

military tradition of Virginia is the ability to meet wonderful leaders all around my commonwealth, all around the country, and all around the globe. For those serving our country, we are in their debt.

I do want to point out that we are having a debate on the floor over the Defense appropriations. The Senator from South Dakota spoke a little bit about that. I just want to lay out from the Democratic perspective what is at stake. It is not support of the military that is at stake. As an Armed Services Committee member, I am devoted to making sure we get to the right appropriations level for the Department of Defense.

What is holding this up is not one party or the other not supporting the military. What is holding this up is that Democrats do not approve of the practice that has been engaged in by President Trump of rummaging through the Defense Department's budget to come up with money for a border wall, which our military leadership says is a nonmilitary issue.

We do not believe that once Congress appropriates money for a defense budget, the President should be able to use an emergency declaration to go into the coffers of the Pentagon and cannibalize projects that affect our military families to use for the border wall. To the extent there is a dispute right now, that is what the dispute is about. It is not support for the Defense Department or not; it is whether we should allow a rummage sale in the Pentagon budget to fund a border wall.

If you are going to have a discussion about border wall funding, let's do that separately, but let's not cannibalize the Defense Department's budget to do it.

#### FUTURE ACT

Mr. President, I said that I want to talk a little bit about our historically Black colleges and universities and other minority-serving institutions.

Many of my colleagues have been on the floor this week talking about a bill called the FUTURE Act, which is bipartisan. It passed from the House over to the Senate, fostering undergraduate talent by unlocking resources for education. It also has bipartisan support in the Senate. I am hoping that because it has bipartisan support, we might be able to move forward with it promptly.

Congress put in place a mandatory funding stream in title III of the Higher Education Act to invest in these institutions. Historically Black colleges and universities—commonly called HBCUs—Tribal colleges and universities, Hispanic-serving institutions, and other minority-serving institutions help boost educational opportunity for all students but especially for students of color. These schools serve a disproportionate number of students from low-income families, and 75 percent of the students at HBCUs and 90 percent of the students at Tribal colleges and universities are Pell grant-el-

igible and receive Pell grants. Combined, our minority-serving institutions serve nearly 6 million students, which is about one-quarter of all undergraduate students in the country. The \$255 million in annual mandatory funding of these institutions accounts for nearly half of all Federal funding for these institutions.

Unfortunately, the mandatory funding expired more than a month ago on September 30 because of inaction by the Senate—inaction by the Senate; the House has acted—and that jeopardizes the future of these colleges, particularly the students they serve.

The FUTURE Act, which I cosponsored with Senator DOUG JONES and Senator TIM SCOTT, extends this mandatory funding for all minority-serving institutions for 2 years. The bill is bipartisan. The bill has the support of the White House. It is fully paid for, and it is budget neutral. There are no budget gimmicks involved. Yet we are not able to take up the bill for a reason I don't understand.

Let me talk about HBCUs in Virginia because we have five: Virginia Union University, which is in my neighborhood where I live in Richmond; Virginia State University in Ettrick, south of Richmond; Hampton University in Hampton, VA; Norfolk State in Norfolk; and Virginia University of Lynchburg. These five institutions received almost \$50 million in this annual mandated funding over the last 10 years.

Norfolk State University's president, Dr. Adams-Gaston, said that if the FUTURE Act is not passed, "Norfolk State's educational programs in both teacher preparation and the STEM fields will be put at risk at a time when we are working to increase diversity in the front of our classrooms, and grow the pipeline of diverse STEM graduates to fill the jobs of the new economy."

Virginia State University uses its funding to keep student-faculty ratios low, to provide distance education programs, to support curricular updates, faculty training, and technology enhancement, especially for social work, computer science, nursing, and education degree programs. It also uses the funds to prepare and support students to attend graduate or professional schools and to award scholarships to deserving students.

Virginia Union University is in my neighborhood. Yesterday, Jaylynn Hodges, who is a junior biology major at Union, was in the Senate. She spoke about the impact of title III funds and its impact on her own education. Jaylynn wants to pursue a career in medicine, and fortunately Virginia Union uses the funds on neuroscience and chemistry laboratories, where Jaylynn has been able to develop her technical and analytical skills.

Virginia Union also uses funding for technology resources, workforce development programs in STEM and future careers, academic support services, such as academic counseling, updates

to historic buildings, and hiring faculty. Without passing the FUTURE Act, all of these programs are in serious jeopardy.

The HBCUs serve as strong economic drivers and generate significant economic returns year after year in Virginia's communities. I have also had the good fortune to be on HBCU campuses in Florida, and I know they have the same impact within their communities and with students and in the entire State as those in Virginia. The UNCF—the United Negro College Fund—found that, in Virginia alone, the direct economic impact of our five HBCUs is more than \$913 million.

It is not just the impact on the Commonwealth that matters but the impact these institutions have on individual students. In one more quote, the current student body president at Norfolk State University, Linei Woodson, expressed:

Norfolk State University's supportive and culturally aware learning environment helped me to grow as a leader and put me on a path to success. I would likely not have had these opportunities at other schools. All students regardless of their socio-economic background deserve access to quality higher education and the opportunity to realize their full potential.

In closing, the Thurgood Marshall College Fund, which was named after the titanic civil rights leader and Supreme Court Justice—on a personal note, I was proud to have Thurgood Marshall's son John Marshall serve as my secretary of public safety when I was Governor—wrote a letter to Senate leadership. It read that even in the week since this program expired, which was at the end of September, campuses have already notified employees that their positions and programs might be terminated as of September 30, 2020, if not sooner. In the letter, it is noted: "These are real jobs, held by people who interact with students every day, in programs that play a critical role in graduating and retaining students in the STEM fields, among other disciplines."

As a former Governor—and the Presiding Officer and I share that experience—I know that the budget-creating process begins well in advance of the budget's becoming effective. These minority-serving institutions, most of which do not have significant endowments, face unique fiscal challenges, and they count on this mandatory funding. Any uncertainty in the funding creates a significant planning challenge for them, and they run the risk of creating a financial nightmare for the students.

Today marks 51 days since the House passed the FUTURE Act unanimously—these days, it is hard to act unanimously on things in Congress, but this bill passed the House unanimously—and 38 days since funding lapsed for the schools in my State and for minority-serving institutions across the country. It is time for the Senate to pass the bipartisan FUTURE Act and pass it now. I urge my colleagues to join me in that endeavor.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection it is so ordered.

#### PRESCRIPTION DRUG COSTS

Mr. CORNYN. Mr. President, the Senator from Connecticut, Mr. BLUMENTHAL, and I have come to a floor to offer a unanimous consent on a bill called the Affordable Prescriptions for Patients Act. We are in consultation with our colleagues on the other side that have another bill that they would also like to offer a unanimous consent request for, and we are going to talk and continue the conversation during these two upcoming votes to see if we can work out holds on their bill, and we certainly would consider to do that.

But Senator BLUMENTHAL and I do expect to offer a unanimous consent on our bill which would lower out-of-pocket costs for prescription drugs, which is something I thought we were all for. But working in good faith with our colleagues to try to work through these two issues, we are going to give it a little bit of time, as long as we can get that done before we leave today.

I will just say there is no agreement to pair these. If they could pass sequentially, I have no objection to that, but just to say that it would be nice, at a time when we are so polarized here and have put the "dys" back in "dysfunction" here in Washington, DC, that we could actually show that we could work together in a bipartisan basis and pass a bill that passed unanimously in the Judiciary Committee, of which my friend from Illinois is a cosponsor.

I understand they want to use this opportunity to get their bill passed. Again, I have no objection to that and do not intend to object, but there are others who apparently have some concerns that we need to check with.

Mr. DURBIN. Mr. President, I would say that my friend and colleague, the gentleman from Texas, has accurately stated the situation, but let me add a few sentences about the bill that we are trying to couple with his effort. I totally support what he and Senator BLUMENTHAL are trying to do. The end goal we all have in mind is to bring under control or at least restrain the increases in prescription drug prices.

The Senators from Texas and Connecticut have their approach. What Senator GRASSLEY—a Republican from Iowa—and I have suggested with this approach is direct-to-consumer advertising. The pharmaceutical industry spends about \$6 billion a year on ads on television. If you have not seen a drug ad on television, you clearly do not own a TV.

We want to make sure that each one of these ads contain, amid all the other

information they give you, one other critical piece of information: the cost of the drug.

We think that will be at least an indication to the pharmaceutical industry that we are watching how much they are charging us. I think some people will be shocked when they see the actual cost of Humira and some other drugs. But that is it, a complementary approach. I hope we can do both. I think the American people want to see prescription drugs become more affordable.

I yield the floor.

#### VOTE ON RUDOLFSKY NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Rudofsky nomination?

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

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. THUNE. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON) and the Senator from Georgia (Mr. PERDUE).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

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

The result was announced—yeas 51, nays 41, as follows:

[Rollcall Vote No. 350 Ex.]

#### YEAS—51

Alexander	Ernst	Paul
Barrasso	Fischer	Portman
Blackburn	Gardner	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Romney
Braun	Hawley	Rounds
Burr	Hoeven	Rubio
Capito	Hyde-Smith	Sasse
Cassidy	Inhofe	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young

#### NAYS—41

Baldwin	Hassan	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hirono	Schatz
Brown	Jones	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Sinema
Carper	Leahy	Smith
Casey	Manchin	Stabenow
Cooms	Markey	Tester
Cortez Masto	Menendez	Udall
Duckworth	Merkley	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Whitehouse
Gillibrand	Peters	

#### NOT VOTING—8

Booker	Klobuchar	Warren
Harris	Perdue	Wyden
Isakson	Sanders	

The nomination was confirmed.

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

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

The Democratic leader.

#### UNANIMOUS CONSENT REQUEST—S. 2755

Mr. SCHUMER. Madam President, it is now several weeks since the President asked our troops to leave a critical sector in northern Syria, and, subsequently, lots of things happened, including at least 100 and probably more ISIS prisoners escaping, an uncertainty as to who is guarding the prisons where ISIS prisoners are kept, and a whole strategy as to how to continue the fight against ISIS.

ISIS is not vanquished. ISIS is weakened but not vanquished, and we all know ISIS can come back. We all know a small group thousands of miles away can do untold damage in our homeland. Yet we still have no plan, that we have heard, from the administration on how are we dealing with ISIS; how are we dealing with the prisoners who escaped; how are we dealing with the prisoners who are still incarcerated; and how are we dealing with ISIS overall.

This is one of the greatest security threats America faces, and I would hope we could pass this proposal, which simply demands that the administration report to Congress on what their plan is to deal with ISIS. It is that simple. That is the immediate danger.

I know my friend, the Senator from Florida, wants to talk about what happened in the past. We can argue that all day long, but the immediate danger is ISIS, the ISIS prisoners who have escaped, the ISIS prisoners who are incarcerated, and the ISIS members who still are around. We don't have a strategy, and it is one of the greatest failings of foreign policy not only of this administration but of any administration.

A resolution passed the House a while ago. It has laid fallow here. All we are asking in this legislation is very simple: to require a report on the strategy to secure the enduring defeat of the Islamic State.

I hope we will not hear objection. I don't see how anyone could object when the security of America is at risk and when ISIS is still a danger. Every one of us could come up with an amendment to make it better. We know we will not get it done if that happens.

I hope we can move this forward, and then we can debate other issues that are not directly dispositive here because we have an immediate crisis, and we need a report.

Madam President, I ask unanimous consent, as in legislative session, that the Senate proceed to the immediate consideration of Calendar No. 281, S.