

be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

SCHOOL BUS SAFETY MONTH

Mr. CORNYN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and that the Senate proceed to S. Res. 285.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 285) designating September 2019 as "School Bus Safety Month".

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. CORNYN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 285) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 25, 2019, under "Submitted Resolutions.")

EXECUTIVE SESSION—Continued

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate resume executive session and, notwithstanding rule XXII, the time between now and 3 p.m. be equally divided between the leaders and their designees.

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

The Senator from Indiana.

WHISTLEBLOWER APPRECIATION DAY

Mr. BRAUN. Mr. President, whistleblowers play a key role in holding the Federal Government accountable for waste, fraud, abuse, mismanagement, and illegal activity. It is therefore appropriate that even though Whistleblower Appreciation Day was yesterday, we take a moment to pause and thank the brave men and women who have the courage to speak up when they see ways to better or improve our government. I want to thank them for their efforts to ensure that our government never loses sight of why we are here—to serve the American people and to be good stewards of their resources and trust.

I was also proud to introduce legislation with Senator MAGGIE HASSAN of New Hampshire. Our bill ensures adequate protections for subgrantees—the folks on the firing line who are most important to revealing when some-

thing is not right. That needs to be protected in a way that is ensured so that they always feel comfortable coming forward.

In 1989, Congress approved the Whistleblower Protection Act, thereby expanding whistleblower protections for Federal employees and later expanding protections for individuals in certain private sector employment.

From time to time, it has been necessary for Congress to refine Federal whistleblower laws. We always want them to be working. In one such instance, Congress enhanced whistleblower protections as part of the National Defense Authorization Act of 2013 for Federal contractor, subcontractor, and grantee employees on a pilot program basis. The program worked well, and, in 2016, Congress saw fit to make the pilot permanent. It makes sense. This is how the process should work. Congress saw a problem, addressed it on a test basis, evaluated it to make sure it was working as it should, and moved to make the program permanent.

However, the subsequent amendments in 2016, to make sure the program was working, failed to guarantee subgrantees were recognized in the legislative text, as necessary, to make sure it would work on a technical basis. While 2016 amendments explicitly included Federal subgrantee employees, coordinated changes were not made in the statute's related sections.

I am proud to introduce this legislation with Senator HASSAN to close this gap because it needs to work in all cases. S. 2315, the Whistleblower Act, clarifies the scope of the protection statute specifically as to employees of Federal subgrantees who provide protected disclosures. Subgrantees are often in the best position to provide information regarding wrongdoing as to Federal subgrant funds. I am, therefore, pleased to play a small role in cleaning up our laws so they operate as they were intended—to protect whistleblowers.

Finally, we take whistleblowers seriously in my office. If anybody would like to assist, contact me through our whistleblower assistance line. One can email me at whistleblower@braun.senate.gov.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

ELECTION SECURITY

Mr. BLUNT. Mr. President, over the past several weeks, we have seen numerous attempts by our colleagues on the other side of the aisle to take a serious issue and, frankly, I think, turn it into a political football. It is an issue on which the Presiding Officer and I have spent a lot of time looking at what we need to do, in our having served on the Committee on Intelligence and, in my case, on the Committee on Rules and Administration, to be sure that people have the maximum confidence that what happens on election day is exactly reflected in the results.

Our friends came to the floor last week and sought unanimous consent to make sweeping changes to the election laws of the country. Then they somehow suggested there was a conspiracy that anybody would say no to that. Unanimous consent means exactly that. It is what we do when we name a post office. It is what we do when we make decisions that are unanimously agreed to. It is usually all it takes to get that issue settled. It is not how we shape the laws that are at the heart of our democracy. It is also not what we do, in my opinion, when we try to make a point about that. In fact, one of the bills on which they sought unanimous consent had passed the House. It had received exactly one Republican vote in the House. So, clearly, it was not unanimously consented to over there and would not be unanimously consented to here.

This is about press releases, not policy. In fact, today, the President called for us to pass voter ID laws that would require voter ID in every State and a law that would have a paper trail in every State. Right now, I suppose, if I were to draft that bill and call for unanimous consent under the same standard, I should expect my friends on the other side to say: Oh, that is something that others say would help elections, so I should just be for that and be for that immediately. Of course, that would not be the case.

These attempts have all been brought to the floor on the basis of saving democracy—that this is what we need to do to save our elections. This is in the name of election security, but it is really not what it is about at all. Three of the bills were about campaign committees, which are managed by lots of laws and may need to be managed by more, but how you run a campaign committee is not how you secure what happens at the voting place on election day.

One of the proposals was for the Federal Government to secure the personal devices of Members of Congress and their employees. As the Presiding Officer and I know, one of the things we do on the Committee on Intelligence is to put a Fitbit, like this one, on the shelf before we go into a meeting. If you have a phone like this one, you put it on a shelf before you go into a meeting.

This law would say that the Federal Government should secure those personal devices of mine so there would be absolute security so that if they were to interact with a Federal system, there would be no damage done to that system. I guess it would also mean that if one of my children were to call me on his personal device, whether he lives at home or not—and I would, of course, take that call immediately—he would then have gotten into my personal device. Would the Federal Government need to secure that as well?

Even if it were appropriate for the Federal Government to do that for Members and their extended immediate networks, I am not sure it is possible.

I am certainly sure that it has nothing to do with election security. It might have something to do with the security of our system here in the Senate. Frankly, I think it might make it less secure, which is why I have chosen not to bring that bill up before our committee until I know more about it. I think it might make it less secure if everybody, without hesitation, thinks, well, somebody has looked at this personal device of mine and has secured it, so I can go into any of the secure systems in the Senate that I want to with this device and not have any sense that I might endanger that Senate system.

This doesn't protect the elections. There have been numerous UC attempts we have seen on plenty of other bills that have claimed to secure elections. One included a provision that would take away the authority of the States to determine their own processes for voter registration. I am not for that. I also think it is hard to make the case that it would secure elections.

In case you think it would, another one was to require every State to have online voter registration. I am pretty sure that this would make elections less secure.

We have talked about all of the infiltration of bad information out there on the internet, and one of these provisions to secure elections would require States to have online registration.

One was for there to be automatic voter registration, and another was for there to be same-day registration.

In the nonurban part of our State of Missouri, we didn't have voter registration in all elections until 1975 or so. The view was, well, in small towns and school district elections and all, they are going to know everybody, so they really don't need to have registration. Yet, finally, it occurred to somebody that one might just think one knows five people, and the bond issue might be decided by five people, so we would have voter registration. In fact, not only would we have it, but we would have it enough in advance that anybody could look at those voter rolls 28 days in advance and see if there were any question as to whether one were registered or not.

Other States have decided to have same-day registration, but one of these bills that would secure our elections would allow anybody to register to vote that day who would walk up to vote. If you think that works in your State, I am not really arguing you shouldn't do it, because if that is what the voters of that State believe to be the case, maybe it does. I am pretty sure it wouldn't work in every State. In revisiting that online voter registration again, I am sure that doesn't secure elections.

There was one proposal that was rejected in these bills to secure elections, that being, for every \$1 contributed at a certain level, there would be \$6 given to that campaign by the Federal Government. That is one of the secure election things that was rejected, that wasn't accepted by unanimous consent.

At this point, it does seem to me, if you are not willing to accept all of these things—there was sort of this “hair on fire” moment—or are not willing to accept anything somebody else says will secure elections, then somehow you are undermining the elections system. Yet we really undermine the system when we say this kind of thing helps it. Frankly, I have been watching this for a while, and that list of things I gave you has been on every Democratic wish list for about 20 years of what would be of advantage to them in the elections. Never before have they purported that these things have made elections more secure. They have just said it was a better system and more fair. It was obvious to them it would help them, and it was obvious to us it would help them. We haven't done it, and we are probably not going to do it right now.

There are people in this building who simply will not accept the fact that there is not a Federal solution to every problem. Sometimes if there is a Federal solution, it is not the best solution. Frankly, I think the diversity of the election system that we have is one of the strengths of the system. I may get back to that later, but that is what President Obama said in October of 2016. In fact, he said that we didn't have a Federal structure and that it made it really more difficult to impact our elections than if we had.

I believe everybody here clearly knows that State and local officials faced a significant threat from the Russians, particularly in 2016, that they had not faced before. One could probably add that the Russians, the Chinese, the North Koreans, and the Iranians could do very disruptive things for not much money. There is no question that the Russians affected our elections, but they have been trying to impact elections in Eastern and Western Europe for well over a decade. Why this would be a surprise to us is shocking to me and why, in 2016, we acted like we were totally flatfooted that, oh, the Russians would actually interfere with the elections just because they interfered in elections in a couple handful of countries in the previous decade. The world is pretty small when you get to that internet world we live in now.

A critical infrastructure declaration came from the Obama administration in October whereby, frankly, it terrified most State election officials that, suddenly, the Federal Government, with about 2 weeks left before the election, was going to Federalize a system that they were personally responsible for.

As for the Intelligence Committee that started this process—the Presiding Officer and I were both on it, and I am still on it—it released some key findings about what the Russians had done. The committee found that the Russians had worked hard to find the seams between which the Federal Government could be helpful to State

and local governments. They found that the FBI's and Department of Homeland Security's warnings to local officials came way too late in the process and were not well thought out. It scared the wrong people and confused more people when the FBI and the DHS did what they did. While there is no question that both of those agencies have redoubled their efforts to build trust with the States and deploy resources to help secure elections, we have to remain vigilant to see they continue to do that. Even when the Presiding Officer and I worked on a bill together last year, the local officials continued to have some problems with it. I know I said at the time that I had believed we had been doing everything this bill would do. I am not sure we would still be doing it 10 years from now, so we need to memorialize that. I haven't significantly changed my view on that, but I haven't changed my view, more importantly, that we are doing what we need to do now.

Congress needs to be vigilant. We have to insist that State and local officials have the clearance levels they need. Frankly, let me say this too. On that topic, I am not sure you can legislate that. I am not sure you can legislate “here is what you have to be willing to tell State and local officials.” I am not sure you can ever put that in writing, but you can ask them what they are telling people. I talked to one of our State election officials just last week.

I asked: How is this going?

He said: Well, everything we request seems to be one level above the security clearance I have.

Too many of the things we ask meet that criteria. We are going to have to insist that this not be the case. While this is not likely to be solved by legislation, I think it can be solved by congressional oversight and inquiry.

The Intelligence Committee also found that Russian activities demand renewed attention to vulnerabilities in the U.S. voting infrastructure. I certainly agree with that. We even said in that report we should replace out-of-date machines with improved ways to vote and improved cybersecurity. I think that is happening.

Election officials have been taking this threat very seriously. DHS, the Department of Homeland Security, has reported that all 50 States and more than 1,400 local jurisdictions have signed up for the cyber threat information sharing program. We have had reports to the Senate on that, and the Committee on Rules and Administration has had hearings on that. The Committee on Intelligence has asked repeatedly about that. The monitoring sensors that help to detect malicious activity have been deployed to election infrastructure in most States.

Remember that, in 2016, we had a cyber defense, but we didn't have a cyber offense. Early in the Trump administration, I remember people being asked in an open hearing: Do you have

any direction now to be fighting out there—to have a cyber offense? That was about 5 months into the Trump administration.

The person said: No.

You would think that, somehow, the old cyber offense had been turned off. In fact, there had been no cyber offense.

Sometime in 2017, the cyber fighters were given what they needed, and they are out there helping. They are fighting back too. We had a report on that just recently of which all of the Senators are aware.

One of the chief State election officials in terms of that cyber war said that in their system there are about 100,000 attempts every day to scam the voter registration system and see if you could possibly get in.

I don't know how many thousands of those might be from foreign actors. I suspect a majority of them are from people who just say: Let's see if I can get into the system. But we should assume all 100,000 are from somebody who wants to do something wrong, and I think the States are getting the help they need to fight that back.

We have seen States use equipment that didn't have a backup so that when the election was over, you could count something individually and that the voter would have been able to look at and get their hands on and recount. As a matter of fact, if you ask me, the best proof you can have is a backup, a ballot that could be counted—a ballot where if I vote in Missouri, my voting machine generates something that I look at and then I put that in the ballot box and it is counted at the polling place. But if it ever had to be counted again, if there was any question about that precinct counter, they can go back and open that ballot box and count them again.

On election day in 2016, and even in 2018, there were still four States that didn't have that system anywhere in their States. There are a couple of other States that have a partial system and four States that didn't have it. Delaware has it in place for this year's election. Georgia announced just last week that they had awarded a contract to replace their equipment that will be in place for the 2020 elections and have an auditable ballot trail. South Carolina made a similar announcement last month. The fourth State, Louisiana, is working through a contracting bidding process right now. Whether they are in place by 2020 or not in Louisiana I don't know, but I know they will be in as soon as they can reasonably be in and not confuse voters.

Congress has to continue to move States to do that. We need to look and see what happened with the States that were given \$380 million. In 2018, 49 States took the money immediately. One State, Minnesota, has some glitch with their legislature so they don't have their money yet. But of the \$380 million that States have, they have only spent 25 percent of it. So there is

still \$285 million for which States have to do the kinds of things that the Congress thinks States should be doing.

Now, there may be some States that have already spent all of their money and need more. That is something that, in the appropriations process, I am sure we will look at again, just like that \$380 million came through the appropriations process.

As I recall, the Presiding Officer was pretty involved in that discussion at the time.

The Federal Government's role isn't to run elections for the State, but it certainly has a place in trying to be a valued partner, ensuring that the States have all the help they need.

In fact, I believe that a larger Federal role requiring a one-size-fits-all approach to the election would be a big mistake. I am not for federalizing the elections.

I spent 20 years as an elections official, either as the individual responsible for elections in the third-most populous county in our State or the chief elections official as the secretary of State. In 20 years of doing this, I guarantee you that the person on the ground, generally elected by the voters for whom he or she is trying to secure the election that day, is intensely interested in that election going well and people's having confidence in it.

There is very little kicking the buck up to some Federal official in a far-away place and saying: Well, we can't prepare for that because we haven't been told we could prepare for that.

Public confidence in elections is fundamental. It is the central thread in the fabric of democracy. Elected officials take it seriously when they are elected to do this job or supervise this job, just like appointed officials and boards of elections or election commissioners do.

That system would not be improved if it was directed from Washington, DC, in a one-size-fits-all world.

These public servants undertake an important job, and they understand it is an important job. We need to support them. We are supporting them.

We need to have oversight. There may be a time when that oversight has produced a system that is so finely honed that we are ready to make it permanent, but every time you put something in law permanently, you reduce a lot of your flexibility to insist that something be done differently that needs to be done right now.

Both the Intel Committee report—and both Senator WARNER and Senator BURR have done a good job at keeping our committee on a bipartisan, non-partisan track in this report—and former FBI Director Mueller focused on the insidious efforts to confuse voters. This is a much bigger question than what we could do at the government level about elections security.

Let's not confuse that certain fight about bad information that is out there with a fight about whether our elections are secure and what happens on election day.

Frankly, much more attention on what we can do about information is out there. Put people on alert. You know, sometimes even your political opponent says things that aren't true, and they don't have to be Russian to do that. People need to be on alert about information that is out there, but they also don't need to be scared to death that somehow we are not taking seriously the important moment of democracy when people decide.

I believe we are doing that. I am committed to it. I believe the Senate is committed to it. I think this effort to make everything that might advantage one side on an election security issue is something that people need to be thoughtful about, and it needs to stop.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

OPIOID EPIDEMIC

Ms. HASSAN. Mr. President, I rise today to discuss the need to hold the pharmaceutical industry accountable for putting profits before the health and well-being of our people and our communities.

I know that my colleague, Senator BROWN from Ohio, came to the floor earlier this week to call out bad actors in the pharmaceutical industry who have fueled our country's substance misuse crisis, and I am grateful for Senator BROWN's leadership in calling attention to this issue, and I join him in the effort.

We are constantly learning more and more about the unconscionable ways that pharmaceutical companies fueled the substance misuse crisis—a crisis that is killing more than 100 people a day in the United States.

Recent data released by the Drug Enforcement Administration showed that between 2006 and 2012, just 6 years, companies distributed 76 billion pills of oxycodone and hydrocodone throughout the country, including 290 million pills that were sent to New Hampshire, a State with only 1.3 million people. That works out to about 30 pills per person per year in the Granite State.

As they distributed those unfathomable amounts of opioids, pharmaceutical companies pushed these drugs with deceptive marketing tactics, despite the known risks of addiction, to maximize their profits. One of these tactics even included pushing the unproven concept of pseudoaddiction. This false claim asserted that patients showing signs of addiction weren't actually addicted but instead needed even higher doses of opioids. The solution that these scam artists pushed to address addiction was to encourage the prescribing of even more opioids. So instead of providing actual addiction treatment to those suffering from substance use disorder, some patients just received more drugs.

That kind of strategy enabled the pharmaceutical industry to dole out those billions of doses of opioids and profit enormously from it, leaving in