



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, FIRST SESSION

Vol. 165

WASHINGTON, MONDAY, DECEMBER 9, 2019

No. 196

Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Mighty God, we thank You for all the marvelous things You have already done for our Nation and world. Marvelous are Your works. We are grateful for the beauty of the Earth and the glories of the skies. We praise You for the love that surrounds us and for Your mercies that are new each day.

Lord, guide our Senators. May they continue to look to You as their helper, defender, and friend. Inspire them to always trust in Your unfailing love as they depend on You to do for them what they can't accomplish with their strength alone.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. HAWLEY). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to address the Senate for 1 minute as in morning business.

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

S. 2543

Mr. GRASSLEY. Mr. President, I and my friend Senator WYDEN released an updated version of our bipartisan Prescription Drug Pricing Reduction Act. This bill will now deliver even more savings for seniors and Americans with

disabilities. When I say "more," it will be more than the bill that was voted out of the Senate Committee on Finance on a 19-to-9 vote during the last week of July. The bill will also help pay for critical health programs. Billions of dollars saved in out-of-pocket costs are also a result of the bill and billions of dollars allocated for healthcare programs that tens of millions of Americans rely upon.

What I just said will be accomplished all without spending a dime more of taxpayer dollars. That is because Big Pharma, our pharmaceutical industry of the United States, will finally be held accountable. Taxpayers shouldn't be put on the hook for unlimited subsidies from the Federal Treasury to big companies that make billions in profits.

I don't often quote the Washington Post about legislation I put in, but the Washington Post recently wrote that our bill was the "drug pricing bill with the best chances of passing Congress."

Over the weekend, President Trump applauded the work my friend Senator WYDEN and I have done to improve our bipartisan legislation. The President was very supportive of it even before we made these changes. That is because, in the Congress of the United States today, it is the only significant bipartisan legislation that exists to address the skyrocketing costs of prescription drugs.

The Senate must demonstrate courage and finally pass this very important bill because very few Members of Congress can miss the cry of their citizens that drug pricing is too high, and they expect Congress to do something about it. This bill answers that cry and should soon get a vote.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

SENATE LEGISLATIVE AGENDA

Mr. McCONNELL. Mr. President, as the end of the year approaches and the House Democratic majority continues to pour its time and attention into impeaching the President, a number of key legislative items remain outstanding.

For weeks, my Republican colleagues have been pleading with our Democratic friends in Congress to put aside their impeachment obsession long enough to complete some basic work for the American people.

We have explained that American families cannot afford for Washington Democrats to obsess over impeachment and obstruct the things we absolutely have to do.

So I am pleased that the last several days have brought at least some initial conversations that sanity and progress may be breaking through. We are still a long way from the finish line, but this week begins on a cautiously optimistic note. It appears that Democrats' willingness to block these basic governing items may be finally giving way.

The National Defense Authorization Act is our annual must-pass vehicle laying out Congress's plan for addressing military funding and meeting the needs of our servicemembers. It is a responsibility that this body has discharged in a bipartisan manner every year, without fail, for 58 years.

That is why it was so disheartening that Democratic leadership in both the

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S6897

House and the Senate broke with tradition and used this year's NDAA process to insist on all manner of partisan items, including nongermane domestic policy changes. This partisan approach left the future of the Pentagon's most urgent missions in the lurch.

So I am encouraged that bicameral negotiations, with participation from the White House, reached a conclusion last week. Most of the partisan demands predictably fell away. The result is not either side's ideal bill, but it is one that should be able to pass both Chambers under the circumstances. I hope the bipartisan conference report will be signed and moved quickly through each Chamber so Congress can finally fulfill our responsibility to America's Armed Forces for another year.

Then there is the appropriations process—another fundamental responsibility which, for the good of the Nation, is historically approached with a bipartisan willingness to find common ground.

It seemed like that might again be the case when a bicameral, bipartisan deal was struck by the President and the Speaker of the House back in July, but then, when negotiations resumed in earnest back in September, some of our Democratic colleagues realized they weren't really ready to part with partisan poison pills. They ignored their own agreement and months of stalemate ensued.

Fortunately, our appropriators are working hard to salvage the process. Last month, Chairman SHELBY and Chairwoman LOWEY and our other colleagues reached a deal on subcommittee allocations. I understand their hard work continued in earnest over this past weekend, with the goal of producing bills that both Chambers could consider before the end of this year.

I am grateful to colleagues on both sides of the aisle for their hard work. I hope this progress continues, and we can consider appropriations measures this month.

Now, there is still one more major piece of bipartisan legislation awaiting action by House Democrats. For months, Speaker PELOSI and House Democrats have been slow-walking President Trump's landmark trade agreement with Mexico and Canada. Month after month, House Democrats kept 176,000 new American jobs in limbo, but, finally, after weeks of a full-court press from Republicans in the House and the Senate, we are seeing hopeful signals that Speaker PELOSI's months-long stalling campaign may at long last be coming to an end. Reports suggest the Speaker may finally allow the House to vote in the near future. For our country's sake, I certainly hope so.

So what has been true for months is especially true now that time is short—it is going to take bipartisan collaboration and hard work for any of these outstanding legislative priorities to become law.

Even if House Democrats do finally relent and allow these key priorities to move forward, it is now the eleventh hour, and it will require consent and cooperation for the Senate to consider legislation in a timely fashion.

I ask for that collaborative spirit from my colleagues on both sides in the Senate as we move forward. We Republicans have been ready and eager for weeks to legislate on these key priorities. I hope these reports are accurate that leading Democrats may finally—finally—be willing to let Congress govern, and I hope we can move forward at a brisk pace and in a bipartisan way.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Patrick J. Bumatay, of California, to be United States Circuit Judge for the Ninth Circuit.

UNANIMOUS CONSENT AGREEMENT—CALENDAR NO. 535

Mr. McCONNELL. Mr. President, I ask unanimous consent that with respect to the Halpern nomination, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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.

E-CIGARETTES

Mr. CORNYN. Mr. President, after months of headlines about the dangers of vaping and a litany of mysterious medical conditions, we hit a pretty concerning milestone last week—vaping-related lung injuries have now been reported in all 50 States.

Alaska became State No. 50 with the identification of a teen suffering from these illnesses. I said a teen. The teen

reported regularly vaping both nicotine and THC products, and while I am glad to hear the patient is recovering, it highlights the need for immediate action to this public health emergency.

Nationwide, nearly 28 percent of high school students and 1 in 10 middle school students are using e-cigarettes. That is just to the best of our knowledge.

Folks at home are struggling to respond to these growing numbers, and parents and teachers and others are trying to figure out how to get their arms around this problem.

Last year, 19 percent of Texas high school students had used an e-cigarette in the last 30 days, and all of these recent cases lead me to believe that this number has gone up and gone up significantly.

It is, I believe, a growing epidemic, but folks in North Texas are bearing the brunt of it. More than half of all the vaping-related injuries at home occurred in North Texas. It is also home to the first vaping-related death in the State.

Last Friday, I visited the University of North Texas Health Science Center in Fort Worth to learn more about the dangers of e-cigarettes and the community-led efforts to curb their use.

Let me be clear. When we are talking about adults making choices on what to put in their body, I will leave those choices to the individual adult, but if we are talking about children exposing themselves to a chemical that is addictive, which may lead to a life—even if they avoid some of the immediate public health consequences, it may lead to a lifetime of addiction and worse.

We heard from a pulmonary specialist that a lot of kids she talks to don't understand the risk of e-cigarettes. They think that because these devices aren't subject to the same regulations and restrictions as traditional cigarettes, they are somehow different and safer.

We got to hear from a teen who certainly had that mindset. Sixteen-year-old high school junior Anna Carey is one of the many students in her high school using e-cigarettes, and she admits to becoming rather quickly addicted to the nicotine.

She said she began to display symptoms like those we have seen across the country. She was extremely lethargic and would experience random and severe pains in her chest.

Two initial x rays came back clear. So her doctors released her, but her symptoms continued. Eventually, she was admitted to the Cook Children's Hospital and diagnosed with chemical-induced pneumonia in both lungs. That, Anna told us, was her wake-up call.

I am glad to report that Anna has fully recovered and is using her story to help educate and alert her fellow teens from going down the same path.

Everyone who participated in our discussion in Fort Worth last Friday