the environment, children, and the poor. Based on the statements that Kavanaugh has made over the years and based on his judicial rulings, I had no doubt that, if seated, Kavanaugh would become part of that hard-right majority. I should tell you now, based on the last hearing that took place before the Judiciary Com-

mittee where we saw Mr. Kavanaugh's politics come out, my initial judgment turned out to be exactly right.

If he is seated, he will be part of the hard right—a hard right that ruled on Citizens United that billionaires in America have the right to undermine our democracy and spend as much money as they want to elect candidates who represent the wealthy and the powerful. I fear that if Kavanaugh is on the Supreme Court, he will take Citizens United even further.

We have a hard right on the Supreme Court by a 5-to-4 vote that gutted the Voting Rights Act—an act designed to protect minorities from discrimination in terms of their ability to vote. Literally the day after that decision came down, there were Republican Governors and attorneys general all over this country working overtime, shamefully, cowardly, to make it harder for poor people, people of color, and young people to vote. I have no doubt that if Mr. Kavanaugh is seated, he will be part of that hard-right philosophy. So I apologize to nobody for, within 1 day of that nomination, saying that I was opposed to it. That is my view.

Obviously, many of my Republican colleagues, maybe some Democrats, did not reach that conclusion. However, in the past 3 months and especially in the past few weeks, we have heard credible accusations of sexual assault by several women. These are charges that must be thoroughly and seriously investigated by the FBI.

If confirmed, Judge Kavanaugh will have a lifetime seat on the Supreme Court—a lifetime seat. Yet we have the Republican leader and other Members saying: We have to rush this process along. We have to give the FBI just a few days in order to complete their investigation because, my goodness, we have to fill that empty seat on the Supreme Court. How hypocritical is that?

Let me remind my colleagues that less than 2½ short years ago, following the death of Justice Scalia, my Republican colleagues simply refused to even consider President Obama's nomination of Merrick Garland for a seat on the Supreme Court, and they left that seat open for 10 months until they got a Republican President. If you could wait for 10 months to fill that empty seat, I think you can wait a few weeks more for us to do a thorough investigation of the allegations against Judge Kavanaugh.

We are dealing with not only Judge Kavanaugh's rightwing political philosophy; we are dealing with not only the serious allegations of sexual assault, which have to be thoroughly investigated; we are dealing with another very important issue, and that is the issue of veracity, whether Judge Kavanaugh was honest and truthful in terms of his responses to questions asked of him recently and years before when he came before the Judiciary Committee. I have heard colleagues say—I think rightfully—that regardless of philosophy, if somebody lies to a

U.S. Senate committee, that person should not be seated.

What we need right now, not in a few days' period, is a thorough investigation not only of the charges, the allegations of sexual assault, but also issues of whether Judge Kavanaugh has been honest when he has come before the Judiciary Committee.

Let me give a few examples of what I mean—things that need to be explored. In his previous testimony before the committee, Judge Kavanaugh was asked more than 100 times whether he knew about files stolen by Republican staffers from Judiciary Committee Democratic staffers. He said he didn't know anything about it when he was in the Bush White House. Yet emails released as part of these hearings show these files were regularly shared with Kavanaugh while he was on the Bush White House staff. In fact, one of the emails had the subject line "spying." Was Judge Kavanaugh telling the truth, or was he lying? We have to determine that.

In 2006, Judge Kavanaugh told Congress he didn't know anything about the NSA warrantless wiretapping program prior to it being reported by the New York Times. This year, an email revealed that while at the White House, he might have been involved in some conversations about this program. Was Judge Kavanaugh telling the truth in his response to the committee?

In 2004, Judge Kavanaugh testified that the nomination of William Pryor to the 11th Circuit Court "was not one that I worked on personally"—again, when he was in the Bush White House. Documents now contradict that statement.

Newly released documents also call into question whether Judge Kavanaugh was truthful that the nomination of Charles Pickering "was not one of the judicial nominees that I was primarily handling." Was he telling the truth?

If he was not telling the truth on these issues, does that tell us something about the character of this man who wants to take a seat on the Supreme Court?

In 2006, Judge Kavanaugh testified: "I was not involved and am not involved in the questions about the rules governing detention of combatants." New evidence released as part of these confirmation hearings contradicts that assertion.

Those are issues not dealing with the allegations of sexual assault. In terms of the recent allegations, Judge Kavanaugh repeatedly told the committee that he never drank to the point where he didn't remember something. He also denied ever becoming aggressive when he drinks. This is not an issue of whether somebody drinks. Millions of people drink. This is an issue of whether he was being honest in his responses. As you know, there have been a number of reports from those people Judge Kavanaugh attended high

school with and attended college and law school with that contradict his assertion about his drinking habits. Judge Kavanaugh himself, in a 2001 email, referenced "growing aggressive" during a weekend vacation but that he "didn't remember." Again, the issue here is not drinking; the issue is veracity. Was he telling the truth?

On another issue, Judge Kavanaugh testified that he treated women "as friends and equals" and with "dignity and respect." Numerous entries in his school yearbook would seem to suggest otherwise. Was Judge Kavanaugh's statements to the committee truthful? Again, whether you like his philosophy or you don't, it is important for us to ascertain the veracity of his testimony.

Judge Kavanaugh claimed that he and Dr. Ford "did not travel in the same social circles." Dr. Ford said that she dated Chris Garrett, referenced as a friend in his yearbook. In fact, she testified that Garrett introduced her to Kavanaugh.

Kavanaugh claimed numerous times in response to Dr. Ford's allegations that "all four witnesses say it didn't happen" and that witnesses "refuted" Dr. Ford's story. Yet one of the witnesses simply said she didn't remember the party in question that took place decades ago but that, in fact, she believes Dr. Ford.

Kavanaugh testified that he had "no connections" to Yale, when, in fact, he was a legacy student whose grandfather attended the school.

Kavanaugh claimed that he had no idea his mentor and good friend Alex Kozinski was sexually harassing his clerks and creating a hostile work environment, but Kozinski's behavior was such an open secret that some law schools were warning potential applicants to stay away from Kozinski. Kavanaugh claims he was not on Kozinski's infamous email list but refused to even search his emails to double-check. Was Judge Kavanaugh telling the truth about his relationship with Judge Kozinski?

These are very serious issues. Millions of Americans are deeply involved and concerned about these issues—issues not only about philosophy, issues about sexual harassment of women, issues about veracity. This is a question we have to get to the bottom of. We do not need artificial time limitations. Let's do it right, before we cast a vote on Judge Kavanaugh.

I yield the floor.

Mr. DURBIN. Mr. President, today I wish to engage in a colloquy with Senator PORTMAN to speak about section 5052 of H.R. 6, the SUPPORT for Patients and Communities Act.

Section 5052 of H.R. 6 takes a long-overdue step of lifting the "Institutions for Mental Disease," or IMD, exclusion for individuals with a diagnosis of substance use disorder. For more than half a century, this arcane provision has restricted access to care for patients struggling with addiction by

prohibiting Medicaid from reimbursing for residential substance abuse treatment in facilities with more than 16 beds.

Sixteen beds? That might suffice in some parts of the country, but certainly not in many Illinois communities suffering from the opioid epidemic. I have visited facilities down in Carbondale, IL, where they told me they have hundreds of people waiting for treatment and a 12-week wait for an open bed. We don't restrict cancer or diabetes or heart disease patients to only receiving care in certain-sized facilities, and we should not do the same for substance use disorders.

In the face of the Nation's worst ever drug overdose epidemic, this Federal law has prohibited treatment centers from expanding services to accommodate the growing demand for recovery services and blocking an entire class of high-quality providers from providing care. It is unacceptable.

For years, I have worked in a bipartisan manner to lift this IMD exclusion. I have led bipartisan groups of Senators in writing to the Centers for Medicare and Medicaid Services, CMS, urging them to provide flexibility from this treatment barrier and also worked to ensure Illinois's section 1115 Medicaid waiver includes authority to partially waive the IMD exclusion.

I have also worked on legislation for multiple years to lift the IMD exclusion for individuals with a diagnosis of substance use disorder. I first reintroduced the Medicaid CARE Act in a prior Congress and then last year teamed up with Senators PORTMAN, BROWN, KING, and others to reintroduce the legislation, which lifted the bed cap from 16 beds to 40 beds and allowed for up to 60 days of residential treatment if it was deemed medically necessary. Later, we joined to introduce the Improving CARE Act, which removed the bed cap altogether, allowed for inpatient stays for up to 90 days, and introduced measures to ensure that patients would have access to all necessary treatments, in the highest quality facilities, with a plan for successful transitions to outpatient and community-based care.

Section 5052 of the SUPPORT for Patients and Communities Act took much of our proposal from the Improving CARE Act, including ensuring that we lift the IMD exclusion for individuals with all diagnoses of substance use disorder and improving the array of patient treatment options when seeking care. This work will have an incredible impact on improving access to care in my State and nationwide, and I would like to thank all of our bipartisan colleagues who helped to secure this important language to break down the IMD exclusion.

Unfortunately, section 5052 does not include a policy that matters a lot to me and my colleagues: directly allowing for eligible individuals seeking

such care to stay up to 90 days in a facility for treatment. Inpatient and residential stays for substance use disorder treatment should by no means be indefinite, and I believe that individuals should seek outpatient treatment as quickly as possible so that they can return to their homes and communities. However, section 5052 raises the statutory length of stay for only 30 days, which in many cases is insufficient for individuals that need more intensive treatment for their substance use disorder.

I know Senator PORTMAN is going to discuss this further, but section 5052 includes language defining eligibility under this new authority to include Medicaid enrollees enrolled under a State plan or a waiver of such plan. Given that Illinois and other States do have Medicaid 1115 waivers to provide substance use disorder treatment in IMDs, I want to affirm that this new statutory authority for 30 days of care can be woven seamlessly together with separate State waivers to maximize the length of stay for patients to include additional days under a waiver.

Mr. PORTMAN. Mr. President, I agree with Senator DURBIN. First, I would like to also voice my appreciation for the hard work that our colleagues in both the House and Senate put into the SUPPORT for Patients and Communities Act. Lifting the IMD exclusion for all individuals with substance use disorder was no easy feat and took decades to accomplish, and I believe that this is a testament to all that we can achieve when we work together to solve our Nation's problems in a bipartisan way.

With that said, I would like to echo Senator DURBIN's concerns regarding the limitation of stays for just 30 days. Each individual seeking treatment for substance abuse is unique and so are their treatment needs. That is why my colleagues and I included a 90-day limit to stays in our Improving CARE Act; 90 days would both successfully accommodate a full range of patient needs, while also ensuring that there is a time limit on inpatient stays so that patients and providers can work together in a timely manner to successfully transition the patient into outpatient care.

Section 5052 recognizes this by taking language from our Improving CARE Act that requires participating, inpatient facilities to offer at least two forms of medication-assisted treatment because we recognized that everyone's treatment needs are different and there is not one single treatment or length of stay in an inpatient facility that is right for everyone. In many instances, 60 or even 90-day treatment programs may be necessary for an individual to succeed, and this is why we included a 90-day stay limit in the Improving CARE Act.

However, it should be noted that section 5052 does include additional language that I hope might rectify this issue. We included in our Improving CARE Act clarifying language that

notes that nothing in the policy will supersede the existing "Medicaid and CHIP Managed Care Final Rule" that was finalized by the Centers for Medicare and Medicaid Services on April 25, 2016. That rule allows for Medicaid-managed care plans to offer inpatient, substance abuse treatment for up to 15 days at a time.

Thus, it is important for us to clarify that as the architects of these provisions that Medicaid managed care plans do in fact have the authority to blend the 30-day stay limit that is authorized under section 5052 of the SUPPORT for Patients and Communities Act and the 15-day stay limit from the Managed Care Final Rule. Under this construct, Medicaid managed care plans will have the flexibility to offer inpatient, substance abuse treatment for up to 45 days.

My home State of Ohio relies heavily on Medicaid managed care and currently enrolls nearly 90 percent of all Medicaid beneficiaries into Medicaid managed care plans. While I am disappointed that we could not find the means to offer our constituents up to 90 days of care, I am grateful that many in my State will be able to have a bit of additional flexibility to extend their stays and get the treatment that they need.

Mr. DURBIN. Mr. President, I would like to reiterate my appreciation to Senators PORTMAN, BROWN, CARDIN, KING, and others and echo what Senator PORTMAN said about flexibility to elongate lengths of stay as medically necessary for patients, beyond the 30 days under this new statutory authority. Earlier this year, Illinois obtained a Medicaid 1115 waiver to address behavioral healthcare in the State, which allowed for a partial waiver of the IMD exclusion to allow for Medicaid beneficiaries in my State to receive up to 30 days of treatment in these IMD facilities. That was good news.

Nonetheless, I expect that section 5052 of the SUPPORT for Patients and Communities Act will still be able to help residents of Illinois and those in other States with 1115 waivers, because, similar to the authority that Senator PORTMAN noted that Medicaid managed care plans have, States will be able to pair this new authority under section 5052 with the existing authorities under State waivers. Thus, Medicaid enrollees in Illinois will be able to combine the 30-day stay under our waiver with the 30 days under this new authority, thus giving my constituents the opportunity to receive up to 60 days of inpatient, substance use disorder treatment a year. That is an important new step forward, and I look forward to working with our State and CMS to fully implement this policy for States to coordinate waivers and statutory authority for longer lengths of stay.

This is by no means a uniform policy for each of the States, and I hope that we can come together again to lengthen these stay limits.

Mr. PORTMAN. Mr. President, I agree with Senator DURBIN. While the policy in H.R. 6 is limited and does explicitly limit inpatient, substance abuse treatment stays to just 30 days, there are in fact opportunities for individuals with either Medicaid managed care or for individuals living in states with 1115 waivers that expanded this type of coverage to receive longer stays if necessary.

Mr. DURBIN. Mr. President, I agree with Senator PORTMAN on stitching together this new statutory authority with existing managed care and waiver authorities to elongate patients' lengths of stay, as medically appropriate. I would once again like to thank all of my colleagues, including Chairman HATCH, Ranking Member WYDEN, Chairman ALEXANDER, and Ranking Member MURRAY, for their help in getting this important policy across the finish line.

Mr. WYDEN. Mr. President, when it comes to Medicaid, there is no question the program is front and center in the fight against the opioid epidemic. Medicaid is the single largest payer of substance use disorder services in the Nation, paying for a third of all medication-assisted treatment across the country and covering millions of Americans currently suffering; yet gaps in the system still exist.

The SUPPORT for Patients and Communities Act includes a number of policies that will help fill some of these gaps both within Medicaid and across the healthcare system. One such provision focuses on providing States with additional flexibility around Medicaid's so-called IMD exclusion related to inpatient and residential treatment. I view this provision as one piece of a larger approach focused on ensuring patients have access to the care and services they need across the entire continuum of care. It includes early prevention, access to critical outpatient and community-based services, residential and inpatient care when needed, and essential step-down care so individuals can successfully transition back into the community.

However, I want to take a moment to note my concern about this particular provision that will leave gaps for young adults seeking care and treatment. Specifically, I am particularly worried about young adults who may not be able to access quality residential substance use disorder treatment services in the same settings as older individuals. Under the Medicaid statute, the IMD exclusion applies to all individuals under the age of 65 with limited exceptions for individuals under age 21 for inpatient psychiatric hospital services. As a result, I am concerned that, because the provision in this bill only applies to those age 21 and older, younger adults below the age of 21 may not have access to the full array of residential substance use disorder treatment options, settings that may be closer to home, closer to support networks, and that more appropriately serve their needs.

I am hopeful that my colleagues across the aisle will work with me to address this and other yet to be addressed gaps in our healthcare system to better meet the needs of the millions of Americans, young and old, suffering from the scourge that is the opioid epidemic.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Washington.

SUPPORT FOR PATIENTS AND COMMUNITIES ACT

Mrs. MURRAY. Mr. President, earlier this year, I heard from an elementary school principal in Washington State about how the opioid crisis was hurting the kids in his school. Students at his school were having trouble focusing in class as they dealt with the trauma of a family member's substance use at home. Some of his teachers were having trouble understanding how best to help those students with their trauma.

I also heard from the staff at a hospital about how they deliver many babies to mothers struggling with opioid addiction. Many are born with neonatal abstinence syndrome, battling with symptoms of withdrawal.

I have heard from countless other families across my home State of Washington about how the opioid crisis has impacted their loved ones.

Our communities have been crying out for action to address the root causes and ripple effects of the opioid crisis that have caused so much heartbreak for so many people. Today, we are making an important step to answer that call.

The legislation we are passing today includes a wide set of policy solutions from both sides of the aisle to help tackle this problem from many different angles. Many people helped craft this legislation and offered their own valuable insights, ideas, and solutions, and I am grateful to all of them.

I especially want to thank the committee leaders in both Chambers who did so much to bring this together: Senators WYDEN, FEINSTEIN, ALEXANDER, HATCH, and GRASSLEY in the Senate, and Congressmen PALLONE, NEAL, NADLER, WALDEN, BRADY, and GOODLATTE in the House.

I am grateful to Leader SCHUMER and Leader MCCONNELL and several others who were particularly helpful in this process.

I thank Senators HEITKAMP, DONNELLY, MARKEY, HASSAN, CASEY, MANCHIN, MCCASKILL, BALDWIN, NELSON, KAINE, and so many more. And of course I thank my staff and the many other members of the staff who worked on this as well.

The bill we all crafted together is a meaningful, bipartisan compromise. It is not what I would have written on my own, and it is not what other colleagues would have written on their own, but it is a collection of impactful, commonsense solutions where we were able to find common ground—ideas that respond to the root causes and the ripple effects our communities are facing.

It includes support for State efforts to improve plans for safe care for children born to mothers battling substance use disorders, like those at the hospital I visited. It ensures that the Health Department is implementing strategies already identified to protect moms and babies from the effects of opioid substance abuse.

It includes provisions to develop a task force and grants to help support trauma-informed care programs and increase access to mental health care for children and families in their communities, including at schools like the one the principal told me about, and provisions to build on critical public health activities to prevent opioid misuse from occurring in the first place.

It includes provisions to address the economic and workforce impacts of the opioid crisis, such as support for training to help the nearly 1 million people out of work due to opioid use disorder to gain and retain employment, as well as provisions to strengthen our behavioral workforce so patients and families can access the treatment they need.

It continues meaningful grants that help States address the most pressing problems associated with substance use disorders in their communities and makes those grants more flexible and available to our Tribal communities who are suffering deeply with the impact of substance use disorders.

It expands access to treatment services by making more providers eligible to prescribe medication-assisted treatment.

It includes provisions to help the Food and Drug Administration address the crisis as well, such as giving it new authority over packaging and disposal of opioids, as well as many other steps to help those on the frontlines of this epidemic.

I am glad we can include so many voices in this discussion and that it led to a bill that offers so many ideas to address the different angles of this crisis. I look forward to seeing this bill become law so it can start helping our families and communities as we work to reach everyone impacted by this nationwide fight against opioid use disorder.

This is an important bill, and it is an impactful step forward. It is not a final step by any means. The opioid crisis is ongoing, and our efforts to address it must be as well. I am going to keep listening to people in Washington State about what they need to respond to this question and working with my colleagues in Washington, DC, to provide the resources and solutions that will help make a difference.

I urge my colleagues to support this important legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I wish to say to the Senator from Washington that I fully subscribe to her remarks. She is the ranking Democrat on

the HELP Committee, and we work together to produce results. I like it when we can, and I think the American people do as well.

I had a chance to come to the floor earlier this afternoon to thank Senator MURRAY and her staff and the other Senators and their staffs and the large number of people who made this bill possible, so I will not repeat all that.

I would like to say, I think it is worthwhile to stop and say that at the time of a contentious debate about the Supreme Court, the U.S. Senate has found something that is equally important and really more important to hundreds of families across this country, maybe thousands, in virtually every community because the opioid epidemic is our most severe public health epidemic, and we have worked together, and we literally have unanimously agreed on this bill in the Senate, all 100 of us—well, maybe not all 100 but almost all 100 of us. At least all 100 of us agreed to let it go forward, and almost all 100 of us will vote for it.

The House of Representatives was nearly as unanimous. We have a bipartisan sense of urgency to deal with this. Senator MCCONNELL has called it landmark legislation.

It is not the first step the Senate and the House have taken. There was the CARA Act, Comprehensive Addiction and Recovery Act. There was the 21st Century Cures Act, which Senator MURRAY and I worked on and presented to the Congress and which Senator MCCONNELL called the most important piece of legislation in the last Congress.

There are the appropriations bills, which have produced this year \$8.5 billion for the opioid crisis when you combine the money appropriated in March and the money that is being approved this month.

Then there are the provisions of this act. More than 70 Senators have made contributions to it. Senator MURRAY listed many of them: Senator PORTMAN's STOP Act to stop fentanyl from coming through the mail; the Holy Grail, in my opinion, non-addictive painkillers.

Mr. President, I ask unanimous consent for an extra 60 seconds to finish my remarks.

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

Mr. ALEXANDER. Authority for the FDA to require manufacturers to sell smaller doses of opioids; extending treatment for Medicaid patients from 15 to 30 days in covering all substances; the TREAT Act, Senator MARKEY, Senator PAUL worked hard on this.

I want to especially thank Senator MCCONNELL and Senator SCHUMER for creating the environment so we could put together the work of five different committees in the Senate and eight different committees in the House of Representatives. That rarely happens. It takes a good deal of restraint and good will, and the reason for it is because of this bipartisan urgency to deal

with this problem. This is not a moon-shot from Washington. It is everything, though, we could think of to do; more than 70 different proposals to support patients and support communities as they continue to fight our No. 1 public health epidemic.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to concur.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

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

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 221 Leg.]

YEAS—98

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

NAYS—1

Lee

NOT VOTING—1

Crux

The motion is agreed to.

EXECUTIVE CALENDAR— CONTINUED

The PRESIDING OFFICER. The Senator from Montana.

UNANIMOUS CONSENT AGREEMENT

Mr. DAINES. Mr. President, I ask unanimous consent that the Senators be allowed to present legislative items at the desk during today's session.

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

The PRESIDING OFFICER. The Senator from Washington.

SUPPORT FOR PATIENTS AND COMMUNITIES ACT

Ms. CANTWELL. Mr. President, I come to the floor today to thank my

colleagues Chairman ALEXANDER and Ranking Member MURRAY for this important opioids legislation. Parts of it passed out of the Senate Finance Committee as well. So I want to thank Senators HATCH and WYDEN for their work on this very comprehensive package.

This important legislation, which, I think, is the third in the bills we passed related to opioids, couldn't come at a more important time. This crisis is ravaging our communities. It is impacting families.

We need to do all we can to help those on the frontlines. That is why I have been from Port Angeles to Spokane, to southwest Washington, to Everett to talk about this issue and to try to provide the solutions that my law enforcement and community people want in this legislation.

I am so excited that the legislation will mean that there are more available beds through Medicaid to treat those addicted to opioids. This is something we heard about in every community in Washington. We heard that those coming out of our jails addicted to opioids, who had some modicum of an ability to maybe get off of opioids, then had to wait weeks and weeks for treatment in places like Tacoma or Spokane, where there simply weren't enough beds.

This legislation allows Medicaid to cover treatment at institutions with more than 16 beds for up to 30 days. It means that funding will be available to States and local governments to help treat opioid addiction, and it is very important in the State of Washington because we have received \$43 million in the past 3 years to help us with these tools. It means funding tools for law enforcement so that they can help combat drug trafficking rings.

Specifically, this legislation includes more than \$4 million in tools to support our State of Washington through the HIDTA Program, which fights drug-trafficking rings.

In 2016 alone, the Seattle-based Northwest High Intensity Drug Trafficking Area helped to disrupt and dismantle 81 different drug-trafficking organizations.

This support and help for our law enforcement and our sheriffs to keep doing their job is incredibly important. I have heard from our sheriffs who played great roles in this. Sheriff Pastor in Pierce County, the King County Sheriff, and our Snohomish County Sheriff have all done great work on this very important legislation.

This legislation also includes stiffer penalties for those who illegally distribute opioids that have been flooding our communities. We have talked to so many people about this problem. I joined with our attorney general, Bob Ferguson, and 39 other State attorneys general in pushing legislation that I and Senator HARRIS of California authored that basically said we are not doing a good enough job in tracking the distribution of these opioids, and we need to have stiffer fines and pen-

alties for those who don't do their job in tracking the distribution of this drug.

Our communities have been flooded, and those attorneys general said: Please ensure that effective penalties hold manufacturers accountable and help stem the diversion of this product.

How did we get here? When Congress passed the Controlled Substances Act in 1970 to regulate highly addictive drugs, including prescriptions for opioids, they did so because they were so addictive; yet Congress said you must follow a network of laws to track these controlled substances. You need to know exactly where the manufacturers are distributing these drugs, to whom, and how much.

Why did they want that? Because they knew they were so addictive that, if they got on the streets and flooded communities and marketplaces, we would have a devastating impact.

Well, because the fines and penalties were so small, these manufacturers paid no mind to this provision of the law. Despite the requirements, large quantities of opioids flooded into communities. Because law enforcement didn't understand how much they were flooding their communities and didn't have the records, there was little to track. So you had excessive shipments from manufacturers.

In one example, a physician in Everett, WA, wrote more than 10,000 prescriptions for opioids. This number of prescriptions was 26 times higher than the average prescriber in Everett. I know that sounds suspicious, but the drug manufacturer didn't even report the activity. The DEA didn't have the information. Instead, the physician continued, and the manufacturer continued to distribute to them.

Why did this lack of reporting continue? It is because the fines currently in place for failing to track distribution were so small. They did not feel they were a threat, given the other aspects of the business. Current fines for failing to follow the Federal law just weren't enough. That is why we put new standards in place.

I traveled throughout our State to talk about this and to talk about how our communities have been flooded with this drug. Every time, law enforcement and local communities said: We need new tools—tools to stop the distribution, tools to help our law enforcement break up rings and track the drugs, and new tools to help those who have been impacted by opioids.

That is why we are bumping these fines up to \$500,000 per criminal violation. These penalties increase the chances that opioid manufacturers will think twice about not reporting this distribution. In the case of Everett, that manufacturer could have been fined \$900 million because of their activities. I guarantee you that this is a deterrent if a manufacturer thinks they are going to receive hundreds of millions of dollars in fines.

I hope they will take this seriously. This legislation is needed and will go