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## House of Representatives

The House was not in session today. Its next meeting will be held on Friday, August 24, 2018, at 11 a.m.

## Senate

THURSDAY, AUGUST 23, 2018

The Senate met at 9:30 a.m. and was called to order by the Honorable DEAN HELLER, a Senator from the State of Nevada.

### PRAYER

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

Let us pray.

Eternal Father, thank You for loving us throughout the seasons of our lives. Help us to not take Your love and grace for granted. Lord, empower us to plan to spend devotional time with You each day. Give us a hunger and thirst for Your amazing presence. May we also make time to experience life's wonders, pausing to consider the glory of a sunrise or to pluck a rose or to say "I love you."

Strengthen our Senators for today's issues. May they labor for You. Give them an awareness of their accountability to You for the decisions they make. Quiet the tempest within, and give them Your peace.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable DEAN HELLER 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, August 23, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DEAN HELLER, a Senator from the State of Nevada, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. HELLER thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Lynn A. Johnson, of Colo-

rado, to be Assistant Secretary for Family Support, Department of Health and Human Services.

#### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

#### WORK SCHEDULE

Mr. MCCONNELL. Mr. President, this continues to be a productive August here in the Senate. We convened this month because too much of the American people's business remained outstanding—too many legislative priorities unfinished, too many non-controversial, completely qualified nominees left languishing on the Executive Calendar due to partisan obstruction and delays.

Coming back to work this August was not a conventional decision, but of course there is nothing conventional about the historic level of obstruction Senate Democrats have systematically visited upon this administration's nominees, even for critical positions. President Trump's nominees have already been subjected to more than four times—four times—as many cloture votes as the nominees of his six most recent predecessors combined—combined—in their first 2 years. There were 24 cloture votes on nominations in the first 2 years of Presidents Carter, Reagan, Bush, Clinton, Bush, and Obama—all put together, 24 times did the majority leader have to file cloture on a nomination in the first 2 years—and for President Trump, 110 in a year and a half and counting. So we returned to work to pass more legislation and to confirm more nominees. That is

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



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just what we have done, and it is just what we will continue to do.

This week, we will conclude the hugely important appropriations bills before us. After that, we will turn to the 17 nominees on whom I filed cloture yesterday. There are a variety of impressive men and women whom the President has asked to serve both in the judiciary and in the executive branch. None are particularly controversial. All are qualified. No more obstruction. No more delays. It is time to confirm them all, and the Senate will continue to work right through August until every single one of them is confirmed.

This week, we have been considering appropriations measures to fund the Department of Defense and the Departments of Labor, Health and Human Services, and Education. These bills will make Americans stronger overseas and right here at home. They attend to national priorities like providing the resources needed to better prepare our forces for combat and to deter our enemies. The funds meet many of the requirements of our military commanders, equipping and training units to meet and overcome the most dangerous of emerging global threats. As ever, our obligation to this All-Volunteer Force is to provide adequate training, weaponry, and skills so that Americans always prevail on the battlefield.

Here at home, this bill marshals new resources for our national battle with drug abuse and opioid addiction and gives our National Institutes of Health the resources to stay on offense against everything from Alzheimer's to infectious diseases.

With private sector surveys showing that hiring skilled workers is a top challenge for American business, this legislation continues and expands our investments in apprenticeship programs, in training and employment grants to States, and in support for dislocated workers.

These are national efforts, so how do they translate locally? Every Senator can describe how this legislation will help families and communities in their home State.

In my home State of Kentucky, we are looking forward to increased funding for Pell grants and the millions we have secured to support work colleges, like Berea College and Alice Lloyd College.

Kentuckians will benefit from new funding for community health centers to support patients struggling with addiction and from a new CDC initiative that will prioritize funding for counties most at risk for outbreaks of HIV and hepatitis due to injection drug use.

Of course, the Department of Defense funding touches every single community that proudly calls itself home to the men and women of our armed services. Kentuckians in uniform and their families will enjoy their well-earned pay raise—the highest in nearly a decade—which this bill provides to all American servicemembers, and the

communities that revolve around Fort Campbell, Fort Knox, the Blue Grass Army Depot, and the Kentucky National Guard can count on the funding they need to keep their important operations going. They are national priorities, of course, but all have local impacts.

I am proud of what these bills contain and how the Senate has crafted them. I want to particularly thank Chairman SHELBY and Senator LEAHY once more. I look forward to voting to pass these measures very soon.

#### NOMINATION OF BRETT KAVANAUGH

Mr. President, on a final matter, this week Judge Brett Kavanaugh has continued meeting with Members of the Senate. So far, I believe the only Senators who have met with this nominee and then had negative things to say about him were Democrats who had already announced beforehand they were going to oppose him.

I suspect that with Judge Kavanaugh you have to go in with a closed mind in order to come away unimpressed. This man has served with distinction for more than a decade on what many scholars consider the second highest court in our Nation—the DC Circuit. His legal brilliance and his fair, open-minded approach have won him vocal praise from those in the know all across the political spectrum.

Here is one quote:

I think it's very hard for anyone who's worked with him, appeared before him to, frankly, say a bad word about him. I mean, this is an incredibly brilliant, careful person . . . legendary for his preparation.

That is Neal Katyal, who served as Solicitor General to President Barack Obama, describing Judge Kavanaugh.

Here is another quote, from former Obama Solicitor General Donald Verrilli:

Judge Kavanaugh is a brilliant jurist . . . he carries out all phases of his responsibilities as a judge in a way you'd want, in an exemplary way.

He is, Mr. Verrilli explained, “a distinguished jurist by any measure.”

This is what it sounds like when legal experts who happen to be on the political left make a fair, unbiased assessment of this impressive, mainstream nominee.

In contrast, about one-third of the entire Democratic caucus stood up the first week—the first week—after Judge Kavanaugh was announced to declare they had seen enough—seen enough—and were dead-set against confirming him. One Democrat, a member of the Judiciary Committee, in fact, announced that she would oppose whomever—whomever—the President selected before Judge Kavanaugh was even nominated, and the ink was barely dry on Judge Kavanaugh's nomination when my friend the Democratic leader said that he would oppose it with “everything I've got.”

All this reflexive opposition occurred well before there was any mention of documents or any of the other reasons our colleagues have come up with to delay the hearing.

Remember, Judge Kavanaugh has written over 300 opinions from the bench, and the Judiciary Committee has already received more than twice as many pages of documents pertaining to this nominee than for any other Supreme Court nominee in American history—more than 400,000 pages and counting.

So however you slice it, every Senator will be historically well-equipped to provide advice and consent on the President's nominee. No shifting rationales or partisan complaints can mask one simple fact: Everyone who is willing to give this nominee a fair hearing will be able to do precisely that.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

#### TRUMP PRESIDENCY

Mr. SCHUMER. Madam President, by any account, this has been a momentous week in the history of the Trump Presidency and the history of Presidencies in general. President Trump's former campaign manager was convicted on eight counts and still has another trial to go. The President's former personal attorney—his lifelong compadre for so long—pled guilty to multiple violations of bank fraud and campaign finance violations, implicating the President of the United States himself in one of those crimes. Let me repeat that. President Trump was named as an unindicted coconspirator in a Federal crime.

What did we hear from our Republican friends on the Hill? Was this the moment when Republican leaders finally stood up and said “enough”? Amazingly, apparently not. Apparently, my Republican colleagues cannot rouse themselves to offer even a word of criticism for a President now implicated in a Federal crime; a President who casually tosses around the idea of pardoning his convicted former campaign chairman; a President who speaks favorably about that convicted felon because he didn't break, while disparaging a former confidant for collaborating with law enforcement. It sounds like a scene out of the “Godfather.”

Imagine if President Obama's campaign manager was convicted of several serious Federal crimes. Do you think my Republican friends would give circumspect quotes to reporters, or do you think they would be beside me on the floor beside themselves? The answer is obvious. Yet, when it comes to a President of their own party, there is hardly a word of criticism or censure from our Republican friends.

At some point, after the “Access Hollywood” tape, after Charlottesville, after the Helsinki summit, and now after these most recent revelations, the broad failure of the Republican Party in Congress to condemn the President’s behavior and what that behavior is doing to the American character becomes a form of complicity.

Without strong voices in his party to tell him when he goes too far, the Republicans have become complicit in bringing down the character of the United States, which is probably the best thing we have going for us. The President keeps destroying, hurting, and gnawing at that character with amazing narcissism, with total ego, with bullying, and with misstatements of truth after truth. Our Republican friends—the only ones who can really stop him; we can’t—just shrug their shoulders. President Trump thinks he can keep testing the boundaries, and our Republican friends say: Go right ahead. We are not going to stop you. We are going to be quiet. We are going to be silent.

It seems that Republican Party leaders have made the ultimate Faustian bargain: forgoing their duty to the Constitution and the country in exchange for a corporate tax cut and stacking the courts. They are willing to ignore the corruption and lawbreaking so long as they have someone in the White House to sign their tax cuts, to gut healthcare, which they despise, and to nominate conservative ideologues to the bench.

The mantra of the Republican majority in the 115th Congress is “put your head in the sand.” The symbol of the Republican Party—the elephant—is being replaced with the ostrich, the bird that puts its head in the sand when trouble occurs. They must tell themselves: Put your head in the sand; we want to pass a corporate tax cut. Put your head in the sand; we want to eviscerate Obama’s healthcare law, even if it means raising costs on working Americans. Put your head in the sand like an ostrich; we want a conservative majority on the Supreme Court. If you ask me, the price of that Faustian bargain has already become too steep.

I have real admiration for the “Never Trumpers,” hard-right conservatives who hardly agree with me on anything, but they have had the courage to say that the character of America, which Donald Trump day by day is destroying, is more important than a tax cut or a nominee to the Supreme Court because if our character goes away, we won’t have much left.

We all know what Donald Trump did. When I saw the majority leader in the House talk on FOX News, I said to myself, he must believe that Trump did what it is alleged he did—paid dollars to someone to avoid her telling what happened between her and him. Everyone knows that is true. No one doubts it is true. The President knows it is true, I am sure. Yet, the Republican os-

trich puts his head in the sand and ignores the day-by-day erosion of the American character that Donald Trump creates.

The Faustian bargain has become too steep, my Republican friends. Consideration of country and Constitution aside, if my Republican colleagues remain silent, the party will become co-conspirator in the culture of corruption that surrounds this President.

Now is the time for the Republican leaders to do what is best for their party and for their country. Sometimes it is as simple as saying “enough” to this President. It would be far better, in addition to our Republican colleagues speaking out, to pass legislation to protect the special counsel from political interference, to hold hearings on the power of the President to pardon, to pass legislation to bolster election security and to hold Russia accountable, and to use Congress’s power to investigate the serious crimes that were committed by the President’s close associates during the election. But it has to start with our Republican colleagues recognizing the moment we are in and looking back at figures like Howard Baker, who rose to the occasion in a similar situation 45 years ago. Where are the Howard Bakers? Where are our Republican colleagues who—I know they love this country, but it is either fear or expediency or something else not admirable that is making them complicit with the President in their ostrich-like silence.

It is time, my Republican friends, to quote the Scriptures, to speak truth to power.

#### NOMINATION OF BRETT KAVANAUGH

Madam President, the recent legal developments for Mr. Manafort and Mr. Cohen shed an entirely different light on Judge Kavanaugh’s nomination to the Supreme Court. It is conceivable that down the road the Supreme Court could be faced with a decision as to whether a sitting President can be subpoenaed or indicted—something the Court has not yet ruled on.

In my meeting with Judge Kavanaugh, he not only refused to answer crucial questions about whether Roe, Casey, or cases involving the ACA were correctly decided, he even refused to affirm that a President must comply with a duly issued subpoena, even in a criminal investigation that concerns vital national security.

Considering that Judge Kavanaugh has such a voluminous record on the issue of Executive authority, on which he seems to take an almost monarchical view, his refusal to say a President must comply with a subpoena should give everyone—everyone—great pause. Just as the President is implicated in criminal activity, the Senate is considering the nomination of someone to the Supreme Court who believes that sitting Presidents are virtually immune from legal jeopardy.

I understand that my Republican colleagues don’t want to delay hearings for Judge Kavanaugh despite this over-

whelmingly good reason to do so, made even more piquant by yesterday’s events with Mr. Cohen and Mr. Manafort. I still believe that Chairman GRASSLEY and Leader MCCONNELL should consider—given the President’s legal trouble, given the fact that the majority of the Senate has not yet had a chance to review or even access Judge Kavanaugh’s full records and what he might feel about Executive power, I feel that we should hit pause on the hearing. It makes logical sense.

Senators should be wary of the unknowns in Judge Kavanaugh’s hidden record. He has been a hard-right Republican warrior for much of his career before he got on the bench. When he got on the bench, he was still a hard-right warrior in the decisions he made. President Trump didn’t vet him any better than he vetted Scott Pruitt, Tom Price, or any of the other catastrophic appointments he made to the Cabinet. It will be a rude awakening for Senators to find out after a confirmation vote that the nominee had a number of issues in his past that the Senate did not properly consider.

I repeat my plea. We should delay Judge Kavanaugh’s hearing at the very minimum until the full record of everything he has said and done on Executive authority is made public.

#### GUNS FOR TEACHERS IN THE CLASSROOM

Finally, Madam President, in this administration, you can’t believe what goes on. It is so far away from what the American people believe and feel. It is so dominated by a small, powerful group on the hard right—in this case, the gun lobby.

What did Secretary DeVos say last night? The Times reported that Betsy DeVos and the Trump administration have a plan to allow States and school districts to use Federal funds that were intended to help high-poverty schools provide things like computer science, civics, and mental health treatment to instead buy guns for teachers. Is that amazing? Unbelievable.

Teachers don’t want guns. They know it will make them a target if, God forbid, a shooter comes into the school. And now DeVos wants to take Federal funds away from instruction so the school district can buy guns for teachers? What is that all about? What recklessness. What absurdity. Everyone knows arming teachers will not make our schools or children safer. The teachers themselves know it. That is why Congress, Democrats and Republicans, explicitly prohibited the use of DHS grants to purchase weapons or ammunition for schools. We just did that, Democrats and Republicans together. That is why, earlier this year, Congress explicitly prohibited the use of grants in the STOP School Violence Act for firearms purchases. Bringing more guns in our schools is not the answer at all.

I can’t believe that Ms. DeVos, the Secretary of Education, with the kinds of reckless views that she has exhibited, so antithetical to safety in

schools, so antithetical to good public education—she is highly unpopular with the American people throughout the country, not just in the blue States. In some of the reddest States, public education is so important, that her kowtowing to private education hurts millions of rural American school children.

The Trump administration, once again, this time led again by Secretary DeVos, has concocted a plan to twist the law and cannibalize funding from high poverty schools to advance the NRA's dream policy. That is all it is. The Trump administration is giving the keys to the special interests, this time the NRA.

Until President Trump breaks the NRA's stranglehold on the Republican Party—he has occasionally talked about it, but then fearful, retreated from the things he said—meaningful gun safety reform in this country will continue to be subverted by radical and dangerous ideas from the NRA, like arming teachers.

This announcement occurs as we wrap up Labor-HHS, the appropriations bill. We have a bipartisan agreement to fund the title IV grant program at \$1.2 billion, the most since its inception. But this news about Secretary DeVos's plans chills our celebration.

I am calling on my colleagues to reaffirm that we do not believe more guns in schools will create safe, effective learning environments and that we certainly shouldn't use Federal dollars, take them away from instruction so we can arm teachers. Let's spike this hair-brained idea before it gets off the ground.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

#### HEALTHCARE RESEARCH

Mr. BLUNT. Madam President, we will vote in a few minutes to move forward with the Defense, Labor, HHS, and Education appropriations bill.

That probably sounds like a pretty unusual combination, even though I think most voters, most taxpayers, understand that to get this work done in the timeframe we have to do it, we generally need to bring more than one topic together on the floor at the same time. But why Defense, Labor, Health and Human Services, and Education?

Well, first of all, that is 62 percent of all the spending. If we can get this bill passed today, get a conference with the House, get this single bill on the President's desk by the end of the fiscal year, we will have funded that much of the government in a timely way for the first time in a decade.

If we can add the other bills to it that the House and Senate have passed, we will have 90 percent of the spending on the President's desk and in place before the spending year starts.

It doesn't sound as if that would be a very big accomplishment, but by the standards of the last decade, it would be an incredible accomplishment to bring these bills to the floor, to allow

them to be debated, to allow them to be amended. We have a managers' package that would include a number of the 60 or so proposed amendments just on the Labor, Health and Human Services, Education part of the bill. I don't know how that is exactly going to work out today, but I do know we can take that managers' package to the conference and say: This is what we agreed to as a managers' package. Whether we officially are able to add it or not, every bit of it is germane to the bill, germane, in my view, to what could happen in conference.

I would also point out that, for decades, the priority of my side of the aisle, of our side of the aisle, has been that defending the country first is the No. 1 priority.

One of the top priorities on the other side of the aisle has been: Well, let's take the biggest of the nondefense bills and be sure we are equally prioritizing it.

So in my view, for perhaps the first time this has ever happened, the leaders have decided to bring these two top priorities to the floor together and let voters, Democrats and Republicans, voters on the Senate floor, decide how they want to move forward with those bills.

Let me just talk for a few minutes about one of the items in our bill—the Labor, Health and Human Services, and Education Subcommittee, which you and I serve on—and that would be healthcare research, specifically Alzheimer's and how it relates to that research.

First of all, for a dozen years, ending 4 years ago, there had not been a penny of increase in health research.

When I became chairman of this committee 4 years ago, Senator MURRAY and I began to work on reprioritizing healthcare research, with Democrats and Republicans getting together to figure out what we needed to do. For at least the first couple of years, what we needed to do was eliminate other programs and combine other programs and make tough choices to be sure that health research was a priority.

When we pass this bill today, we will have increased health research spending in a budget that for 2 years had no growth at all and has had some growth in the last 2, but by 30 percent—30 percent—from \$30 billion a year to \$39 billion a year at a time when we know more about the human genome, we know more about what makes each of us different from all the rest of us than we have before.

What are we beginning to see? We are seeing things in immunotherapy in cancer; we are seeing things in brain research. We are not seeing the kinds of results we want to see yet in Alzheimer's, but we are moving in that direction.

Every hour, Alzheimer's disease costs taxpayers at least \$21 million—every single hour. Someone in the United States is developing Alzheimer's every 65 seconds. We are spending somewhere

in the neighborhood of 277 billion tax dollars a year on Alzheimer's and dementia-related care.

I have just given three numbers. It is hard to talk about appropriating without giving numbers. Maybe numbers are not the most riveting thing, particularly when you start talking about millions or billions or even trillions. What does that really mean?

That means we are spending basically an amount equal to half of the defense budget on Alzheimer's and dementia-related care. That will have an overwhelming impact if we don't do something differently than we are doing right now, just because of the projected long life and demographics of the country. In 2050, which is 32 years from now, we will be spending, in today's dollars, \$1.1 trillion on Alzheimer's and dementia care—\$1.1 trillion. One point one anything—who knows? Let's go back to defense again. That is twice the defense budget of last year—twice the defense budget.

I don't really have a great grasp of what \$1.1 trillion is, but I do have a sense of what every military base everywhere in the world would be. Add to that every ship, every plane, every piece of equipment, and add to that every training dollar, and add to that every paycheck for every soldier, sailor, airman, marine, person in the National Guard, the Coast Guard, the Reserves, and you will begin to approach a pretty big number.

We would be spending more than twice that amount. If you add up all I have just talked about, taxpayer spending would be more than twice that just on Alzheimer's and dementia.

Obviously, there is a huge taxpayer need to find a solution here. There is an even bigger individual need. It is not only a devastating disease for people who have it, it is a devastating disease for the people who care about them. There is one generally used number out there that says for every tax dollar we are spending on Alzheimer's and dementia right now, we are spending two private dollars, almost never insured. These are caregivers. These are people who care about you, who give up part or all of their career and time to take care of you instead of doing what they otherwise would be doing. The person being taken care of may not have any real idea, at some point, as to what is going on, but the people taking care of them know. That is a big reason to find a solution.

If we could just delay the onset of Alzheimer's, if we could figure out how to come up with something that would slow down the onset of that disease, if we could delay the onset by an average of 5 years, we would cut that \$1.1 trillion by 42 percent—almost in half. If we could just have the average person who gets Alzheimer's get it 5 years later than they are getting Alzheimer's today, almost half, 42 percent, of that \$1.1 trillion would go away. So this is something we obviously need to prioritize.

Just 4 years ago, we were spending about \$600 million on Alzheimer's research. We were spending \$250 billion on taxpayer-related care. We were spending \$600 million—what is that? Is that one-quarter of 1 percent? We were spending \$600 million on research to try to help solve this problem that we are spending these billions of dollars on every year.

In 4 years, we have gotten that number beyond the disease goal a handful of years ago. We said: If we just could have \$2 billion for Alzheimer's research every year, we would have a better chance to find a solution.

Well, this year, we have passed the \$2 billion. We are at \$2.34 billion, but we are still spending less than 1 percent on trying to find a solution to the problem of what we are spending every year on the problem. It is an important 1 percent.

At Washington University in St. Louis—I didn't know when I started chairing this committee what great leaders they are in this research effort. I knew this was one of the top health research universities in the country. I didn't know where we were in terms of the cutting-edge on Alzheimer's, but Dr. Randy Bateman at Washington University in St. Louis is very close. He has unveiled the results of a blood test that hopefully will detect early on whether you individually are on the way to developing this problem.

Obviously that matters if we can find things that could be done to significantly slow down the advance of this disease. It is not particularly expensive to take a blood test. It is not very invasive. It gets a quick result. Now what you have to do—you have to have a CAT scan. Somebody, in an expensive process, looks at your brain and figures out if you have amyloids developing in your brain that are likely to cause this.

So early detection—Dr. Hodes at the National Institute on Aging at NIH says that one of the real reasons we can't find solutions is we cannot figure out how to get the right group to clinically test. A blood test would help with that. So we are working on that.

I see my friend Senator MARKEY is here. I would point out to him that because of the leader's time, I started talking only about 8 minutes ago and maybe have only 2 minutes right now.

If you want to use that 2 minutes before the vote—but we do have a vote—then we will figure out later, maybe, how to get back to your time. But thanks for your interest in health research. Certainly, Dr. Blumenthal, the Senator's wife, is a great advocate of this. Why don't I yield this last minute or so to Senator MARKEY; then maybe there will be other time later, but I know we have a vote scheduled in a minute.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Madam President, I ask unanimous consent that I be allowed to speak for 4 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MARKEY. Thank you, Madam President.

I thank the Senator from Missouri for his great leadership on this issue. As he was pointing out, this issue of whether we make a continued increase in the funding for research at NIH goes right to the long-term budgetary objectives of our country.

If we do not find the cure for Alzheimer's by the time we reach the year 2050, the budget at Medicare and Medicaid for taking care of Alzheimer's patients will be equal to the defense budget of our country. Obviously, that is not sustainable. So the only way we are going to be able to deal with this issue is to find a cure.

Research is medicine's field of dreams, from which we harvest findings that give hope to families that there could be a cure for the disease that runs through their family's history. It could be Alzheimer's, Parkinson's, diabetes, cancer. Whatever the disease, it is going to take funding from the NIH to match the magnitude of the challenge. That is what this bill is going to do.

Working with Chairman SHELBY and Senator LEAHY, along with Mr. BLUNT, what we are seeing is another dramatic increase. He and Senator MURRAY have worked with the chairs in order to accomplish this goal.

Ultimately, I know how important this issue is because my mother died from Alzheimer's. The funding level for Alzheimer's research has been woefully inadequate matched against the magnitude of the problem, so there has had to be a dramatic increase.

Unfortunately, from 2002 until 2007, we have just level funding at the National Institutes of Health, and that meant a cut by ultimately 20 percent in the spending capacity of NIH. So now we are making up for lost ground. The key is, it draws the most talented young people in America toward the goal of finding the cures and the breakthroughs that can ultimately give hope to families because NIH isn't just the National Institutes of Health, it is the "National Institutes of Hope"—the hope people have that the disease that runs through their family will, in fact, be cured.

That is why this budget is so important because it is going to increase the hope families have. It is going to draw more scientists toward these issues. It is going to lead to more breakthroughs because whether it be Alzheimer's or cancer or diabetes or ALS or whatever the disease is, failure is not an option. We must find the breakthroughs that are going to make a difference.

When it comes to Alzheimer's itself, when I was a boy, President Kennedy said the mission to the Moon was what we should all be focusing on. Well, in the 21st century, it is the mission to the mind. It is to try to find ways in these labyrinthian passageways of the

human brain that we can find the clues that make it possible for us to find the cure.

I thank the Senator from Missouri. I thank you, Madam President, for giving me an opportunity to extend. There is no more important issue than what we are going to be dealing with.

With that, I yield back.

Mr. BLUNT. I yield back my time as well.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3695 to Calendar No. 500, H.R. 6157, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

Mitch McConnell, Orrin G. Hatch, Jerry Moran, Lindsey Graham, Mike Crapo, Richard C. Shelby, John Thune, John Cornyn, John Hoeven, Shelley Moore Capito, Johnny Isakson, Pat Roberts, Steve Daines, John Boozman, Richard Burr, Lisa Murkowski, Roy Blunt.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the amendment numbered 3695, as amended, offered by the Senator from Alabama, Mr. SHELBY, to H.R. 6157, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO), the Senator from Washington (Mrs. MURRAY), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

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

The yeas and nays resulted—yeas 90, nays 6, as follows:

[Rollcall Vote No. 190 Leg.]

### YEAS—90

Alexander	Capito	Crapo
Baldwin	Cardin	Cruz
Barrasso	Carper	Daines
Bennet	Casey	Donnelly
Blumenthal	Cassidy	Duckworth
Blunt	Collins	Durbin
Booker	Coons	Enzi
Boozman	Corker	Ernst
Brown	Cornyn	Feinstein
Burr	Cortez Masto	Fischer
Cantwell	Cotton	Gardner

Gillibrand	Leahy	Sasse
Graham	Manchin	Schumer
Harris	Markey	Scott
Hassan	McCaskill	Shaheen
Hatch	McConnell	Shelby
Heinrich	Menendez	Smith
Heitkamp	Merkley	Stabenow
Heller	Moran	Sullivan
Hoehn	Murkowski	Tester
Hyde-Smith	Murphy	Thune
Inhofe	Nelson	Tillis
Isakson	Perdue	Udall
Johnson	Peters	Van Hollen
Jones	Portman	Warner
Kaine	Reed	Warren
Kennedy	Risch	Whitehouse
King	Roberts	Wicker
Klobuchar	Rounds	Wyden
Lankford	Rubio	Young

## NAYS—6

Flake	Lee	Sanders
Grassley	Paul	Toomey

## NOT VOTING—4

Hirono	Murray
McCaIn	Schatz

The PRESIDING OFFICER. On this vote, the yeas are 90, the nays are 6.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

## LEGISLATIVE SESSION

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019—Continued

The PRESIDING OFFICER. Cloture having been invoked, the Senate will resume legislative session on H.R. 6157, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## Pending:

Shelby amendment No. 3695, in the nature of a substitute.

McConnell (for Shelby) amendment No. 3699 (to amendment No. 3695), of a perfecting nature.

Leahy amendment No. 3993 (to amendment No. 3699), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, as vice chairman of the Appropriations Committee, and I am sure I can also speak for the chairman of the Appropriations Committee, we appreciate this vote, so we can move forward.

We have spent the last week on the Senate floor. But, what many people have not seen are the hours and hours that Senators, both Republicans and Democrats, have spent working together to get where we are today. Many people have not seen the countless of hours more being done by our staffs. Sometimes at 1 in the morning, they are still negotiating parts of this bill.

We are just within an hour or so of doing something the Senate, as Senator MCCONNELL pointed out, has not been able to do in years.

I think we will pass a good, responsible and within-the-budget piece of legislation. Both Republicans and

Democrats had a voice in the process. We held numerous votes in the Senate Appropriations Committee, all of them overwhelmingly bipartisan, many of them unanimous—with the exception of one or two votes—to get to where we are today.

I see some of the chairs from our subcommittees who worked very hard to put together these bipartisan coalitions. I know a lot of people are anxious to get out of here, and soon they will be headed to the airport. Let's get this done. Let's show that the U.S. Senate is actually doing its work. Let's do what we were elected to do, what we know how to do, and what we can do.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I am on the floor to thank the ranking member of the full committee for his good, hard work on this bill and certainly Senator SHELBY and the subcommittee chairs.

We are here to talk about some of the important issues in this bill and how consequential this bill will be and has the potential to be.

We are encompassing both Defense and Labor-HHS, both of which passed out of our committee a few weeks ago with bipartisan support and a lot of input from Members in the process.

Bills of this magnitude deserve to be debated on the Senate floor, as we are doing today. I will first address the defense part of this measure because I think it impacts not only our standing here and our military here but also has a global impact.

President Trump has made rebuilding and strengthening our military one of his administration's primary objectives, and this bill helps him do exactly that.

This legislation invests in programs, projects, technologies, and capabilities that will strengthen our Nation's military. More importantly, it invests in the people behind all of these efforts by including a 2.6-percent raise for all of our military. That includes our National Guard.

Our National Guard's presence in West Virginia is essential not only to our Nation's security but to all the core values and the core strengths the National Guard brings to the State of West Virginia. All of these men and women deserve our support and our commitment to provide them with what they need to defend freedom both here and abroad.

Of course, the legislation under consideration doesn't just focus on the military; it also focuses on another war being waged right here in our country, and that is the fight against the opioid epidemic.

Under the leadership of Chairman BLUNT—and he has been fantastic in the committee—the Labor-HHS Subcommittee has made this issue a top priority, and I could not be more grateful, more proud, and, even more importantly, more hopeful.

We saw the statistics come out last week that there have been over 70,000 deaths across the country. It is deeply troubling as to how to get the best handle on this very difficult problem.

Over the past 4 years, we have increased funding for this effort of fighting the opioid crisis by more than 1,275 percent, but we haven't done this blindly. We are just not throwing money at the problem. I think we have been very thoughtful, as have our partners in the State and local areas.

We have focused on treatment through our community health centers. We have focused on prevention, working with the CDC. We have focused on recovery through our workforce initiatives. We have focused on research at NIH, where, hopefully, NIH can develop a nonaddictive opioid treatment, which I think will be a major breakthrough for this problem, and we have focused on directing funding to the States to meet the local challenges through their State opioid response grants. We have also focused on the ripple effects of this epidemic, including the impact on families and children in foster care. These are all important resources and much needed.

I want to call special attention to our work, something that is extremely important to my home State of West Virginia. In the previous funding legislation, when we were dealing with this problem, I authored language with Senator SHAHEEN. We had language directing funds in the State opioid response grants to those States with the greatest needs.

The unfortunate metric in my State, and certainly in the Presiding Officer's State as well, is that we have States with smaller populations, but we have some of the biggest impacts, the highest addiction, the highest overdose, and the highest death rates across the country. This has enabled us to focus more funding on those States that are more deeply affected but don't have the population to have enough formula funding in those States to meet our needs.

Just a few weeks ago, our State Department of Health and Human Resources released the preliminary numbers. So far in West Virginia, we have had almost 500 opioid-related deaths. While this is the most devastating statistic, when it comes to West Virginia and the opioid epidemic, it is not the only one. It is not the only one we need to look at.

We are seeing an increasing number of children in foster care. This has impacted the entire family. There are more grandparents and great-grandparents who are raising their grandchildren and their great-grandchildren.

Our State has an increased need for treatment facilities. We have more babies who are requiring neonatal care, as well as the services as they grow. This has impacted our entire State very deeply. I have seen these needs firsthand through visits to the facilities, conversations with families, counselors, recovering addicts, healthcare professionals, and first responders.

I can say that living in a smaller area, more rural area of our country, I know families personally who have been impacted by this. It is heart-breaking how many people need help, and I think this bill takes major steps to help in delivering that.

While the opioid epidemic is a very significant focus of Labor-HHS, I wish to highlight some of the other valuable investments. One that is a personal priority of mine, and I know of Chairman BLUNT's, and many of us, as well as Senator COLLINS, who is here today, is the funding we provide for Alzheimer's research.

In the last 4 years, both of my parents have died with severe dementia and Alzheimer's. It is probably the saddest and hardest thing we, as a family, have ever had to face.

I understand the emotional, physical, and financial toll it takes on patients, their caregivers, and families, because a lot of the caregivers are family members. It is a devastating disease, which is why I have been such a supporter of a wide range of Alzheimer's-related legislation.

With this bill we have surpassed, with the help of Chairman BLUNT and his leadership, a \$2 billion milestone when it comes to Alzheimer's research. That isn't just for research. It is also to figure out the best way to help our caregivers.

Also in this bill, we have directed help to other priorities to a lot of rural States like mine for community health centers, which are critical.

As for apprenticeship grants, I was just with the plumbers and pipefitters. Apprenticeships are absolutely critical to the workforce that we need.

There is the IDeA Program at NIH, which drives research dollars out to universities, away from the main campus of NIH. Certainly, our colleges and universities are taking advantage of this, in particular West Virginia University.

We also fully fund—and I am very excited about this—with the help of Senator REED, our bill on childhood cancer. It is called the STAR Act. We introduced it, and we passed it. This legislation will expand opportunities for childhood cancer research, improve efforts to identify and track childhood cancer incidences, and enhance the quality of life for our childhood cancer survivors. Many of them have cancer and have treatments in their younger years, but what happens to them as they enter their teenage years, their young adult years, or if they move into family life? There are impacts that impact our childhood cancer survivors all

throughout their life. So I am really pleased with the efforts we have made there.

In short, this legislation aims to improve the health and well-being of every single American.

When it comes to the Department of Labor, very briefly, this is important for us in West Virginia. There is a training program there for displaced coal workers and coal miners. We have re-funded that. We have pushed more funding to that, I should say. "Re-fund" sounds a little confusing, I think.

We have also increased the maximum amount for Pell grants.

These are just a few highlights of this piece of legislation with a few critical resources that will make a big difference.

I know this bill will benefit my State of West Virginia because it recognizes the needs and opportunities facing our State and Nation and it provides the resources we need to seize those opportunities. It also demonstrates, for the first time in a long time, that we have worked together and we have worked across the aisle. We have been able to have our say as Members—every single one of us—as to where and how we want to see both Defense and Labor-HHS, these enormously impactful agencies, and how they impact our lives. For me, that is a major victory, being a member of the Appropriations Committee.

So I want to extend again my gratitude to the subcommittee chair, Senator BLUNT, and the ranking member, Senator MURRAY, and then to our two major chairs, Senator LEAHY and Senator SHELBY. It is a good day here on the floor of the Senate.

Thank you.

I yield the floor to Senator MORAN.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, it is such a privilege to be here on the Senate floor today on this occasion as we work our way through another set of appropriations bills. Today we are working on the Defense appropriations bill and the bill we call Labor-H, which involves the Department of Health and Human Services, which includes the National Institutes of Health, or NIH.

The Senator from West Virginia was correct in her commentary with regard to this being a good day, but she was also correct in her commentary about the number of people, including, especially, the chairman of the subcommittee, Senator BLUNT from Missouri, and the ranking member of that subcommittee, Senator MURRAY from Washington State, and I too serve on the subcommittee.

I am also pleased to be here with the Senator from West Virginia, Mrs. CAPITO, and the Senator from Maine, Ms. COLLINS. It is an indication that there is broad support. I also notice that the ranking member, the vice chairman of the committee, is with us as well, Senator LEAHY from Vermont.

For as long as I have been in the U.S. Senate—and I have been a member of the Appropriations Committee since that arrival—it has been a mission of mine to see that we increase the amount of funding for the National Institutes of Health. Today we particularly highlight the consequences—the good things that happen—in that regard, with the diseases of the mind—Alzheimer's, in particular.

Alzheimer's is a devastating disease that places such an enormous burden on so many people, on so many families across Kansas and around the country, and it has a huge impact on lives. There are currently more than 5 million Americans living with Alzheimer's and their combined care costs \$259 billion to our healthcare system each year.

I appreciate the opportunity to work on issues that combine the opportunity to help individuals and the care and compassion that come from one's heart to see that people's lives are improved and that families are changed as a result of the work. I also appreciate the opportunity to work on issues in which the mind kicks in and in which we can save significant dollars in our healthcare delivery system by finding the cure to Alzheimer's and delaying the onset of this horrific disease.

It is estimated that by 2050, this number—the \$259 billion to our healthcare system costs—could rise as high as 16 million people with Alzheimer's, or from 5 million to 16 million, and increase the cost from \$259 billion to over \$1 trillion. In fact, an individual develops Alzheimer's almost every single minute in our country. These predictions do not need to become a reality. That is what this Appropriations Committee report that we will discuss, debate, and vote on this week involves. These astronomical costs can be curbed if this disease can be made treatable and curable.

There is hope that progress is being made. I am hopeful, but I know that progress is being made. We have seen it. This past decade has bought a significantly increased awareness to Alzheimer's research, as well as important partnerships and developments at the National Alzheimer's Project, which is updated on an annual basis.

NIH researchers are now able to study an increased level of small images of proteins, including detailed physical structures of the brain that are common in individuals suffering from Alzheimer's. This new development could be the piece that brings the research and data together to find a way to reverse the disease's impact on the human brain. What a wonderful development that would be.

The only way to build on this progress is to solidify our commitment to supporting the National Institutes of Health through our annual funding increases. Again, I am pleased to see that we are once again adding significant dollars to the NIH, and particularly to NIA, for this research.



As a cofounder of the Senate NIH caucus, I visited NIH headquarters last year with directors of the University of Kansas Alzheimer's Disease Center. It is one of 31 NIH-designated Alzheimer's disease centers across our country. The promising research that we see at home at the KU Alzheimer's Disease Center demonstrates the benefits of NIH utilizing partnerships to increase research capacity that yields results.

It is critical to note that NIH's ability to support Alzheimer's at academic institutions such as KU is dependent upon stable annual appropriations. That stable annual appropriation is also important for us to be able to attract the best and the brightest researchers in this country, who need to know there is a stable source of research dollars for them to continue their efforts of finding this cure and delaying it at its onset.

So many of us care for people who have been affected by Alzheimer's and serious illnesses. This unfortunate circumstance that many share should make it easy to rally around NIH in hopes of that cure and improving the lives of those we love.

I am proud to say that with this proposed increase of \$425 million in fiscal year 2019, we have now worked to nearly triple the funding for Alzheimer's disease research over the past 3 years.

In addition to our work in the appropriations process, there are a number of legislative efforts that are under way. I will mention two of them: the BOLD Act and PCHETA. These are legislative initiatives sponsored by many of us who are speaking today about Alzheimer's that on the authorizing side, separate from the appropriations side, are deserving of the support of my colleagues here in the Senate, in the House of Representatives, and in our bill, which should be sent to the President of the United States for signature.

As a committee and as a Congress, we must work to provide the necessary support to NIH to discover treatments and cures, and we will continue to do that with this bill today.

I also want to take a moment to recognize a couple of people. In my involvement in this issue, and, as a matter of fact, in my involvement as a U.S. Senator with issues in general, we meet lots of interesting and caring people. There is a family I have met who, to the best of my knowledge, has nothing personally to gain from their efforts. Bob and Jill Thomas and brother Bill and Susan Thomas from Oklahoma have been relentless, tireless advocates on behalf of the Alzheimer's community. It is so pleasing to me to know people who have care and compassion for people and who spend their time and their resources making sure that Members of Congress, the American people, and the Alzheimer's Association have the resources and information necessary to accomplish the goal that we are all about: a better life for more Americans and their families, the elimination of this disease that Ameri-

cans now face, and the opportunity for us to find the cure to this horrific disease that affects so many.

So I want to use the moment to express my personal gratitude to Bob and Jill and to Bill and Susan and to others across the country and others in Kansas, who go to work, day to day, to make certain that life is better for their fellow Americans and for people around the globe.

Again, it is an honor to be here with my colleagues in support of this legislation. There are many reasons to be supportive of the Labor-HHS bill, but I would highlight this one as one that my colleagues can rally around. Republicans and Democrats of all walks of life should be pleased by our efforts today to see that there are more research dollars available for the cure.

I appreciate the opportunity to join my colleagues.

I now yield the floor to the Senator from Maine, Ms. COLLINS.

**THE PRESIDING OFFICER.** The Senator from Maine.

**Ms. COLLINS.** Mr. President, what a pleasure it is to be here on the Senate floor with such determined advocates on behalf of the families all across our Nation who are dealing with this devastating disease of Alzheimer's.

I spoke earlier in the week about the many terrific provisions in this bill on the Defense appropriations side and on the Labor, Health, and Human Services part of the appropriations package, but I am delighted to be here today to shine a spotlight on the additional funding for Alzheimer's disease.

As a member of the Appropriations Committee, it has been such a pleasure to work with my colleagues, including Senator MORAN, Senator CAPITO, and our leader, Chairman BLUNT, on this shared priority year after year. I particularly want to recognize the extraordinary leadership of Chairman BLUNT in making sure that adequate funding is provided for this devastating disease.

Alzheimer's is the sixth leading cause of death in the Nation, and it is increasing at unprecedented rates. Like many families, mine too has known the pain of its devastating consequences. Today, an estimated 5.7 million Americans are living with Alzheimer's.

In addition to the human suffering it causes, Alzheimer's is our most costly disease at \$277 billion a year, with Medicare and Medicaid covering \$186 billion. Without a change in the current trajectory, the number of Americans with Alzheimer's is expected to triple to as many as 14 million by 2050, costing more than \$1.1 trillion per year and bankrupting the Medicaid system.

Fortunately, Congress has taken significant actions and in this bill recognizes the urgent need to continue our investment full speed ahead.

Since the 2011 signing of the National Alzheimer's Project Act, known as NAPA, which I coauthored with former Senator Evan Bayh, we have increased funding for Alzheimer's by \$1.36 billion.

Seven years ago, NIH received only \$440 million for this research, compared to more than \$5 billion for another very serious disease—cancer. Since that time, we have steadily boosted Federal research dollars for Alzheimer's—to \$936 million in 2016, \$1.4 billion in 2017, and \$1.8 billion last year—but this bill before us achieves a milestone because by adding another \$425 million for this research, the total funding for the first time will exceed the \$2 billion mark. This is the largest increase in history, and it allows us to reach the level that experts have advised us is necessary to find a means of prevention, effective treatments, or ultimately a cure by the year 2025.

This has been a bipartisan commitment. Alzheimer's doesn't care whether you are a Democrat, a Republican, an Independent, or a Green. It does not discriminate. This robust commitment promises returns such as we have seen for cancer, diabetes, and other chronic illnesses. Fueled by Federal support, researchers are beginning to understand more clearly the complex biology of Alzheimer's with sophisticated new tools that are leading to better imaging agents and therapies.

NIH research is laying the foundation for precision medicine through the Accelerating Medicines Partnership for Alzheimer's Disease, which will produce more targeted therapies that I believe will lead to a means of either preventing or at least delaying the onset of this disease. With NIH funds, scientists are also exploring possible risk factors, including diet, heart health, diabetes, and exposure to environmental toxins. Results from the Systolic Blood Pressure Intervention Trial released last month found that lowering blood pressure is associated with reducing the risk of mild cognitive impairment and dementia.

Through a \$25 million NIA grant, the Jackson Laboratory in Maine is co-leading the Alzheimer's Disease Precision Models Center with Indiana University—the first of its kind—to accelerate the most promising research into therapies from the bench to the bedside. This is exactly the kind of collaboration and sharing we need to make a difference.

As chairman of the Senate Aging Committee and founder and co-chair of the Senate Alzheimer's Task Force and as a Senator representing the oldest State in the Nation by median age, I am committed to making 2020 the dawn of light for Alzheimer's to alter the path for generations to come. The robust support in this bill represents a historic step forward that will promise dividends in the future. As glimmers of light seep through this door that has been shut tight for far too long, we must continue to push forward. We cannot let up on the accelerator of funding.

We need to improve the lives of those living with Alzheimer's and their caregivers. How many of us have seen an elderly parent caring for a beloved



spouse with severe dementia? It takes a toll not just on the victim of the disease but on the entire family and particularly on the caregivers. That is one reason I have introduced the BOLD Infrastructure for Alzheimer's Act with Senator CORTEZ MASTO. This bipartisan bill would promote public health knowledge and awareness of Alzheimer's disease, cognitive decline, and brain health by supporting implementation of the CDC's Healthy Brain Initiative: Public Health Road Map. BOLD now has 48 cosponsors, I am delighted to report, and we are on track to consider the bill soon in the HELP Committee, led by Senator ALEXANDER and Senator MURRAY. BOLD follows our previous efforts, such as NAPA, and, together with the extraordinary increase in NIH funding that we are providing today, these congressional actions are poised to usher in a whole new era in our battle against this devastating disease.

I have visited research laboratories all across the United States—the Mayo Clinic, NIH here in the Washington area, Jackson Laboratory in the great State of Maine, the University of Pennsylvania, Harvard—and I have seen what is going on in the labs due to the increases in NIH funding we have provided. It is so exciting. I am convinced that if we sustain this commitment, we will be able to avoid such tragedy for so many American families, as well as avoid the tremendous burden of our Nation's most costly disease.

Again, I salute Chairman BLUNT's efforts to continue to press forward and thank him for his leadership and strong support of biomedical research.

I yield the floor to the chairman of the subcommittee, Senator BLUNT.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, certainly I want to thank my colleagues today for the credit that they have shared with me and that I am reluctant to accept. This is clearly an effort to establish what our priorities are. There are a lot of things in this bill that are good things for somebody to do. In some cases over the years, we have not done them as well as we should have, and well-intentioned programs didn't work. We have gone through the process of eliminating programs and combining programs so we could set the priorities mentioned just this morning by Senator COLLINS, Senator CAPITO, and Senator MORAN.

When you think about what we are talking about here—healthcare research, the opioid epidemic, and what is happening in the Alzheimer's space—we would have never imagined these numbers in cost or family impact.

There is one thing I want to mention just briefly before we end this part of our discussion. I think between votes and other things this morning—Senator CARDIN is here and, like me, planned to do what I am doing now about an hour ago. So I am going to take just a couple minutes.

I want to talk a little about the labor part of this bill. For the first time in the 20 years we have been keeping statistics on jobs available and people looking for work, this is the first time there are more jobs available than people looking for work. That is a big number and a big thing to think about.

The other thing to think about is that the match between the people looking for work and the jobs available is not exact. In fact, most of the people looking for work don't have the skills for the jobs that need to be done. Recently, I was in Missouri visiting with a small manufacturing company. They had 20 job openings and were just waiting for somebody to come in the door who had the skill set for those job openings.

What we do to do a better job of combining the skills people need with the jobs that are out there or the jobs that will be out there—the apprenticeship programs in this bill that Senator MURRAY and I have particularly been focused on with Secretary Acosta give people new ways to get ready for work. They create new ways for partnering between people already in the workforce and someone they can mentor, an apprentice. We are looking at the Pell grant area for ways that the post-high school Pell grant can be used in different ways that allow not just traditional college programs but various kinds of certificated programs that allow people to go to work in areas where there are high demands. Right now, construction, energy, hospitality, healthcare, and manufacturing are only a few of the industries where jobs need to be done.

We have around 400 registered apprenticeship programs in my State, with more than 13,000 apprentices working with several hundred employees. There are 530,000 Americans in apprenticeship programs nationwide—over half a million Americans—getting ready for the jobs that are out there.

What the Department of Labor is doing with Job Corps—for years, the major Job Corps measurement has been “Did you get some kind of certificate?” Well, we are now shifting from “Did you get some kind of certificate?” to “Did you get a job?” It is great to have a certificate; it is a whole lot better to have a certificate that gets you a job.

Over the next 3 years, we are moving from—of course you get the certificate—that is a basic part of the program—but does it lead to a job, and do you still have that job or a job like it a year later? That is how the people running these programs are going to be measured in the future, as opposed to whether they just got somebody through the program. Now it will be “Did you get somebody through your program in a way that met the goal of the Job Corps?” It is not the Certificate Corps; it is the Job Corps—now measuring by getting a job.

This bill is reflective of the new efforts in our society to try to match people with the jobs that are out there

and to do the kinds things in our economy that ensure that those are jobs that allow people to raise a family and allow people to have opportunities they wouldn't have otherwise.

So I am looking forward to later today when I believe we will all vote for this bill—Labor, Health and Human Services, and Education, combined with the critically important bill on defense.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, before Senator BLUNT leaves the floor, let me thank him for his leadership in regard to the provisions in the bill before us that relate to Alzheimer's and the research.

As has been pointed out, this is bipartisan. We strongly support the efforts in this bill. I would just like to put one face on it, if I might.

REMEMBERING SALLY MICHEL

Mr. President, this past week, Sally Michel, a distinguished leader in our community, died after 10 years suffering from Alzheimer's. We lost her way too early to this disease. She was an extraordinary person—a professional civilian activist, advisor to Governors, mayors, and legislators, and she left a great legacy. She established the Parks and People Foundation in Baltimore and the SuperKids Camp Program. She helped start the Baltimore School for the Arts.

She developed private sector partnerships, working with government to get things done. She was a very effective youth in our community, and underserved areas benefit today from the programs she started. I was very proud of my granddaughter, Julia, when she volunteered at one of these SuperKids Camps this summer in Baltimore City.

My point is, she was taken way too early as a result of Alzheimer's. There are many reasons we have to make an extraordinary commitment to finding answers to this very challenging and cruel disease. I can assure my colleague from Missouri, all of us in this Chamber support the efforts that are being made to make sure we are full partners in the Senate to move forward on conquering this disease.

H.R. 6157

Mr. President, I want to talk about two amendments I filed for the bill that is before us and the reasons I filed those amendments. One deals with the cost of prescription drugs. Prescription drug costs are out of control. Any of us who have been to any townhall meetings—I have been to many in my State—we hear constituents all the time talk about the fact that there is a serious challenge as to whether they can afford to take the medicines they need in order to control their disease, whether it is diabetes, heart, kidney, or cancer.

So many patients have to make very tough decisions as to whether they can afford the prescription drugs that are necessary for their care. Many are going into debt. We are now seeing people going into bankruptcy because of

medical debt from prescription drugs, and many are going without the medicines themselves. We need to do something about it.

According to the Federal Government's own projections of cost, the projected cost for prescription medicines will exceed \$360 billion. A study in Maryland showed about \$1 out of every \$4 spent in healthcare goes to medicines and prescription drugs.

The projected growth rate of prescription drugs is much higher than the projected growth rate of healthcare costs, which is much higher than the projected growth rate of our cost of living. The costs of 4 of the top 10 drugs have increased more than 100 percent since 2011.

It is not just the exotic, expensive, or orphan drugs we are talking about. These are drugs that are desperately needed to deal with common illnesses. We all know the EpiPen story. In 8 years, a pack of two has gone up from \$100 to \$600.

We might say, well, there is a cost issue in developing new drugs.

When you look at what Americans pay for their prescription drugs versus what Canadians or individuals in the industrial nations of the world pay, you cannot justify the pricing in America. It is two to three times higher. In some cases, it is even more than what consumers in industrialized nations spend for the exact same medicines that are manufactured here.

What can we do about it? The amendment offers us the ability to get the information we need, but there are three proposals I urge our colleagues to take up in this Congress. One is the Medicare Prescription Drug Negotiating Act. We should use our bargaining power, our market power, to bring down the cost of medicines. That is what every other industrial nation does. Yet we do not allow Medicare to negotiate a collective price for the medicines they pay for under the program. That is costing our taxpayers and consumers money.

Second, there is a bill that is known as the SPIKE Act that deals with the exorbitant price hikes we have seen in certain medicines. The bill requires disclosure and explanation. The pharmaceutical industry should at least disclose and explain why we had the extraordinary increases.

Lastly, we need to improve Medicare Part D. The out-of-pocket costs are not affordable. We have to put reasonable limits on what people can afford and cover what is beyond those reasonable limits.

All of us support the development of new drugs to deal with the challenges of healthcare today. It is a cost-effective way to deal with the healthcare problems in our community, but we want to see fair pricing. Why should American consumers have to pay so much more than consumers in other industrial nations? In many cases, the basic research that went into developing that drug was paid for by U.S.

taxpayers, the work done at NIH and research facilities in this country. We need to have fair pricing, and we need to act. We can no longer wait.

The second amendment I wish to talk about is the amendment I filed that deals with the Army Futures Command. This amendment would prohibit funding for the establishment of the Army Futures Command headquarters for this fiscal year.

The purpose of this amendment is to delay the establishment of the Army Futures Command's headquarters until two current GAO investigations looking into the Army's rationale and plans for establishing a new command as well as the GAO's investigation into the impacts a new Futures Command, might have on small business have concluded. It will also give the Army time to respond to the reports on Futures Command required by the John S. McCain NDAA for fiscal year 2019.

These investigations and reports will conclude by the summer of next year, allowing the Army time to complete their plans for the command during this fiscal year. Most importantly, it gives the Army additional time to take a deliberative approach to their acquisitions overhaul.

Congress has asked questions about the Army's plan to establish this command. What are the true costs for moving personnel? How many studies did the Army conduct to develop this plan, and what were the options presented? Unfortunately, the Army has not been able to provide these answers. My fear is, the Army is not executing this organizational transformation in a deliberative and coherent manner.

We all want the men and women of the Army to have the best technology in the world. However, we also have a responsibility to be good stewards of the taxpayers' dollars. When the Army can't provide basic answers, provide clarity on their plan, or even identify how this plan was formulated, it leads me to believe the Army is building this tank while it is still moving.

History has proven this strategy has not led to the outcome for which we hoped. It took the Army almost a decade and multiple studies to establish a new physical fitness test. Surely, a new Army acquisition model should take more than a year to develop. How is it possible for the Army to establish a brandnew acquisition program in a far shorter amount of time without studying all the impacts and implications?

It is important to note, this amendment does not prevent the Army from moving forward on its Big Six priorities. This amendment would not stop the current research and development initiatives in which the Army is currently investigating the resources and energy. However, it does give the Army the time to develop a feasible plan to determine if creating a brandnew bureaucracy with the Army for acquisition is the wisest approach.

My biggest concern is, these major shifts in resources, time, and effort by

the Army will squander and amount to another waste of \$20 billion, as we saw in the Future Combat Systems. The Army has nothing to show for that program, our troops were not well served by the Army's leadership strategy, and no one was held accountable.

This measure guarantees the requisite accountability on the Army's part and congressional oversight in the matter at hand to safeguard our Armed Forces against another Future Combat System debacle.

Bottom line, oversight is our responsibility. We all support our men and women. We want the most sufficient system possible, but we have to get answers to questions before we commit to this type of change. My amendment will allow us to have adequate information before that decision goes forward.

With that, I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from New Jersey.

#### NOMINATION OF BRETT KAVANAUGH

Mr. MENENDEZ. Madam President, I come to the floor because President Trump, his administration, and this Republican Congress are engaged in a heartless and deliberate plot to rip healthcare away from millions of Americans, and it is only going to get worse.

It was a little over a year ago when Americans rose, made their voices heard, and stopped Republicans from passing TrumpCare. Ever since they were able to repeal the Affordable Care Act on the Senate floor, this administration has pursued a cynical campaign to sabotage the Affordable Care Act from behind closed doors. The Trump administration slashed the open enrollment period, leaving Americans with less time to get covered, and, to confuse consumers, they cut advertising and outreach funding. They abruptly eliminated cost-sharing payments, raising out-of-pocket expenses for many struggling families.

Earlier this summer, they rolled back consumer protections and gave insurers permission to sell more junk health plans to consumers—plans that leave people more vulnerable to massive medical bills that bankrupt their families. They even intervened in a court case to have protections for preexisting conditions struck down, jeopardizing coverage for 3.8 million New Jerseyans who have a preexisting condition.

Every act of sabotage has contributed to soaring healthcare premiums, fewer choices for consumers, and millions of Americans losing their healthcare coverage under this President's watch. Now we face President Trump's greatest act of sabotage yet—the nomination of a judge to the Supreme Court who has decried the constitutionality of the Affordable Care Act at the very same time this administration is arguing in court that protections for preexisting conditions are unconstitutional—unconstitutional.

As a candidate and as President, Donald Trump repeatedly pledged to

protect people with preexisting conditions, saying on “60 Minutes” that he would “take care of everybody.”

Before the Affordable Care Act, insurance companies could discriminate against any American who had a preexisting condition. What is that? That is some illness you acquired in your life. It is that heart attack or the Parkinson’s disease or the birth defect you had when you were born that allowed an insurance company to discriminate against you and either deny you healthcare coverage or make the cost so exorbitant, it was impossible to afford. The Affordable Care Act I helped write ultimately eliminated that discrimination and the ability of insurance companies to do that.

In New Jersey alone, which has a little over 9 million people in the State, 3.8 million New Jerseyans have a preexisting condition.

The President also said he replaced the Affordable Care Act with “something terrific.” There is nothing terrific about breaking a promise that threatens the lives and livelihoods of millions of families.

I remember when President Trump promised to stand up for the so-called forgotten men. I guess he forgot about them when he signed a Republican tax scam into law, handing trillion-dollar tax cuts to big corporations at the expense of working families and New Jersey’s middle class, taking away or limiting significantly our State and local property tax deduction. He definitely forgot about the forgotten when he reversed his position on preexisting condition protections.

The administration’s plot to derail the Affordable Care Act and the nomination of Brett Kavanaugh has implications for every family in America, no matter whether they are covered by an employer or by their own insurance on the marketplace.

People remember what it was like before we passed the Affordable Care Act. It wasn’t so long ago that healthcare insurance companies could pick and choose who got covered and drop their customers the moment they got sick. Before the Affordable Care Act, women could be denied coverage for maternity care. Women in many parts of the country ultimately were discriminated against by being charged more than their male counterparts in the same age group, in the same geography, simply because they were women.

Today, women no longer are considered to have a preexisting condition under the law simply because they are a woman.

Before the Affordable Care Act, babies born with heart deformities could hit lifetime limits within days of being born. Today, families don’t have to worry about lifetime caps.

Before the Affordable Care Act, cancer survivors and Americans with chronic conditions like diabetes or asthma could be charged exorbitant premiums and priced out of coverage altogether. Today, those patients are protected from discrimination.

This guaranteed coverage for preexisting conditions formed the very heart of the Affordable Care Act. But if confirmed, Judge Kavanaugh could drive a stake right through it. That is because this judge has a long history of ruling against consumers and for big corporations, and that doesn’t bode well for the 133 million Americans who live with preexisting conditions in this country. That includes those 3.8 million people in New Jersey. For me, that is 3.8 million reasons to oppose Kavanaugh’s nomination, and that is before we even get to his hostile views with respect to *Roe v. Wade*.

Make no mistake, the anti-choice, anti-Affordable Care Act, and anti-everyday American views of Judge Kavanaugh are not up for debate. President Trump has been crystal clear about nominating only judges opposed to *Roe v. Wade* and a woman’s right to choose.

So when I read reports about Judge Kavanaugh telling my colleagues here in the Senate that *Roe v. Wade* is “settled law,” I have to chuckle because, let’s be clear, his hollow words mean absolutely nothing. The Supreme Court has the power to unsettle so-called settled law whenever they make a ruling, and we have seen in the Court’s recent decisions, such as in the *Janus* case, where years of settled law all of a sudden became unsettled.

I don’t question Judge Kavanaugh’s experience or his intelligence, but I do question his history of partisanship and impartiality. I question his ability to put aside his decades of work in Republican politics. I question his connections to far-right groups that have spent decades rolling back women’s constitutional rights and rigging our courts in favor of the rich and powerful.

The American people deserve a Supreme Court Justice who will defend their rights and strive for a legal system in which workers, consumers, patients, and families go to court on a level playing field at a time when powerful special interests are too often holding all the cards.

Instead, they have been given a nominee groomed by rightwing organizations like the Heritage Foundation and the Federalist Society to do the bidding of their big corporate donors.

If confirmed, Donald Trump will have replaced the only swing vote on the Supreme Court with a partisan who swings only to the far right, and Brett Kavanaugh will be in a position to cast a deciding vote, should the Trump administration’s assault on the Affordable Care Act end up in the Supreme Court. That is frightening, and it is frustrating, especially because any one of my Republican colleagues has the power to make a real difference. Any one of my colleagues in the majority could demand we don’t confirm a Supreme Court nominee until this administration stops its assault on the rights of patients with preexisting conditions. Republicans claim they support these

protections, but this is not a time for halfhearted statements. This is a time for action. If Republicans truly believed in preventing insurance companies from discriminating against patients who have endured complicated pregnancies or survived cancer or have a chronic disease, they would do something about it.

Instead, as the Trump administration carries out this campaign of sabotage against the Affordable Care Act, my Republican colleagues are engaged in a campaign of silence and complicity. When you have the power to use your voice and your vote to protect millions of patients and families across this Nation and you choose not to do so, you are indeed complicit. It is sad and shameful that not a single Republican in this body has put their foot down and stood up for the rights of patients, stood up for all of those millions of Americans who have a preexisting condition.

Failing to speak up means you are part of the problem. You are destabilizing our insurance markets and kicking millions off of their coverage. You are driving higher out-of-pocket costs for families and skyrocketing healthcare premiums. You are leaving Americans who have struggled with opioid addiction or endured a sexual assault vulnerable to discrimination. You are enabling President Trump’s worst instincts, which is to do whatever he pleases whenever he pleases, with no regard for the rule of law or the role of Congress or the havoc he is wreaking on people’s lives.

Most Americans can’t believe we have to refight the healthcare battles of the past. They want their leaders to work on building them a brighter future.

There are so many ways we could be working to improve our healthcare system and making a real difference in the lives of our constituents. We could be passing legislation that ensures that women have access to reproductive healthcare and the right to control their own bodies, no matter which State they live in, like the Women’s Health Protection Act. We could be holding powerful drug companies accountable for price gouging consumers and playing fast and loose with the rules by passing commonsense bills like the CREATES Act and the SPIKE Act. We could be pursuing reforms to reduce healthcare costs, not by reducing access to care but by encouraging efficiency and becoming better at preventing and managing costly chronic disease. We could be creating more transparency so that patients headed to surgery can shop around before going under the knife with a wish and a prayer that they don’t wake up to a massive medical bill. We could be pursuing solutions to reduce risk in the private marketplace and lower premiums for younger consumers, not by inflicting a punishing age tax but by letting Americans 55 years and older buy into Medicare.

Before we make our healthcare system better, we have to stop President Trump from making it worse. It is time we do the responsible thing: Put the brake on Brett Kavanaugh's nomination. Tell the President his nominee will not get a hearing until he drops his legal assault on patients with pre-existing conditions. Demand that the administration stop playing games with American lives and stand up for the right of every man, woman, and child across America to quality, affordable healthcare. We have that opportunity in this Senate.

I don't hear any of my colleagues on the other side of the aisle raising their voice in the midst of an attack against the essence of the protections under the Affordable Care Act that we supposedly all collectively embraced, that the President heralded, but now the President is directing the Justice Department to attack.

It is time to speak up. And if not, then one is complicit. If that ultimate attack against the Affordable Care Act is successful, then for 130 million Americans across this country who will no longer have those protections, I think they will remember on election day.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

#### PREEXISTING CONDITIONS

Mr. MANCHIN. Madam President, this body is about to vote on my resolution to protect nearly 800,000 West Virginians and millions of Americans from the dangerous lawsuit that 20 U.S. attorneys general, including my own attorney general from West Virginia, are leading to once again allow insurance companies to deny coverage to those with preexisting conditions.

This resolution will authorize the Senate legal counsel to intervene in this cruel lawsuit on behalf of the U.S. Senate to defend these men and women and children and fight for the right to affordable healthcare insurance.

The Department of Justice has recklessly refused to defend the law, and as a result, the nearly 800,000 West Virginians—91,000 of those being children—with cancer, heart disease, asthma, diabetes, or women who dare to have a baby are at risk of financial jeopardy if they get sick.

We have an opportunity today to stand up for the millions of Americans with preexisting conditions who are trusting us to protect their healthcare access. It is just common sense, and I encourage all of my colleagues on both sides of the aisle—because every one of us has someone in our family with a preexisting condition.

I will continue to look for ways to work across the aisle to ensure that every West Virginian and every American has access to affordable healthcare, no matter what their health condition may be. This is the right thing, this is the moral thing, for all of us to do.

I encourage each and every one of my colleagues to please vote for this amendment coming up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### PRESCRIPTION MEDICATION COSTS

Mr. DURBIN. Madam President, I thank my colleague from West Virginia and support his amendment. It is a good amendment for West Virginia and a good one for America, and I look forward to voting for it.

I ask unanimous consent at this point to enter a colloquy with my friend, the senior Senator from Iowa.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Madam President, have you heard of a drug pricing proposal that is supported by both Democratic and Republican Senators, the American Association of Retired Persons, the American Medical Association, the Federation of American Hospitals, America's health insurance plans, 76 percent of the American people, President Donald Trump, and the Department of Health and Human Services? What kind of idea can this be that has that kind of support, bipartisan support in Congress, as well as in the White House?

Well, Senator GRASSLEY and I have a simple amendment to the spending bill that is before us which provides \$1 million—small change by any Federal standard—for the Health and Human Services Department to issue rules regarding pricetags on direct-to-consumer ads for prescription drugs.

While this underlying bill includes many important provisions that I support, it doesn't do anything to tackle prescription drug costs. And we know, American families know across the board, that it is time for us to act.

If I ask you whether you have seen any commercials for prescription drugs on television and you answer no, then I know one thing for sure: You don't own a television, because they broadcast an average of nine drug ads that each of us see every single day—nine a day. You know what I am talking about. It is the ads with those unpronounceable names of drugs and then that long, mumbling “Don't take it if you are allergic to it; this may kill you”—all the warnings they give you at the end of the ad, over and over and over again.

The pharmaceutical industry spends \$6 billion a year so that we get a steady diet of these drug ads.

How many countries in the world have television advertising for prescription drugs? Two—the United States of America and New Zealand.

Each year, \$6 billion is being spent for one purpose: so that finally, after watching an ad for the 45th time, you can spell “XARELTO” and walk into the doctor's office and ask if you can have XARELTO blood thinner rather than Warfarin or some other version. The difference, of course, is that the XARELTO prescription drug costs \$560

a month, and it may not be any better for you than the generic version that is a lot cheaper.

Do you know what the No. 1 drug is that is advertised on television and sold in the United States of America? When I tell you, you will nod yes.

Here it is: HUMIRA—HUMIRA. It was designed to help people with rheumatoid arthritis, and that is a terrible disease, and the people needed a helping hand. Then they discovered it had a positive impact on psoriasis. Well, psoriasis can be a terrible thing to suffer from, but there are a lot of us who just have a little red patch on our elbow who technically have psoriasis.

What I showed you here you don't see on television, incidentally. How much does HUMIRA cost? It costs \$5,500 a month—a month. Do you wonder why the cost of healthcare is spiraling out of control—\$5,500 a month? Sadly, many of these high-priced prescription drugs are being prescribed by doctors when it is not necessary, and that drives up the cost of healthcare. It is why a major health insurance company in my State has told me they spend more money each year on high-cost prescription drugs than they spend on inpatient hospital care. Think about that—more money. It is going through the roof, and there is nothing to contain it.

So the Senator from Iowa, with his Midwestern commonsense approach to legislation, has joined with the Senator from Illinois, who hopes to aspire to the same goal, to come up with a basic idea: If you are going to run a drug ad, put the price of the product on the ad. We will then know what it really costs, and we will also know when they start raising it again and again and again.

Well, the pharmaceutical industry hates this bill and this amendment like the devil hates holy water. They don't want to tell you what it is going to cost. They want you to go into the doctor's office and say: I just have to have Humira. I have this little patch on my elbow, and I absolutely have to have it.

Too many doctors write the prescriptions. So what Senator GRASSLEY and I are trying to do is to give the American people more information about drugs and, particularly, their costs. We are trying to make sure that information gives transparency to the transaction, and we are trying our very best to give the American consumers a break and perhaps to start to slow down the cost of prescription drugs.

This is a simple amendment—\$1 million to the Department of HHS to issue rules requiring pricetags on ads. One Senator opposes this—one. We are trying our best to convince him not to oppose us. We think it is a good idea to move forward on this.

I yield the floor to my friend, my colleague, and cosponsor to this measure, Senator CHUCK GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I am glad to join my friend in this effort

because this fits into a lot of things we are trying to accomplish that Congress has done for decades—trying to give consumers information.

Remember maybe 40 years ago—I don't think it is 50 years ago—that Congress passed legislation that you had to have a window sticker on cars of the cost of the cars so that consumers wouldn't be bantering back and forth between dealers, not knowing what they were dealing with. You can't buy gas today without going to the filling station with a big sign knowing what it costs.

Even the pharmaceutical companies themselves want to educate consumers with these ads. I have always supported the advertising of these pharmaceutical drugs. They want to educate you not only about the value of their drugs but down to the bottom, and then half the ad usually tells you, if you take this drug, what the side effects are going to be, maybe implying that they are even life-threatening or dangerous. That is a very important thing to educate the public about.

So all we are trying to do here is to have the consumer get the additional information they need if they want to consider that drug, because everybody ought to want to consider the price, just like you consider the price of a car.

I try to buy gas at the cheapest filling station I can because it is just common sense, right? So that is what Senator DURBIN is pointing out. This is a Midwestern commonsense approach to educating the consumers. They want you to buy their product, and then they kind of have some question about it: Could you really afford this? A lot of these ads even indicate to the consumer: Well, maybe if you check with the company or check with somebody, you will even get some help buying the drug.

So the pharmaceutical companies are already interested in consumer education. We just want them to take it one step further. Part of it is because of the high cost of prescription drugs. We have an opportunity now to do what we all talk about doing—doing something about the cost of pharmaceutical drugs. This is just a very small step in that direction. It directs Health and Human Services to require drug companies to include the list price of these drugs in their TV ads.

The drug companies want you to know that there is a drug out there to help you. They want you to know the benefits of the drugs. So why don't they also want you to know about the price of the drug?

By not having that information out there, it is simply not a transparent way of doing business. In every other way you want to be transparent. We are just asking you to take one little small step and tell people what it is going to cost—like the price of gasoline, like the price of cars, or if you seem to be worried a little bit about the high cost of the drug, maybe some

people can't afford it and you might be criticized for that. You can get help.

What we are up against here is a very powerful interest in this town. It happens to be an interest that has made life better and provided longevity for people, for a longer life. So we aren't here to find fault with the pharmaceutical companies. We are here to encourage the pharmaceutical companies to let the public know what they need.

Around here it seems to me that we are running up against the big pharmaceutical companies all the time. The CREATES Act came out of my committee 15 to 6. We can't seem to get that up.

This amendment is being offered. We know who is fighting this amendment that DURBIN and GRASSLEY are sponsoring. It is the same companies. There is a scheme out there that they will keep their patent drug on the market longer if they pay a generic company to keep their drug off the market. We call it "pay for delay." The Klobuchar-Grassley bill doesn't get very far because of these interests.

They don't like the fact that they ought to have some competition from the importation of drugs. They don't like it now that the FDA's new Director is moving in the direction of getting generics on the market a little bit sooner, but we are not fighting those things now.

What we are trying to do is pretty darn simple. Think of what is behind this now. How often do you get Senator GRASSLEY and Senator DURBIN cooperating on the same thing? Not too often. So that is something people ought to take into consideration. We have a very good chairman—a very thorough chairman—Mr. ALEXANDER of the HELP Committee. He is backing this effort and has even had a colloquy on that point.

We have Mr. Azar, the Secretary of HHS, who says that this is a good thing to do. Maybe 2 months ago now, President Trump and Secretary Azar had a news conference on the high cost of drugs and what they could do administratively to move that along. Just this very day, Mr. Azar is announcing some regulations going to OMB to move along some of those things that the President was talking about 2 months ago.

Everybody gets irritated about Trump's tweets. Do they do any good? Probably, most of the time people don't think they do much good, but he tweeted at about the same time these big pharmaceutical companies announced about a whole bunch of their drugs that they were going to increase their prices by 35 percent and 40 percent, and he tweeted how outrageous that was. A week later a company said: We are not going to go ahead. A week later, another company said they were not going to go ahead. Now, whether other companies have said that, I don't know, but what I am trying to say is you have Chairman GRASSLEY and Chairman ALEXANDER and you have the

Secretary of HHS and the President of the United States trying to do something about pharmaceuticals. Here we have just a little simple amendment that we are trying to get on this bill, and we are running into this obstacle that you run into all the time, when all we are trying to do is to educate the consumer the same way the pharmaceutical companies want to educate the consumers. By the way, 76 percent of Americans in a poll support this.

I think Senator DURBIN did better than I did about the interests, but I will summarize. Doctors, hospitals, insurance companies, and the AARP support this amendment. So, really, it is so sensible. It is right in line with what the pharmaceutical companies are trying to do with all of their TV ads to educate the public, with what Congress has tried to do other times to educate the public, with what we are trying to do through some of our education to have transparency in the prices that you pay when you go to the hospital or what we are trying to do through health savings accounts to get the consumer involved to do some shopping to save the consumer some money. That is what this is all about.

It is so simple. I can't understand where commonsense stuff—well, this isn't a town for common sense, I guess, but we ought to get some of this commonsense stuff done.

So I want to thank Senator DURBIN because he led this effort, and I am glad to help him. I say thank you for doing it, and we are going to get this done one way or the other. If we don't get this done on this bill, we will get it done because it is the right thing to do.

People, if you try long enough and if you are right, you eventually get something done in this town.

Mr. DURBIN. I thank my colleague from Iowa. Patience certainly is an important part of this job, but the American people are impatient. They want to know why they elected us to office and we don't solve problems. This is a problem that Senator GRASSLEY and I want to start solving: informing consumers about the actual costs of prescription drugs—what a radical idea.

The first time you realize what a drug costs is when you stand in front of the cash register with your mouth wide open saying: You have to be kidding me. Instead, people ought to know going into this conversation what these drugs cost. That is not an unreasonable request. We do it for cars, for gas, for so many things. Why don't we do it for this?

The American people want to get it. We want to get it. I hope we can convince one Senator who is holding us up to give us a chance to inform the American people on a bipartisan basis of something that will help, in a small way, perhaps, but it will help to bring the costs of healthcare down in this country.

I thank the Senator from Iowa.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I join the chorus of Senators GRASSLEY and DURBIN about their proposal.

#### WALL STREET PROFITS

Madam President, I want to talk about another issue. Today, the Federal Deposit Insurance Corporation—which is the agency that does such things as every quarter announcing bank profits and bank profitability—issued an assessment of the banking industry. Lo and behold, as a number of us have been saying on this floor week after week, month after month, year and year: It is a great time to be on Wall Street.

Bank profits this second quarter of 2018—we announce it now—were \$60 billion, with a b. That is 60,000 million dollars—\$60 billion in bank profits. That number is fairly meaningless. It is a really big number. It is hard to grasp, but think about it this way. These bank profits this quarter were up 25 percent from 1 year ago, and it is typical of being able to compare quarter to quarter or year to year that way.

What is fairly stunning about this is that this Congress can't do enough for the banks. First, it was a decade ago, when Congress bailed out the banks. Then, we see bank profits go up and up and up. Congress last year gave a huge tax cut. The financial services industry did better than the rest of the economy with this tax cut, and, interestingly, the big banks did better than the community banks with the tax cut in terms of percentage, per capita—and anyway you measure it—in the amount of money or in assets, whatever.

Then, earlier this year, Congress passed another giveaway to the banks on legislation, another deregulation bill. When you hear “deregulation” think that it means that Wall Street gets away with even more. Now we are seeing even bigger profits from the banks.

It is like this. Congress thinks it never can do enough for Wall Street. Every time Wall Street asks for something, Republican leadership—Senator MCCONNELL's office down the hall, Speaker RYAN's office way down the hall, the President of the United States, President Trump—always want to do more for Wall Street, with \$60 billion in profits this quarter and 25 percent greater profits than 1 year ago.

Why does this Congress continue to do the bidding of Wall Street at the expense of Main Street?

During the 1½ years of President Trump, we have seen wages go down. We have seen profits go up. We have seen the stock market go up. We have seen executive compensation go way up. We have seen the banks do especially well. Yet wages, literally since President Trump has taken office, have declined in this country.

So why do we continue to help Wall Street, to shovel more money to Wall Street—more money, Senator GRASSLEY, to the drug companies—and the middle class continues to get squeezed.

I just think it is another lesson when bank profits keep going up, executive

compensation keeps going up, profits overall keep going up, but the middle class continues to get squeezed. There is a lesson there.

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

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

#### ROHINGYA CRISIS

Mr. MERKLEY. Madam President, I come to the floor to talk about two things. The first is that this Saturday will be the 1-year anniversary of the beginning of a horrific genocide against the Rohingya in the country of Myanmar.

This genocide was preplanned. All kinds of preparations were put in place, as various independent investigations have established. It is time for the United States to take a strong response as a statement of global leadership on human rights on behalf of this horrific circumstance. We have 350 or so villages burned, countless individuals slaughtered as they ran from their villages, shot from helicopters, systemic rape, and children tossed into burning piles. It doesn't get much worse anywhere in the world at any time in history.

Now 700,000 refugees who escaped have found their way to Bangladesh, but there is no room in Bangladesh. Bangladesh is a country half the size of Oregon. Yet Oregon has 4 million individuals, and Bangladesh has 160 million individuals.

Here are some things the United States should do right away on or before this Saturday. The State Department should release the report it has been compiling on the factual circumstances. Second, they should send this report to their legal counsel for an official determination if this constitutes genocide. The third thing they should do is ask the Senate to act quickly on the repatriation resolution that sets standards for the return of these refugees back to Burma, back to Myanmar. The fourth thing they should do is call on the Senate, followed by the House, to pass the Burma Human Rights and Freedom Act, which creates specific sanctions on those who planned and carried out this horrific ethnic cleansing.

Elie Wiesel said: “A destruction, an annihilation that only man can provoke, only man can prevent.” But if we do not respond clearly and effectively when there is this type of ethnic cleansing, this type of assault, then we are failing to prevent future assaults by those leaders who will be so tempted to divide their country on ethnic or racial lines, to take brutal action against a despised minority community.

The seeds of this slaughter began with a military coup in 1962, following which the military demonized this eth-

nic group year after year. Not only should the United States respond with a State Department report and a clear decision if this is genocide—and clear sanctions—but it is time for the President of the United States to speak out boldly and clearly on the international stage on this issue. A year has passed, and we have not a single public statement from the leader of the United States of America. So let that change.

#### NOMINATION OF BRETT KAVANAUGH

Madam President, the second issue I am here to talk about—and I am going to keep this short because my colleague is here, prepared to speak to his amendment—is the issue of whether the Senate proceeds to have hearings on nominee Brett Kavanaugh for the U.S. Supreme Court. The answer should be, by every Member in this Chamber, a resounding no.

First, we have the Kagan standard that has been set by the Republican majority, which states, when there is a Supreme Court nomination, it is essential to have all of the facts, all of the records that have been touched on, because only then will Senators be able to exercise their responsibility under the Constitution for advice and consent. So, if individuals want to exercise their responsibility effectively under advice and consent on a nominee from a Democratic President, shouldn't the same individuals make the same argument to exercise their responsibility effectively when the nominee comes from a Republican President?

The standard should be the standard. Let's stand up, out of the partisan troughs that have been dug, and fight for the vision of a fair and transparent and fully credible nomination process.

No hearing should be held until we have the full set of documents. It escapes no one's vision in the United States of America that only a fraction of the documents have been delivered. It escapes no one's vision in the United States that even those documents have been vetted by a Republican lawyer, a partisan lawyer, who has worked beforehand for the nominee. That is not transparent; that is not fair; and that does not allow us to have the full scope of the record.

Furthermore—and I will say this in just a summary format—there is an enormous conflict of interest here by which the President is attempting to print a “get out of jail free” card. Out of his 25 nominees who had been put forward from the list of names that had been given to him from the Federalist Society, one of them had an expansive view of the Presidency; that being that the President of the United States cannot be indicted and that the President of the United States cannot be investigated. That is the standard that says a President is above and beyond the law.

I challenge every Member in the Chamber to pull out the Constitution and find the provision that says our Founders established a kingdom and a King because I think they are going to



find that is not the case; that there is no clause in our Constitution that says the President is above and beyond the law.

As our oath of office requires, let's exercise our responsibility appropriately with the advice and consent responsibility, and let's get the full documents and resolve this conflict of interest before any hearing is held.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Connecticut.

COSPONSORS TO AMENDMENT NO. 4004

Mr. MURPHY. Madam President, I am about to speak on an amendment to the underlying appropriations bill. My amendment is No. 4004. Before I do, I ask unanimous consent that the following Senators be added as cosponsors to amendment No. 4004. They are Senators BALDWIN, MENENDEZ, VAN HOLLEN, BLUMENTHAL, REED, FEINSTEIN, MARKEY, and CARPER.

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

AMENDMENT NO. 4004

Mr. MURPHY. Madam President, maybe one of the most memorable moments from Secretary DeVos's confirmation hearing was her response to a question I posed to her. I thought I was giving her a softball. I thought I was giving her a very easy question at the end of my 5 minutes when I posed a simple question to her as to whether she thought it was a good thing to have guns in schools.

I thought she would give me an answer about how, of course—in listening to teachers and parents, as she claims to have done during her career in education—having more guns in schools was not the right thing in order to protect our kids. Instead, she said yes. In fact, she thought that question should be largely up to the States because of potential “grizzlies”—the idea that there are some schools that may need guns inside to protect against wild animals.

I assume she would probably answer that question differently today, as it has become a butt of jokes. Yet, as it turns out, what we may be learning today is that the Secretary was, indeed, serious. Reports this morning suggest that Secretary DeVos is planning to do the bidding of the firearms industry and put our kids at risk by allowing Federal funds to be used to arm teachers, which is in direct contravention of Federal law.

I have offered an amendment that will reiterate what has been the policy of this Congress—not of Congress in general but of this Congress—which is that Federal funds should not be used to arm teachers. Let me speak about why we have taken that position as a Congress, why Republicans and Democrats have voted for legislation that prohibits Federal dollars from being used to arm teachers.

First, we listen to teachers when we set educational policy, and teachers have told us they do not want to be responsible for carrying firearms. Two

different polls that have been taken of teachers suggest that three out of four definitively state they think their kids will be less safe, not more safe, if these teachers are armed. They tell us that because they know how difficult a teacher's job is.

I have a first grader and a fourth grader in the public schools, and I am in awe of how many things we ask our teachers to do. We ask our teachers to teach earlier than ever before; we ask them to be social workers; we ask them to engage in conflict resolution; we ask them to be nurses; we ask them to teach a range of children; we ask them to interact with the community and show our kids a broader view of the world; and we, as parents, want them on call to answer our questions all of the time.

Our teachers are probably the greatest multitaskers in this country, and they don't want an additional job description of having to be trained to carry a firearm at all times in order to guarantee that firearms stay out of the reach of little children. Earlier this year, we saw a series of events which showed us what happens when you do put guns inside classrooms.

In one incident, a teacher accidentally discharged his gun at a high school in California. Ironically, it was during a class that was devoted to teaching public safety. Three kids were injured when that gun accidentally went off.

In another incident this year, a school resource officer accidentally discharged his weapon while he was inside a school in Alexandria, which is just down the street from the U.S. Capitol. In Maplewood, MN, earlier this year, a third grader managed to pull the trigger on a gun in an officer's holster and fire a bullet into the floor. On that same day in Florida, a parent discovered one school resource officer's gun in a faculty bathroom.

It is important to note, those last three incidences were with respect to school resource officers whose entire jobs are to engage in public safety and who, in these cases, I would assume, had serious training on how to handle weapons. So, if these mistakes are being made with school resource officers, imagine what will happen when first grade teachers and art teachers, whose jobs are not primarily to learn how to handle and store and protect firearms, are equipped with these weapons.

The evidence also tells us that putting more guns into facilities—putting more guns into the hands of civilians—does not solve the problem we identify.

A comprehensive study on the effects of right-to-carry laws across the country has found that violent crimes had actually increased each additional year after right-to-carry laws had been passed. In fact, they had increased by 13 to 15 percent in the 10-year timeframe after the right-to-carry laws had been put into effect.

Another study of 111 of the most recent gun massacres has shown that not

a single one of them had been interrupted by an armed civilian.

The FBI has done its own analysis in which it has shown that unarmed citizens—civilians—are more than 20 times more likely to end an active shooting than are armed citizens, excluding police officers or security officers.

The data tells us this is not the way to protect our kids. Teachers are telling us this is not the way to protect our kids. Most importantly, Congress has told the Secretary this is not the way to protect our kids.

Earlier this year, as part of the Omnibus appropriations bill, we passed the STOP School Violence Act. This is a new source of funding that allows for schools to engage in trying to keep their kids safe. It is a very important piece of legislation that is supported by Republicans and Democrats.

Admittedly, this is not the source of funds Secretary DeVos is supposedly going to offer guidance on, but it is important to note that when we set up a new fund that is specifically dedicated to make schools safer, we wrote into the legislation this phrase within this new appropriated account: “No funds To provide firearms or training—No amounts provided as a grant under this part may be used for the provision to any person of a firearm or training in the use of a firearm.” That is Republicans and Democrats doing that together.

More importantly, the statute she claims to be relying on, or reportedly is going to offer guidance on, is title IV, which is kind of a grab bag of Federal dollars to be used for a variety of school initiatives. In that statute today, title IV offers this to the Secretary.

It reads: “[W]ith respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts . . . through the creation and maintenance of a school environment that is free of weapons.”

The title IV language allows for money to be used to try to quell violence, but there is a specific phrase that seems to give clear guidance to the Secretary because you can use the grant for a school environment that is free of weapons. Yet, reportedly, the Secretary is about to issue guidance that says that money can be used to load schools up with weapons, which is in direct contravention of the statute itself and is certainly in contravention of the spirit of Federal education law, given the act we passed earlier this year that prohibits school safety dollars from being used to arm teachers.

I understand the hour is late on the appropriations bill and that it is very unlikely that my amendment is going to get a vote. My amendment would make clear that title IV dollars cannot be used to arm teachers. Yet I hope, as this bill ultimately heads to conference, we will revisit the clear congressional intent we have expressed this year of keeping Federal funds away from arming teachers.



I hope the Secretary, as she considers whether to issue this guidance to States, will look again at the statute and come to the conclusion that she does not have the authority to allow States to use Federal money in order to arm teachers.

As it turns out, it was not a joke. It was not just a phrase she uttered in a congressional hearing that drew a lot of attention on the internet. Secretary DeVos is reportedly considering allowing Federal funds to be used to arm teachers. That is not what parents want. That is not what students want. That is not what teachers want. That is also not what the evidence tells us will make our schools safer. I hope she listens, and I hope, ultimately, this Congress acts.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Arizona.

Mr. FLAKE. Mr. President, have you heard the one about the three robots that walk into a bar? No, you haven't. It is not a joke but rather a project that has been paid for, in part, by the Department of Defense.

These robots, called beer bots—and you will see a depiction here—are programmed to serve cold beers to graduate students. Researchers say programming methods used for beer bots can be applied to other multi-robot systems in restaurants and bars. As you can see, the private sector has already developed robot bartenders, or robartenders. They have been mixing drinks at bars—and even on cruise ships—for years now.

With our national debt now exceeding \$21 trillion, taxpayers should not have to pick up the Pentagon's tab for beer bots and for many other unnecessary spending items which are in the bill that we are considering right now. This minibus bill provides over \$800 billion in funding to the Departments of Defense, Labor, Health and Human Services, and Education. Yet, over the past 3 days, we have considered just four amendments to the bill, and not a single one has offered a reduction in spending—not a single one.

I have introduced a handful of commonsense amendments that if adopted, would reduce Federal spending by nearly \$500 million. One would limit funding for the Littoral Combat Ship Program, which has been plagued by cost growth, construction issues, and underperformance on mission effectiveness. Even though the Navy has only requested funding for the procurement of one of these ships, this bill has needlessly provided funding for two ships.

My amendment would simply reduce the Department of Defense's budget by \$475 million to align with the Navy's request.

I understand that Senators are trying to protect jobs in their States by forcing the Navy to procure more of these unwanted ships. Sailors are going on longer and longer deployments because the ships that are actually needed to rotate them on are not ready to sail. It

is important to remember that the priority of this bill is not the parochial interests of Members of Congress but, rather, the needs of the Armed Forces.

I am proposing an amendment under this bill to also keep the costs of the military parade that the President would like to put on next year at a reasonable amount. Recent reports have indicated that local DC officials claim the parade would cost up to \$92 million, which is significantly higher than the \$10 to \$30 million originally estimated by the White House Office of Management and Budget Director, Mick Mulvaney.

I should point out that the last military parade was held in 1991 to celebrate the end of the gulf war. That cost about \$8 million. The Federal Government paid \$3 million, and the remainder was paid by private donations.

My amendment would cap the amount of money DOD would have to allocate for the parade to \$15 million. That is a significant growth—far more than inflation—over the past parade that was held in 1991, and I think this is reasonable, and I think most of us would.

Another amendment I filed would prohibit the Department of Health and Human Services from subsidizing the construction of fast food franchises. You might wonder, what in the world is Health and Human Services doing subsidizing this? And you would be right to question it.

A Healthy Lifestyles Initiative, funded with more than \$1.1 million in grants from HHS, is subsidizing fast food franchises in a Kansas county that year after year ranks as one of the State's most unhealthy. This is Health and Human Services, by the way. Grants are supporting the construction of two buildings—a combination Wendy's and Pizza Hut and a stand-alone Dunkin' Donuts.

This project contradicts the mission of HHS, which is “to enhance and protect the health and well-being of all Americans.” Federal nutrition guidelines recommend the consumption of about 2,500 calories per day for males and 2,000 calories for females. Just one Dunkin's doughnut contains 290 or more calories. Wendy's Dave's triple burger contains 1,090 calories. A side of french fries adds another 400. A medium-sized soda is another 300 calories. A single slice of pepperoni pizza from Pizza Hut contains 370 calories.

Despite the source of funding, the executive director of the organization overseeing the project admits that “this is not a health initiative,” arguing that it is about “economic health, not physical health.” Why in the world is the Department of Health and Human Services spending money—taxpayer money—on these types of initiatives? It is really just corporate welfare for 3 of the top 10 most profitable fast food franchises in the United States, each of which earns billions of dollars a year in profits. Why is the Federal Government subsidizing it?

I am disappointed that I am unable to call up any of my amendments and debate the merits of these items and the importance of addressing our out-of-control debt. We need to get serious about how we are spending taxpayer money. We need to open up the amendment process and allow real debate on our national priorities.

I do appreciate the Appropriations Committee's willingness to consider including my amendment to prohibit further Pentagon funding of robot bartenders in the managers' package. I hope it stays in the package. At the very least, this may be the last call for the beerbots.

I yield back.

The PRESIDING OFFICER. The Senator from Wyoming.

#### ECONOMIC GROWTH

Mr. BARRASSO. Mr. President, we have been seeing a lot in the news lately about the American economy, and it is very good news.

Last Friday, the Wall Street Journal had an article with the headline “Youth Unemployment Hits 52-Year Low”—a 52-year low. For people between the ages of 16 and 24, this is the best job market we have had since 1966. The article went on to say that “more opportunities are available to some groups that historically have struggled to find jobs.” People are getting opportunities because the American economy is booming. Since President Trump was elected, we have gotten more than 4 million additional Americans working. The economy grew at a rate of more than 4 percent last quarter. The Atlanta branch of the Federal Reserve is predicting that we are going to have another 4-percent growth this quarter. People are seeing the effect of the booming economy in their paychecks and in their lives. Average wages were up more than 3 percent last year.

You look at all of the good news, and it is no wonder that confidence is going through the roof. Small businesses are now much more optimistic than they have been since 1983. They are hiring, they are expanding, they are raising wages, and they are much more confident about the future.

It is all happening because of the Republican policies and the Republican priorities we have been putting in place. It is what happens when you have a President who puts the needs of the people first instead of the desires of unelected, unaccountable, heavy-handed Washington bureaucrats.

When President Trump took office, one of the first things he did was to put Washington on a regulation diet. He said that America was again open for business. What does all that mean? What happened? In the Trump administration's first year, they issued 3 new regulations and they cut 67 regulations. Three regulatory actions and 67 deregulatory actions—that is a ratio of 22 to 1. It is in favor of cutting redtape, eliminating regulations, and cutting the amount of paperwork people have

to fill out. Nobody has ever seen anything like this. Working with this Senate and this House, this administration has been streamlining, simplifying, and striking out regulations from the very beginning, and we are not slowing down. When you add it all up, it amounts to about \$14 billion in savings since the start of the Trump administration.

Republicans in Congress have been doing our part as well. We know that the reason America's economy had been struggling for so long was because it was being strangled by all of the red-tape that comes out of Washington. So we used the authority of Congress to roll back major regulations that were harming our economy, burdensome to industries in our communities and in our States, punishing to people who are just trying to do their jobs. We cut 16 unnecessary, burdensome rules and saved Americans \$36 billion in the process.

If you combine what the President has done and what we have done in Congress by passing the Congressional Review Act, Republicans have saved Americans \$50 billion and over 16 million hours of filling out needless paperwork.

Of course, Republicans also passed the biggest tax cut in 36 years. That is the other big thing Republicans have done to get the American economy booming. Every Democrat in the Senate voted against the tax cut that Republicans passed. This tax relief bill, and now the law, gave people an immediate boost in their take-home pay. Millions of Americans also got bonuses and raises because of the law.

Because Republicans have cut regulations and cut taxes, America has a strong, healthy, and growing economy today.

The Congressional Budget Office recently came out with a new report. They looked at the numbers for the first 10 months of the fiscal year we are now in. They looked at the rising wages, the rising employment, and the falling unemployment—all of those things—and they said that those are big reasons why revenue for the Federal Government coming in from the workers of the country is actually \$26 billion higher than it was at this point last year.

More money is coming in. Well, how do you do that? By cutting taxes. How do you get more money to come in? Well, because more people are working and more people are getting higher wages. All of those things are leading to increased revenue coming into the government because of the fact that we cut taxes. When you cut taxes, you turn the economy loose. You turn it loose to create jobs. Good things happen. The economy grows. More people find work. More people get raises. More people get more money in their pockets—they can decide if they want to save it or spend it or invest it and how they want to do it—and revenue goes up as well.

Republicans want to keep going with more of these policies that have worked so well to spur the economy. We want to do more to help the economy create jobs and help people keep more of what they earn. I think that is what the American people want as well. That is what I hear about in Wyoming every weekend.

What do Democrats in Washington want? Well, they seem to want the exact opposite. That is the way they vote, and that is what they have been saying.

Senator ELIZABETH WARREN of Massachusetts actually introduced legislation last week that would create an entirely new government bureaucracy. Republicans are trying to rein in the bureaucrats; Democrats are trying to give bureaucrats more power. This new Democratic plan would give Washington more power to control how American businesses operate. It would take away the freedom of the owners and the executives of these companies to create jobs, to serve their customers, and to grow the economy. According to this legislation, the government ought to make that decision. Democrats are clearly hoping that this will become the new and latest liberal litmus test. It would be an absolute disaster, just like all of the other plans that we heard from the Democrats that they are trying to put in place.

It is like the Democrats' plan—they claim they want to raise taxes. I mean, that is actually what NANCY PELOSI, the former Speaker of the House, said Democrats would do if they took back Congress. She said: We would raise taxes.

One very prominent Democratic leader and Governor of one of the major cities said on television: We are not going to make America great again. He actually went on to say that America "was never that great." That is what the Democratic mayor of New York said last week.

There are some very big differences between Democrats and Republicans. Republicans want policies that put more money in the pockets of hard-working people. That is what we want—more money in the pockets of hard-working American families. Republicans want policies that take more control out of Washington and let the decisions be made back at home in the hands of the States and the towns and families. Democrats seem to want to raise taxes and raise barriers to the economy.

We are coming up on Labor Day, and I hope Democrats in Washington and around the country will embrace the policies that will actually help create jobs. I hope Democrats will embrace the policies that are helping young people find work at the highest rate in 52 years. I hope Democrats will embrace the policies that are actually raising wages for American families. I hope Democrats will recognize that America is a great country, and it is getting better every day.

Thank you.

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

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

#### HURRICANE HARVEY

Mr. CORNYN. Mr. President, this Saturday marks the 1-year anniversary of Hurricane Harvey making landfall on the Texas gulf coast. What began as a wave in the Atlantic in early August of last year morphed into a tropical disturbance and then strengthened into a full-blown hurricane, category 4.

This is not your average hurricane by any means, dropping a few buckets of rain, maybe soaking through floorboards or tearing off a shingle or two on a roof. This was a juggernaut. First it crashed into the San Jose Island off the coast of Rockport, with wind gusts measured as high as 145 miles an hour. It is hard to know what that means until you see it up close and personal, or so I am told.

Two days after landfall, I saw the wreckage firsthand with Mayor C.J. Wax and Governor Greg Abbott. On Broadway and North Austin Streets in Rockport, you could smell the natural gas in the air. Storefronts had been leveled. Windows had been shattered. Power lines had fallen to the ground. Entire boats lay upside down on the side of the road, their sails torn to shreds. Roughly 94 percent of the homes in Rockport were damaged, and 30 percent were destroyed outright.

Keep in mind, this was just the small town of Rockport. This was only the beginning. Port Arthur, Beaumont, Victoria, Houston, and many other communities soon faced the brunt of this terrible storm. Harvey was relentless, dropping more than 60 inches of rain over the course of several days in some of those places.

Unlike many hurricanes, it parked itself and stayed put after making landfall. Trapped between two high-pressure systems with nowhere to go, the storm went on to shatter records. Some people called it a storm that comes only once every 1,000 years. Others dubbed it the most extreme rain event in U.S. history.

For people who don't live on the gulf coast of Texas, who didn't see the shelters firsthand, as I did with my friend and colleague Senator CRUZ at the NRG Center in Houston, it is really hard to imagine what it looked and felt like—all the closed roads, flooded homes, and exhausted faces of people praying for life to return to normal.

Over in Friendswood, which is right outside of Houston, I helped out what is known as Texas Rubicon, a terrific nonprofit made up of military veterans. We removed sheetrock and

hailed debris off a resident's yard. I remember having to wear a protective mask and gloves because of the contamination, but it was also in the context of intense heat and mosquitoes and the mud. All of this was just a small taste of what those in the community had to endure for days on end.

Then there were folks like Amy, a single mother in Houston. This is a scene of her house after the hurricane. You can see on August 22, 2018, a very nice suburban neighborhood, and this was her house or what is left of her house and the interior of her house after the hurricane hit.

I think these pictures speak to the resiliency of the Texans I got to know in the aftermath of Hurricane Harvey. Their attitude was, well, we have been dealt a major setback, but there is no use crying about it. We have to dig ourselves out of this mess. And that is exactly what they did, with the help of tens of thousands of volunteers, donors, philanthropists, business leaders, and Good Samaritans across the country.

We are grateful to the many rescuers, people like Dan LeBlanc from Port Arthur, Doug Barnes from Dallas, and Robert Bode for managing evacuations at the Cypress Glen Nursing Home, which was no easy task.

Here is a picture of those three gentlemen and the great work they did at the Cypress Glen Nursing Home.

These three had no special expertise in search and rescue, but they saved close to 100 patients, some of whom were bedridden and required special boats that could power their life support systems.

Then there were the bakers at El Bolillo in Houston, who provided bread to flood victims.

Then there was a man we have come to know in Houston as Mattress Mack, who opened his showroom for the displaced.

There was Officer Steve Perez, a 34-year veteran of the Houston Police Department, who paid the ultimate sacrifice during rescue efforts. After the storm hit, he knew the conditions were dangerous, but he insisted on doing his part to help save those he was sworn to protect and defend. He said simply: "We've got work to do." We remember Officer Perez today and always. And we remember all of those courageous first responders who swung into action.

The outpouring of Texans helping their neighbors over and over again reminded me of a saying I heard years ago at another natural disaster, that being a Texan doesn't describe where you are from, it describes who your family is.

During those tough days and long nights that followed, people were hurting after losing so much, not only their homes but schools that their kids attended, schools like Aloe Elementary in Victoria, which I visited with Principal Hurley and Dr. Jaklich, the district superintendent.

In the wake of all this devastation, they and many others were wondering

what was being done to recover and rebuild. The short answer is: a lot. First came the initial response. Unlike Noah, we didn't have an ark, but we had 104 boats courtesy of the U.S. Coast Guard, which rescued more than 11,000 people.

FEMA—the Federal Emergency Management Agency—had prepositioned supplies before the storm and worked to coordinate temporary housing after it hit. Led by Administrator Brock Long, FEMA did a good job.

Meanwhile, the Environmental Protection Agency worked to restore drinking water. The Department of Energy worked to restore power. The Small Business Administration approved disaster loans. The National Flood Insurance Program expedited claims. Gradually, ports reopened, schools and roads started to as well. And Governor Abbott immediately formed the Commission to Rebuild Texas and wisely appointed a great Texan, John Sharp, to chair it.

Following the emergency response, our job here in Washington was just beginning. In the weeks and months following landfall, Congress passed three separate aid bills totaling \$147 billion. Of course, this wasn't just for Hurricane Harvey, it was for the wildfires out West and the hurricanes in Puerto Rico and Florida as well as Texas.

We also passed a new law allowing Texans to receive tax deductions for hurricane-related expenses and successfully encouraged FEMA to reverse a policy that prevented houses of worship from accessing disaster relief funds. Afterward, we codified this change into law.

Meanwhile, the Department of Housing and Urban Development announced plans to use \$5 billion of the disaster funds to help homeowners rebuild through the Community Development Block Grant Program. These resources will help pay for buyouts, the construction of rental property, and reimbursements for repairs incurred in the wake of the storm. Once HUD finalizes an additional \$5 billion, those funds will flow to Texas for mitigation purposes.

Of course, there isn't much sense in rebuilding without ensuring the region can withstand another major weather event in the future. That is why we made sure that the third disaster aid bill, a response to multiple hurricanes and wildfires across the country, designated roughly half of the relevant U.S. Army Corps of Engineer construction funds for Texas-specific projects.

The Corps, of course, is a Federal entity primarily responsible for flood mitigation, and after Harvey laid bare just how vulnerable the Houston region truly is, its expertise became an increasingly valuable asset.

Thanks to the Corps, as well as State and local partners, as well as our colleagues here in Congress, some of the most pressing infrastructure improvements are underway. Across more than 4,000 square miles between Sabine Pass and Galveston Bay, a series of storm surge and flood protection measures

will update levy systems, and in some cases, construct new ones.

In places like Clear Creek and Brays Bayou, meanwhile, the funds will be used to widen channels, construct detention basins replace bridges, and renovate dams.

Importantly, these projects include cost-share requirements reflecting the partnership between Texas, local officials, and the Trump administration to rebuild. Instead of a single infrastructure project, the result will be a new, multilayered system of improvements to address our most acute vulnerabilities.

At the same time, the long-term planning with the Texas General Land Office, as well as the Governor's office and the entire Texas delegation continues.

Adding to these efforts is the Corps' ongoing Coastal Texas Study, which Congress has funded and which will provide a comprehensive strategy for flood mitigation, which is the necessary next step toward coastal protection because this is not the last hurricane that will hit the gulf coast of Texas or the huge economic engine known as Houston.

I am confident that having the smartest minds study our coast will ultimately result in recommendations that Congress can then authorize. Once that happens, and in coordination with State legislative and local officials, who, let's not forget, play a very large role, will fight to ensure our coastal communities flourish and are protected for generations to come.

We have to face the facts: Harvey was an unthinkable catastrophe, one of a kind. I can't believe it has already been a year. But for some down there, though, I am sure it feels like a whole lot longer than that.

It is my privilege to serve the people of the great State of Texas, and as part of my job, I have unfortunately had the occasion to see plenty of heartache and tragedy over the years. Few disasters, however, have impacted so many Texans and in such a devastating way as Hurricane Harvey. Over the last year, working together, Texans have begun to heal and rebuild, but the job isn't finished, so I pledge my efforts to work to ensure our State remains protected, and I appreciate the work and support of all of our colleagues as we have met this terrible disaster with an appropriate Federal response.

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

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

CLIMATE CHANGE

Mr. CARPER. Mr. President, I rise today with a number of my colleagues to speak out against the Trump administration EPA's dirty power plan—a

proposal to replace the Obama administration's Clean Power Plan. This proposal from this administration fails in at least two aspects: First, it fails to address climate change, and second, it will put Americans' health at risk.

Millions of American children are heading back to school in my State and in your State and in States across the country this week and next week. All three of my children are grown, but not so long ago, we were sending them off to school, helping them with their homework, and making sure they were getting good grades. As far as we know, they never brought home any failing grades. However, I can't say the same for the Trump administration with respect to this latest proposal.

A friend of mine recently said: "If corruption were a class, the Trump administration would be getting an A-plus." Well, in just about everything else—especially public health and economics—the Trump administration continues to fail the American people almost every day. It is clear this administration needs to do a little remedial work, maybe take some courses again, especially in basic science.

Let's be clear. The science behind climate change is settled. It is over. Climate change is real. It is happening. It is a growing threat to America, and it is getting worse every year. Climate change is leading to rising global temperatures, rising sea levels, and more intense and frequent weather events. NOAA tells us that extreme weather events costing \$1 billion or more have doubled in frequency over the past decade, with \$425 billion in losses having occurred over the last 5 years alone.

It is now hard to find a part of our country that isn't being affected in some way by climate change. We see the examples almost everywhere. Not too far from my home in Delaware is a place called Ellicott City, MD.

My wife visited there with a bunch of her friends from the DuPont Company. They are all retired now, and they wanted to go visit there and actually support the local economy in Ellicott City, the local people who have been through just terrible devastation. In the last 2 years alone, two 1,000-year floods have devastated Ellicott City, MD, just north of Washington, DC. There have been two 1,000-year floods in the last 2 years.

Forest fires fueled by extreme heat and drought continue to ravage States like Montana, California, and Oregon.

Since we started keeping records, only 49 category 5 hurricanes have threatened the United States. That is since we started keeping records, and I think we have been keeping records for maybe a century. Three of those 49 category 5 hurricanes occurred in the last year. Think of that. Out of 49 category 5 hurricanes since we have been keeping track—and I think it has been a century—3 of those were in the last year. Right now, one of those is threatening the people of Hawaii.

I can go on and on and on. Make no mistake—it is costing Americans in

the form of lost income, lost livelihoods, and sadly, in some cases, lost lives.

As someone who proudly represents the lowest lying State in the Nation—Delaware—climate change is not a science lecture for us; it affects my constituents daily. For us, this issue is intensely personal. That is why for my entire career in the Senate, I have fought to find ways to move us away from fossil fuels and reduce carbon pollution. It started in 2002, when I introduced one of the first bills in Congress to cap carbon emissions from coal-fired powerplants.

The good news is that we have made some progress in this country. That is in part due to the large investments that the Obama administration and Congress made over the last decade in clean energy. It is also due in part to smart regulations, such as the Clean Power Plan. I proudly supported those efforts, and I still do.

In addition, many companies across our Nation have stepped up, and they deserve some credit. Making real investments in clean energy has turned out to be the right thing and to be a wise investment, demonstrating that it is possible once again to do well and do good at the same time.

As a result of these actions, in the last decade, our country rebounded from one of its greatest economic downturns in history. We lowered energy costs, reduced air pollution, and added 16 million new jobs during the Obama administration. We also launched the longest running economic expansion in the history of our country, which continues to this day.

We have a chart here that shows that since 1970, the United States has cut common air pollutants by almost 75 percent, while the U.S. GDP has grown by over 200 percent.

Instead of building on the Obama administration's forward-looking environmental standards, this administration has taken pride in tearing the protections apart. This administration's so-called affordable clean energy proposal fails to provide industry with the certainty needed to make clean energy investments for the future, while also providing an uncertain future for generations to come.

People say, at least where I am from and maybe in North Carolina—my wife is from North Carolina, and she tells me they say this in North Carolina as well. You can put lipstick on a pig, but it is still a pig. No matter what EPA calls this proposal, by the Agency's own account, it doesn't achieve affordable energy or clean energy, and it definitely doesn't address climate change. The EPA's proposal, which I think might more appropriately be called the dirty power plan, is instead another step by this administration to dismantle the Nation's environmental protections and protect polluters over the public.

If I were to grade the EPA's proposal to replace the Clean Power Plan, I

would not give it an A, and I would not give it a B, a C, or a D. I might well give it an F. I take no joy in saying that, but that is the way—calling balls and strikes, that is pretty much what I would call it.

A friend of mine—maybe you have a friend like this, too, Mr. President—a friend of mine, when we ask him how he is doing, sometimes responds with these words: "Compared to what?" When compared against the Clean Power Plan, using EPA's own numbers, it is easy to see the dirty power plan's shortcomings.

Let's start with the Clean Power Plan. We have a chart here that says that "the Clean Power Plan would create \$54 billion per year in public health and climate benefits."

Compare that to the dirty power plan. We have another chart. This one indicates—and this is EPA's own analysis. This is not my analysis, not the Democratic Party's analysis; this is EPA's own analysis of Trump's Clean Power Plan replacement. What happens to smog? It goes up. What happens to soot? It goes up. What happens to mercury? It goes up. What happens to carbon pollution? It goes up. How about premature deaths per year? Well, they go up. By a couple? By 100? By 1,000? No, no. Up to 1,400 premature deaths per year.

That is enough for me to say no thank you and to give the dirty power plan a failing grade, but there is more. The Clean Power Plan would reduce household energy prices by \$85 a year through energy efficiency investment. The Clean Power Plan also provides long-term certainty for U.S. businesses, helping American companies make smart investments at home and compete in the global clean energy market. The dirty power plan does not help consumers save money on energy costs, does not provide businesses with certainty, and instead will likely cede clean energy jobs to places like—you guessed it—China.

Let's recap. When we compare the dirty power plan over there in red to the Clean Power Plan here in green—cleaner air? The clear winner is the Clean Power Plan. Saving lives? The clear winner is the Clean Power Plan. Job creation? The clear winner is the Clean Power Plan. Energy savings? Again, the clear winner is the Clean Power Plan. Safer climate? Again, the Clean Power Plan. Where I come from, we call that running the table. That is why, in my class, if I were the teacher, if I were assigning grades, this dirty power plan would not get an A, B, C, or D; it would get a failing grade.

Let's be honest. EPA's dirty power plan proposal is not a climate change replacement, it is a retreat. Let me say that again. EPA's dirty power plan proposal from this administration is not a climate change replacement; it is a retreat. It is a retreat from EPA's most basic responsibilities to ensure breathable air. It is a retreat as well from EPA's most basic responsibility to

usher in economic progress and tackle the greatest environmental crisis that I think we face on this planet of ours.

The Clean Power Plan, with its long-term certainty and flexibility structure, is the Federal policy that moves us in the right direction and fulfills EPA's legal and scientific obligations to address climate pollution. Repealing the Clean Power Plan and replacing it with a proposal as ill-conceived as the dirty power plan will have serious consequences for the health of the public, our economy, and this planet with which we are entrusted.

The American people deserve better than a dirty power plan, plain and simple. My colleagues and I are going to do everything in our power to make sure that happens.

Let me close with this real quick. I see some of my colleagues are waiting to speak. I would say maybe 10 years or so ago, one of my colleagues—I think it was either George Voinovich or LAMAR ALEXANDER—was working on legislation to address four air pollutants: sulfur oxide, nitrogen oxide, mercury, and carbon dioxide. We offered legislation in response to the George W. Bush administration's proposal. Those affiliated with SO<sub>x</sub>, NO<sub>x</sub>, and mercury—sulfur oxide, nitrogen oxide, and mercury—called the Bush administration's proposal Clear Skies. Pretty clever. We added to that carbon dioxide. We called our proposal Really Clear Skies.

I remember having a meeting in my office about a decade ago. In my office, we had my colleague, my Republican cosponsor, and we also had representatives from six, seven, eight, nine utilities from all over the country debating and discussing whether Clear Skies, the Bush proposal, or Really Clear Skies, our proposal, made more sense. I will never forget what one utility CEO said at the end of the discussion. He might have been from North Carolina. He was from someplace down South. He said: Senators, here is what you should do. Tell us what the rules are going to be, give us a reasonable amount of time, some flexibility, and get out of the way. That is what he said. I will never forget that: Tell us what the rules will be with respect to air emission, give us a reasonable amount of time, some flexibility, and get out of the way.

I think that is what the Clean Power Plan did. We need to get back a lot closer to that proposal. I think it actually mirrors and reflects the advice we received a decade ago.

My time has expired. I thank my colleagues for their patience.

I am happy to yield to the Senator from Arizona, Mr. FLAKE.

The PRESIDING OFFICER. The Senator from Arizona.

SOUTH AFRICA

Mr. FLAKE. Mr. President, I want to rise briefly to address something that happened overnight that the President tweeted with regard to South Africa. I serve as chairman of the Africa Subcommittee on the Foreign Relations

Committee. The President tweeted the following:

I have asked Secretary of State @SecPompeo to closely study the South Africa land and farm seizures and expropriations and large scale killing of farmers. "South African Government is now seizing land from white farmers."

I think it is important for the President, if he is going to conduct foreign policy by tweet, to be more careful and to not base something on one news report. These things matter.

South Africa is, in fact, the ruling party and has proposed land reform measures in South Africa's Parliament. I hope they think long and hard about some of the proposals that are coming forward and not mimic what happened in Zimbabwe 15 years ago that Zimbabwe is still recovering from. In my view, this would not be a good road to take, to expropriate land without compensation. Having said that, it is simply a proposal. It has not been implemented.

On the second part of that, "There is a large scale killing of farmers," there is no evidence to suggest there is a large-scale killing of farmers. Of course, the death of one farmer is too many, but it is wrong to suggest there is somehow a large-scale killing going on, when the evidence suggests that the number of farmers who have been killed over the past year is about one-third the level that was reached in the 1990s.

I would encourage the President to be more careful when he tweets, to not conduct foreign policy by tweet, and to certainly say to our South African friends—a new government we are working with on a number of issues, with which we have a good relationship and want to remain close to—that we in the Congress believe we are their friends, and we want to move forward in ways that will bring the best to South Africans and a good partnership with our country.

I yield back.

Mr. DURBIN. Mr. 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. KAINE. Mr. President, I ask unanimous consent to enter into a colloquy with my colleagues Senator WICKER, Senator WARNER, and Senator DURBIN to address a pressing issue in the defense appropriations bill, and that is language to allow the Navy to proceed with a two-ship buy for aircraft carriers.

The PRESIDING OFFICER. Without objection.

Mr. KAINE. The Navy has been working on a two-ship buy since last year, culminating in its release of a request for proposal, RFP, in April. If the Navy is able to procure the next two Ford-class carriers in a single contract, initial estimates point to over \$2 billion in savings, at least 10 percent. Funds that would be saved could be applied to

other programs within the shipbuilding account or within the Department of Defense generally.

Those savings come about in part through the shipbuilding suppliers across the country who would be able to provide the parts and material needed to build an aircraft carrier in a much more efficient and cost-effective manner. We would be giving these suppliers some degree of predictability. Many of these suppliers are small businesses and single source suppliers who need a demand signal that the country is serious about building up the Navy fleet.

The military shipbuilding supply base is fragile and has shrunk significantly since the last Navy buildup. For nuclear shipbuilding, during the 20-year period between 1977 and 1996, Electric Boat, Newport News, and the industrial base delivered almost 90 nuclear ships in the Ohio-, Los Angeles-, Seawolf- and Nimitz-class programs. The industrial base population during that time was in excess of 17,000 suppliers. Today there are about 3,000 carrier suppliers. The predictability provided by the two-ship carrier buy would enable industry to invest in increasing the capacity of their facilities. This investment will contribute to lower shipbuilding acquisition costs and enable our country to build the Navy our Nation needs.

The two-ship buy would enable the Navy to field an aircraft carrier at least 1 year sooner than the program of record.

I was proud to work with my friend and partner in shipbuilding, Senator ROGER WICKER, to cosponsor a bipartisan letter addressed to Secretary Mattis in December asking for the Department to support a two-ship buy in its fiscal year 2019 budget. In addition to Senator WICKER and me, 15 Senators cosigned, and a similar letter with 131 signatures came from the House.

I ask unanimous consent that the letter sent to Secretary Mattis by me and my fellow Senators be printed in the RECORD at the conclusion of this colloquy.

The PRESIDING OFFICER. Without objection.

Mr. KAINE. When Assistant Secretary of the Navy Geurts testified before the Seapower subcommittee in April, he and I spoke about the need to get the Navy's assessment of the RFP and validation of the savings in time to support necessary legislation in the fiscal year 2019 defense bills. Secretary Geurts promised an initial look in early May, but as the authorization and appropriations processes move forward, unfortunately, we are still waiting to hear from the Department of Defense. I must say I am very disappointed with the lack of urgency which the Pentagon is displaying on this initiative.

As we wait, the great savings that this proposal would generate will erode as the Navy is only able to contract for one ship at a time.

In the National Defense Authorization Act for fiscal year 2019, we included specific preconditions in authorizing the two-ship buy, including detail on how significant savings will be achieved and a commitment to full transparency to any changes to the funding profile.

As currently written, the defense appropriations bill would not allow the Navy to procure two aircraft carriers in one contract, and I understand this is probably out of frustration with the lack of a proposal to the committee including complete budgetary estimates and funding profiles. Again, let me say I share the concern that the Department of Defense has been slow to complete necessary analyses and present the Defense committees with a plan.

We often talk about acquisition reform and smarter buying in this body, and this is a perfect opportunity to innovate procurement and contracting. Let's not squander this chance because of bureaucratic inaction.

While I will not seek to amend the appropriations bill today, I ask the chairman of the committee, Senator SHELBY, and Ranking Members LEAHY and DURBIN to ensure that, when this bill goes to conference with the House, the final language be written in a way that would not preclude the two-ship buy from going forward in fiscal year 2019, with all the requisite approvals from the Defense committees being preserved.

Mr. WICKER. Mr. President, I agree with my Seapower Subcommittee colleague, and his approach is consistent with the fiscal year 2019 NDAA, which the Senate approved in a vote of 87–10. The President has signed the bill into law. I join with my colleague in asking for the two-ship carrier buy to be supported, as we did in the NDAA, subject to the requisite requirements that includes a Secretary of Defense certification based on significant savings and other supporting information.

Mr. WARNER. Mr. President, a two-ship block buy would increase predictability and stability for our suppliers, including the many shipbuilders and shipyard workers in the Hampton Roads region. It would also generate significant costs savings for U.S. taxpayers. It is critical that the Navy has access to the next-generation of warships for the world's challenges, while also being responsible in how it procures and budgets. For some time, I have been encouraging the Navy to move forward with a block buy of two aircraft carriers, as it makes strategic sense. Estimates have found that it would be an opportunity to save over \$2 billion in the Defense Department's budget through this block buy.

Mr. DURBIN. Mr. President, I thank Senator KAINE, Senator WICKER and Senator WARNER for raising this issue. Plans for procurement of Ford-class carriers will be debated in the upcoming conference on the defense appropriations bill. I look forward to the Department of Defense and the Navy pro-

viding more information on the proposal, and I will keep Senator KAINE's comments in mind as the discussion continues.

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

U.S. SENATE,

Washington, DC, December 14, 2017.

Hon. JAMES MATTIS,  
Secretary of Defense,  
Washington, DC.

DEAR SECRETARY MATTIS: As you continue preparation of the Fiscal Year 2019 Budget Request for the Department of Defense, we write to express our support for the block buy of *Gerald R. Ford*-class aircraft carriers. It is our understanding that the Navy and industry have been evaluating the feasibility of block-buy for CVN-80 and CVN-81, as well as the potential cost savings from such a procurement strategy. We applaud the Department of Defense's efforts to examine smarter and more efficient acquisition approaches and would actively support the Department's pursuit of a block buy of *Ford*-class aircraft carriers in Fiscal Year 2019.

Previous block-buys have yielded savings of several percent of the total cost of the ships when compared to annual procurements, which could be in excess of \$1 billion for two *Ford*-class carriers. Total savings could grow to something closer to \$2 billion if the procurement intervals between the ships are additionally shortened from five-year centers to three- or four-year centers, which would be consistent with the Navy's goal of achieving and maintaining the 12-carrier force called for in the Navy's 355-ship requirement.

In light of the increased budgetary demands placed on the Department, we believe that revisiting a proven acquisition method, one that could be executed without reducing funding for other vital shipbuilding programs, is not only warranted, but a sound investment.

As recent events in the Pacific have shown, our nation's carrier fleet is under considerable demand, with 3 of 11 deployed and 7 of 11 carriers underway in recent weeks. A block-buy of *Ford*-class will help the Navy achieve its objective of 12 carriers that better meets combatant commander requirements and readiness goals to sustain worldwide operations. Additionally, a block-buy would continue to signal to the shipbuilding industrial base about our nation's resolve to field a 355 ship fleet. Over the past 25 years, our shipbuilding industrial base has undergone a massive consolidation. The community, which used to tap into more than 17,000 suppliers now relies on fewer than 3,000 across the country. These remaining suppliers would significantly benefit from the predictability and stability of a known future workload. We believe the stability offered by a block-buy approach would enable suppliers to develop greater efficiencies and invest in their own businesses which would further benefit other Navy shipbuilding programs as well.

At the forefront of today's Navy is the *Nimitz* class carrier and *Virginia*-class submarine, both of which are successful products of block-buy type initiatives. As we look to the next 50 years, we believe a wise investment of our precious defense dollars would be in the time-proven acquisition method of block-buy for our next generation of aircraft carrier. Thank you for your consideration and service to our country.

Sincerely,

Roger F. Wicker, U.S. Senator; Tammy Baldwin, U.S. Senator; Cory Gardner, U.S. Senator; James M. Inhofe, U.S. Senator; Marco Rubio, U.S. Senator;

Luther Strange, U.S. Senator; Sherrod Brown, U.S. Senator; Tim Kaine, U.S. Senator; Tom Cotton, U.S. Senator; Mazie Hirono, U.S. Senator; Bill Nelson, U.S. Senator; Jeanne Shaheen, U.S. Senator; Mark R. Warner, U.S. Senator; Thom Tillis, U.S. Senator; Patty Murray, U.S. Senator; Tim Scott, U.S. Senator; Maria Cantwell, U.S. Senator.

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

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

AMENDMENT NO. 3967

Mr. PAUL. Mr. President, Planned Parenthood ends the lives of 320,000 babies each year. That is about 900 babies every day. Planned Parenthood receives over \$400 million of taxpayer money. The government, with a wink and a nod, tells us that Planned Parenthood doesn't spend the money on abortions, but everybody knows that the taxpayer is really cross-subsidizing Planned Parenthood's abortion mills.

My amendment would end the funding to Planned Parenthood. My amendment is already included in the House's version. Yet my amendment is now being blocked by Republicans. Why would Republicans block a vote on defunding Planned Parenthood? It may surprise some because so many Republicans go home and say they are against Planned Parenthood, but this vote could happen right now—right now, today—if Republicans don't object.

Everybody knows that the Democrats love abortion and Planned Parenthood more than life itself. But Republicans? Many voters think Republicans actually care about the unborn. Many voters think Republicans are really opposed to government-funded abortions. But the dirty little secret is that Republican leadership is blocking my amendment to defund Planned Parenthood. That is right. The Republican leadership has filled the amendment tree to block my "defund Planned Parenthood" amendment. But how can that be? Surely, the Republican leadership doesn't favor abortion funding, so the answer is a curious one.

The truth is that the Republican leadership favors bloated government spending more than it cares about Planned Parenthood. This appropriations bill before us exceeds the spending caps by nearly \$100 billion. Big-spending Republicans fear that blocking funding for Planned Parenthood would derail their plans to greatly expand the welfare-warfare state. So be it. The public has long known that the Democrats are the abortion party. Now the public will know that many Republicans just give lip service to pro-life issues and are really more concerned with bloated government spending than with saving lives.

Of the 320,000 babies that Planned Parenthood will abort this year, about 6,400 of these babies would be geniuses. They would develop into geniuses if



they would be allowed to live. Perhaps one of these potential geniuses would discover a cure for cancer or Lou Gehrig's disease. Of the 320,000 babies aborted by Planned Parenthood every year, about 1,000 would become doctors, 1,500 would become engineers, 1,200 would become lawyers, 3,400 would become teachers, and 400 would become pastors. Yet all of that potential is lost each year as a consequence of Planned Parenthood.

What I would say to my Republican colleagues is to please explain to voters at home why they allow Planned Parenthood to continue receiving taxpayer funds; to explain to those at home why they purposely filled the amendment tree in order to block an amendment to defund Planned Parenthood; to please explain to voters at home why passing huge deficit spending bills is more important than trying to save lives; and to please explain to America why anyone would trust politicians who continue to break their promises.

Make no mistake about it—my amendment to block funding for Planned Parenthood is being blocked by Republicans.

In a moment, one of the Democratic leaders will stand up and ask for a vote on my amendment as well as on a Democratic amendment. We don't agree on the policy, but we agree that if you allow an amendment from each side, that we could have some comity, that we could have some debate, and that we could live to disagree on another day. This amendment is not being blocked by the Democrats; this amendment is being blocked by Republicans who refuse to vote on a Democratic amendment.

Republican leadership has the power to unblock the amendment tree and allow the vote. The question is, What is more important to these Republicans—saving lives or spending money?

I ask unanimous consent to set aside the pending amendment in order to call up my amendment, No. 3967.

The PRESIDING OFFICER. Is there objection?

The Senator from Illinois.

Mr. DURBIN. Reserving the right to object, Mr. President, at the outset, the issue of abortion is a divisive issue in America. Many people have different and strongly held beliefs on this particular issue.

We have a law on the books now—and have for decades—that no Federal funds may be spent for the performance of abortion procedures, including at Planned Parenthood. Yet Planned Parenthood does much more than that. Planned Parenthood provides healthcare for millions of women across the United States, and Planned Parenthood provides family planning so that these women can avoid unplanned pregnancies, which, sadly, in many cases, lead to abortion. Regardless of your position on abortion, the position of Planned Parenthood is to counsel families so they can control

the number of children they have and avoid unplanned pregnancies and the likelihood of abortion procedures to follow.

It is for this reason that I have consistently voted against Senator PAUL when he has stood here to defund Planned Parenthood, and I will today. Yet I am about to make a modification request in the hopes that we can have the vote that he just asked for, the vote on Planned Parenthood, as long as we can also have a Democratic vote—one of each—on an amendment that is being offered by Senator JOE MANCHIN of West Virginia, which basically states that we in the U.S. Senate will join in an effort to preserve those portions of the Affordable Care Act that protect families who have members with preexisting conditions. That is basically it.

Time and again, we have heard Republicans say they don't want there to be discrimination against families because there is a child who is a cancer survivor or because there is a spouse who has diabetes. They do not want them discriminated against and to be charged more for health insurance. That is all Senator MANCHIN is asking for.

So we will have a vote on the Paul amendment on Planned Parenthood and on the Manchin amendment, which goes to the heart of the Affordable Care Act's preexisting condition protection. Those two amendments can bring us to a close on this debate. I think that is a fair, bipartisan conclusion. I agree with what Senator RAND PAUL of Kentucky has said in that this is the right way to end this debate—with a Republican amendment and a Democratic amendment.

I move to modify Senator PAUL's request. I ask unanimous consent that the following amendments be called up en bloc and reported by number: Paul No. 3967 and Manchin No. 3865. I further ask consent that at 4 p.m., the Senate vote in relation to the amendments in the order listed and that there be no second-degree amendments in order to the amendments prior to the votes and that each amendment be subject to a 60-vote affirmative threshold for adoption. I further ask consent that following the disposition of the Paul amendment, the managers' package, which is at the desk, be agreed to—a bipartisan package—and that all postcloture time be yielded back.

The PRESIDING OFFICER. Is there an objection to the modification?

The Senator from Texas.

Mr. CORNYN. Reserving the right to object, Mr. President, the Paul amendment is a germane amendment. It should be taken up and passed with a majority vote in the U.S. Senate.

This counterproposal asks that a 60-vote threshold be set for the Paul amendment, which, obviously, would make it much less likely to actually pass. What I think makes a whole lot more sense is to have a vote on the Paul amendment as a stand-alone to

defund Planned Parenthood with a majority vote of 50, but I believe that the Manchin amendment has problems as well.

Firstly, this Manchin amendment inserts itself into pending litigation in Federal court, which is being led by my home State of Texas, by intervening as a party only a few weeks prior to there being oral arguments. This is a role that is generally reserved for the executive branch, and I believe that the legislature—the Senate—should exercise caution and deference to the constitutional role of other branches before injecting itself into a contested lawsuit at a late hour.

Secondly, the Manchin amendment asserts that the Senate should defend all provisions of the Affordable Care Act. While that may be the position of the senior Senator from West Virginia, I have a number of concerns and objections to ObamaCare which are well-known, as do so many of my Republican colleagues. There are many problematic and possibly illegal provisions of ObamaCare that should not be defended by this body, as the Manchin amendment would urge.

Finally, I strongly believe in protecting Americans who have preexisting conditions and in ensuring they have access to affordable healthcare. Our friends across the aisle act as if the only way you can protect against preexisting conditions is through ObamaCare. That is demonstrably false. There is a much better and more reasonable way to protect Americans who have preexisting conditions other than to shackle them to ObamaCare. I believe the best way for us to address this is by legislating—by working together and coming up with legislation that will actually solve the problem—rather than by injecting ourselves into ongoing litigation against ObamaCare.

While I am opposed to the extraneous amendment by the senior Senator from West Virginia, I am completely in support of voting on Senator PAUL's amendment. Frankly, I am a little confused by his statement that Republicans oppose his amendment when, at this point, I renew the request of the Senator from Kentucky. Yet I ask that it be set at a 50-vote threshold as a germane amendment to the pending legislation.

The PRESIDING OFFICER. Is there an objection to this modification?

Mr. DURBIN. Reserving the right to object, Mr. President, I would like some explanation as to where we are on the floor at this moment.

The PRESIDING OFFICER. Senator PAUL has the floor. He has a unanimous consent request to which there have been two modifications sought.

Is there an objection to the modification for the Senator from Texas?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Is there an objection to the modification for the Senator from Illinois?



Mr. CORNYN. I object.

The PRESIDING OFFICER. Objection is heard.

Is there an objection to the original request by the Senator from Kentucky?

Mr. DURBIN. Reserving the right to object, Mr. President, we have agreed that the Republican Senator from Kentucky is to offer an amendment to defund Planned Parenthood. I will be opposing that, but I believe he is entitled to a vote. On the Democratic side, we are asking to have an amendment, in a bipartisan nature, so that the Democratic amendment can be offered, which may be opposed by both of the Republican Senators. With that, there would be a real debate in the Senate, which we rarely have.

Because Senator PAUL and I agree that there should be both amendments—the Democratic and Republican amendments—and that we should move forward to close down debate on the overall bill, I will object until we get Senator CORNYN's agreement.

The PRESIDING OFFICER. Objection is heard.

The Senator from West Virginia.

AMENDMENT NO. 3865

Mr. MANCHIN. Mr. President, I can't believe that we are getting into this tit-for-tat in politics and that politics always rules the day here. Do you know what? Whether or not you agree on the amendment that is up, we thought we had an agreement that both amendments would be voted on.

My amendment is simply using the Senate's legal staff to intervene on preexisting conditions. This affects every one of us. This affects 1.8 million Kentuckians. This affects 800,000 West Virginians. Every State has people who have some form of preexisting condition, and every family has someone with one.

What we are asking for is to be able to fight the good fight. The suit that we are dealing with right now is that of *Texas v. United States*, wherein 20 attorneys general are bringing suit to basically take preexisting conditions away and allow insurance companies to decide as to whether they are going to sell you insurance or not or how much they are going to charge you for the insurance or whether they are going to put caps back on and say you are just too sick for them to spend more money on or for them to invest any more money in you.

All we are asking for is to give us a vote on it. Let's see if the Senate wants to intervene, and let's see if we can fight to save some of the people's healthcare around the country. There are 800,000 West Virginians who are depending on this. That is all we ask for.

Senator PAUL has asked for a vote on his amendment, and I think that should be granted. I think it is equally right that ours should be granted. We thought there was an agreement earlier. I don't know why I would believe that politics would not be involved, but I don't know why it got involved at this level of giving us a vote.

Again, all I am asking for is for common sense and cooler heads to prevail here and to move on. We can get this accomplished. We thought we had it worked out. We were talking about cancer, heart disease, diabetes, arthritis, asthma, and other types of illnesses that can be determined to be preexisting conditions.

We have 400,000 West Virginians who have severe preexisting conditions who will not even be able to buy insurance because the insurance companies will not sell it to them as it will just be too costly and there will not be enough profit in it. They will be too sick, so they will be out. Another 400,000 will have the rates raised to the point at which they probably won't be able to afford it.

I just don't know why we are going down this path again. I don't think there is a Democrat or Republican—this is not a political issue. This is not a life-or-death issue. All I am asking my colleagues on the Republican side to do is to please consider this. Let us vote on it. You can vote the way you want to and go home and explain your vote. I am OK with that. If you want us to vote on Planned Parenthood, whether people think that they should or should not, that is OK. You can go home and explain it. But to not let us vote and to not even talk about it because—I look here at Kentucky. There are 1.8 million people in Kentucky who have been diagnosed with preexisting conditions. I am sure they would like to be able to buy insurance. I am sure they would like to have protection and not have the insurance companies say: I am sorry, not for you today.

I hope you all consider this. Let's put it up for a vote and see where it goes, and let's go after them in court. This happens September 5th. I think Senator CORNYN said it is not germane, and he is using different terminology or different reasoning for that. But since they moved this court date from the 14th to the 5th, it is of urgent necessity for us to get in and intervene to see whether we can protect the people of America. I need to fight to protect the people of West Virginia, and I will continue to do that.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

UNANIMOUS CONSENT REQUEST—S. 896

Mr. BURR. Mr. President, I rise today to talk about the Land and Water Conservation Fund. I talked a lot yesterday about the benefits of the Land and Water Conservation Fund and how it is one of the most popular and successful bipartisan programs that exist for conservation.

I shared with my colleagues and with those who listened a newsletter from the Blue Ridge Parkway Foundation that stated some of the great things they are doing with private sector dollars. They are taking what the Land and Water Conservation Fund provides—which is zero in taxpayer dollars

but royalties off of exploration—and they are giving that to the States to protect treasures we have.

In those States and localities, they use that Federal seed money to leverage private sector dollars to produce inholdings, edge-holdings, and outparcels, sometimes traded so that we protect the land that is most valuable to us and that leverages volunteers and private dollars. It is on the order of 10 to 1 private dollars to Federal dollars.

Today, I want to give you a great example how LWCF money was used for acquisition of land that has made it safer for outdoor enthusiasts and also easier for local governments in my State of North Carolina.

We have a falls called the Catawba Falls. It is a popular attraction in western North Carolina, but the trail to get to the falls is over private land; therefore, those who venture there for recreational benefits and the beauty of Catawba Falls find a circuitous route to get there, and in many cases, we have individuals who have gotten injured. This becomes very costly to local emergency services because when you extract somebody from an inholding that you have no public access to, you have to airlift those individuals.

The Foothills Conservancy recognized the need, and this wonderful local land trust was able to move quickly when the landowner became willing to sell for public access.

I think it is an interesting fact that this family who sold to Foothills was the first family in the United States to sell land to the U.S. Forest Service in 1911 under the Weeks Act.

The Forest Service was eventually able to acquire the land through the Land and Water Conservation Fund. Now there is a road and a parking lot for visitors. The cost of emergency services to get to the falls to respond to accidents has been dramatically reduced. Visiting the attraction is now safer for hikers. Visitor experiences were improved with parking and restrooms. A beautiful trail that belongs to the public was made, and local government's burden was eased.

They average one medical situation a month. Since the Presiding Officer is a physician by practice, I know he understands the cost that is incurred with an emergency of that magnitude. Because of this access, they have saved one hour per extraction, and McDowell County Emergency Management is saving \$1 million annually because they don't have to do helicopter extractions.

It is an economic stimulus to the town of Old Fort and protects the headwaters of the Catawba River, which, I might add, is the drinking supply for the city of Charlotte, NC.

Talk about a win-win-win. This is one of them. This is a perfect example of how LWCF helps make access for the public easier by purchasing an edge-holding.

As Americans, we need more outdoor recreation and access opportunities,

not fewer. The program is widely supported by outdoor recreation industry enthusiasts, conservationists, anglers, hunters, birdwatchers, and all who appreciate access to America's unparalleled lands. If I didn't mention it, it requires zero in taxpayer money. Let me say that again. There is zero taxpayer money.

The U.S. outdoor recreation economy generates \$87 billion in consumer spending. It generates \$65 billion in tax revenue. If you don't utilize the outdoors as an individual and you are a budget hawk, it is a good program. It grows the economy. It produces revenues for the Federal Government.

The program has been so successful that just a decade after its original enactment, in 1977, the Congress decided to triple its authorization to a level of \$900 million—the level it remains at today. I might add that the first two authorizations of this bill were for 25 years—25 years. Eventually, the authorization level for funding went to \$900 million. It has only been funded at \$900 million one time in the over 50 years since it has been established.

In our great wisdom, for some reason, 3 years ago, we authorized it at 3 years, and on September 30, it will expire. As of March 30, the Land and Water Conservation Fund had a credit in its account of \$21.5 billion because over the years Congress chose not to allocate the full \$900 million that has been credited to the fund. This bill puts the money toward deferred maintenance and returns the rest to Treasury.

Very quickly, let me just tell you about a bill that I am going to ask unanimous consent that this body take up and pass. The base of the new bill is permanent authorization of the program. It also includes a provision that I sprung on everybody yesterday.

Members of the U.S. Senate have expressed a concern about a permanent reauthorization with no ability to go in and alter that, so what I did was I added a provision that allows for the Congress to take up a dissolution resolution every 3 years where, with a 60-vote margin, they can disapprove the automatic renewal.

We have tried to address all of the concerns that have been raised. Since the beginning of the 115th Congress, I have tried to come down here and get this bill on the floor, only to hear: Not today. It needs to be on something else. We can't have a vote on it.

We have never been allowed to have a vote on it. I am sympathetic to individuals who have raised questions on the ability to vote.

If future Congresses believe they need to review the program, this provision allows them to do it by simply passing the joint resolution of disapproval. Every 3 years, they are given the opportunity.

Additionally, this bill shares funds currently available to the LWCF program. Again, let me remind everybody of the background. Every year—\$900 million is credited on an annual basis

to the Land and Water Conservation Fund. That is in the statute. Every year, appropriators determine how much money they intend to appropriate, and in only one of the years since 1977, when we raised the allocation to \$900 million, has it actually been funded at \$900 million. So each year, \$900 million goes in, and appropriators dole out what they want to. It is all royalty money; it doesn't have anything to do with taxpayer money. That has left a hefty chunk of change just sitting there, waiting for Congress to appropriate—\$21.4 billion.

To meet my colleagues halfway, in addition to a 3-year review, with a vote to disapprove an automatic renewal, my bill does this. I have decided to put those available funds toward a program that many of my colleagues have been very vocally supportive of in the past year. This bill would reallocate \$11 billion out of the LWCF trust fund, and it would allocate that money and dedicate it to the National Park Service for maintenance.

I know many Members are anxious to get a parks maintenance bill through, and we have had trouble doing that. I am giving you an opportunity and an option that would fund it at a level we haven't even talked about. We are talking about somewhere right around \$1 billion. Yet we know we have \$10 billion worth of deferred maintenance. With just the reauthorization of this one conservation program, we would shift \$11 billion out of the LWCF account and into the parks maintenance account. It doesn't take a mathematician to realize that the money would be available immediately. It would still require the appropriations process.

There would be an additional \$10 billion left in the LWCF fund. So what I propose in this legislation is that the bill would credit back to the General Treasury \$10 billion to go toward paying down debt.

I have heard a lot of my colleagues stand up here—as a matter of fact, many in this body voted for a rescissions package that had a \$16 million reduction in the LWCF fund. I voted against it because I got no help in trying to understand why we were going to cut money out of a program that we had yet to fund at the level at which it was authorized. If they were willing to cut \$16 million of LWCF to pay down debt, I am giving them a great opportunity—I am giving them \$10 billion in this bill.

So we are going to take \$21 billion that the LWCF has accrued over its existence, that has been unallocated to them but is still there, and we are going to give \$11 billion to the parks and recreation maintenance fund, and we are going to give \$10 billion to the Treasury to pay down debt.

I have been working on all aspects of LWCF for about 5 years, if not longer. I think that in the last 24 hours, I have addressed every concern that has been expressed—budget, taxpayer money, parks maintenance, why we should do

it. Let me suggest to the Presiding Officer and to my colleagues why we should do it. Because Americans really appreciate this program because across this country, there are generations today who believe that their children and their grandchildren will be able to experience the same experience they had because we have been smart enough to protect some of those treasures.

I don't want to be greedy. I would love to appropriate \$21 billion, as I am sure my colleague from Colorado, who I see standing over there, would love to do. It is probably not needed all at one time, but the credit is there. If we are willing to reauthorize this program and to give them some degree of permanency, then I believe every person who is the beneficiary of or interested in the Land and Water Conservation Fund will not argue with saying: OK, we will take the \$21 billion we built up, and we will give \$11 billion to the parks maintenance program and we will pay \$10 billion to the Treasury. And we will start over at accruing at \$900 billion a year what the American people, through their Congress, in the past have said we are going to invest in these conservation efforts.

It is a significant gift. There are winners and winners and winners. There is no difference between this and the Catawba Falls example I gave you where the winners were the local community, the individual who sold the land, and the emergency services cost to the county. This is a win-win for America, and we are doing all of this with zero taxpayer money. We are using the royalties off of exploration to fund it.

I am going to do something that is probably a first in this body. There are individuals who still would like to object to this. I am going to ask unanimous consent, and then I will object to my own unanimous consent request because I understand the rights of any one individual in the Senate.

I could have waited hours to speak until one of them came to object, but I saw it more worthy of my time to come here and to raise this issue, to present solutions, and to object to my own unanimous consent request because I respect the rights of every individual.

But I hope through doing this those colleagues that might have an objection to this would alleviate that objection. If you don't like the program, that is one thing, but don't claim that it is because you want to reduce the debt. Don't claim that you don't want to use taxpayer money. Don't claim that you want to package this with the parks and maintenance program.

I am giving it all to you in one bill. The only thing I am asking in return for the Land and Water Conservation Fund is to give us the ability to know long-term that this is in place so that we can leverage every private sector dollar in this country that we possibly can toward whatever appropriations the appropriators decide on an annual basis to give to the fund.

So at this time, I ask unanimous consent that at a time determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the immediate consideration of my bill in relation to LWCF, which is at the desk, with 1 hour of debate, and the Senate then vote on the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BURR. Mr. President, I reluctantly object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Colorado.

#### CLIMATE CHANGE

Mr. BENNET. Mr. President, I would save my colleague from North Carolina from having to object to his own motion, but I so much believe in what he is trying to do that I can't object. I thank him for his leadership, through the Chair, on this issue over many years. This should be a bipartisan issue. It is a bipartisan issue. My colleague from Colorado, CORY GARDNER, and I wrote an op-ed piece together—can you believe that?—in the Denver Post, supporting the work that Senator BURR from North Carolina is trying to do.

It is long past time for us to stop continuing to play these political games and actually do some work for the American people. There is not a county in America that doesn't have a Land and Water Conservation Fund project. That is not what I am here to talk about, but I thank him for his leadership.

I am here to talk about another area that should be bipartisan, and that is addressing the urgent matter of climate change in the United States of America with the leadership of our government. Instead, this week, President Trump made his latest assault on our country's climate policy by gutting the Clean Power Plan. This decision creates more uncertainty for coal miners by delaying for 2 years what everyone knows we ultimately have to do, and it creates uncertainty for everybody else.

President Trump has campaigned for years on the idea that there is a war on coal, ignoring his own Department of Energy's observation that the reason why coal has fallen as a source of our energy is that natural gas, because of the ingenuity of the American people, has become so cheap. That is what displaced coal, but he is ignoring it, just like he ignores economic reality after economic reality.

This is not going to help Colorado. We have added 60,000 clean energy jobs and 230,000 outdoor recreation jobs, and we have 170,000 agriculture jobs that are inseparably linked to the stability of our climate. One of the reasons this sector is growing so rapidly is that Colorado does not have the luxury of operating in a fictitious economy. We see the threat of climate change every day, from an infestation of pine and spruce beetles that have destroyed our

drought-stricken trees to wildfires that are no longer bound to a season because now they burn, or can burn, all year long, to shorter ski seasons and longer droughts that are affecting our farmers and ranchers.

These consequences of climate change are costing Coloradans billions of dollars each year, and this cost is only expected to increase.

I have said it before. My State is one-third Republican, one-third Democratic, and one-third Independent. We have a consensus in my State that climate change is real and that humans are contributing to it. That doesn't mean everybody agrees with what the solution should be, but there is a consensus that if we do not act, we will not be fulfilling our obligation to the next generations of Coloradans.

In Colorado, for that reason, we have made significant progress transitioning to a cleaner energy mix because we are betting on the economy as it actually exists, not as Donald Trump imagines. So far, that bet has paid off. We have had \$6 billion invested in clean energy. We have created hundreds of thousands of clean energy jobs in construction, maintenance, and installation that cannot be outsourced and cannot be sent to China.

Wind jobs alone are expected to triple by 2020, and our largest utility, Xcel Energy, announced this past June that it is retiring two coal plants early and replacing them with wind, solar, and natural gas, and energy storage.

This has nothing to do with the Environmental Protection Agency—nothing—or regulation. It is because it is cheaper. It is cleaner for the environment, but it is also cheaper for the rate base. That is what we are accomplishing in Colorado, and I know it is true across the country.

This assault by President Trump on the Clean Power Plan, which so many States were already complying with, is just the latest in a year-and-a-half attack on important environmental regulations: fuel economy standards for cars and trucks that he got rid of that will make our automobiles and our trucks less competitive overseas; commonsense rules to decrease methane leaks from oil and gas production; opening up of the Arctic National Wildlife Refuge and our coasts for drilling; attacking the Antiquities Act and the Endangered Species Act; appointing Scott Pruitt, a climate denier, to be the head of the EPA; trying to roll back the clean water rule; trying to use taxpayer dollars to revive retiring coal and nuclear plants on the taxpayers' dime; trying to delay ozone standards to limit smog to prevent our children and seniors from getting sick; and withdrawing from the global climate agreement. We now have the distinction of being the only country in the world not to be part of that agreement. Syria has now joined it, but we are by ourselves.

I can tell you that the generation of people in this Chamber who are the age

of the pages in this Chamber have a consensus that climate change is real.

I know my colleague is here. So I am going to bring this to a close, but let me say that the Republican Party nationally has had a distinguished record on environmental matters until very recently. That may surprise people who have seen the debate and watched it, but it is true. Richard Nixon, a Republican President, signed the Clean Air Act and signed the Clean Water Act. He created the Environmental Protection Agency. Anybody who wants to remember what was going on back then only needs to think about the Cuyahoga River catching on fire and what that looked like. Anybody who remembers that knows that it is very hard to make the argument that net-net the Clean Air Act and the Clean Water Act haven't been good for our economy. That doesn't mean that it is perfect, but it is very hard to make that argument. People will, but I think it is very hard to make it convincingly.

Ronald Reagan, one of the great conservative Republicans in the history of America, is the guy who was President when the ozone layer got a hole in it. He was a survivor of skin cancer. Kids who come to my meetings today don't know what the hole in the ozone layer is. They can thank Ronald Reagan for that.

Both Bushes said that climate change is real and that humans are contributing and that we have to do something about it, and we need to work through multilateral organizations—in that case it was the U.N.—to do something about this.

Then, what changed? In 2010 the Supreme Court made a decision in *Citizens United* that opened up our entire Federal Government to billions of dollars of outside money, and the threat of outside money came with a promise to sign something called the "climate pledge," which denied that it was real. Ever since then, we haven't been able to do any bipartisan work on it.

The Supreme Court in that opinion talked about its worries about the corruption of action. What we have is the corruption of inaction—the bills that aren't written, the amendments that never get a vote, and the committee hearings that are never held because of a distortion in our political system. We have to change that together because if we are serious about climate, we need an enduring solution. We can't have something that is ripped out like the Clean Power Plan after a year and a half. That will not fulfill the responsibility we have for the next generation of Americans—or to the planet, for that matter.

So I am very sorry to be here today under the circumstances that I am here, but I thought it was important to note what the President had done, and I will say again that I hope the time will come when we can make bipartisan progress on climate change.

Mr. President, I ask unanimous consent that an article from the Wall

Street Journal and an article from the Washington Post be printed in the RECORD.

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

[From the Wall Street Journal, Mar. 8, 2016]  
COMPANIES GO GREEN ON THEIR OWN STEAM  
(By Cassandra Sweet)

U.S. companies are cutting emissions voluntarily and buying clean energy at the fastest pace ever, as lower renewable energy prices and easier availability of these sources makes these economical options.

Companies such as Salesforce.com Inc. have started to embrace energy generated from wind, solar and other clean-energy sources in earnest this past year, while General Motors Co. GM 1.18%, and Whole Foods Market Inc. have doubled down on their renewable energy usage.

U.S. companies, in 2015, agreed to buy 3,440 megawatts of solar and wind power under long-term contracts—enough to power Sacramento, Calif.—and, roughly three times the amount they bought in 2014, said Herve Touati, research director at the Rocky Mountain Institute, a clean-energy think tank. Displacing fossil fuel energy with that amount of renewable energy is roughly equivalent to taking 1.4 million cars off the road, according to the institute.

“It’s a combination of social pressure on large, visible corporations to do good for the world, and the fact that today you can sign deals that are attractive economically,” Mr. Touati said.

A decline in renewable-energy prices alongside a larger energy slump are playing a key part in the shift. The price of wind power averaged \$29 a megawatt-hour in 2015, down 27% from 2012, according to research firm Bloomberg New Energy Finance.

Solar power bought under multiyear contracts also fell last year to \$57 a megawatt-hour on average, down by nearly one-fifth from 2012. One megawatt of wind energy can serve about 270 average U.S. homes, and the same amount of solar power can serve 164 average homes, according to wind and solar power industry groups.

The price of fossil-fuel based power averaged \$35 a megawatt-hour in 2015, according to a Wall Street Journal analysis of data compiled by the Energy Department.

GM signed a deal last year to operate more than half its assembly line in a Dallas suburb on electricity generated by a West Texas wind farm. Workers at the plant in Arlington, Texas, are expected to assemble 1,200 Chevrolet Suburbans, GMC Yukons and Cadillac Escalades daily using a renewable power source when the wind farm goes online later this year.

GM says it has saved more than \$80 million from green-energy purchases and investments since 1993, when it started on its renewable energy initiatives, said Rob Threlkeld, the company’s global manager of renewable energy.

“Any renewable energy project has to provide a savings,” he said, adding that in Michigan, Ohio and Indiana the auto maker is using electricity generated from burning landfill gas and trash to power its factories.

Mounting solar panels on the roofs of its big-box stores and warehouses has helped Wal-Mart Stores Inc. trim its electric bills, the company says. With nearly 350 commercial solar installations on its buildings, the Bentonville, Ark.-based company outpaces every other corporation in America for on-site solar adoption, according to the Solar Energy Industries Association.

“The financial impact is important to us. Our customers vote with their pocket

books,” said David Ozment, Wal-Mart’s senior director of energy.

Wal-Mart buys enough wind, solar and other renewable energy every year to power 26% of its stores, warehouses and distribution centers around the world.

By 2020, the retailer also aims to save \$1 billion a year by more than doubling the amount of renewable energy it uses and trimming its electricity consumption at each store by 20%. “Customers have said, ‘We love what Wal-Mart is doing in this space. We want you to continue doing this. But we don’t want to pay a premium for our diapers for that,’” Mr. Ozment said.

Intel Corp., as part of efforts to shrink its carbon footprint, has installed a lot of solar panels. The company’s green efforts help attract and retain top-flight talent in California’s competitive hiring environment, according to a study by Bain & Co.

“We have a variety of awards and programs that are associated with sustainability objectives and actions,” says Intel spokeswoman Claudine Mangano. For example, the company awards “bonus points” to employees who figure out ways for Intel to meet its annual environmental goals, such as cutting power use. The points can be converted to cash.

Whole Foods, the chain that markets itself as a purveyor of organic food, has faced obstacles in trying to establish an environmentally friendly image. One of the grocery chain’s main initiatives—the repurposing of used cooking oil to generate power in a kitchen outside Boston that made prepared meals for Whole Foods stores across New England—failed. Lower crude oil prices forced the cooking-oil supplier to abandon the project.

Whole Foods is going solar, and plans to install solar panels at 100 stores after putting arrays on 25 others.

[From the Washington Post, Nov. 17, 2017]

THE U.S. HAS MORE CLIMATE SKEPTICS THAN ANYWHERE ELSE ON EARTH. BLAME THE GOP.

(By Amanda Erickson)

In most of the world, climate change is settled science.

Not so in the United States. President Trump has called human-made climate change a “hoax perpetuated by and for the Chinese in order to make U.S. manufacturing noncompetitive.” Former House speaker Newt Gingrich has suggested that climate change is the “newest excuse to take control of our lives by left-leaning intellectuals.” Conservative broadcaster Rush Limbaugh called it “one of the most preposterous hoaxes in the history of the planet.”

In fact, the United States is home to more climate-change skeptics than most other countries. Don’t believe me? The U.K.-based market research firm surveyed 16,000 people in 20 countries about their attitudes on climate change.

More people in the United States doubt that humans are responsible for climate change than just about any other country. What accounts for this discrepancy?

Our politics. Climate-change denial is a core tenet of one of our two major political parties. Its skepticism is unmatched around the world. A paper from researchers at the University of Bergen in Norway found that among major political parties—even conservative ones—the GOP stands alone in its rejection of the need to tackle climate change. One analysis by PolitiFact agreed that “virtually no Republican” in Washington accepts climate-change science.

It wasn’t always this way. In 2008, Republican presidential candidate John McCain produced an ad praising him as a candidate who “sounded the alarm on global warm-

ing.” According to an insightful New York Times article, the party transformed itself into a party of skeptics in just a decade, thanks to “big political money, Democratic hubris in the Obama years and a partisan chasm that grew over nine years like a crack in the Antarctic shelf, favoring extreme positions and uncompromising rhetoric over cooperation and conciliation.”

The Times explains that fossil fuel industry players, like Charles D. and David H. Koch, funded a powerful campaign to scare Republican lawmakers away from supporting climate-change legislation. Their group Americans for Prosperity pushed a “No Climate Tax” pledge and helped unseat supportive Democrats from Virginia. (When the smoke cleared from the 2010 midterms, 83 of the 92 new members of Congress had signed that pledge.) President Obama, frustrated by Congress’s inability to act, pushed executive actions to combat climate change, moves that only further infuriated the right. (“It fell into this notion of executive overreach,” Heather Zichal, an Obama climate adviser, told the New York Times.) The tea party, too, saw fighting climate change as one more big government program it wanted nothing to do with.

That reality is reflected in our news coverage. A 2011 report by James Painter from the University of Oxford and the Reuters Institute for the Study of Journalism looked specifically at how climate change was covered in newspapers in six countries.

He found that U.S. and U.K. print media quoted or mentioned climate change skeptics significantly more than outlets in Brazil, China, India and France. Together, outlets in the United States and Great Britain accounted for about 80 percent of all skeptic quotes and mentions. About 40 percent of those articles ran in opinion sections. American publications were much more likely to quote a skeptical politician than outlets in the other countries, in large part because politicians in the U.K. and U.S. are more skeptical, on the whole, of human-caused climate change.

Painter also found that right-leaning outlets are much more likely to publish skeptics than left-leaning outlets.

And it’s reflected in how Americans think about climate change. Americans are unusually divided on climate change among major democracies. A large percentage of Democrats believe in human-made climate change; many Republicans don’t. As Painter explained to me in an email, “the polarization of attitudes towards climate change between Republicans and Democrats is very acute, and this is not replicated to the same extent in other countries.”

As Pew explained in a 2015 report, this polarization doesn’t look so different than American divides on a lot of other things like abortion and gun control.

In other countries, climate change just isn’t a partisan issue. Broad majorities of people accept what scientists say—that climate change is being caused by humans, who are pumping carbon dioxide into the air at alarming and unprecedented rates. That might be because in many places, people are experiencing the impact of a changing climate directly, so they’re more likely to believe the science. It’s also true that in countries with the highest carbon emissions like the United States, concern about human-created climate change is lowest. Most other places, too, don’t have big lobby groups or think tanks with links to fossil fuel companies pushing out their message into the public sphere and media.

Mr. BENNET. I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

## DEPARTMENT OF JUSTICE

Mr. SASSE. Mr. President, I rise today to speak to the issue of the leadership of the Department of Justice.

It has been a strange couple of hours around this building with lots of talk about firing the Attorney General. I would just like to say in public what I have been saying to my colleagues in a message that I just communicated to the President of the United States; that is, that it would be a very, very, very bad idea to fire the Attorney General because he is not executing his job as a political hack. That is not the job of the Attorney General. The Attorney General's job is to be faithful to the Constitution and to the rule of law.

Jeff Sessions just had to issue a statement about 2 hours ago that I would like to read. The Attorney General says:

While I am Attorney General, the actions of the Department of Justice will not be improperly influenced by political considerations. I demand the highest standards, and where they are not met, I take action. However, no nation has a more talented, more dedicated group of law enforcement investigators and prosecutors than the United States.

I am proud to serve with them and proud of the work we have done in successfully advancing the rule of law.

That is his job. The Attorney General is a man who, when he served in this body, would have policy disputes with probably all 99 of us or 100 of us now, but the 99 people he served alongside. There are a bunch of issues where I agree with Jeff Sessions on policy, and there are some issues where I disagree with Jeff Sessions on policy.

The Democrats disagree with Jeff Sessions on lots of policy, but I think everybody in this body knows that Jeff Sessions has been executing his job in a way faithful to his oath of office, to the Constitution, and to trying to defend the rule of law. I think Jeff Sessions' statement today that the U.S. Department of Justice is filled with honorable, dispassionate, career prosecutors who execute their job in ways that the American people should be proud of is indisputably true. What he said is something that basically everybody in this body knows and agrees with. Yet, bizarrely, there are people in this body now talking like the Attorney General will be fired, should be fired. I am not sure how to interpret the comments of the last couple of hours.

I guess I would just like to say, as a member of the Judiciary Committee and as a Member of this body, that I find it really difficult to envision any circumstance where I would vote to confirm a successor to Jeff Sessions if he is fired because he is executing his job rather than choosing to act as a partisan hack.

I think everybody in this body knows that Jeff Sessions is doing his job honorably, and the Attorney General of the United States should not be fired for acting honorably and for being faithful to the rule of law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I did want to thank my colleague for his statement about the Attorney General. I think he is absolutely correct about what he said. I used to work at the Department of Justice, and the FBI and the DOJ are filled with honorable civil servants who are doing their best to enforce the law. I thank him for his remarks.

I yield to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, somebody once said: What is the use of a house if you don't have a tolerable planet to put it on?

That is a question that we should all grapple with in this Chamber. It is a question that propels my colleagues from the Environment Committee to come to the floor and take note that the Trump administration's plan to replace the Clean Power Plan with a dirty power plan is one egregious step in damaging our planet. It is an egregious step to increase carbon pollution.

Carbon pollution has all kinds of effects that we are seeing across the country, from raging forest fires in the Northwest, with my State covered in smoke, to the stronger, more powerful hurricanes that hit the city of Houston of my colleague from Texas and the cities in Florida of my colleague from Florida, to the impact across the country on agriculture, to the impact with greater droughts in some cases and greater floods in others. One of the single most effective steps that can be taken is to reduce the amount of carbon pollution from powerplants and transportation.

Let's be clear. This dirty power plan from the administration increases the damage to the citizens of the United States, all just to pander to polluters. We have seen so much of this in the last year and a half.

I know that we are living in an era in which the administration has created a parallel universe of alternative facts, where truth isn't necessarily truth, as the President's lawyer said this past couple of weeks. But let's remember that if you are outside that parallel universe, if you are in the real world, there are real numbers.

By 2030, the Clean Power Plan would stop 870 million tons of pollution from poisoning the air that you and I, our families, our children, and our friends breathe. That is represented here by looking at this blue line in the year 2030 and the descending line of carbon pollution that is driven both by the fuel economy standards and the electricity standards. What we see under the President's dirty power plan is that, from here into the future, there is no further reduction—essentially zero reduction—then, past 2030, an increase in the carbon pollution that is doing all this damage across the country.

There is damage in every one of our States. This damage doesn't just hap-

pen in blue States. Texas is not a blue State. Texas suffered horrific consequences of this carbon pollution, so certainly representatives from that State would want to do something about it, and so on, through every single State. The amount of difference in the carbon pollution between the Clean Power Plan and the dirty power plan is equivalent to the pollution from 166 million cars on the road for a year.

It isn't just the impact on forest fires and the impact on hurricanes and the impact on drought, affecting agriculture, and the impact on floods. It is also the impact on human health. The estimate is that, by the year 2030, the difference between the Clean Power Plan and the dirty power plan is 4,500 premature deaths. So this decision kills people.

The difference between those two lines, by the year 2030, is 90,000 children's asthma attacks. The difference between those two lines is 1,700 heart attacks. Picture that many children with asthma attacks going to the hospital, 90,000 children. Picture that many heart attacks. Picture that many premature deaths. Aren't we here to make America stronger and better, not to kill Americans, not to put Americans in the hospital? Yet the President's plan does exactly that.

Those health problems result in a lot more expenses. The Clean Power Plan could result in \$54 billion in health and climate benefits, and it creates a lot of jobs by driving renovation of the energy industry. When you renovate a house, you create a number of jobs. When you renovate an energy economy, you create a lot of jobs—millions of jobs—millions of jobs in clean and renewable energy, in wind and solar and geothermal.

The dirty power plan the President is putting forward says this: Instead of having a plan, we will simply tell the States to develop an idea of what they should do. In other words, the States have the responsibility, but no requirements, to act.

There is a little bit in there about improving the efficiency of coal-fired plants. But the idea is that if you extend the plants for a couple of years by making them more efficient, then you will reduce the adoption of renewable energy that is cheaper. So we are also talking about more expensive power by keeping inefficient, expensive forms of power, producing into the future.

These ideas that the administration has put forward about making the plants work a little bit more efficiently come with the caveat that, if you do that, you don't have to put the additional modernization pollution controls on them. It means more fine particulates, it means more sulfur, and it means more mercury—all things that damage human health. So it all keeps coming back to this assault on the health of Americans and on ag and on forests and on fishing. All three of those are affected by carbon pollution and climate chaos. That is the basic picture we are looking at.

Why don't we take a step back and just ask the simple question: What is the best outcome for America? Is it the adoption of cheaper renewable energy over more expensive fossil fuels? I would say: Yes, let's adopt the cheaper energy.

Is it the adoption of cleaner energy over dirtier energy? Yes, let's keep our air cleaner.

Is it doing what is right for the health of Americans? Yes, let's do right by the health of Americans.

Is it taking and contributing to a strategy of driving carbon pollution hopefully, eventually, down to zero? We want a plan that drives carbon down, not a plan that drives it sideways—that is, no change—or works eventually upward.

The question that David Thoreau put before us, "What is the use of a house if you haven't got a tolerable planet to put it on?" includes great significance for those American citizens who had their homes burned down this year because of carbon pollution. It would certainly be very relevant to those working in agriculture in America who are losing their farms because of drought or floods. It would certainly be relevant to those citizens living in Texas and Florida who have been deeply damaged by the hurricane storms of last year.

So let's do right for Americans, and let's reject this dirty power plan that will hurt us in every way possible.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am very happy to join my colleagues to express our view of how pathetic this new Clean Power Plan replacement rule is and how it really makes fools of huge portions of the American people.

For farmers who are out there facing drought and floods like they have never seen before as our weather extremes expand, this makes fools of them. This makes losers of them. For people who live near our forests or work in our forests or enjoy using our forests, and for the people Senator MERKLEY just spoke of, for those downwind from our forests when they burn—they are made a laughing stock by this new rule. The wildfires that are tearing through our forests are expanding both in season and severity. In some States, where there used to be a wildfire season, there isn't a season any longer. Any time could be wildfire time. This is all new and unprecedented.

For hunters, for fishermen, for skiers, for outdoor enthusiasts of all kinds, the changes that are happening to the species and the weather patterns that folks have come to rely on are damaging. This plan ignores all of it.

Its harm to coastal communities is particularly important to Rhode Island and to the Presiding Officer's home State of Louisiana. We have coastal communities facing dramatic sea level rise. We are seeing new risks for local communities from storm surge as well as from sea level rise. We are seeing

great American cities filled with seawater on bright, sunny days just because high tide and sea level rise combine to bring flooding into what once was dry land. All of these concerns are made a mockery of by this phony EPA rule.

Even if you are not a farmer or even if you don't care about or live near forests, even if you have no interest in the outdoors, even if you don't live on or visit the coast, you are a part of the American economy, and the American economy is going to take a whack from our failure to do right by the environment and from our failure to win the transition to a low-carbon economy. We are all involved in this together, and we are all, in that sense, made losers and made a mockery of by this ridiculous rule.

The only other thing I would add is that we are a country that has for a long time been proud of our reputation and example. One of our Presidents said that the power of our American example has always mattered more in the world than any example of our power. Well, what an example we are setting now, the only Nation in the world not to participate in the Paris Agreement. Even the Syrians got in, for Pete's sake, and here we are, strange outliers.

We try to compete in the international contest for the way that people live, putting forward our American system of government and our American way of life. Our American system of government is not looking so good right now on this question, and as the inevitable march of climate change and deep climate havoc continues, our failure to act is going to look worse and worse. People are going to ask questions, and we don't have good answers for those questions. The truth is, the reason we are not doing anything about this is the corrupt influence of the fossil fuel industry, period, end of story.

I was here during the years when we had bipartisan activity in the Senate on climate change. There were multiple bipartisan bills floating around. There were bipartisan hearings. In fact, the first climate change hearing in the Senate was chaired by Republican Senator John Chafee of Rhode Island. All of that came to a shuddering halt in January of 2010, when the five Republican judges on the Supreme Court gave to the fossil fuel industry a pearl beyond price: the Citizens United decision that allowed unlimited political spending by big special interests—unlimited—and it took the fossil fuel industry about 2 minutes to figure out how to make that hidden dark money political spending. The result has been the absolute shutdown of bipartisanship as the fossil fuel industry has moved to exercise full dominion over a once great Republican political party.

I see the majority leader on his feet, from which I deduce that he may seek the floor, in which case, as a courtesy, I am most inclined to yield it to him.

Is that the case, Mr. Leader? Does the leader seek the floor?

Mr. MCCONNELL. Does the Senator yield the floor?

Mr. WHITEHOUSE. I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the following amendment be called up: Paul No. 3967. I further ask that at 4:10 p.m., the Senate vote in relation to the amendment; that there be no second-degree amendments in order to the amendment prior to the vote; and that it be subject to a 60-vote affirmative threshold for adoption. I further ask unanimous consent that following disposition of the Paul amendment, the managers' package, which is at the desk, be agreed to and all postcloture time be yielded back; further, that Senator ENZI or his designee be recognized to offer a budget point of order and that Senator LEAHY or his designee be recognized to make a motion to waive; finally, that following disposition of the motion to waive, amendment No. 3699 be withdrawn and the substitute amendment, as amended, be agreed to and the cloture motion on H.R. 6157 be withdrawn, the bill be read a third time, and the Senate vote on passage of the bill, as amended, with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Mr. President, we have no objection.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. PAUL, proposes an amendment numbered 3967 to amendment No. 3695.

The amendment is as follows:

(Purpose: To prohibit Federal funds being made available to a prohibited entity)

At the appropriate place in title V of division B, insert the following:

SEC. \_\_\_\_ (a) IN GENERAL.—None of the funds made available by this Act may be available directly or through a State (including through managed care contracts with a State) to a prohibited entity.

(b) PROHIBITED ENTITY.—The term "prohibited entity" means an entity, including its affiliates, subsidiaries, successors, and clinics—

(1) that, as of the date of enactment of this Act—

(A) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

(B) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(C) performs, or provides any funds to any other entity that performs abortions, other than an abortion performed—

(i) in the case of a pregnancy that is the result of an act of rape or incest; or

(ii) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death



unless an abortion is performed, including a life endangering physical condition caused by, or arising from, the pregnancy itself; and

(2) for which the total amount of Federal grants to such entity, including grants to any affiliates, subsidiaries, or clinics of such entity, under title X of the Public Health Service Act in fiscal year 2016 exceeded \$23,000,000.

(C) END OF PROHIBITION.—The definition in subsection (b) shall cease to apply to an entity if such entity certifies that it, including its affiliates, subsidiaries, successors, and clinics, will not perform, and will not provide any funds to any other entity that performs, an abortion as described in subsection (b)(1)(C).

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I will take a minute to conclude my remarks and then yield to Senator KING of Maine, who I believe will be followed by Mr. VAN HOLLEN of Maryland.

The rule we are looking at is basically about 98 percent Scott Pruitt, if you look at the timing. Scott Pruitt had one of the most disgraceful tenures in any Cabinet position in the history of the United States. To the extent I have anything good to say about him, it is that he wasn't very good.

The EPA, following the direction of the fossil fuel industry, lost over and over again as its phony sham activities, rulings, and regulations were challenged in court. What we saw over and over again was the process at the EPA was a sham; that the review of public comment was a sham; that the legal analysis they had to go through was a sham. As a result, they came up with rules, regulations, and policies that were a sham.

Once you expose some of that stuff in court, where people have to tell the truth, discovery has to happen, you see documents, and you get judges who are not in tow to the fossil fuel industry, it doesn't look so good. I think probably our best hope for this phony-baloney dirty power plan that Pruitt 98 percent put out—and the new Administrator, I guess, we should give him 2 percent partial credit—is it is not likely to last very long. It is not likely to survive judicial scrutiny. It, like so much else the EPA has done in this administration, is completely fossil fuel-funded, phony, and a sham.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, my colleagues have spoken eloquently about the weaknesses of the supposed new Clean Power Plan, which is anything but. I wish to speak a minute about why this is such a detrimental idea for the country but also for my State.

Let's put it in very stark terms. Even by the terms of the new plan that has been announced, the original Clean Power Plan would have reduced carbon emissions by 30 percent, CO<sub>2</sub> by 30 percent, and the new plan by about 1 percent. That may be being generous.

We have clean air and water in Maine, but pollution knows no boundaries. That is one of the problems with

this plan. It essentially leaves up to each State how to regulate the plants within its borders. That is a good idea, except the pollution from these plants does not stay within those borders.

This is a representation of the way air moves in the Northeast part of the United States. What you can see is, the arrows are coming up over Massachusetts, the Gulf of Maine, and then into Maine, west through Vermont, New Hampshire into Maine, through Quebec, and back into Maine. We are literally the end of the country's tailpipe. Therefore, anything that weakens pollution controls to our west or south or, indeed, north is a direct harm to my people. That is why I think this plan is so ill-conceived and will not achieve meaningful results. By its own terms, we will see more deaths as a result of this plan. In the data that has been submitted with the plan, they admit deaths will increase.

In my State of Maine, we already have higher than average asthma rates. This will only exacerbate that. What this plan is doing, essentially, is extending the life of dirty polluting plants and shortening the life of real people. I don't think that is the direction we should be moving in. I think this body should correct that, and I believe this is important to the country, to the region, and particularly to the State I represent.

The word "clean" should not be in this plan because that is not what it does. A Clean Power Plan should do what it says it is. It should improve the environment. It should improve the air for the people of this country, not make them worse, which is what this plan would do.

Mr. President, I yield the floor to my colleague from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I thank my colleagues from Maine and Rhode Island who were here today to draw attention to the Trump administration's very dangerous proposal that takes a wrecking ball to the Clean Power Plan that has been put in place. It has been put in place to try to reduce the costs we are facing from climate pollution and carbon pollution.

What we see in the Trump administration's plan is going to drag us backward. In fact, an analysis was done of their plan, and it will be worse than doing nothing at all.

We know, and my colleagues have talked about this, that every day the American people are already paying the costs of carbon pollution in extreme weather events, whether those are forest fires, whether they are droughts that are wreaking havoc on crops, whether it is flooding. My colleague from Maryland, Senator CARDIN, and I were just in Ellicott City, MD, 2 days ago, where within a 2-year period they have been hit by what are called 1,000-year floods because there is only supposed to be one-tenth of 1 percent of a chance that happens. Yet we have

seen two of them in 2 years, causing loss of human life and incredible property damage.

The cost of doing nothing is huge. That is why the previous administration adopted the Clean Power Plan. With this administration taking us backward, those costs of doing nothing are going to rise again. As the Senator from Maine said, it is not just incredible property damage, but you will see loss of life and greater asthma deaths and other negative healthcare effects.

I know there is a vote coming up. I wanted to say a lot more about this, but the main point was made by the Senator from Rhode Island, which is, this is not going to stand. This will not be accepted in the courts. We will fight this in the courts because the American people deserve to have a system where the American people don't pay for the pollution being spewed out by others. Polluters should pay, not the public.

Let's defeat this new plan put forward by the Trump administration that takes us backward, and let's try to work together to address what is a very serious national and international issue.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Paul amendment No. 3967.

Mr. LEAHY. 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 Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Texas (Mr. CRUZ), the Senator from Nebraska (Mrs. FISCHER), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Texas (Mr. CRUZ) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO), the Senator from Washington (Mrs. MURRAY), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

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

The result was announced—yeas 45, nays 48, as follows:

[Rollcall Vote No. 191 Leg.]

YEAS—45

Alexander	Graham	Perdue
Barrasso	Grassley	Portman
Blunt	Hatch	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Rounds
Capito	Hyde-Smith	Rubio
Cassidy	Inhofe	Sasse
Cornyn	Isakson	Scott
Cotton	Johnson	Shelby
Crapo	Kennedy	Sullivan
Daines	Lankford	Thune
Enzi	Lee	Tillis
Ernst	McConnell	Toomey
Flake	Moran	Wicker
Gardner	Paul	Young



## NAYS—48

Baldwin	Gillibrand	Murphy
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Jones	Schumer
Cardin	Kaine	Shaheen
Carper	King	Smith
Casey	Klobuchar	Stabenow
Collins	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskey	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murkowski	Wyden

## NOT VOTING—7

Corker	Hirono	Schatz
Cruz	McCain	
Fischer	Murray	

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 48.

Under the previous order requiring 60 votes for adoption, the amendment is rejected.

AMENDMENT NOS. 3731, 3722, 3903, 3702, 3710, 3717, 3860, 3764, 3750, 3981, 3910, 3880, 3727, 3733, 3830, 3926, 3796, 3857, 3831, 3940, 3809, 3835, 3841, 3707, 3721, 3751, 3759, 3763, 3765, 3810, 3812, 3825, 3853, 3858, 3862, 3870, 3875, 3881, 3883, 3893, 3897, 3908, 3912, 3927, 3933, 3950, 3951, 3977, 3979, 3982, 3985, 3998, 3964

The PRESIDING OFFICER. Under the previous order, the managers' package at the desk is agreed to and all postclosure time is yielded back.

The amendments were agreed to en bloc as follows:

## AMENDMENT NO. 3731

(Purpose: To make available \$2,000,000 for a program to commemorate the 75th anniversary of World War II)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Of the amount appropriated by title II of this division under the heading "Operation and Maintenance, Defense-Wide", up to \$2,000,000 may be available for a program to commemorate the 75th anniversary of World War II.

## AMENDMENT NO. 3722

(Purpose: To improve the bill)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. The Secretary of Defense shall post on a public Website in a searchable format awards of grants of the Department of Defense that are appropriate for public notice.

## AMENDMENT NO. 3903

(Purpose: To require a report on the portion of the Department of Defense's advertising budget that is spent on advertising and public relations contracts with socially and economically disadvantaged small businesses)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report estimating the portion of the Department of Defense's advertising budget that is spent on advertising and public relations contracts with socially and economically disadvantaged small businesses and women, low-income, veteran (as that term is defined in section 3(q) of the Small Business Act (15 U.S.C. 632(q)), and minority entrepreneurs and business owners at the prime and subcontracting levels.

## AMENDMENT NO. 3702

(Purpose: To provide funding for the defense community infrastructure pilot program)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Of the amount appropriated or otherwise made available by this division under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE", up to \$20,000,000 may be available for the defense community infrastructure pilot program under section 2391(d) of title 10, United States Code.

## AMENDMENT NO. 3710

(Purpose: To make available \$4,000,000 for the Cyberspace Solarium Commission)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Of the amount appropriated or otherwise made available by title II of this division under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE", up to \$4,000,000 may be available to carry out section 1652 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019.

## AMENDMENT NO. 3717

(Purpose: To make available funds for Operation and Maintenance, Army for the sustainment of certain morale, welfare, and recreation facilities)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Of the amounts appropriated or otherwise made available by title II of this division under the heading "Operation and Maintenance, Army", up to \$1,000,000 may be used to sustain morale, welfare, and recreation (MWR) facilities that—

(1) have been closed as a result of flooding, an earthquake, a wildfire, or a volcanic event in 2018;

(2) have furloughed or put employees on administrative leave in connection with such closure; and

(3) have used revenue or operating reserves to pay operation and maintenance expenses during such closure.

## AMENDMENT NO. 3860

(Purpose: To express the sense of the Senate on research regarding blast exposure on the cellular level of the brain)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. **SENSE OF SENATE ON RESEARCH REGARDING BLAST EXPOSURE ON THE CELLULAR LEVEL OF THE BRAIN.**

It is the sense of the Senate that—

(1) further research is necessary regarding blast exposure on the cellular level of the brain;

(2) such research is needed to develop blast protection requirements for helmets and other personal protective equipment; and

(3) the Department of Defense should increase ongoing efforts, to the maximum extent possible, to develop a predictive traumatic brain injury model for blast, in order to better understand the cellular response to blast impulses and the interaction of the human brain and protective equipment related to blast exposure.

## AMENDMENT NO. 3764

(Purpose: To make available from amounts appropriated for Operation and Maintenance, Defense-Wide \$7,000,000 for the Information Assurance Scholarship Program)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Of the amount appropriated by title II of this Act under the heading "Operation and Maintenance, Defense-Wide", up to \$7,000,000 may be available for the Office of the Secretary of Defense for the Information Assurance Scholarship Program.

## AMENDMENT NO. 3750

(Purpose: To require a report on investments of the Armed Forces in research on energetics)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Research and Engineering, submit to the congressional defense committees a report on current investments of the Armed Forces in research on energetics. The report shall include the following:

(1) A comparison between current investments of the Navy in research on energetics and current investments of the other military departments in such research.

(2) Recommendations for the most appropriate investments by the Armed Forces in research on energetics in the future, and a strategic roadmap for such investments.

## AMENDMENT NO. 3981

(Purpose: To make available from Operation and Maintenance, Air Force and Operation and Maintenance, Air National Guard \$45,000,000 for payments to local water authorities and States for treatment of certain acids in drinking water as a result of Air Force-supported activities)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Of the funds appropriated to the Department of Defense under the headings "Operation and Maintenance, Air Force" and "Operation and Maintenance, Air National Guard", not more than \$45,000,000 shall be available to the Secretary of the Air Force for payments to a local water authority located in the vicinity of an Air Force or Air National Guard base (including a base not Federally-owned), or to a State in which the local water authority is located, for the treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water from the water source and/or wells owned and operated by the local water authority undertaken to attain the Environmental Protection Agency Lifetime Health Advisory level for such acids: *Provided*, That the applicable Lifetime Health Advisory shall be the one in effect on the date of the enactment of this Act: *Provided further*, That the local water authority or State must have requested such a payment from the Air Force or National Guard Bureau not later than the date that is 120 days after the date of the enactment of this Act: *Provided further*, That the elevated levels of such acids in the water was the result of activities conducted by or paid for by the Department of the Air Force or the Air National Guard: *Provided further*, That such funds may be expended without regard to existing contractual provisions in agreements between the Department of the Air Force or the National Guard Bureau, as the case may be, and the State in which the base is located relating to environmental response actions or indemnification: *Provided further*, That, in order to be eligible for payment under this section, such treatment must have taken place after January 1, 2016, and the local water authority or State, as the case may be, must waive all claims for treatment expenses incurred before such date: *Provided further*, That any payment under this section may not exceed the actual cost of such treatment resulting from the activities conducted by or paid for by the Department of the Air Force: *Provided further*, That the Secretary may enter into such agreements with the local water authority or State as may be necessary to implement this section: *Provided further*, That the Secretary may pay, utilizing the Defense State

Memorandum of Agreement, costs that would otherwise be eligible for payment under that agreement were those costs paid using funds appropriated to the Environmental Restoration Account, Air Force, established under section 2703(a)(4) of title 10, United States Code.

## AMENDMENT NO. 3910

(Purpose: To make a technical amendment)

In section 8010 of division A, in the matter immediately preceding the sixth proviso, insert after paragraph (5) the following:

(6) SSN Virginia Class Submarines and Government-furnished equipment:

## AMENDMENT NO. 3880

(Purpose: To prohibit payments to corporations that have delinquent federal tax liabilities)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting such tax liability, provided that the applicable Federal agency is aware of the unpaid Federal tax liability.

(b) Subsection (a) shall not apply if the applicable Federal agency has considered suspension or debarment of the corporation described in such subsection and has made a determination that such suspension or debarment is not necessary to protect the interests of the Federal Government.

## AMENDMENT NO. 3727

(Purpose: To prohibit the use of funds for assistance to the Islamic Republic of Iran)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for assistance to the Islamic Republic of Iran unless specifically appropriated for that purpose.

## AMENDMENT NO. 3733

(Purpose: To authorize the use of amounts to reimburse the Government of the Republic of Palau for land acquisition costs for defense sites)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. From amounts appropriated or otherwise made available by title II of this division under the heading "OPERATION AND MAINTENANCE, AIR FORCE", the Secretary of Defense may reimburse the Government of the Republic of Palau in an amount not to exceed \$9,700,000 for land acquisition costs for defense sites.

## AMENDMENT NO. 3830

(Purpose: To make available from Research, Development, Test and Evaluation, Navy \$2,000,000 for research on means of reducing fighter aircraft engine noise at the source)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Of the amount appropriated or otherwise made available by title IV of this division under the heading "Research, Development, Test and Evaluation, Navy", up to \$2,000,000 may be available for research on a practical means of reducing fighter aircraft engine noise (both near and far noise impacts) at the source while maintaining operational performance.

## AMENDMENT NO. 3926

(Purpose: To require the Secretary of Defense to submit to Congress a report on improving trauma training for trauma teams of the Department of Defense)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. (a) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on improving trauma training for trauma teams of the Department of Defense, including through the use of the Joint Trauma Education and Training Directorate established under section 708 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 1071 note).

(b) The report required by subsection (a) shall include recommendations regarding how to best coordinate trauma teams of the Department of Defense with trauma partners in the civilian sector, including evaluating how trauma surgeons and physicians of the Department can best partner with civilian level 1 trauma centers verified by the American College of Surgeons, including those trauma centers coupled to a burn center that offers burn rotations and clinical experience, to provide adequate training and readiness for the next generation of medical providers to treat critically injured burn patients and other military trauma victims.

## AMENDMENT NO. 3796

(Purpose: To increase certain funding for the Air National Guard, and to provide an offset)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. (a)(1) The amount appropriated by title I of this division under the heading "National Guard Personnel, Air Force" is hereby increased by \$450,000.

(2) The amount appropriated by title II of this division under the heading "Operation and Maintenance, Air National Guard" is hereby increased by \$50,000.

(b)(1) The amount appropriated by title I of this division under the heading "National Guard Personnel, Army" is hereby decreased by \$450,000.

(2) The amount appropriated by title II of this division under the heading "Operation and Maintenance, Army National Guard" is hereby decreased by \$50,000.

## AMENDMENT NO. 3857

(Purpose: To require a Comptroller General of the United States report on the monitoring, compliance, and remediation of lead in military housing)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall, in consultation with the Secretary of Defense and the Secretaries of the military departments, submit to the appropriate committees of Congress a report on the monitoring, compliance, and remediation by the Department of Defense of lead in military housing, including the lead exposure monitoring protocols of the Department for military housing.

(b) The report required by subsection (a) shall include the following:

(1) A description and assessment of the effectiveness of the Department and its lead exposure monitoring protocols in monitoring lead exposure in military housing.

(2) A description and assessment of the compliance of military housing with applicable lead exposure limitations.

(3) A description and assessment of the remediation efforts of the Department with respect to lead in military housing.

(4) Such recommendations as the Comptroller General considers appropriate for the

expansion of blood testing for lead among children who have lived in military housing.

(c) In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

## AMENDMENT NO. 3831

(Purpose: To make available from Operation and Maintenance, Defense-Wide \$20,000,000 for the Department of Defense Family Advocacy Program)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Of the amount appropriated or otherwise made available by title II of this division under the heading "Operation and Maintenance, Defense-Wide", up to \$20,000,000 may be available for the Department of Defense Family Advocacy Program to do the following:

(1) To address allegations of juvenile problematic sexual behavior occurring on military installations, including to ensure that the Program has the resources necessary to ensure a consistent, standardized response to allegations of juvenile problematic sexual behavior across the Department of Defense (including the appropriate level of staff and training resources).

(2) To maintain a centralized database with information on reported incidents of juvenile problematic sexual behavior.

## AMENDMENT NO. 3940

(Purpose: To require the Comptroller General of the United States to submit to Congress a report on maintenance of the E-8C Joint Surveillance Target Attack Radar System aircraft fleet)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Not later than January 31, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report—

(1) comparing the cost expenditures of organic industrial depot maintenance of the E-8C Joint Surveillance Target Attack Radar System aircraft fleet versus contracted or non-organic maintenance; and

(2) comparing the cost variance and cost savings of different programmed depot maintenance cycles or procedures for the E-8C, including comparisons to such other platforms as the Comptroller General considers appropriate.

## AMENDMENT NO. 3809

(Purpose: To limit the use of funds to implement the Arms Trade Treaty)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available by this division may be obligated or expended to implement the Arms Trade Treaty until the resolution of ratification of the Treaty is approved by the Senate.

## AMENDMENT NO. 3835

(Purpose: To prohibit the use of funds for the development of beerbots or other robot bartenders)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. None of the amounts appropriated or otherwise made available by this Act may be obligated or expended for the development of a beerbot or other robot bartender.

## AMENDMENT NO. 3841

(Purpose: To require the Secretary of Defense to use amounts appropriated or otherwise made available to the Department of Defense to provide testing for elevated blood lead levels at military treatment facilities for babies during their 12-month and 24-month wellness checks or annual physical examinations)

At the appropriate place in division A, insert the following:

SEC. \_\_\_\_\_. The Secretary of Defense shall use amounts appropriated or otherwise made available to the Department of Defense under this division to provide testing for elevated blood lead levels at military treatment facilities for babies during their 12-month and 24-month wellness checks or annual physical examinations.

## AMENDMENT NO. 3707

(Purpose: To increase funding for the guidelines for investigation of potential cancer clusters)

At the appropriate place in title II of division B insert the following:

SEC. \_\_\_\_\_. (a) There are appropriated under the heading "Environmental Health" under the heading "Centers for Disease Control and Prevention," in addition to any other amounts made available under such heading, \$1,000,000 to implement section 399V-6(c) of the PHS Act.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading "National Institute for Occupational Safety and Health" under the heading "Centers for Disease Control and Prevention" is hereby reduced by \$1,000,000.

## AMENDMENT NO. 3721

(Purpose: To authorize student aid administration funds to be available for payments for student loan servicing to an institution of higher education that services outstanding Federal Perkins Loans)

At the appropriate place in title III of division B, under the heading "Student Aid Administration", insert the following before the period: "*Provided further*, That funds appropriated under this heading may be available for payments for student loan servicing to an institution of higher education that services outstanding Federal Perkins Loans under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.)".

## AMENDMENT NO. 3751

(Purpose: To require a report on barriers to obtaining and paying for adequate medical care for survivors of childhood cancer)

At the appropriate place in division B, insert the following:

SEC. \_\_\_\_\_. Using amounts appropriated under this division, the Comptroller General of the United States shall, not later than 18 months after the date of enactment of this Act, conduct a review and submit a report to Congress on barriers to obtaining and paying for adequate medical care for survivors of childhood cancer. Such report shall identify existing barriers to the availability of complete and coordinated survivorship care for survivors of childhood cancer and of expert pediatric palliative care, and recommendations to provide improved access and payment plans for childhood cancer survivorship programs and palliative care, including psychosocial services and coverage of such services.

## AMENDMENT NO. 3759

(Purpose: To increase funding for Lyme Disease activities)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. (a) There are appropriated under the heading "Emerging and Zoonotic Infec-

tious Diseases" under the heading "Centers for Disease Control and Prevention", in addition to any other amounts made available under such heading and in order to provide additional funding for Lyme disease activities, \$1,300,000.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading "Chronic Disease Prevention and Health Promotion" under the heading "Centers for Disease Control and Prevention" is hereby reduced by \$1,300,000.

## AMENDMENT NO. 3763

(Purpose: To require a report to Congress on potential barriers to participation in the Coal Workers' Health Surveillance program)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. Not later than 180 days after the enactment of this Act, and using funds appropriated under this title, the Director of the National Institute for Occupational Safety and Health shall submit to Congress a report that—

(1) includes a description of those active and non-active coal miner populations that are currently covered by the Coal Workers' Health Surveillance program;

(2) identifies and describes potential barriers that limit active and non-active coal miner participation in such program; and

(3) describes existing or planned outreach efforts to improve the participation of active and non-active coal miners in periodic health surveillance.

## AMENDMENT NO. 3765

(Purpose: To require the Secretary of Health and Human Services to provide Congress a status update on rulemaking, with respect to conditions of certification of health information technology and information blocking, required by the 21st Century Cures Act)

At the appropriate place in title II of division B insert the following:

SEC. \_\_\_\_\_. Not later than November 1, 2018, the Secretary shall provide, to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives, a status update on the rulemaking required under sections 3001(c)(5)(D), and 3022(a)(3), of the PHS Act.

## AMENDMENT NO. 3810

(Purpose: To require the Secretary of Education to report to Congress regarding coordination between the Department of Education, the National Aeronautics and Space Administration, and the National Science Foundation on STEM programs for students in grades pre-kindergarten through 12)

At the appropriate place in title III of division B, insert the following:

SEC. \_\_\_\_\_. Using funds appropriated under the heading "PROGRAM ADMINISTRATION" under the heading "DEPARTMENTAL MANAGEMENT" under the heading "DEPARTMENT OF EDUCATION", and not later than 180 days after the date of enactment of this Act, the Secretary of Education shall submit, to the Committee on Appropriations, the Committee on Commerce, Science, and Transportation, and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Appropriations, the Committee on Science, Space, and Technology, and the Committee on Education and the Workforce of the House of Representatives, a report on how the Department of Education is coordinating with the National Aeronautics and Space Administration and

the National Science Foundation to promote science, technology, engineering, and mathematics programs that benefit students in grades pre-kindergarten through 12.

## AMENDMENT NO. 3812

(Purpose: To improve section 115 of title I of division B with regard to Unemployment Insurance State consortia)

Section 115 of title I of division B is amended by striking "shall be applied in fiscal year 2019 by substituting 'seven' for 'six'" and inserting "is amended by striking 'six' and inserting 'seven'".

## AMENDMENT NO. 3825

(Purpose: To provide for the conduct of a study on the relationship between intimate partner violence and traumatic brain injury)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. **STUDY ON TRAUMATIC BRAIN INJURY.**

(a) **STUDY.**—The Comptroller General of the United States, in meaningful consultation with experts on the intersections of domestic violence, disabilities, trauma, and mental health, shall conduct a study to evaluate the status of—

(1) research on the relationship between intimate partner violence and traumatic brain injury experienced by victims; and

(2) public awareness and education campaigns related to the effects of intimate partner violence on victims' brain health and its connection to traumatic brain injury experienced by victims.

(b) **CONTENT.**—The study conducted under subsection (a) shall include—

(1) a review on the outcomes of any previous research, the status of existing research activities, and efforts to address knowledge gaps across agencies of the Federal Government; and

(2) recommendations to—

(A) encourage increased research to address existing knowledge gaps relating to the relationship between intimate partner violence and traumatic brain injury experienced by victims;

(B) increase awareness of the effects of intimate partner violence on the brain health of victims for health care and other treatment providers;

(C) increase victim service providers' awareness of the effects of intimate partner violence on victims' brain health, enhance their capacity to identify victims with traumatic brain injuries and provide services that support victims' healing and recovery; and

(D) increase awareness of the links between intimate partner violence and the brain health of victims' for the general public.

(c) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on the Judiciary of the Senate, the Committee on Appropriations of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Ways and Means of the House of Representatives, and the Committee on Appropriations of the House of Representatives a report on the study conducted under subsection (a).

## AMENDMENT NO. 3853

(Purpose: To provide funds to enhance harmful algal bloom exposure activities)

On page 201, line 2, strike the period and insert the following "*Provided*, that of the funds made available under this heading, \$1,000,000 shall be available to enhance harmful algal bloom exposure activities, including surveillance, mitigation, and event response

efforts, with a priority given to geographic locations subject to a state of emergency designation related to toxic algae blooms within the past 12 months.”.

## AMENDMENT NO. 3858

(Purpose: To require the Director of the NIH shall conduct a comprehensive study and submit to Congress a report that includes a portfolio analysis of current funding levels of the NIH related to mental health and substance use disorder)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. Not later than 1 year after the date of enactment of this Act, and using funds appropriated under this division, the Director of the NIH shall conduct a comprehensive study and submit to Congress a report that—

(1) includes a portfolio analysis of current funding levels of the NIH related to mental health and substance use disorder; and

(2) identifies the process by which the NIH set funding priorities for mental health and substance use disorder programs, including how NIH takes into account newly developed public health needs, disease burden, emerging scientific opportunities, and scientific progress.

## AMENDMENT NO. 3862

(Purpose: To provide \$10,000,000 to the Department of Education to fund a demonstration program to test and evaluate innovative partnerships between institutions of higher education and high-needs State or local educational agencies to train school counselors, social workers, psychologists, or other mental health professionals qualified to provide school-based mental health services in order to expand the employment pipeline and address employment shortages relating to school-based mental health services in low-income public elementary schools and secondary schools)

In title III of division B, under the heading “Safe Schools and Citizenship Education”, strike “(‘Project SERV’) program:” and insert “(‘Project Serve’) program and not more than \$10,000,000 may be for a demonstration program to test and evaluate innovative partnerships between institutions of higher education and high-needs State or local educational agencies to train school counselors, social workers, psychologists, or other mental health professionals qualified to provide school-based mental health services, with the goal of expanding the pipeline of these workers into low-income public elementary schools and secondary schools in order to address the shortages of mental health service professionals in such schools.”.

## AMENDMENT NO. 3870

(Purpose: To ensure youth are considered when the Substance Abuse and Mental Health Services Administration follows guidance on the medication-assisted treatment for prescription drug and opioid addiction program)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. Not later than 180 days after the date of enactment of this Act, the Administrator of the Substance Abuse and Mental Health Services Administration shall submit to Congress a report on agency activities related to medication-assisted treatment. The report submitted by the Administrator under this section shall include a description of how the agency is taking steps to overcome barriers to medication-assisted treatment for adolescents and young adults.

## AMENDMENT NO. 3875

(Purpose: To provide funding for the Secretary of Health and Human Services to establish the Advisory Council to Support Grandparents Raising Grandchildren)

At the appropriate place in title II of division B insert the following:

SEC. \_\_\_\_\_. Out of amounts appropriated under the heading “Administration for Community Living”, \$300,000 shall be available for the Secretary to establish the Advisory Council to Support Grandparents Raising Grandchildren under section 3 of the Supporting Grandparents Raising Grandchildren Act (Public Law 115-196).

## AMENDMENT NO. 3881

(Purpose: To require the Secretary of Labor to provide a report to the Committees on Appropriations on the implementation of the plan to reduce improper payments published by the Department of Labor in the fiscal year 2017 Agency Financial Report)

At the appropriate place in title I of division B, insert the following:

SEC. \_\_\_\_\_. (a) From funds appropriated under this title, not later than 180 days after the date of enactment of this Act, the Secretary of Labor shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate on the implementation of the plan to reduce improper payments published by the Department of Labor in the fiscal year 2017 Agency Financial Report.

(b) The report submitted under subsection (a) shall identify barriers to the reduction of improper payments that may require Congressional action to address.

## AMENDMENT NO. 3883

(Purpose: To provide a sense of Congress that computer science education programs, including coding academies, can provide important benefits to local industries and the economy and help meet in-demand workforce needs, and the Department of Education and Department of Labor should work together with industry to improve and expand computer science education programs and opportunities, including through apprenticeships)

At the appropriate place in title V of division B, insert the following:

SEC. \_\_\_\_\_. It is the sense of Congress that—

(1) computer science education programs, including coding academies, can provide important benefits to local industries and the economy and help meet in-demand workforce needs; and

(2) the Department of Education and Department of Labor should work together with industry to improve and expand computer science education programs and opportunities, including through apprenticeships.

## AMENDMENT NO. 3893

(Purpose: To provide funding for the SOAR (Stop, Observe, Ask, Respond) to Health and Wellness Program)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. Of the funds appropriated under the heading “Refugee and Entrant Assistance” for carrying out Victims of Trafficking programs, the amount made available to continue carrying out the SOAR (Stop, Observe, Ask, Respond) to Health and Wellness Program, to train health care and social service providers on how to identify, treat, and respond appropriately to human trafficking, shall be not less than the amount made available for such program in fiscal year 2018.

## AMENDMENT NO. 3897

(Purpose: To assess the ongoing mental health impact to the children and families impacted by a volcanic eruption covered by a major disaster declared by the President in calendar year 2018)

At the appropriate place in title II of division B insert the following:

SEC. \_\_\_\_\_. Using amounts made available under this title, the Assistant Secretary for Mental Health and Substance Use shall provide technical assistance to any State or county impacted by a volcanic eruption covered by a major disaster declared by the President in calendar year 2018 in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Such technical assistance shall be—

(1) to conduct a needs assessment for supporting the mental health of the impacted children and families; and

(2) to develop mental health crisis recovery plans for the impacted children and families.

## AMENDMENT NO. 3908

(Purpose: To provide a sense of the Senate that dedicated funding for coding courses in kindergarten through grade 12 education should be a top priority)

At the appropriate place in title III of division B, insert the following:

SEC. \_\_\_\_\_. (a) It is the sense of the Senate that dedicated funding for coding courses in kindergarten through grade 12 education should be a top priority.

(b) It is the sense of the Senate that the Secretary of Education should use the authority granted under section 114(e) of the Carl D. Perkins Career and Technical Education Act of 2006, as in effect on July 1, 2019, to award innovation and modernization grants. The use of such innovation and modernization grant funds for coding programs are especially important for rural and underserved areas that don’t have access to coding resources in order to close the skills gap. These grants are opportunities for rural America to learn to read and write code to prepare students for the jobs of the future.

## AMENDMENT NO. 3912

(Purpose: To provide additional funding for activities related to neonatal abstinence syndrome)

At the appropriate place in title II of division B insert the following:

SEC. \_\_\_\_\_. (a) There are appropriated under the heading “Birth Defects, Developmental Disabilities, Disabilities and Health” under the heading “Centers for Disease Control and Prevention”, in addition to any other amounts made available under such heading and in order to provide additional funding for activities related to neonatal abstinence syndrome, \$2,000,000: *Provided*, That funds shall make use of existing State bio-surveillance and other surveillance tools to improve voluntary, de-identified prenatal and newborn health data, which may include opioid-related information during pregnancy and early motherhood, to reduce risks associated with neonatal abstinence syndrome and optimize care.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “Chronic Disease Prevention and Health Promotion” under the heading “Centers for Disease Control and Prevention” is hereby reduced by \$2,000,000.

## AMENDMENT NO. 3927

(Purpose: To provide for the establishment of the National Neurological Conditions Surveillance System)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. (a) There are appropriated under the heading “Public Health Scientific Services” under the heading “Centers for Disease

Control and Prevention", in addition to any other amounts made available under such heading, \$5,000,000 to be available for the establishment of the National Neurological Conditions Surveillance System as authorized in 21st Century Cures Act (Public Law 114-255).

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading "Substance Abuse and Mental Health Services Administration" is hereby reduced by \$5,000,000

## AMENDMENT NO. 3933

(Purpose: To improve obstetric care for pregnant women living in rural areas)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. From amounts appropriated under this title, under the heading "Maternal and Child Health", up to \$1,000,000 shall be used for awarding grants for the purchase and implementation of telehealth services, including pilots and demonstrations for the use of electronic health records or other necessary technology and equipment (including ultra sound machines or other technology and equipment that is useful for caring for pregnant women) to coordinate obstetric care between pregnant women living in rural areas and obstetric care providers.

## AMENDMENT NO. 3950

(Purpose: To increase funding for oversight of grant programs and operations of the National Institutes of Health)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. Of the funds appropriated under the heading "Office of the Director" under the heading "National Institutes of Health", \$5,000,000 shall be transferred to and merged with the appropriation for the "Office of the Inspector General" for oversight of grant programs and operations of the National Institutes of Health, including agency efforts to ensure the integrity of its grant application evaluation and selection processes, and shall be in addition to funds otherwise made available for oversight of the National Institutes of Health: *Provided*, That funds may be transferred from one specified activity to another with 15 days prior approval of the Committees of Appropriations of the House of Representatives and the Senate: *Provided further*, That the Inspector General shall consult with the House and Senate Committees on Appropriations before submitting to the Committees an audit plan for fiscal years 2019 and 2020 no later than 30 days after the date of enactment of this Act.

## AMENDMENT NO. 3951

(Purpose: To authorize the use of \$2,000,000 to carry out a pilot program for preparing members of the Armed Forces transitioning to civilian life to qualify for, and for assisting in placing them in, apprenticeship programs)

At the appropriate place in division B, insert the following:

SEC. \_\_\_\_\_. Of the amounts appropriated or otherwise made available under paragraph (2) under the heading "VETERANS EMPLOYMENT AND TRAINING" under title I, \$2,000,000 may be used to carry out a pilot program for preparing members of the Armed Forces transitioning to civilian life to qualify for, and for assisting in placing them in, apprenticeship programs.

## AMENDMENT NO. 3977

(Purpose: To require a report on Civilian Conservation Centers)

At the appropriate place in title I of division B, insert the following:

SEC. \_\_\_\_\_. The Secretary, prior to July 1, 2019, shall prepare and submit to the Committee on Appropriations of the House of

Representatives and the Committee on Appropriations of the Senate a report that includes—

(1) a copy of the interagency agreement between the Secretary of Labor and the Secretary of Agriculture relating to the Civilian Conservation Centers;

(2) a list of all active Civilian Conservation Centers and contractors administering such Centers; and

(3) a cumulative record of the funding provided to Civilian Conservation Centers during the 10 years preceding the date of the report, including, for each Civilian Conservation Center—

(A) the funds allocated to the Civilian Conservation Center;

(B) the number of enrollment slots maintained, disaggregated by gender and by residential or nonresidential training type;

(C) the career technical training offerings available;

(D) the staffing levels and staffing patterns at the Civilian Conservation Center; and

"(E) the number of Career Technical Skills Training slots available."

## AMENDMENT NO. 3979

(Purpose: To promote school safety in rural areas)

On page 199, line 3, strike the period and insert the following: "": *Provided further*, that of the funds made available under this heading, \$1,000,000 shall be available through the Telehealth Network grant to fund awards that use evidence-based practices that promote school safety and individual health, mental health, and well-being by providing assessment and referrals for health, mental health, or substance use disorder services to students who may be struggling with behavioral or mental health issues and providing training and support to teachers, school counselors, administrative staff, school resource officers, and other relevant staff to identify, refer, and intervene to help students experiencing mental health needs or who are considering harming themselves or others."

## AMENDMENT NO. 3982

(Purpose: To increase amounts available for the Child Abuse Prevention and Treatment Act State grant program)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. (a) In addition to amounts appropriated under the heading "Children and Families Services Programs" under the heading "Administration for Children and Families", there is appropriated \$10,000,000 for purposes of carrying out title I of the Child Abuse Prevention and Treatment Act.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading "Children and Families Services Programs" is hereby reduced by \$10,000,000.

## AMENDMENT NO. 3985

(Purpose: To require the Comptroller General of the United States to study and report on the condition of the public school facilities of the United States)

At the appropriate place in title III of division B, insert the following:

"SEC. \_\_\_\_\_. (a) The Comptroller General of the United States shall conduct a study on the condition of the public school facilities of the United States.

"(b) In conducting the study under subsection (a), the Comptroller General shall study the following factors related to supporting a 21st century education:

"(1) Structural integrity.

"(2) Plumbing.

"(3) Heating, ventilation, and air conditioning systems.

"(4) Compliance with fire and safety codes.

"(5) Compliance with Federal laws, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

"(6) Lighting.

"(7) Indoor air quality.

"(8) Environmental conditions, such as exposure to asbestos, lead, and mold.

"(9) Physical security.

"(10) Sufficient space for instruction.

"(c) Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Appropriations and the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations and the Committee on Education and the Workforce of the House of Representatives, the findings of the study under this section."

## AMENDMENT NO. 3998

(Purpose: To require a report on circumstances in which the Centers for Medicare & Medicaid Services may be providing Medicare or Medicaid payments to, or otherwise funding, entities that process genome or exome data in the People's Republic of China or the Russian Federation)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. Not later than 90 days after the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives, detailing the circumstances in which the Centers for Medicare & Medicaid Services may be providing Medicare or Medicaid payments to, or otherwise funding, entities that process genome or exome data in the People's Republic of China or the Russian Federation. The report shall outline the extent to which payments or other funding have been provided to such entities over the past 5 years, including amounts paid to each entity, the implications of such payments, including vulnerabilities, and specific recommendations on steps to ensure that payments are lawful and appropriate in the future. In developing the report, the Secretary shall also coordinate with other relevant agencies, as determined by the Secretary, to examine the potential effect of allowing beneficiaries' genome or exome data to be processed in the People's Republic of China or the Russian Federation on United States national security, United States intellectual property protections, HIPAA privacy protections, future biomedical development capabilities and competitiveness, and global competitiveness for United States laboratories.

## AMENDMENT NO. 3964

(Purpose: To provide for the use of funds by the Secretary of Health and Human Services to issue regulations on direct-to-consumer advertising of prescription drugs and biological products)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. Of the funds made available under this Act, not more than \$1,000,000 shall be used by the Secretary of Health and Human Services to issue a regulation requiring that direct-to-consumer prescription drug and biological product advertisements include an appropriate disclosure of pricing information with respect to such products.

The PRESIDING OFFICER. The Senator from Wyoming.

## BUDGET POINT OF ORDER

Mr. ENZI. Mr. President, immediately following some comments I will

be raising a budget point of order. I find this circumstance to be unfortunate, given that I have filed an amendment that would have cured the budget violation.

The substitute increases the maximum discretionary Pell grant award. Under the Pell Grant Program's complicated funding structure, this increase triggers a point of order for a change in mandatory spending, or CHIMP, which results in a net increase in spending and would increase mandatory spending by a total of \$390 million.

While we are unable to consider my solution—one supported by the National Taxpayers Union and the Committee for a Responsible Federal Budget—I believe the only alternative I have as Budget chairman is to enforce the budget rules we have agreed to. In this case, the budget rule being violated is bipartisan. It was first created by the Senate Democrats in 2008.

If this point of order is sustained, the bill can still move forward, but together we will have prevented \$350 million in increased direct mandatory spending from being rolled into the baseline where it will evade budget enforcement. Now is the time to enforce our budget rules. I urge my colleagues to support fiscal discipline and not to waive this point of order.

The provision on page 270 of the pending substitute amendment in division B, title III, lines 7 and 8 under "Student Financial Assistance" would result in a net increase in the cost of mandatory programs affected by the bill.

Therefore, I raise a point of order against that provision pursuant to section 314(a) of S. Con. Res. 70, the concurrent resolution on the budget for fiscal year 2009.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that Act and applicable budget resolutions for purposes of the pending amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays have been ordered.

The Senator from Vermont.

Mr. LEAHY. Mr. President, the reason I did that—and I rarely disagree with my good friend from Wyoming; we are, after all, the only two Irish Italians in this body. But people are hurting. It is hard enough going to college, and cutting the Pell grant awards just adds to it. The student debt today exceeds one-half trillion dollars, and that is because of the erosion of Federal support.

I am stating my point of order, standing with the middle class in this country, so their children and their families can be educated, and I am ready to vote.

The PRESIDING OFFICER. The question is on the motion.

The Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I appreciate the concern of my friend from Wyoming on this. I will be voting to waive the point of order.

My colleague from Wyoming was exactly right when he said this is a complicated formula. It is a combination of discretionary and mandatory funding for the Higher Education Act. The discretionary portion of the maximum award is established annually in the Labor-HHS bill. We changed the maximum Pell for discretionary funding from \$5,035 to \$5,135 for the 2019-2020 school year. That is an additional mandatory funding of \$1,060. Maximum Pell will be \$6,195. That is in line with the kind of increases we have had now for the last 12 years in a row.

I will be voting to waive and urge my colleagues to do the same.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The yeas and nays were previously ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Nebraska (Mrs. FISCHER), and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO), the Senator from Washington (Mrs. MURRAY), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

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

The result was announced—yeas 68, nays 24, as follows:

[Rollcall Vote No. 192 Leg.]

YEAS—68

Alexander	Graham	Peters
Baldwin	Harris	Portman
Bennet	Hassan	Reed
Blumenthal	Heinrich	Roberts
Blunt	Heitkamp	Rubio
Booker	Heller	Sanders
Brown	Hoeven	Schumer
Burr	Hyde-Smith	Shaheen
Cantwell	Jones	Shelby
Capito	Kaine	Smith
Cardin	King	Stabenow
Carper	Klobuchar	Sullivan
Casey	Leahy	Tester
Collins	Manchin	Tillis
Coons	Markey	Udall
Cortez Masto	McCaskill	
Daines	McConnell	Van Hollen
Donnelly	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Moran	Whitehouse
Feinstein	Murkowski	Wicker
Gardner	Murphy	Wyden
Gillibrand	Nelson	Young

NAYS—24

Barrasso	Flake	Lankford
Boozman	Grassley	Lee
Cassidy	Hatch	Paul
Cotton	Inhofe	Perdue
Crapo	Isakson	
Enzi	Johnson	
Ernst	Kennedy	

Risch	Sasse	Thune
Rounds	Scott	Toomey

NOT VOTING—8

Corker	Fischer	Murray
Cornyn	Hirono	Schatz
Cruz	McCain	

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 24.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The point of order falls.

The Senator from Alabama.

Mr. SHELBY. Mr. President, I ask unanimous consent that I be given 2 minutes before the vote and that Senator LEAHY, from Vermont, be given 2 minutes if he so desires.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SHELBY. Mr. President, I will be brief here. I just want to mark what we have accomplished here today and thank the many folks—Senators and staff—who made it possible.

Mr. President, 1999—nearly 20 years ago—was the last time the Senate passed nine appropriations bills by the end of August—1999. Some of us are still here. This is the milestone here today that we are about to mark with the passage of two appropriations bills and with the most moneys than in any appropriations bill.

Earlier this year, we collectively called for a return to regular order in the appropriations process because it was broken. The leaders on both sides, Senator MCCONNELL and Senator SCHUMER, provided us with the opportunity to follow through. So I take a moment to thank both of them for their leadership. I believe that we, together in the Senate, are demonstrating that they made the right call.

I also recognize the vice chairman of the Appropriations Committee, Senator LEAHY, for his work in this regard. I can't say enough about the importance of his role in passing appropriations bills in a bipartisan manner, because that is the only way we are going to get them done. I thank Senator LEAHY, the vice chairman.

Senator DURBIN, Senator BLUNT, and Senator MURRAY also played vital roles in what we have been doing here today. Their diligence and commitment to work in a bipartisan manner have been essential in passing the bills that are currently before the Senate. I thank all of them for their work.

Last but not least, I thank my staff on the Defense Subcommittee. I thank the majority clerk, Brian Potts, and his team: Jacqui Russell, Katy Hagan, Colleen Gaydos, Mike Clementi, Chris Hall, Hanz Heinrichs, Kate Kaufer, Will Todd, Carlos Elias, and Marisa Rhode. All of them worked day and night to make this happen. Without their dedication and expertise—and they have a lot of it—we would not be in a position today to send a Defense spending bill, on time, to the President's desk. I thank them for their work.

Finally, I thank all of my colleagues here on both sides of the aisle for their

cooperation in passing these appropriations bills. I think it shows what the Senate can do when it works together, and I hope we will continue to do this. We all know it is not easy, but it works. I believe it is the right thing for the American people.

Thank you.

The PRESIDING OFFICER (Mr. KENNEDY). The Senator from Vermont.

Mr. LEAHY. Mr. President, the Senate, and Congress as a whole, best serves the American people when we reach real, bipartisan solutions. Today, the Senate will pass its third bipartisan appropriations package, completing Senate consideration of 9 of the 12 appropriations bills reported by the Senate Appropriations Committee and accounting for 87 percent of all discretionary spending.

We are proving that when we put partisan politics aside, we can do the work of the American people. This progress would not have been possible without my dear friend, the chair of the Appropriations Committee, Senator RICHARD SHELBY. Senator SHELBY and I made a commitment, along with Leader MCCONNELL and Leader SCHUMER, to only move forward on appropriations bills that have bipartisan support, are at spending levels agreed to in the bipartisan budget deal, and that reject poison pill riders and controversial authorizing language. This allowed us to complete our bills committee and pass three appropriations packages on the Senate floor.

I am disappointed that House Republicans have thus far rejected this reasonable path in favor of partisan grandstanding by producing bills that have no chance of passing the Senate, but I remain hopeful that once they return from their 5-week recess, they will be ready to work with the Senate on real solutions for the American people and to pass these bills before the end of the fiscal year.

The Senate approach is what this bill represents: real, bipartisan solutions for the American people. We adopted 52 amendments in a bipartisan managers' package, allowing input on the floor from Members outside of the Appropriations Committee on matters that are important to them and to their constituents. We adhered to the bipartisan budget agreement and turned those priorities into policy solutions.

We make good on our promise to families to invest in access to higher education and child care. We make a second major investment in addressing the opioid crisis. Everyone in this Chamber has experienced the opioid crisis firsthand. Whether it is a friend, a family member or a loved one, no one has escaped the grips of this scourge, and we put the force of the United States Government behind the search for cures to diseases like Alzheimer's, cancer, and diabetes by increasing funding for the National Institutes of Health.

This bill invests in our military and their families, allowing the men and

women in our Armed Forces to carry out their missions safely and effectively. By investing in both our immediate national security needs and our long-term domestic needs, like education and health care, this package recognizes the deep ties that run between defense and non-defense priorities.

Ask any military leader, and he will tell you an investment in education is an investment in national security.

By combining these bills in one package, we increase the certainty that they will be enacted into law, on time, avoiding the waste and inefficiency produced by long-term continuing resolutions. I urge our House counterparts to commit, as we have, to producing a conference report that contains both bills so we can move swiftly toward final passage and address the devastating consequences of sequestration on both sides of the ledger.

I remain hopeful that we can continue the bipartisan momentum we have built in the Senate into our conference negotiations with the House.

I want to thank Senators BLUNT, DURBIN, and MURRAY for their hard work on these bills and, of course, Senator SHELBY.

I also want to thank the Majority staff, Shannon Hines, David Adkins, and Jonathan Graffeo, as well as the Defense and Labor-HHS subcommittee staffs, for their hard work and cooperation on this bill.

And I want to thank my staff for their long hours over the last few weeks, Charles Kieffer, Chanda Betourney, Jessica Berry, Erik Raven, and Alex Keenan and all of the Defense and Labor-HHS subcommittee staff.

This package, which represents 65 percent of all discretionary spending, will improve lives in every State, and I urge an aye vote.

Mr. President, I ask unanimous consent that a list of all Appropriations Committee staff, whose hard work made this bill happen, be printed in the RECORD.

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

Charles Kieffer  
Chanda Betourney  
Jessica Berry  
Jay Tilton  
Jean Kwon  
Erik Raven  
Alex Keenan  
David Gillies  
Brigid Houton  
John Lucio  
Andy Vanlandingham  
Mark Laisch  
Lisa Bernhardt  
Kelly Brown  
Catie Finley  
Teri Curtin  
Shannon Hines  
Jonathan Graffeo  
David Adkins  
Brian Potts  
Laura Friedel  
Mike Clementi  
Colleen Gaydos  
Katy Hagan

Chris Hall  
Hanz Heinrichs  
Kate Käufer  
Jacqui Russell  
Will Todd  
Carlos Elias  
Michael Gentile  
Ashley Palmer  
Jeff Reczek  
Courtney Bradford  
Jenny Winkler  
Valerie Hutton  
Bob Putnam

Mr. LEAHY. Mr. President, I yield back my time.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, it has been 11 years since this bill has been on the floor. Consequently, none of these staffers have probably ever been mentioned on the floor before, even though every single year they have made this continued, great effort.

Senator SHELBY, Senator LEAHY, and Senator DURBIN decided, along with Senator MURRAY and me, that we would bring this combination of bills together that has never been on the floor at any time—Labor-H and Defense.

The Defense staff has been recognized, but let me just mention the Labor, HHS, and Education staff: Mike Gentile, Jeff Reczek, Ashley Palmer, Courtney Bradford, and Laura Friedel, our staff director. All of them are on our side of the aisle.

Obviously, Senator MURRAY's staff played a critically important part in this as well: Mark Laisch, Lisa Bernhardt, Kelly Brown, Catie Finley, and Teri Curtin.

Clearly, this bill would not be here today, in the condition it is in, or we would not have been able to have responded to all of the suggestions this week without both of these staffs having worked to have made it happen.

I yield back.

The PRESIDING OFFICER. Under the previous order, amendment No. 3699 is withdrawn.

Amendment No. 3695, as amended, is agreed to.

The cloture motion with respect to H.R. 6157 is withdrawn.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. MENENDEZ. Mr. President, 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 senior assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Nebraska (Mrs. FISCHER), and the Senator from Arizona (Mr. MCCAIN).



Further, if present and voting, the Senator from Texas (Mr. CRUZ) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO), the Senator from Washington (Mrs. MURRAY), and the Senator from Hawaii (Mr. SCHATZ), are necessarily absent.

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

The result was announced—yeas 85, nays 7, as follows:

[Rollcall Vote No. 193 Leg.]

YEAS—85

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

NAYS—7

Crapo	Paul	Toomey
Flake	Risch	
Lee	Sanders	

NOT VOTING—8

Corker	Fischer	Murray
Cornyn	Hirono	Schatz
Cruz	McCain	

The bill (H.R. 6157), as amended, was passed.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, is it appropriate to give a speech at this time?

The PRESIDING OFFICER. The Senator is recognized.

SPORTS BETTING

Mr. HATCH. Mr. President, I wish to begin on the topic of sports betting.

In May, the Supreme Court cleared the way for any State to legalize sports betting, which had been prohibited in all but a handful of States since 1992.

I would like to say upfront, I am not a fan of sports betting. I have grave concerns about gambling in general and sports betting in particular. There is no question that sports betting, like other types of gambling and addictive behavior, has ruined far too many lives. Add to those deleterious social effects the threat sports betting poses to the integrity of the game, and we can see why the prohibition on sports wagering in the Professional and Amateur Sports Protection Act passed the Senate 88 to 5. I authored this legisla-

tion—and fought tooth and nail to get it passed—because I knew that without it, sports gambling would corrupt the integrity of the game.

Despite these views, I am also a realist. With the nearly \$5 billion annually in legal sports wagers in Nevada, plus an estimated \$150 billion a year in illegal sports wagers in the United States, we can't put the genie back in the bottle. Prohibition is not a possibility or a prudent path forward.

Instead, now that States are free to legalize sports betting, our goal should be to bring that illegal wagering activity into well-regulated, legal markets that can better protect consumers and the integrity of sports. As I wrote in *Sports Illustrated* earlier this year, “Sports Betting is Inevitable—Let's Make Sure It's Done Right.”

To do it right, we need to ensure that State regulatory frameworks are not a race to the bottom. I firmly believe we need a set of fundamental Federal standards that will protect the integrity of the game, that will protect consumers and the sports wagering market.

Since the Supreme Court decision in May, sports betting has been conspicuously absent from the public dialogue on Capitol Hill. A hearing on the issue was scheduled by the House Judiciary Committee but then postponed, and I hope it will be rescheduled so Congress can explore what a post-PASPA world would look like.

Sports betting implicates a whole host of complex issues, and I have been diving into those issues as I work toward draft legislation that will establish some much needed guardrails to protect the integrity of the game. I am grateful for all the guidance and insight many stakeholders have provided, and I invite others who are interested to do the same.

Let me pause for a moment to discuss integrity—a word frequently used in the sports betting debate but often left undefined. In the context of sports, integrity is used to describe events that are recognized as honest and genuine competition. There is a reason predetermined outcomes in professional wrestling attract a small fraction of the following enjoyed by baseball, football, basketball, and other sports. The integrity of sport—the sense that the game is a real competition free from outside influence—is what attracts fans and keeps them coming back.

Integrity can be compromised in various ways. Take, for example, the doping scandals in cycling that took down Lance Armstrong and led fans to question whether races were won by the best athlete or the rider on the best drug regimen, but there is no greater threat to sports integrity than match fixing. There is no question a big payoff in the sports betting market is the leading reason criminals and cheaters get involved with match fixing.

This relationship between sports integrity and sports betting, including

match fixing, cannot be ignored. In the world of gambling, sports betting is a unique product with unique risks. When a casino patron pulls the handle on a slot machine or rolls the dice at a crap table, money may change hands, but there is little connection to the outside world. When a patron places a sports bet, however, there is the potential—and in far too many cases it has been the reality—that the sports wagering market is being used to profit off match fixing. There is a connection, and not always a positive one, between the bets placed in a casino and the outcome on the field.

The integrity concerns related to sports wagering are nothing new. For years, billions of dollars in bets have been placed on sports each year, presenting these very concerns, but the offshore books where the vast majority of these wagers have been placed are under no obligation to take steps to mitigate the threats to integrity. As States move to legalize sports betting and bring that offshore activity into the regulated market, they should be taking reasonable steps to protect the integrity of sports and the marketplace. We can, and should, expect more from the legal operators than those in the illicit market, and those legal operators are quickly getting in the game. It would be a mistake to think that seeming disinterest in the issue at the Federal level has carried over to the States. States, understandably so, seek legalized sports betting as a way to bring in much needed tax revenue. It is amazing how quickly things get done when money is a motivator.

At the beginning of May, full-scale sports betting was available only in Nevada. Today you can also place sports wagers in Delaware, New Jersey, and Mississippi. Sports betting in West Virginia will officially launch on September 1. Pennsylvania and Rhode Island may have sports betting by the end of the year, and more than a dozen other States have taken steps to move toward legalization. All of this is progress in just the past 3 months.

Watching this flurry of activity in the States has only underscored for me the need for some consistent, minimum standards to protect the integrity of sports and the sports wagering market.

Let's look at a specific example. Who should be allowed to place a sports wager? Imagine if players or referees were able to place wagers on games in which they were participating. They certainly have the ability to influence the outcome, and if players or referees were betting on the game, there could be reason to question their actions on the field. How could fans have faith that the outcome is the result of honest competition and not an intentional effort to get the biggest payout?

I suspect there is a fairly broad consensus that certain categories of folks should not be able to place bets on certain events. For instance, players should not be allowed to place bets, and certainly not referees. But the

West Virginia sports-betting regulations approved in June don't say that. In fact, they leave it to each sports book to decide whose participation in sports betting might undermine the integrity of a sports event.

It is odd that this decision would be left to the sports books, such that an individual may be prohibited from placing the bet at one sports book in the State but would be permitted to do so at another. The decision to leave this integrity decision to the sports books is even more concerning when you consider the potential conflict in the duties and motivation of the sports books.

Operators certainly want to protect integrity so that they are not accepting wagers on fixed games, but the West Virginia sports-betting law also requires sports book operators to "assist the commission in maximizing sports wagering revenues." How many folks will they really be turning away to protect the integrity of the game if they are also under a statutory mandate to maximize the amount of money coming in the door?

Other States have been more specific on this point but still leave open questions. Mississippi prohibits only coaches or participants from betting on a particular event. What is a participant? Does it include referees? Maybe they are a participant because they are on the field. But what about an athletic trainer or league executives? While Mississippi law does not answer that question, New Jersey put in place robust laws that specifically prohibit athletic trainers and members of a sport's governing body from placing wagers.

There is nothing wrong with there being differences among the States. That is the beauty of our Federal system. But it does seem that when it comes to protecting the integrity of the game and sports-betting market, there should be some consensus—at least some minimum standards—about who can place a wager. If States are allowed to fall behind, those looking to illegally profit off sports betting will simply migrate to where there are the fewest restrictions.

Protecting the integrity of sports from the dark side of sports betting is not a theoretical exercise. We are all familiar with the fixing of the 1919 World Series, Pete Rose's expulsion from baseball, and points shaving at Boston college. More recently, NBA referee Tim Donaghy both bet on games that he officiated and passed along tips to bookies. The qualifying match for this year's World Cup had to be replayed after the referee was found to have fixed the match. Just last month, there were signs of possible match fixing in a men's doubles match at Wimbledon.

As States move to legalize sports wagering, we must seize the opportunity to put in place world-class measures to protect the integrity of our sporting events and the sports-betting market.

To that end, an important part of the legislation I will be proposing is improvements to monitoring and enforcement that will benefit all of the stakeholders—sports books, regulators, governing bodies, and consumers.

These are complex issues, but I am happy to announce that much progress is being made. I look forward to continuing engagement with stakeholders and in the coming weeks releasing a legislative proposal to kick-start the much needed sports-betting discussion on Capitol Hill.

#### NOMINATION OF BRETT KAVANAUGH

Mr. HATCH. Now I would like to pivot to what would ordinarily be a subject unrelated to sports—the nomination of Judge Brett Kavanaugh to be an Associate Justice on the U.S. Supreme Court—but this is no ordinary nomination. Not only is Judge Kavanaugh an avid sports fan, he also moonlighted as a sports reporter for the Yale Daily News.

For Democrats looking to evaluate Judge Kavanaugh on the basis of documents other than his judicial record, his writings about college sports are apparently a gold mine. Take, for example, Kavanaugh's account of a midseason game between Yale and Cornell: "In basketball, as in few other team sports, it is possible for one person to completely dominate a game."

Prominent legal scholar Laurence Tribe, a Harvard law professor and adviser to Barack Obama—a friend of mine, actually—strained to make a connection between this casual observation and Judge Kavanaugh's judicial philosophy. He noted: "Kavanaugh's seeming fascination with single-player domination might be a muscular view of executive power." I had a good laugh at this. The idea that Judge Kavanaugh's observations about basketball somehow reveal his views about Executive power is beyond absurd.

What is next? What other hidden insights into the nominee's character can we glean from the most obscure sources? Should we do a deep dive on Judge Kavanaugh's zodiac sign to see what it might say about his judicial temperament? He is an Aquarius, by the way, and Mars is in retrograde. So we all know what that means: Judge Kavanaugh is going to destroy America. He is going to burn down the Capitol, coronate himself King, and make confetti of the Constitution. The stars are literally aligned for this man to usher in Armageddon. The real question is, How am I the only one seeing this? Why hasn't The New Yorker written a think piece about it already?

It should go without saying that if you really want to understand Judge Kavanaugh's view on the constitutional separation of powers, you won't find it by reading sports articles from a college newspaper, and you won't find it by reading his wife's work emails; you will find it by reading Judge

Kavanaugh's actual opinions as a Federal judge. Of course, Democrats know this, but like a kid procrastinating his homework—playing video games and microwaving Bagel Bites—they are looking for any distraction at all to avoid actually analyzing Judge Kavanaugh's judicial record. That is because Democrats know what they will find when they do: a nominee who is indisputably qualified for the Supreme Court.

When my friends on the other side of the aisle decide they are done procrastinating and actually want to examine his judicial record on separation of powers issues, I would point them to Judge Kavanaugh's opinions in three cases I highlighted here on the Senate floor earlier this month: *Free Enterprise Fund v. Public Company Oversight Board*, *Loving v. Internal Revenue Service*, and *PHH Corporation v. CFPB*.

Once you have gone through Judge Kavanaugh's highly regarded opinions and sterling record and concluded, as I have, that he is eminently qualified and possesses the judicial temperament and ability to be a great Justice on the U.S. Supreme Court, you will by all means turn to his college sports writing for a little light reading. You are sure to walk away with insight into the championship prospect of Yale's basketball and football teams in the 1980s; I just wouldn't hold out for any insight into his judicial philosophy.

While we are on the subject of documents outside his judicial record, I am surprised Democrats have yet to mention Professor Kavanaugh's student evaluations. The evaluations may not predict how Judge Kavanaugh would rule on hot-button issues, but they do add actual substance to the mountain of evidence that Judge Kavanaugh is, as 80 of his former students described him, "a rigorous thinker, a devoted teacher, and a gracious person." Notably, the evaluations reveal that Judge Kavanaugh was fair and balanced in the classroom—the opposite of the partisan hack some are now trying to make him out to be. One student wrote that "Judge Kavanaugh's presentation seemed very evenhanded." Another said that he "presented the other side quite well, even though he likely shared most of those conservative views," adding that "many of the Harvard Law School professors could learn from his acceptance of views across the political spectrum."

I am looking forward to Judge Kavanaugh's public confirmation hearings—now just 12 days away—where his judicial record on substantive legal issues will take center stage. That is what matters. But those things that are not front and center, be they his student evaluations or college sports reports, remind us that there is more to Judge Kavanaugh than his professional record and accomplishments, and they remind us that he is exactly the kind of standup person we should want on the Supreme Court.

Of course, you wouldn't guess that judging by the way Democrats and the media have treated him over the past few weeks. For example, earlier this week, one of my colleagues on the other side of the aisle said she would cancel her meeting with the nominee, which, of course, she is free to do. What media reports ignored was that this same Senator had announced her resolute opposition before any nominee was even announced. Talk about jumping the gun.

In an effort to stir up social media controversy, another colleague of mine suggested in dark and gloomy terms that the Judiciary chairman's use of committee confidentiality was some nefarious tool to hide salacious details about the nominee. In doing so, he neglected to inform the tens of thousands who retweeted his misleading message that committee confidentiality is, in fact, a common practice that has been used by past chairmen from both parties.

Before our friends in the media report these disingenuous claims, they should apply rigorous fact-checking to see if Democrats are telling the truth or simply crying wolf to whip up their base.

#### CRIMINAL JUSTICE REFORM

Mr. HATCH. Finally, I would like to say just a few words about criminal justice reform. We have been at an impasse since the Judiciary Committee took up the issue earlier this year, but recent reports suggest that negotiations with the White House may soon lead to a compromise. I have not been a part of those negotiations, and I understand that they are still ongoing and there is no final proposal on the table, but I am concerned that there is no mention of mens rea reform being included in that deal.

Sentencing and prison reform can do only so much if we continue to allow individuals to be sent to prison for conduct they did not know was unlawful, even when Congress does not specify that their crimes should be strict liability offenses.

Sentencing and prison reform must be paired with a solution that addresses the root problem of criminalization, which includes the lack of clear mens rea requirements in much of our criminal law. My Mens Rea Reform Act of 2018, which I introduced earlier this summer with Senate Judiciary Chairman CHUCK GRASSLEY, provides that solution. It is supported by a broad range of groups from across the ideological spectrum, from the American Conservative Union to the National Association of Criminal Defense Lawyers.

To be honest, I am troubled that the bill is not part of the current negotiations. I am likewise troubled that we have not heard any discussion of a legislative fix for the Armed Career Criminal Act to ensure that dangerous, repeat offenders receive appropriately long prison sentences. Real criminal

justice reform should be about getting the policy right. That means we cannot be looking just to ratchet back prison sentences, but we must also be looking to close loopholes that prematurely let armed, dangerous criminals back on the streets.

Comprehensive criminal justice reform is long overdue, and I am pleased to hear that negotiations are continuing. I look forward to working with my colleagues to address those concerns.

I apologize to the leader for taking so long on these remarks.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. I thank my friend from Utah.

#### MORNING BUSINESS

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

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

#### 150TH ANNIVERSARY OF THE LINCOLN PARK ZOO

Mr. DURBIN. Mr. President, this year marks an important milestone for a true treasure in Illinois. The Lincoln Park Zoo, located in the heart of Chicago, is celebrating its 150th anniversary.

From its inauspicious beginnings with the gift of two pairs of swans from Central Park in New York City, the Lincoln Park Zoo has grown to be a destination for Chicago residents and visitors alike. The zoo is visited by 3.7 million people annually.

Visitors to the zoo appreciate its central location; it is close to cultural and shopping attractions in Chicago. But what everyone loves about the zoo is that there is no admission fee in order to enjoy the zoo's exhibits. That is right; admission to the Lincoln Park Zoo is free. In 1878, 20 years after those swans arrived from Central Park, it was resolved that the Zoo would always be free and open to the public. Today, Lincoln Park Zoo remains the Nation's only privately managed, free-admission zoo in the country.

When people visit the zoo, they not only experience the seals, gorillas, polar bears, giraffes, the big cats at the Kovler Lion House, and a pygmy hippopotamus, they also are introduced to farm animals, equipment, and practices that reflect the importance of agriculture to my home State. For many urban children, the zoo allows an introduction to nature and agriculture in a way they may not otherwise experience.

Generations of Chicagoans have fond memories of spending summer days at Lincoln Park Zoo with their families. Many can tell you that it is worth

braving the blustery Chicago weather for a visit to Lincoln Park Zoo during Zoo Lights, their annual winter celebration.

I have always considered Lincoln Park Zoo to be a hallmark of a Chicago childhood. It is a place I wanted to share with my twin grandchildren, now age 7, when they come to visit. Hopping on the 151 CTA bus and wandering the zoo grounds in summer and winter has always been a great adventure for my family.

I want to join the community in celebrating the 150th anniversary of the Lincoln Park Zoo. The staff and volunteers of the zoo should be proud of their efforts to preserve and foster this Chicago treasure, ensuring future generations have the opportunity to create memories as I have done with my family.

#### FREEDOM OF THE PRESS

Mr. LEAHY. Mr. President, last week, on August 16, more than 300 newspapers across the Nation published editorials giving voice and testament to the vital role of a free press in our American democracy. It is such a crucial requisite of democracy that this role—this right of a free people—is embedded in our Constitution.

The words, the actions, and the service of the free American press are a daily counterpoint to the vile charges by many that the press is "the enemy of the people"—a smear that is commonly used by despots in societies that do not have the freedoms that our Constitution is intended to ensure and protect. It is all too clear today that each new generation must renew the Nation's dedication to our founding principles and ideals.

The Senate, on August 16, unanimously passed a resolution reaffirming the vital and indispensable role of the free press. I was proud to cosponsor that resolution. It is regrettable that such a resolution was even needed—or even timely.

I am proud that several news organizations in Vermont participated on August 16 in publishing editorials about the importance of a free press. I call to the Senate's attention one of these, written by Steven Pappas and published in the Times Argus of Barre, VT.

I ask unanimous consent that this editorial be printed in the RECORD.

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

[From the Times Argus, Aug. 16, 2018]

YES, WE ARE THE ENEMY

[Editor's note: Across the nation today, U.S. newspapers and news organizations are publishing, posting or broadcasting editorials opposing press-bashing. The idea was sparked by Boston Globe editorial page editor Marjorie Pritchard. What follows is our voice in that chorus of solidarity.]

We are the enemy. It's true. We say that with no hesitation.

If you abuse power, we are the enemy.

When you use propaganda to mislead the people, you are the enemy.

If a public official deliberately hides documents or closes meetings, we are the enemy.

We will come after you if you are an oppressor of the underprivileged.

We will never allow anyone to silence the voices and opinions of others.

If you ignore laws and human rights, you are the enemy.

We will call out discrimination, any willingness or eagerness to hate, narrow-mindedness.

We will exploit anyone who creates smoke to divert anyone from the fires that you build.

We are the enemy of ignorance, all ignorance.

If you suppress, we are the enemy.

If you scheme, we are the enemy.

If you use conflicts of interest to gain leverage, you are the enemy.

If you are, in any form, an enemy of the public trust, then, of course, we are the enemy.

If you believe facts are subjective and truths should be measured in shades of gray, then we are your enemy in black and white.

And when you say there is no need for a free press, we are absolutely, unequivocally, your enemy.

So now that we have established ourselves as your enemy, know this: We are not the enemy of the people. Our readers and the public are our allies against you. We represent the communities we serve; we are their reflection—good, bad and indifferent. They depend on us to collect, vet and present information in spite of selfish motivations.

We are the watchdogs, sometimes the only ones who will stand up and say, “Hold on.” We will say, “I don’t think so.” We can declare, “Out of line.” And we are not afraid to say, “You’re wrong.”

We will kick over stones. We will ask hard questions. We will separate facts from fiction.

We will challenge you to prove yourself. We will ask you to think for yourself.

We will force you to say “yes” or “no.”

We will make you uncomfortable.

We will hold on to certain issues like a dog with a bone, until we are certain our investigation is complete.

We will also make mistakes. And we will own them and we will correct them.

We will sometimes publish an incomplete story. But we try, at all costs (and with far limited resources than ever before), to avoid presenting something that could be construed as “fake news.” That does not serve our interest to be the vehicle for answers, information or truth.

And if we are doing our job well, no one is ever really happy with us. But we earn respect.

To those who say journalists are the enemy, we definitely are. We actually wear that charge as a badge of honor. We are proud of the work we do and the purpose that we serve.

Because without us, or with even a hint of a state-run media, facts have no value.

George Seldes was fond of quoting Abraham Lincoln, who, during the Civil War, once famously said, “I am a firm believer in the people. If given the truth they can be depended upon to meet any national crisis. The great point is to bring them the real facts.”

Seldes was an investigative journalist, correspondent, editor and author. He lived in Hartland Four Corners and died in 1995 at the age of 104. Over the course of his career, Seldes influenced many young people to become journalists. He also was hated for standing up to authority, both in foreign nations for his news coverage, and at home for his harsh criticism of the American press.

But he did journalism a favor by being everyone’s enemy and making us all squirm and question roles—both as consumers of news and newsmakers.

James Russell Wiggins, a career journalist who worked for The Washington Post and later retired to Maine, summarized the thread of the Fourth Estate’s purpose as this: “Americans will be tempted, in the years ahead, to sacrifice the principles that have made their country what it is. It will seem appropriate and convenient to meet the demands of crisis by bending a little here and giving a little there. It is an inclination that will have to be resisted at the first trespass upon our freedoms, or other invasions of individual rights will come swiftly upon us.”

That day is here, friends.

### THE HIGH SCHOOL CODES ACT

Ms. CANTWELL. Mr. President, I come to the floor to speak about the importance of teaching computer science and coding in our education system. Throughout the United States and especially in my home State of Washington, our internet economy is booming. Nationwide it represents 7 percent of our GDP, which makes up 13 percent of Washington State’s economy. In Washington State, over 13,000 internet companies provide more than a quarter of a million jobs.

Every student in America should be taught the tools they need to enter our 21st century economy. Every student in the United States should have the opportunity to learn about the internet, and algorithms, and apps. This is a skills gap we have to close, and that is why I joined with my colleague from Louisiana, Senator CASSIDY, to introduce the High School CODES Act earlier this year.

Senator CASSIDY and I have long considered and spoken about the importance of allowing students to have the ability fulfill a math, science, or language requirement with a coding class.

That is why Senator CASSIDY and I were pleased to include language in the reauthorization of the Carl D. Perkins Career and Technical Education Act that the President signed into law yesterday. The language in the bill would allow Federal funds to support “efforts to expand, develop, and implement programs to increase the students’ opportunity for rigorous courses” in coding and computer science and “support statewide efforts to create access to implementation of coding and computer science.” Additionally, Senator CASSIDY and I were pleased to get an amendment included in the appropriations bill that highlights the importance of a dedicated funding stream for coding courses in K–12 education.

During the Carl D. Perkins markup negotiations both the majority and minority agreed to include strong report language that captures the intent of our original bill, S. 3122, the High School CODES Act. Additionally, we are pleased that Senator ALEXANDER agreed to send a letter to Education Secretary DeVos expressing the same.

I ask Senator CASSIDY, is it your understanding that the purpose of our

legislation is to incentivize States to allow coding classes be used in lieu of advanced math, science, or foreign language requirements?

Mr. CASSIDY. Mr. President, I, too, want to emphasize the importance of introducing young students to computer science and coding courses as part of their education. I thank my colleague and friend, Senator CANTWELL, for working with me on this issue. The answer is yes. Our legislation, the High School CODES Act, will incentivize states to allow coding and computer science classes to satisfy an advanced math, science, or foreign language graduation credit.

Now, this is not to replace the basic math, science, and foreign language classes all students need, but to allow students who do not need to take Calculus II or III to instead take a computer science or coding course. The CODES Act does not mandate curriculum on States; it gives them the flexibility to provide students with the type of education that best fits their needs. It gives students more opportunity to succeed in our rapidly changing economy.

According to code.org, computing occupations are the No. 1 source of all new wages in America and make up over half of all projected new jobs in STEM fields; yet, computer science is marginalized throughout our education system, with fewer than half of U.S. schools offering any computer science course, and only 8 percent of STEM graduates studying it.

In my home State of Louisiana, there are currently more than 2,300 open computing jobs. The average salary for a computing occupation in Louisiana is approximately \$67,600, about \$26,000 higher than the average salary in my State.

I applaud the State legislature for creating the LaSTEM Advisory Council to oversee the creation and delivery of STEM programs in Louisiana and for the LA Board of Elementary and Secondary Education for approving new STEM pathways for students allowing new, industry-based courses to count towards math and sciences for graduation.

In addition to thanking Senator CANTWELL, I want to thank education committee Chairman ALEXANDER for his support for including provisions in the reauthorization of the Carl D. Perkins Career and Technical Education Act that effectively captures the original intent of our bipartisan bill. We are also pleased the chairman agreed to report language and a letter to Education Secretary DeVos expressing the intent of the provisions. Lastly, I am pleased that Senator CANTWELL and my amendment is included in the minibus appropriations bill highlighting the importance of funding for coding courses in K–12 education.

These are positive steps that will give more students the opportunity to take computer science and coding classes.

## ROHINGYA CRISIS

Mr. MENENDEZ. Mr. President, last August, the world watched in horror as Burma's military launched an ethnic cleansing campaign of rape, arson, and mass murder against the Rohingya.

Despite the Burmese military's claims that their operations were in response to attacks on police outposts by extremists, the evidence is clear that the Burmese military had made extensive preparations to carry out these operations. Their preparations included systematically disarming Rohingya civilians, training and arming non-Rohingya communities, and building up an unusually large military and security presence in Rakhine, all in anticipation of attacks that included extrajudicial executions, rape, expulsions, and mass burning of Rohingya villages throughout Rakhine state.

The military's campaign of ethnic cleansing has forced more than 720,000 Rohingya—roughly 80 percent of the entire Rohingya population in Burma—to flee for safety in Bangladesh, creating the world's worst refugee crisis in recent history. The government and people of Bangladesh have shown extraordinary generosity by providing safe harbor to those fleeing violence in Burma and continuing to keep its border open.

Bangladesh is at a tipping point. Already the world's most populous country, there simply isn't enough space or capacity to house this new population. Camp conditions for the Rohingya population are miserable. Refugees are living in plastic and bamboo shelters dangerously perched on the side of clay hills. Children have limited access to education. While many would prefer not to rely on limited humanitarian aid, work is tough to come by.

The day-to-day reality for the Rohingya people in Bangladesh is bleak, and while many I day wish to return home to Burma, they rightfully ask for their government to guarantee their safety and to recognize their civil and political rights; yet so far, even these basic demands are unmet.

Equally troubling, conditions for the Rohingya who stayed behind in Burma remain perilous. Andrew Gilmour, UN Assistant Secretary-General for Human Rights, recently declared that while the nature of their persecution has changed, there persists a "lower intensity campaign of terror and forced starvation."

Burmese officials continue to reject UN and other international findings of ethnic cleansing, crimes against humanity, and, potentially, genocide. In fact, the Burmese Government has relentlessly blocked access to Rakhine state by many humanitarian groups, independent media workers, and UN observers, in an attempt to prevent the international community from assessing the very violations they deny are happening. A New York Times journalist recently gained access to Rakhine state and met Rohingya who described living in a constant state of

fear and repression. She also saw the burnt remnants of what used to be Rohingya villages and visited repatriation centers that appeared more like "concentration camps."

The horrific and ongoing human rights abuses committed against the Rohingya demand a strong response from the United States and the international community. I support the U.S. State Department's Bureau of Democracy, Human Rights, and Labor, DRL, and other offices in conducting fact-finding efforts analyzing over 1,000 interviews with Rohingya civilians and documenting the scope and nature of the atrocities committed. I urge Secretary Pompeo to publicly release the entire report including any findings of crimes against humanity and genocide.

Furthermore, I strongly urge this administration to lead the international community in fully using all appropriate mechanisms to secure accountability for the ethnic cleansing, mass atrocities, and other potential grave crimes the Burmese military has committed against the Rohingya. Accountability is essential if Burma is to continue on a path of democratic reform and genuine national and ethnic reconciliation.

This pathway for accountability includes calling for an international, impartial, and independent investigation to gather evidence on perpetrators, as well as working towards their eventual prosecution. I sincerely hope that robust and legitimate investigations will ensure that those who orchestrated and perpetrated these brutal crimes are brought to justice and that all the people of Burma, including the Rohingya, will one day be able to enjoy the fruits of an inclusive and pluralistic democratic nation.

## REMEMBERING POWELL MOORE

Mr. PERDUE. Mr. President, today, I want to remember and pay tribute to Mr. Powell Moore, a native Georgian, veteran, and patriot who passed away earlier this month.

Mr. Moore was a native of Milledgeville, GA, and a graduate of both the University of Georgia and Georgia Military College. Over the course of his life, Mr. Moore served in the U.S. Army, aided two U.S. Senators and four Presidents, gave back to the community, and positively influenced those around him.

Mr. Moore served as a U.S. Army infantry officer in Germany. He worked as Senator Richard Russell's press secretary for 5 years, and over 30 years later, he returned to the U.S. Senate to serve as Senator Fred Thompson's chief of staff. He was Deputy Director of Public Information at the Department of Justice. He was a White House aide to President Richard Nixon, President Gerald Ford, and President Ronald Reagan. He was an Assistant Secretary of State under Reagan and an Assistant Secretary of Defense under President George W. Bush. He rep-

resented the Department of Defense in Vienna, Austria, at the Organization for Security and Cooperation in Europe, and in 2005, he was awarded the DOD's Medal for Distinguished Public Service.

Clearly, Mr. Moore was a man of accomplishment and service to his country. Perhaps the greatest measure of his accomplishment, however, is the manner in which he conducted himself.

Throughout his career, Mr. Moore was universally respected by both political parties. He was known for investing in those around him, mentoring generations of America's future leaders of all political stripe. Mr. Moore served as president of both the Senate Press Secretaries Association and the Association of Former Senate Aides. He gave back to both of his alma maters, serving on the board of visitors for the University of Georgia's journalism school and as a trustee for the Georgia Military College Foundation and the Richard B. Russell Foundation.

Mr. Moore leaves behind a legacy that his family, friends, and certainly all Georgians and Americans can be proud of. His life is an example of true servant leadership and the American Dream. It is humbling to honor his memory today. My wife, Bonnie, and I join fellow Georgians and Americans in offering condolences and prayers to Mr. Moore's family and friends during this time.

NATIONAL GASTROPARESIS  
AWARENESS MONTH

Ms. BALDWIN. Mr. President, I would like to call attention to the estimated 5 million Americans suffering from gastroparesis in observance of National Gastroparesis Awareness Month in August.

Gastroparesis is a chronic digestive disease in which the stomach cannot empty properly in the absence of any observable blockage. Symptoms of gastroparesis, which include nausea, vomiting, and the inability to finish a normal-sized meal, can lead to malnutrition, severe dehydration, and difficulty managing blood glucose levels. This debilitating and sometimes life-threatening disease can affect people of all ages, but it is four times more likely to affect women than men.

While there is no cure for gastroparesis, some treatments, such as dietary measures, medications, procedures to maintain nutrition, and surgery, can help reduce symptoms. Unfortunately, gastroparesis is a poorly understood condition. Patients often suffer from delayed diagnosis, treatment, and management of this disorder. As such, further research and education are needed to improve quality of life for the millions of Americans, including thousands of Wisconsinites who suffer from this disease.

I want to recognize the important efforts of the International Foundation for Functional Gastrointestinal Disorders, IFFGD, an international organization based in my home State of

Wisconsin, as well as other patient organizations, in providing education and support to help those affected by gastroparesis.

In an effort to improve our understanding and awareness of gastroparesis, I urge my fellow colleagues to join me in recognizing August as National Gastroparesis Awareness Month.

Thank you.

#### TRIBUTE TO DR. PAUL BERAN

• Mr. BOOZMAN. Mr. President, today I wish to honor University of Arkansas-Fort Smith Chancellor Dr. Paul Beran who will be leaving the university at the end of August after more than a decade of service.

Since becoming chancellor in 2006, Dr. Beran has shown himself to be a tremendous advocate for the university. During his tenure, he has overseen the expansion of undergraduate degree programs, as well as a master's degree program, resulting in the graduation of thousands of students over the past 12 years. Under Dr. Beran's leadership, UA-FS has tripled its student housing capacity, expanded the school's Boreham Library, constructed the Windgate Art and Design facility, and expanded its athletics program, transitioning from the junior collegiate level to an NCAA Division II athletic program.

Dr. Beran is a champion of all students, notably student veterans. He facilitated the construction of the veteran resource center, which offers veterans a special space on campus. In addition to serving as a communal study space, the center streamlines interactions with off-campus organization and businesses.

He has made a career out of helping students pave the way for a successful future. He has been recognized for his work to advance the academic opportunities of the African-American community, earning the Golden Hands Award from the Martin Luther King Holiday Committee. He was credited as a distinguished graduate of Stephen F. Austin University and was recognized by Texas A&M University's College of Education as an outstanding alumnus. All of these honors are well deserved.

I congratulate Dr. Beran for his outstanding achievements in education and thank him for his service to the University of Arkansas-Fort Smith. I appreciate his friendship and enjoyed working with him to improve education opportunities in Fort Smith. UA-FS is an excellent school and a great asset to the region, thanks to his leadership and years of dedication. We will miss his guidance, but wish him continued success as executive director and chief executive officer of the South Dakota Higher Education Board of Regents.●

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO EDGAR E. LEWIS

• Mr. DAINES. Mr. President, this week I have the honor of recognizing Edgar E. Lewis of Golden Valley County for his contributions and impact to the Golden Valley community.

Edgar is a lifelong Montanan. Born on his family ranch in Lavina, he is the youngest of seven kids. Edgar began running the ranch at a young age after his older brothers went off to fight in World War II. It would take Edgar and his father 5 days to move their cattle to the summer grazing range. These trips made Edgar fall in love with ranching and are what made him become a lifelong rancher.

Edgar's heart for his country and community is clear in the ways he has served. Edgar served his country during the Korean war. After the war, he settled down and bought his current ranch, just north of the Snowy Mountains. He served on the board of directors on the Montana Livestock Ag Credit from 1986–1998. Edgar also served as the Golden Valley commissioner from 1989–2002.

At 86, Edgar encapsulates the Montana cowboy spirit that brings so much character to our great State. I thank Edgar for giving back to his community and for continuing the tradition of the Montana cowboy.●

##### RECOGNIZING POSITIVE STREET ART

• Ms. HASSAN. Mr. President, I am proud to recognize as the August Granite Staters of the Month the team behind Nashua's Positive Street Art for their work remembering those lost to substance use disorders and supporting those undergoing treatment.

New Hampshire is one of the States that has been hardest hit by the fentanyl, heroin, and opioid epidemic. This epidemic has devastated communities across the Granite State, and far too many people have lost loved ones to substance use disorders. We must continue to honor the memories of those lost and continue to find ways to support individuals who are going through recovery. In Nashua, Positive Street Art is helping to remember those lost and support those on the road to recovery with a mural called "Take Courage."

Since 2012, Positive Street Art has promoted the arts in Nashua through urban and public art projects, including murals, workshops, afterschool programs, and events like the Downtown Arts Festival. Their newest mural, "Take Courage," has come together primarily through the efforts of artists Tom Lopez and Manuel Ramirez, as well as through the support of Ric Everhard, Alison Bankowski, and community volunteers Alyssa O'Mara, Victor Luce, Patrick Paraggio, Blake Bankowski, John Stein, Lance Isaksen, Paul Alvarez, Valerie Galvao, Ashley

Young, and Jessica Ayala. The mural is meant to honor those community members who were lost to substance misuse and inspire those seeking recovery.

When completed, the mural will bear an important and hopeful message for people in Nashua and across the Granite State who have been impacted by this horrific crisis: "Take Courage. When the road is long you must never forget you are never alone."

In addition to their latest work, Positive Street Art has completed numerous other murals. These include the "Hearts and Minds" mural that honors our veterans, the "Gratitude" mural which reminds viewers to be thankful for the blessings in their daily lives, and the "Nostalgia" mural which highlights the vintage theaters that used to occupy downtown Nashua. They have become beloved additions to the streets of the city.

For their efforts to raise awareness and support those who have been impacted by substance use disorders, as well as their general work to support the arts in Nashua, I am proud to recognize the Positive Street Art team as the August Granite Staters of the Month.●

##### RECOGNIZING SJX JET BOATS, INC.

• Mr. RISCH. Mr. President, my home State of Idaho is known for its beautiful landscapes, outdoor recreation, and protected wilderness. These natural wonders are enjoyed by native Idahoans and Americans from across the country. Today I would like to recognize an innovative small business that contributes to allowing further exploration of the beautiful, remote areas of our Nation. As chairman of the Senate Committee on Small Business and Entrepreneurship, it is my distinct pleasure to recognize SJX Jet Boats, Inc., as the Small Business of the Month for August 2018. SJX Jet Boat, Inc.'s commitment to the quality and performance of its shallow-water aluminum jet boat exemplifies Idaho's entrepreneurial spirit and appreciation for the outdoors.

After several years of working in the aluminum jet boat building field, SJX Jet Boats owner, Steve Stajkowski, created a concept for a boat that could handle remote, shallow waters while maintaining a strong structural design and functionality. While on a hunting trip in Alaska, Stajkowski saw the need for a shallow-water boat that could navigate the small bodies of water found throughout the State. Inspired by the concept of combining high-speed performance with the offroading aspects of boating, the SJX boat design began to take shape. He began work on the very first inboard tunnel hull in 1998. Less than 10 years later, after years of experimenting with many different designs, Steve started SJX Jet Boats, Inc., in 2007. Located in Orofino, ID, SJX Jet Boats is



located in the midst of shallow bodies of water and what is known as the steelhead fishing capital of the world.

Whether for a hunter, fisherman, or an adventurer, SJX Jet Boats, Inc., have honed their design through continuous research and development in order to provide the best possible product. One of the primary factors of boat design is the boat's durability. The make of an SJX Jet Boat consists of a continuous weld, which prevents cracks and creates a solid foundation. Because of this weld, along with the innovative inboard tunnel hull, these boats are able to traverse water as shallow as 4 inches. This inboard tunnel allows the jet to be elevated off of the surface of the boat; therefore, any debris potentially hitting the bottom of the boat is unable to reach the jet itself. Testing of any new features for the boat are carried out by Stajkowski himself, as a means of ensuring that new products will be crafted to exceed customer expectations.

In addition to sport and leisure, the benefits of SJX Jet boats extend beyond the recreational user. SJX Jet boats are customizable for policing, search and rescue, fire, and other first responder operations. A number of communities within our Nation are adjacent to shallow waterways, streams, and rivers, and in these places, SJX Jet Boats are preferred by some emergency organizations since they allow for easier access to disaster victims in times of emergency. SJX Jet Boats have repeatedly proven to be capable of reaching these stranded residents. During a search and rescue mission during a flood in the Philippines, approximately 1,200 individuals were rescued due to the jet boat's capability to maneuver through large amounts of debris. Thanks to the unique innovation of SJX Jet Boats, rescue missions like these are much easier to carry out.

The State of Idaho is proud to be home to small businesses like SJX Jet Boats. The ability of an SJX Jet Boat to operate in such remote locations is an innovative feat that makes these boats truly one of a kind. I would like to congratulate Steve Stajkowski and all of the employees at SJX Jet Boats, Inc., for being named the Small Business of the Month for August 2018. I look forward to watching your continued growth and success.●

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on August 23, 2018, she had presented to the President of the United States the following enrolled bill:

S. 717. An act to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-6253. A communication from the Chairman, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Corporation's annual report for calendar year 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6254. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's strategic plan for fiscal years 2018 through 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6255. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Organization; Definitions; Eligibility Criteria for Outside Directors" (RIN3052-AC97) received in the Office of the President pro tempore of the Senate; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6256. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Conditions for Payment of Highly Pathogenic Avian Influenza Indemnity Claims" (RIN0579-AE14) received in the Office of the President of the Senate on August 16, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6257. A communication from the Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6258. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral David C. Johnson, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-6259. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments to Municipal Securities Disclosure" (RIN3235-AL97) received in the Office of the President of the Senate on August 21, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6260. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Disclosure Update and Simplification" (RIN3235-AL82) received in the Office of the President of the Senate on August 21, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6261. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Highway Administration, Department of Transportation, received in the Office of the President of the Senate on August 21, 2018; to the Committee on Environment and Public Works.

EC-6262. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval and Air Quality Designation; KY; Redesignation of the Kentucky Portion of the Louisville Unclassifiable Area" (FRL No. 9970-70-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Environment and Public Works.

EC-6263. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Air Plan Approval and Air Quality Designation; AL; Redesignation of the Etowah County Unclassifiable Area" (FRL No. 9982-71-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Environment and Public Works.

EC-6264. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Washington; Interstate Transport Requirements for the 2012 PM2.5 NAAQS" (FRL No. 9982-46-Region 10) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Environment and Public Works.

EC-6265. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Quality Implementation Plans; New York; Subpart 225-1, Fuel Composition and Use - Sulfur Limitations" (FRL No. 9982-80-Region 2) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Environment and Public Works.

EC-6266. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "District of Columbia: Final Authorization of District Hazardous Waste Management Program Revisions" (FRL No. 9982-19-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Environment and Public Works.

EC-6267. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Ordinance Works Disposal Areas Superfund Site" (FRL No. 9982-57-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Environment and Public Works.

EC-6268. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Arizona; Infrastructure Requirements for Nitrogen Dioxide and Sulfur Dioxide" (FRL No. 9982-23-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Environment and Public Works.

EC-6269. A communication from the Director, Tax Policy and Administration Strategic Issues Team, Government Accountability Office, transmitting, pursuant to law, a list of Government Accountability Office employees designated to have access to tax returns and return information for the purpose of carrying out audits of the Internal Revenue Service and the Alcohol and Tobacco Tax and Trade Bureau; to the Committee on Finance.

EC-6270. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modification to Rev. Proc. 2017-41" (Rev. Proc. 2018-42) received in the Office of the President of the Senate on August 21, 2018; to the Committee on Finance.

EC-6271. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Calculation of Unrelated Business Taxable Income under 512(a)(6)" (Notice 2018-67) received in the Office of the President of the Senate on August 21, 2018; to the Committee on Finance.

EC-6272. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Single Security Initiative (Section 1001)" (Rev. Proc. 2018-24) received in the Office of the President of the Senate on August 21, 2018; to the Committee on Finance.

EC-6273. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to India to support the establishment of two P-81 aircraft training centers for the Indian Navy in the amount of \$50,000,000 or more (Transmittal No. DDTC 18-022); to the Committee on Foreign Relations.

EC-6274. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services to Jordan to support maintenance and repair of AH-1 F/S Cobra Helicopters for use by the Royal Jordanian Air Force in the amount of \$50,000,000 or more (Transmittal No. DDTC 17-123); to the Committee on Foreign Relations.

EC-6275. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms parts and accessories abroad controlled under Category I of the U.S. Munitions List of upper receiver assemblies with lower parts kits to the UAE in the amount of \$1,000,000 or more (Transmittal No. DDTC 17-056); to the Committee on Foreign Relations.

EC-6276. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) and (d) of the Arms Export Control Act, the certification of a proposed license for the manufacture of significant military equipment abroad and the export of defense articles, including technical data and defense services to the Sweden for the manufacture of F404 RM12 gas turbine military aircraft engine parts and components in the amount of \$50,000,000 or more (Transmittal No. DDTC 17-142); to the Committee on Foreign Relations.

EC-6277. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms abroad controlled under Category I of the U.S. Munitions List of fully-automatic rifles to Jordan for the end use by the Public Security Directorate in the amount of \$1,000,000 or more (Transmittal No. DDTC 18-043); to the Committee on Foreign Relations.

EC-6278. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms accessories and parts abroad controlled under Category I of the U.S. Munitions List of the upper receiver as-

semblies with 14.5 inch barrels and lower parts kits to the UAE in the amount of \$1,000,000 or more (Transmittal No. DDTC 17-033); to the Committee on Foreign Relations.

EC-6279. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2017 Report on the Preventive Medicine and Public Health Training Grant Medicine Programs"; to the Committee on Health, Education, Labor, and Pensions.

EC-6280. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Nurse Education, Practice, Quality, and Retention Program" for fiscal year 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-6281. A communication from the Executive Director, United States Access Board, transmitting, pursuant to law, the Board's fiscal year 2017 annual report relative to the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-6282. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Paid Sick Leave for Federal Contractors" ((RIN9000-AN27) (FAC 2005-100)) received in the Office of the President of the Senate on August 21, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-6283. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Non-Retaliation for Disclosure of Compensation Information" ((RIN9000-AN10) (FAC 2005-100)) received in the Office of the President of the Senate on August 21, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-6284. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation, Technical Amendments" (FAC 2005-100; Docket No. 2018-0002) received in the Office of the President of the Senate on August 21, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-6285. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation, Small Entity Compliance Guide" ((48 CFR Chapter 1) (FAC 2005-100)) received in the Office of the President of the Senate on August 21, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-6286. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation, Introduction" ((48 CFR Part 1) (FAC 2005-100)) received in the Office of the President of the Senate on August 21, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-6287. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "2017 Office for Victims of Crime (OVC) Report to the Nation: Reaching Victims Everywhere"; to the Committee on the Judiciary.

EC-6288. A communication from the Solicitor General, Department of Justice, transmitting, pursuant to law, an opinion of the United States District Court for the District of Columbia (March for Life v. Burwell); to the Committee on the Judiciary.

EC-6289. A communication from the Chair of the Frederick Douglass Bicentennial Commission, transmitting, pursuant to law, a report of the Commission's recommendations; to the Committee on the Judiciary.

EC-6290. A communication from the Secretary, Judicial Conference of the United States, transmitting, pursuant to law, a report entitled "Report of the Proceedings of the Judicial Conference of the United States" for the March 2018 session; to the Committee on the Judiciary.

EC-6291. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Third Quarter of Fiscal Year 2018"; to the Committee on Veterans' Affairs.

EC-6292. A communication from the Impact Analyst, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Automatic Burial Benefits for Previously Unestablished Surviving Spouses" (RIN2900-AQ10) received in the Office of the President of the Senate on August 20, 2018; to the Committee on Veterans' Affairs.

EC-6293. A communication from the Acting Executive Director, Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's 2017 Annual Report to the President and Congress; to the Committee on Commerce, Science, and Transportation.

EC-6294. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary for Aviation and International Affairs, Department of Transportation, received in the Office of the President of the Senate on August 21, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6295. A communication from the Competition Policy Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment" ((WC Docket Nos. 17-84, 17-79) (FCC 18-111)) received in the Office of the President of the Senate on August 21, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6296. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Merchant Marine Act and Magnuson-Stevens Act Provisions; Fishing Vessel, Fishing Facility and Individual Fishing Quota and Harvesting Rights Lending Program Regulations" (RIN0648-BG80) received in the Office of the President of the Senate on August 21, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6297. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Northwest Fisheries Science Center Fisheries Research" (RIN0648-BF47) received in

EC-6320. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Rolls-Royce plc Turboprop

Engines” ((RIN2120-AA64) (Docket No. FAA-2018-0590)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6321. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2018-0114)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6322. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2018-0073)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6323. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Helicopters” ((RIN2120-AA64) (Docket No. FAA-2018-0091)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6324. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures; Miscellaneous Amendments (61)” ((RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6325. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures; Miscellaneous Amendments (77)” ((RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6326. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures; Miscellaneous Amendments (110)” ((RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6327. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures; Miscellaneous Amendments (4)” ((RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6328. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Lyons, KS” ((RIN2120-AA66) (Docket No. FAA-2018-0139)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6329. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D Airspace; Erie, PA” ((RIN2120-AA66) (Docket No. FAA-2018-0679)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6330. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and Class E Airspace; Kansas City, MO; and Revocation of Class E Airspace; Kansas City, MO” ((RIN2120-AA66) (Docket No. FAA-2017-1083)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6331. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and Class E Airspace for the following Pennsylvania; Lancaster, PA, Reading, PA, and Williamsport, PA” ((RIN2120-AA66) (Docket No. FAA-2016-9377)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6332. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Ionia, MI” ((RIN2120-AA66) (Docket No. FAA-2018-0291)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6333. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D Airspace, Removal of Class E Airspace, and Establishment of Class E Airspace; Olive Branch, MS” ((RIN2120-AA66) (Docket No. FAA-2017-0866)) received during adjournment of the Senate in the Office of

the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6334. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Memphis, TN” ((RIN2120-AA66) (Docket No. FAA-2017-0754)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6335. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment and Establishment of Class E Airspace; Columbus, NE” ((RIN2120-AA66) (Docket No. FAA-2018-0137)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6336. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Revocation of Class E Airspace; Clarendon, TX” ((RIN2120-AA66) (Docket No. FAA-2018-0310)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6337. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Restricted Areas R5602A and R5602B; Fort Sill, OK” ((RIN2120-AA66) (Docket No. FAA-2017-0144)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6338. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Pacific Aerospace Limited Airplanes” ((RIN2120-AA64) (Docket No. FAA-2018-0286)) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2018; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-288. A communication from the Legislative Assembly of the Commonwealth of Puerto Rico memorializing its intent to not adopt the recommendations made by the Financial Oversight Management Board (FOMB); to the Committee on Energy and Natural Resources.



## VIA REGULAR MAIL AND EMAIL

July 18, 2018

Mr. José Carrión III  
Chairman  
Financial Oversight and Management Board  
PO Box 192018  
San Juan, PR 00919-2018  
[comments@oversightboard.pr.gov](mailto:comments@oversightboard.pr.gov)

**RE: Non-adoption of the Financial Oversight and Management Board's Recommendation, under Section 205 of PROMESA, to enact a Labor Reform in the private sector**

Esteemed Mister Chairman:

On April 24<sup>th</sup>, 2018 – pursuant to Section 205(a) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (PROMESA) – the Financial Oversight and Management Board (FOMB) sent a proposed bill to the Puerto Rico Legislative Assembly to enact a Labor Reform in the private sector. The proposed Labor Reform included, among other matters, the repeal of Act No. 80 of May 30<sup>th</sup>, 1976 (Act 80). The FOMB's proposed bill was filed by the Puerto Rico Senate as Senate Bill 919 and underwent the regular legislative process.

Sections 205(b)(1) and 205 (b)(3) of PROMESA state as follows:

(b) Response to recommendations by the territorial government

(1) in general

In the case of any recommendations submitted under subsection (a) that are within the authority of the territorial government to adopt, not later than 90 days after receiving the recommendations, the Governor or the Legislature (whichever has the authority to adopt the recommendation) shall submit a statement to the Oversight Board that provides notice as to whether the territorial government will adopt the recommendations.

[...]

(3) Explanations required for recommendations not adopted

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*The Capitol* PO Box 9023431 San Juan, Puerto Rico 00902-3431

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If the Governor or the Legislature (whichever is applicable) notifies the Oversight Board under paragraph (1) that the territorial government will not adopt any recommendation submitted under subsection (a) that the territorial government has authority to adopt, the Governor or the Legislature shall include in the statement explanations for the rejection of the recommendations, and the Governor or the Legislature shall submit such statement of explanations to the President and Congress.

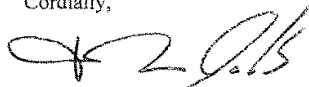
In compliance with the above-referenced sections of PROMESA, the Puerto Rico Legislative Assembly hereby notifies that it will not adopt the recommendations made by the FOMB because Senate Bill 919 was not approved as a result of the legislative process to consider the same. The following is a summary of the process followed to consider and reject the proposed bill submitted by the FOMB.

- On April 26th, 2018, the draft bill submitted by the FOMB on April 24<sup>th</sup>, 2018 was filed as Senate Bill 919.
- Senate Bill 919 was referred to the Senate's Economic, Political, and Labor Relations Commission (the Commission) that same April 26<sup>th</sup>, 2018.
- The Commission held public hearings on Senate Bill 919 on May 9<sup>th</sup>, 15, and 30<sup>th</sup>, 2018.
- An executive hearing to discuss Senate Bill 919 was held on July 11<sup>th</sup>, 2018.
- The Commission rendered a negative report on the bill on July 13<sup>th</sup>, 2018.
- Due to the Commission's negative recommendation, the bill was neither passed on to the Senate to be voted on, nor referred to the Puerto Rico House of Representatives.

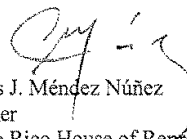
Enclosed is a copy of the negative report issued by the Commission. The report contains the result of the public hearings held on the matter; the analysis carried out by the Commission; and the basis for their recommendation not to enact the bill.

Based on the foregoing, we can inform that Senate Bill 919 was not approved by the Legislative Assembly after its consideration. Accordingly, the recommendations of the FOMB regarding the enactment of a Labor Reform in the private sector, including the repeal of Act No. 80, were not adopted.

Cordially,



Thomas Rivera Schatz  
President  
Puerto Rico Senate



Carlos J. Méndez Núñez  
Speaker  
Puerto Rico House of Representatives



## GOVERNMENT OF PUERTO RICO

18<sup>TH</sup> Legislative  
Assembly4<sup>th</sup> Ordinary  
Session

## SENATE OF PUERTO RICO

## S.B. 919

## Negative Report

Julio 13, 2018

## TO THE SENATE OF PUERTO RICO

Your Commission on Federal, Political, and Economic Relations after studying and considering Senate Bill 919, recommends to the Upper Chamber not passing said bill due to the grounds discussed below.

## SCOPE OF THE BILL

Senate Bill 919, a bill filed upon request of the Financial Oversight and Administration Board for Puerto Rico ("FOAB"), proposes establishing the "*Labor Reform Act of 2018*", in order to amend Article 2 of Act No. 180-1998, as amended; repealing Act No. 148 of June 30, 1969, as amended; repealing Article 5; amending part (a) of Article 6 and renumbering it as Article 5; renumbering Article 7 as Article 6; renumbering Article 8 as Article 7; renumbering Article 9 as Article 8; renumbering Article 10 as Article 9; renumbering Article 11 as Article 10; renumbering Article 12 as Article 11; renumbering Article 13 as Article 12 of Act No. 180-1998; repealing Act No. 80 of May 30, 1976, as amended; and for other related purposes.

The amendments proposed of Act 180-1998 can be summarized in the following manner: (i) establishing a minimum wage of \$7.50 for employees 25 years old or more unless the federal minimum wage is greater or does not apply; (ii) increases in minimum wage to \$7.75, \$8.00, and \$8.25 when the labor participation rate increases to 45%, 50%, and 55%, respectively; (iii) said increases would not apply to PyMES; (iv) an increase of 130 hours a months is done for employee to accrue sick and vacation leave benefits; (v) the minimum of days that can be accrued a year for said leaves is reduced to seven (7)

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days; and (vi) in the cases of employers with 12 employees or less, the minimum accrual for vacation leave will be  $\frac{1}{2}$  per month.

In turn, it proposes the repeal of Act No. 80, *supra*, to institute the concept of *at will employment* in Puerto Rico, thus eliminating, the unfair termination cause as an alternative available for an employee to go before the courts.

Likewise, the bill amends Act No. 115-1991, as amended, to reduce the term, from three (3) year to one (1) year, that an employee will available to file a civil claim against his employer due to said Act.

Last, the bill proposes repealing Act No. 148 of June 20, 1969, in order to eliminate the requirement to pay the Christmas Bonus.

To support the previously listed amendments, the preliminary recitals that contains the FOAB's bill states that, if the labor participation increases dramatically in Puerto Rico, the income of the workforce will increase, poverty levels will be reduced, and the fiscal situation will improve.

The FOAB adds, that in April 19, 2018, they certified a New Fiscal Plan for the Government of Puerto Rico, which will operate until fiscal year 2023 (the "New Fiscal Plan".) An essential part of the New Fiscal Plan is the passing of reforms related to our labor legislation, the establishing of a local *Earned Income Tax Credit* (EITC), and the creating of certain work and bonuses requirements for work for the participants of the Nutritional Assistance Program (NAP). Said Plan projects that the passing of reforms related to our labor legislation would generate a positive impact on the government collections of \$330 million during the period covered for said plan. Pursuant to the New Fiscal Plan, the increase in the projected collections is conditioned on the approval of these labor legislation reforms in or prior to May 31, 2018. According to the FOAB, establishing these reforms in our labor legislation will have an immediate impact on the economic growth, which will improve government finances and its capacity to assign said funds to essential health and education programs.

The FOAB believes that, when examining the impact of the *Transformation and Flexibility Act*, Act 4-2018, a little over a year of having passed said statute, the need to go deeper in structural measures can be seen, in order to liken our regulatory system more to the prevailing one in the continental states. Due to this, they believe that the time has arrived to acknowledge that the cumulative effect of decades of labor legislation that have distanced us significantly from the prevailing regulatory system in the continental states has deteriorated the competitiveness of Puerto Rico. Therefore, improving competitiveness and the capacity to attract and retain more and better jobs in Puerto Rico is a need that cannot postponed.

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From the alleged analysis performed by the FOAB, and as detailed in the preliminary recitals of S.B. 919, there is a reasonable basis to conclude that the obligatory imposition of marginal benefits, without taking into consideration the productivity of the employee or the situation of the company who pays the benefit, has the effect of depressing wages paid to the workers; reducing the recruitment of personnel, and it negatively impacts the employment rates of countries. Thus, by making more flexible the economic burden of said marginal benefits it makes viable an increase in the compensation of the worker, increases production and it allows granting benefits that are adjusted to the specific circumstances of each company. They conclude that keeping Act No. 80, *supra*, in effect will continue perpetuating a Puerto Rico as a jurisdiction that is less attractive, will restrict the employers in aspects that are very important for the management of the company and will continue reducing job opportunities.

However, from the analysis of the documentation and the evidence provided by the FOAB, which is not based on empirical evidence, it can be seen that the repeal of Act No. 80, *supra*, and the adoption of the regulatory system proposed, does not support that it will result in benefits to the economy of Puerto Rico and worker conditions.

#### ANALYSIS OF THE BILL

As part of the evaluation of this Commission to S.B. 919, three (3) public hearings were held, on May 9, 15, and 30, 2018. In said hearings, the following appeared:

- Mr. Edwin Irizarry Mora, Economy Professor from the University of Puerto Rico, Mayaguez Campus, whom appeared on his own behalf and in representation of Attorney Rubén Berrios, President of the Puerto Rican Independence Party (PRIP);
- Mr. Sergio Marxuach, Public Policy Director of the New Economy Center;
- Mr. Ramón Ponte, President of the Puerto Rico CPA Association;
- Attorney Héctor Hernández Soto, Ex-Secretary of the Labor Department;
- Attorney Ruy Delgado Zayas, Ex-Secretary of the Labor Department;
- Attorney Alicia Lamboy Mombille, President of the Puerto Rico Chamber of Commerce (CCPR);
- Attorney Héctor Ferrer, President of the Popular Democratic Party (PDP);
- Mr. Federico Torres Montalvo, President of the *Coordinadora Unitaria de Trabajadores del Estado*;

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- Mr. Pedro Irene Maymí, President of the *Central Puertorriqueña de Trabajadores* (CPT) and the *Unión Independiente Auténtica* from the Puerto Rico Aqueduct and Sewer Authority (UIA);
- Mr. Victor Villalba Rodríguez, President of the Casino Union;
- Mr. José Rodríguez Báez, President of the *Federación de Trabajadores de Puerto Rico* (FTPR) and Mrs. Annette González, President of *Servidores Públicos Unidos de Puerto Rico*, both accompanied by Dr. Iram Ramírez from Office and Professional Employees International Union (OPEIU);
- Mr. Juan Cortés Valle, Secretary/Treasure of the *Federación Central de Trabajadores*; accompanied by Attorney Genoveva Valentín Soto, Advisor for *Servidores Públicos Unidos de Puerto Rico*;
- Mr. José Alverio Díaz, Executive Director of the Nursing and Health Employees Labor Unit;
- Attorney Natalia Colón Díaz, President of the Labor Relations Professionals Association of Puerto Rico.

It needs to be pointed out, that this Commission invited the President of the Financial Oversight Board, Mr. José Carrión III, to participate in the public hearing process. Unfortunately, he declined participating in the public hearing set for May 1, 2018. Likewise, he declined to provide an alternate date in which he would be available to defend the proposal of the FOAB contained in S.B. 919 and answer questions from Senators.

Likewise, the Commission received comments from the *Unión Independiente de Empleados Telefónicos de Puerto Rico* and SOMOS, a labor organization who represents employees in the private sector. Both entities stated their opposition to S.B. 919.

The first deponent was the Director of Public Policy of the New Economy Center, **Mr. Sergio Marxuach**. Below, we summarize the most important points he stated in his presentation:

- The structural reforms focused to the supply side usually fail in achieving their objectives, especially in restricted economies on the demand side.

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- The FOAB should accept that the Fiscal Plan adopted is more an ideological manifesto than a fiscal recovery plan.
- The conclusion that the FOAB reached regarding an increase in labor participation that will bring an increase in income and reduce poverty is incorrect, since the participation rate can be increased through an increase in the number of persons seeking employment, whom until they find a job, will not receive income.
- The participants in the economy do not change their behavior if they believe the changes are temporary.
- Active labor market policies such as the increase in education spending, vocational programs, or retraining, measures to reduce the cost of childcare, women's assistance programs in job seeking, and others, have been measures that are more effective.
- The short and mid term effects of the elimination of labor protections are negatives in jurisdictions of economic recession and austerity such as Puerto Rico.
- The positive long term effect of the elimination of labor protections is minimum even in normal economic conditions.
- Labor protection reduction measures can create jobs at times of economic growth and terminations at times of economic austerity.
- The measures that make job termination easier on average do not have a significant impact on employment or on the macroeconomic variables. Their effects, if any, are produced long term (after 5 years).
- Making terminations easier can incentivize resignations and replacements, which disincentivizes investment in human capital, reduces productivity, and has a negative effect on the economy.

During the questions session by the President of this Commission to Mr. Marxuach, he explained that historically the expectation was to have a job for thirty (30) years and with marginal benefits. Now, the world trend is that persons have different

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jobs, and where the challenge lies in having comparable marginal benefits. In addition, Marxuach stated that the Labor Reform bill is exactly what should not be done in Puerto Rico. Likewise, he stated that the colonial situation of Puerto Rico affects the economic problems we are going through. That is why he did not recommend the passing of the bill.

Another of the presentations that served to greatly enlighten the Commission was presented by economist **Edwin Irizarry Mora**. From his appearance, we highlight the following points:

- S.B. 919 discriminates against the working class of twenty five (25) years old or less by exempting them from the wage increase without taking into consideration factors such as their participation rate in the workforce, educational preparation level, among others.
- The labor participation rate does not increase with the impoverishing of workers, rather with the increase of investment, which increases the possibilities of employment. The investment, in turn, depends on the expectations of greater sales and benefits for the business sector.
- The labor participation rate of Puerto Ricans in the productive age is around 55% (i.e., 15% over the participation rate in Puerto Rico.)
- Even in periods of great investment, before the recession of the mid of the 1970's decade, the labor participation rate has not surpassed 48%.
- The reduction of sick and vacation leave will generate several losses to the economy, among those: (i) reduction in the demand in local tourism; (ii) increase in the cost of childcare; (iii) increase in the real loss of income when having to miss work to tend the family or child health problems; among others.
- The recession that Puerto Rico is going through since April 2006 has implied a drop in the real personal consumption spending, which has led to a reduction in the production of goods and services and, therefore, capital investment.
- The findings of all the field investigations confirm that relaxed workers, with emotional stimuli, identified with the goals of the employer, are more productive.
- The theory that when lowering the costs of doing business investment and production are increased, goes against the historical current of the countries with greater economic growth, stability, and increase in the levels of the lives of their citizens.
- The labor laws are not incentives for the creation of jobs, nor they intend to create more or less jobs, because they are not designed for those goals. Labor laws act to organize human relations between employer and the employee, because it is understood that the first has the economic power and the second lacks it.
- Competitiveness is not reached sponsoring programs and strategies that lead to a greater level in company profits at the cost of less labor rights. For the effectiveness



of this competitiveness a perfect combination is needed between some flexible policies in the labor market and the rights of workers.

- An employer does not hire an employee only for its cost, rather for their productivity, which shall surpass their labor costs. Thus, if we eliminate the group of labor laws, the employer does not necessarily employ more persons if they are not essential for the production of the company.
- 74% of external investment in United States is destined for rich countries with high levels of wages and labor benefits, so the labor laws by themselves do not promote competitiveness, or company jobs, rather the productivity of workers, of innovator entrepreneur capital, technological advances, among other factors widely acknowledged in the international literature on the subject.
- If competitiveness wants to be increased in Puerto Rico, it is not an issue of low wages or less benefits, rather increasing productivity of our workforce. This is achieved through an aggressive effort to retrain the unemployed workforce and those outside the working group, with useful tools for the current labor market.

During the visit, Dr. Irrizary Mora agreed that the colonial situation of Puerto Rico affects the economic problems we are going through. In addition, he stated that he has never studied a case of a colony, be it in its classical or neoclassical definition, that has been prosperous, since its duty is to benefit the metropolis. Due to the aforementioned grounds he also did not endorse the passing of the bill.

In turn, the **Puerto Rico CPA Association**, represented through its President, Ramón Ponte, highlighted that his organization acknowledges that Puerto Rico is going through low labor participation and high unemployment. He stated that the Labor Reform proposal must be seen in a framework of proposals included in the Fiscal Plan, which have the objective of being a disincentive for emigration, incentivize work, and attract formal employment for those who work in the underground economy.

He pointed out that it is important to recognize that a great part of the workforce does not benefit from the labor protections now granted by law. The President of the Puerto Rico CPA Association indicated that he is concerned that in during what Puerto Rico is going through that the proposed reduction of benefits in this bill stimulate emigration.

The Puerto Rico CPA Association stated that an incremental increase in the minimum wage tied to labor participation metrics and the exclusion of the PyMES could be a reasonable measure to tend to the concerns of companies regarding the increase of operational costs.

Regarding Act No. 80, *supra*, they believe it that it merits amendments to give greater clarity to the events and circumstances that should be considered as just cause for

termination with the object of providing greater justice between the employer and the employee in cases of termination.

Finally, he listed a series of recommendations that were made in 2016 to the then candidates for Governor:

- Reestablishing an *Earned Income Credit* for low income workers.
- Establish requirements to qualify for Government aid and subsidies.
- Reform the labor laws to incentivize the creation of jobs and encourage labor participation:
  - Modify the application of benefits to incentivize jobs for young people, including reexamining minimum wage for them.
  - Establish an evaluation system and *pay for performance* in the Government.
  - Establish grace periods in which new businesses are exempt from certain requirements.
  - Extend the probationary period.

The President of the Puerto Rican CPA Association remembered that less than a year ago a Labor Reform was passed and that it is contrary to the best practices of public administration to redraft laws and launch reforms without granting sufficient time for the previous laws to reach its effectiveness. Like the other deponents, the Association recommended not to pass P.S. 919.

**Attorney Héctor Hernández**, Ex-Secretary of the Human Resources and Labor Department, highlighted that the reform proposed by the bill would leave workers defenseless at moments they should be protected. He stated that the elimination of the Christmas Bonus would impact over 760,000 employees of the private sector.

In turn, Attorney Hernández stated that it is unlikely that the goals are met of increased labor participation established as conditions to increase minimum wage, since what is proposed in the bill disincentives the worker from joining the workforce. In addition, he reiterated that the elimination of the Christmas Bonus also affects businesses, because the incentive directly impacts their revenues during the Christmas time. He stressed that the reduction of vacation and sick leave benefits puts private sector employees at a disadvantage in comparison with the government employees.

Last, he highlighted that the elimination of Act No. 80, *supra*, will cause the increase in damages complaints in the court of employees who are terminated.

In turn, the also Ex-Secretary of Labor, **Ruy Delgado Zayas**, stated that the only jurisdictions in the United States with protection laws on unfair termination are: Puerto Rico, the Virgin Islands, and Montana. He made the contrast of the changes that are attempted on the Island with the experience of the state of Montana, where there is less

unemployment and they have the highest labor participation rate of the Nation. On the other hand, states like Florida and California do not have protection laws and the percentage of unemployed persons is similar to Puerto Rico.

Attorney Delgado stated that the countries that have recently been successfully in attracting foreign investment stand out because they make it easier to establish new businesses, eliminating unnecessary requirements, and providing efficient services. He concluded that model from the 40's cannot be continued. In his opinion, the small and medium businesses have to be incentivized because they are the ones who create jobs. In that sense, he recommended not to pass the bill.

The Chamber of Commerce stated that during the year 2016, it presented to the then candidates for Governor several proposals on the employment environment, of which some were accepted in Act 4-2017, known as the *Transformation and Flexibility Act*.

Regarding minimum wage, The Chamber of Commerce suggested that a space be open to allow the private sector and the economy to grow and self-regulate. They stated, in turn, that before legislating on the subject, they make a study. On Act No. 80, *supra*, they support a revision of the law that includes probationary periods of one year, the elimination of the presumption that the employer always violates the law, and a maximum that does not beyond six (6) months wages in case of termination. They stated that any study that the Fiscal Oversight Board has on the matter is shared and made public before continuing with the legislative process.

On vacation and sick leave accrual, they questioned how it would affect investment in Puerto Rico and the possibilities of retaining employees. They reiterated that a study be done regarding the impact of what is proposed before continuing with the legislative process. In conclusion, the Chamber of Commerce stated that, even though they supported Act 4-2107[sic.], one has to be careful in making continuous changes to the regulations that could alter the business climate in Puerto Rico.

The President of the Popular Democratic Party (PDP), Héctor Ferrer, began by criticizing the Labor Reform of 2017, which, in his opinion, did not have the results expected. He questioned how, a year after said law was passed, the "rules of the game" are again tried to be changed on vacation and sick leave, when the impact of the Labor Reform is not even talked about.

The President of the PDP quoted official numbers of employees and how they contrast with the alleged promises to create jobs that would occur with the Labor Reform of 2017. He concluded that the legislative bill should be defeated.

Finally, all the worker organizations that appeared before the Commission rejected passing S.B. 919, because they understood that said legislative bill would be

detrimental to the working class and it defeats a long struggle for the union sector in benefit of the rights of the employees.

### CONCLUSIÓN

In sum, none of the experts or deponents that appeared before this Commission, be it through participation in the public hearing, or submitting written presentations, supported the passing of the bill. More so, from the data provided by the deponents, as well as the analysis of the information provided by the experts who appeared before the Commission, no evidence can be seen that the changes proposed in S.B. 919 would result in benefits for the economy of Puerto Rico. In which case, what was presented before the Commission were scenarios where the opposite would occur.

Last, the Labor Reform Memorandum published by the FOB, in May 30, 2018, also does not provide empirical data that justifies the elimination or modification of the rights that the working class has today in Puerto Rico. As a matter of fact, the report itself quotes studies that conclude that reforms such as the ones proposed by the FOB and which are contained in S.B. 919, have not had a positive or significant impact in the economies where similar nature reforms have been implemented.

**WHEREFORE**, the Federal, Political, and Economy Relations Commission, after study and consideration, does not recommend passing S.B. 919

**Thomas Rivera Schatz**  
President  
Federal, Political,  
and Economy Relations Commission

[CERTIFIED TRANSLATION]

I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original certified or translated by me

POM-289. A resolution adopted by the Senate of the State of Hawaii memorializing its support of the participation of Taiwan as an observer in the United Nations Framework Convention on Climate Change, International Civil Aviation Organization, World Health Organization, and International Criminal Police Organization; encouraging a U.S.-Taiwan bilateral trade agreement; and celebrating the State of Hawaii's twenty-fifth anniversary of sister-state relations with Taiwan; to the Committee on Foreign Relations.

#### SENATE RESOLUTION NO. 37

Whereas, as a global citizen, Taiwan upholds the universal values of peace, freedom, democracy, and human rights; and

Whereas, Taiwan is a committed provider of humanitarian aid; from malaria prevention programs in Africa, to agricultural projects in Latin America and the Caribbean; from medical missions in the South Pacific, to disaster relief in Asia; these are a few examples of how Taiwan has consistently strived to make a real difference throughout the world; and

Whereas, for years, Taiwan has actively engaged in climate change research, supported anti-terrorism cooperation, and worked with its partners to tackle transnational crime; and

Whereas, through its participation in its annual World Health Assembly since April of 2009, Taiwan has shared its renowned expertise in disease control and prevention; and

Whereas, Taiwan's meaningful participation in international bodies such as the World Health Organization, International Criminal Police Organization, United Nations Framework Convention on Climate Change, and International Civil Aviation Organization would make international mechanisms truly global; and

Whereas, Hawaii has a strong cultural, historical, and economic relationship with Taiwan since sister-state relations were established on December 19, 1993, and the bonds of true friendship and a steadfast trade partnership have strengthened over the past twenty-five years; and

Whereas, Taiwan is the tenth largest trading partner of the United States with more than \$65,000,000,000 in goods traded between the United States and Taiwan in 2016, and the United States is the leading country for foreign direct investment in Taiwan; and

Whereas, the deep economic relationship between the United States and Taiwan has created hundreds of thousands of jobs in the United States that rely on exports to Taiwan; now, therefore, be it

*Resolved*, By the Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2018, that this body joins the United States in endorsing the participation of Taiwan as an observer in the United Nations Framework Convention on Climate Change, International Civil Aviation Organization, World Health Organization, and International Criminal Police Organization; and

*Resolved*, That this body also joins the United States House of Representatives in encouraging the United States Trade Representative to commence negotiations to enter into a bilateral trade agreement with Taiwan; and

*Resolved*, That this body supports the State of Hawaii's twenty-fifth anniversary of sister-state relations with Taiwan; and

*Resolved*, That certified copies of this Resolution be transmitted to the President of the United States; President Pro Tempore of the United States Senate; Speaker of the United States House of Representatives; United States Secretary of State; members of Hawaii's congressional delegation; Governor;

and Director of Business, Economic Development, and Tourism.

POM-290. A resolution adopted by the Senate of the State of Hawaii urging the United States Congress to make permanent the authority of the Native Hawaiian Health Care Improvement Act, with all the funding resources necessary to effect this policy; to the Committee on Indian Affairs.

#### SENATE RESOLUTION NO. 44

Whereas, the Native Hawaiian Health Care Improvement Act, originally enacted as the Native Hawaiian Health Care Act of 1988, and codified under title 42 United States Code chapter 122, states in section 11701 in pertinent part:

“(17) The authority of the Congress under the United States Constitution to legislate in matters affecting the aboriginal or indigenous peoples of the United States includes the authority to legislate in matters affecting the native peoples of Alaska and Hawaii.

(18) In furtherance of the trust responsibility for the betterment of the conditions of Native Hawaiians, the United States has established a program for the provision of comprehensive health promotion and disease prevention services to maintain and improve the health status of the Hawaiian people.”; and

Whereas, title 42 United States Code section 11702 states, in pertinent part, as follows:

“The Congress hereby declares that it is the policy of the United States in fulfillment of its special responsibilities and legal obligations to the indigenous people of Hawaii resulting from the unique and historical relationship between the United States and the Government of the indigenous people of Hawaii—

(1) to raise the health status of Native Hawaiians to the highest possible health level; and

(2) to provide existing Native Hawaiian health care programs with all resources necessary to effectuate this policy.” (emphasis added); and

Whereas, title 42 United States Code section 11705(h) authorizes appropriations necessary for fiscal years 1993 through 2019; and

Whereas, stakeholders face continued uncertainty regarding long-term funding beyond fiscal year 2019; and

Whereas, according to the United States Census Bureau's report, “The Native Hawaiian and Other Pacific Islander Population: 2010”, the nation's Native Hawaiian population increased by 31.4 percent between 2000 and 2010 with approximately fifty-five percent of that population living in Hawaii, and the American Community Survey produced an estimate of approximately 568,000 Native Hawaiians nationwide in 2015; and

Whereas, Act 42, Session Laws of Hawaii 2003, codified as section 10-18, Hawaii Revised Statutes, established the Hui 'Imi Advisory Council within the Office of Hawaiian Affairs; and

Whereas, the Department of Health published a report in 2011, entitled “Chronic Disease Disparities Report 2011: Social Determinants”, which found that chronic diseases—such as heart disease, cancer, stroke, diabetes, and chronic lower respiratory diseases are the most prevalent, most disabling, and most costly of all diseases; and

Whereas, the Department of Native Hawaiian Health of the John A. Burns School of Medicine at the University of Hawaii at Manoa published a report in 2013, entitled “Assessment and Priorities for Health and Well-Being in Native Hawaiians and other Pacific Peoples”, which found that Hawaii's Native Hawaiian population had a lower life expectancy than other populations and had

higher rates of death from heart disease, cancer, stroke, diabetes, and injuries compared to the State's overall population; and half of Native Hawaiian and Pacific Islanders report being obese; and

Whereas, social determinants of health and other factors contribute to the continued health disparities that affect the Native Hawaiian population; and

Whereas, while Hawaii and the country in general have made strides toward improving the health of Native Hawaiians, longterm federal funding for necessary health programs and services remains at risk; and

Whereas, the Indian Health Care Improvement Act is intended to provide descendants of the indigenous people of the continental United States assistance with health services; and

Whereas, section 16800 of the Indian Health Care Improvement Act (title 25 United States Code chapter 18) provides for permanent funding of the Act beginning in fiscal year 2010 and each fiscal year thereafter, to remain available until expended; and

Whereas, Native Hawaiians should have the same assurance given to other indigenous people in the United States regarding federal funding for health programs and services: Now, therefore, be it

*Resolved*, by the Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2018, That the United States Congress is requested to make permanent the authority of the Native Hawaiian Health Care Improvement Act, with all the funding resources necessary to effect this policy; and be it further

*Resolved*, That certified copies of this Resolution be transmitted to the President Pro Tempore of the United States Senate, Speaker of the House of Representatives of the United States Congress, Majority Leader of the United States Senate, Majority Leader of the United States House of Representatives, members of Hawaii's congressional delegation, United States Secretary of Health and Human Services, Governor of the State of Hawaii, Chairperson of the Board of Trustees of the Office of Hawaiian Affairs, President of the University of Hawaii System, Director of Health, Mayor of each county in the State of Hawaii, President of the Board of Directors of Papa Ola Lokahi, and Executive Director of Papa Ola Lokahi, who in turn is requested to transmit copies of this measure to the Chair of the Board of each Native Hawaiian health care system, as defined in the Native Hawaiian Health Care Improvement Act.

POM-291. A resolution adopted by the Senate of the State of Hawaii urging the United States Congress to pass legislation to clarify the status of migrants under the Compacts of Free Association for purposes of the Real ID Act of 2005 to promote fairness and equality under the law, and urging the United States Citizenship and Immigration Services to delineate Compact of Free Association status as a specific category in the Systematic Alien Verification for Entitlements System; to the Committee on the Judiciary.

#### SENATE RESOLUTION NO. 92

Whereas, the Freely Associated States of the Republic of the Marshall Islands, Federated States of Micronesia, and Republic of Palau consist of a multitude of islands, languages, and cultures throughout the Micronesian regions of the Pacific Ocean; and

Whereas, the Freely Associated States were formerly the Trust Territory of the Pacific Islands, administered by the United States of America from 1947 to 1986, and, now as sovereign nations, continue to place their trust in the United States through the Compacts of Free Association; and

Whereas, the Compacts of Free Association between the Freely Associated States and

the United States of America recognize the historic sacrifices and contributions made by the citizens of the Freely Associated States for the interests and benefit of the United States of America, including the use of their island atolls for sixty-seven nuclear tests from 1946 to 1958, which subjected the Marshallese people to human radiation experiments without their knowledge or consent, as well as the United States military's occupation of the island atolls to ensure control of the Pacific; and

Whereas, under the Compacts of Free Association, the United States of America continues to exercise exclusive military jurisdiction over the lands and waters of the Freely Associated States and continues to use the atolls as part of the United States National Missile Defense Program's long-range intercontinental ballistic missile defense system; and

Whereas, decades of administration by the United States have failed to establish economic independence within the Freely Associated States, contributing to a lack of adequate agricultural, educational, and health infrastructure necessary for a self-sufficient society; and

Whereas, in addition to the aforementioned sacrifices, the sons and daughters of the Freely Associated States continue to lay down their lives in the interest of the United States, representing some of the highest levels of per-capita military personnel recruitment levels for the United States military, compared to any other jurisdiction; and

Whereas, the people of the Freely Associated States have also contributed greatly to Hawaii's understanding of the common cultural heritage and pride of all Pacific Islanders, such as traditional navigation techniques that were kept alive by the late "Papa" Mau Pailug; and

Whereas, since 1986, citizens of the Federated States of Micronesia and Republic of the Marshall Islands, and since 1994, citizens of the Republic of Palau have legally resided in Hawaii under the Compacts of Free Association with the United States of America; and

Whereas, about eighteen thousand migrants under the Compacts of Free Association live in Hawaii, where they work, attend school, raise families, create businesses, and make other significant contributions; however, they face social and institutional discrimination and are regularly ignored by federal law, which exacerbates their systemic exclusion from fair and equal treatment; and

Whereas, under the Compacts of Free Association, citizens from these nations may "establish residence as a nonimmigrant in the United States" and according to the United States Citizenship and Immigration Services, "they are granted an unlimited length of stay" for which they have no "end of stay" date listed in the legal documents that establish their legal residency; and

Whereas, migrants under the Compacts of Free Association typically enter the United States under 1-94 forms with the notation "D/S" to indicate that their "duration of stay" is unlimited, and they are, according to the United States Citizenship and Immigration Services, "authorized to remain in the U.S. as long as [they] maintain a valid status"; and

Whereas, unlike other recipients of the 1-94 form, migrants under the Compacts of Free Association are not required to provide additional documentation to justify their legal presence because they have the right to an unlimited length of stay; and

Whereas, migrants under the Compacts of Free Association abide by all standard requirements to obtain a driver's license or state identification card in Hawaii, including providing documentation for proof of identity and proof of residency; and

Whereas, the REAL ID Act of 2005, Pub. L. 109-13, 119 Stat. 302 (REAL ID Act), fails to consider individuals' status under the Compacts of Free Association and incorrectly refers to the long-defunct term "Trust Territory of the Pacific Islands", and migrant status under the Compacts of Free Association does not readily fit into any of the listed categories of the REAL ID Act; and

Whereas, because of this technical oversight in the REAL ID Act, migrants under the Compacts of Free Association are often wrongly subjected to an annual driver's license or state identification card renewal requirement that is typically reserved for state residents who are unable to prove their lawful presence; and

Whereas, the annual driver's license or state identification card renewal requirement is overly burdensome for thousands of valued and productive migrants under the Compacts of Free Association who legally reside in Hawaii and who rely on these forms of identification to obtain and maintain employment, education, housing, health care, and other essential resources; and

Whereas, the annual driver's license or state identification card renewal requirement for thousands of Hawaii residents wastes already burdened state and county resources during a time when motor vehicle licensing and permitting agencies report triple the number of driver's license renewals every month and renewal appointments that can take as long as one hour to complete; and

Whereas, the United States Citizenship and Immigration Services has the authority and capability to clarify status under the Compacts of Free Association through the Systematic Alien Verification for Entitlements system, which is the mechanism used to determine legal presence for purposes of the REAL ID Act; and

Whereas, the United States Citizenship and Immigration Services has clarified other federal procedures to include status under the Compacts of Free Association when such status has been overlooked, including the recently updated guidelines for 1-94 forms published by the agency that defines migrants under the Compacts of Free Association as "alien[s] authorized to work" and authorizes a "D/S" indicator in lieu of an end-of-stay date; now, therefore, be it

*Resolved*, By the Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2018, that the United States Congress is urged to pass legislation to clarify the status of migrants under the Compacts of Free Association for purposes of the REAL ID Act of 2005, Pub. L. 109-13, 119 Stat. 302, to promote fairness and equality under the law; and be it further

*Resolved*, That the United States Citizenship and Immigration Services is urged to delineate Compact of Free Association status as a specific category in the Systematic Alien Verification for Entitlements system and to clarify that the "unlimited length of stay" of persons with that status is sufficient for the same renewal period as legal permanent residents and United States citizens for purposes of driver's license and identification renewals, and other entitlements and benefits that may otherwise require an "end date of stay" entry; and be it further

*Resolved*, That certified copies of this Resolution be transmitted to the President of the United States, President Pro Tempore of the United States Senate, Majority and Minority Leaders of the United States Senate, Speaker of the United States House of Representatives, Majority and Minority Leaders of the United States House of Representatives, each member of Hawaii's congressional delegation, United States Secretary of the Interior, United States Assistant Secretary for

Insular Areas, Director of the United States Citizenship and Immigration Services, Hawaii Field Office Director of the United States Citizenship and Immigration Services, Governor of the State of Hawaii, Attorney General of the State of Hawaii, Director of Transportation, Deputy Director of Highways of the Department of Transportation, mayor of each county, and director of each county department of motor vehicles.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

H.R. 1491. A bill to reaffirm the action of the Secretary of the Interior to take land into trust for the benefit of the Santa Ynez Band of Chumash Mission Indians, and for other purposes (Rept. No. 115-326).

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. INHOFE for Mr. MCCAIN for the Committee on Armed Services.

Air Force nomination of Maj. Gen. Richard W. Scobee, to be Lieutenant General.

Army nomination of Col. Anthony H. Adrian, to be Brigadier General.

Army nomination of Maj. Gen. Thomas S. James, Jr., to be Lieutenant General.

Army nomination of Maj. Gen. James M. Richardson, to be Lieutenant General.

Mr. INHOFE for Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with La Rita S. Abel and ending with Jared K. Young, which nominations were received by the Senate and appeared in the Congressional Record on June 18, 2018.

Air Force nominations beginning with David A. Bargatzke and ending with Frank Yoon, which nominations were received by the Senate and appeared in the Congressional Record on June 18, 2018.

Air Force nominations beginning with Todd A. Bialowas and ending with Rosemary A. Citizen, which nominations were received by the Senate and appeared in the Congressional Record on August 16, 2018.

Air Force nomination of Jonathan W. Beich, to be Major.

Air Force nominations beginning with Roland W. Nash and ending with Kelly E. Miller, which nominations were received by the Senate and appeared in the Congressional Record on August 16, 2018.

Army nomination of Donald C. Carmichael, to be Lieutenant Colonel.

Army nomination of Adam R. Liberman, to be Colonel.

Army nominations beginning with Jeffrey A. Bruce and ending with Patrick A. Young, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2018.

Army nominations beginning with Tyler Q. Hemmerich and ending with Frederic M.



Pallez, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2018.

Army nomination of David M. Barnes, to be Colonel.

Army nominations beginning with Brooke R. Adams and ending with Laura D. Young, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2018.

Army nominations beginning with Joseph B. Ahlborn and ending with Lashelle M. Zellner, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2018.

Army nominations beginning with Russell A. Burnham and ending with Eric M. Wagner, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2018.

Army nominations beginning with Jeramie Abel and ending with Whitney A. Waldsmith, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2018.

Army nominations beginning with Jan K. Behn and ending with Carlos G. Torresfebus, which nominations were received by the Senate and appeared in the Congressional Record on August 16, 2018.

Army nomination of Taylor M. Lee, to be Major.

Army nomination of Robert A. Deitz, to be Major.

Army nominations beginning with Christopher E. Barton and ending with Jeffrey D. Wood, which nominations were received by the Senate and appeared in the Congressional Record on August 16, 2018.

Army nomination of James M. Smith, to be Colonel.

Army nomination of Jeffrey S. Hartsell, to be Colonel.

Army nomination of Carl C. Gramstorff, to be Colonel.

Army nominations beginning with Charles L. Anderson and ending with Chang M. R. Yim, which nominations were received by the Senate and appeared in the Congressional Record on August 16, 2018.

Army nominations beginning with Chad C. Adams and ending with Erika K. Zavyalov, which nominations were received by the Senate and appeared in the Congressional Record on August 16, 2018.

Army nomination of Juan C. Rizo-Lenis, to be Major.

Army nomination of Rufus H. Shumate III, to be Lieutenant Colonel.

Army nominations beginning with Carol H. Adams and ending with Tomasz Zielinski, which nominations were received by the Senate and appeared in the Congressional Record on August 16, 2018.

Army nominations beginning with Corebrians A. Abraham and ending with D013412, which nominations were received by the Senate and appeared in the Congressional Record on August 16, 2018.

Army nominations beginning with Kristin E. Agresta and ending with Scott Willens, which nominations were received by the Senate and appeared in the Congressional Record on August 16, 2018.

Army nominations beginning with Michael V. Bean and ending with D011029, which nominations were received by the Senate and appeared in the Congressional Record on August 16, 2018.

Army nomination of Samuel N. Blacker, to be Lieutenant Colonel.

Army nominations beginning with Ryan M. Derrick and ending with Robert W. Loyd, which nominations were received by the Senate and appeared in the Congressional Record on August 16, 2018.

Army nomination of Joseph L. Handke, to be Lieutenant Colonel.

Army nomination of Mallory A. Valverde, to be Major.

Army nomination of Mason W. Heimer, to be Major.

Army nomination of Roger M. Lewis, to be Major.

Army nomination of Brandy L. Gardner, to be Major.

Army nominations beginning with Matthew M. Bacon and ending with William H. Wagner, which nominations were received by the Senate and appeared in the Congressional Record on August 16, 2018.

Army nomination of Keisha R. Douglass, to be Colonel.

Army nomination of Julie A. Balten, to be Colonel.

Marine Corps nomination of Juliet H. Calvin, to be Lieutenant Colonel.

Navy nomination of Katherine L. Meadows, to be Commander.

Navy nominations beginning with Christopher S. Anderson and ending with Joshua M. Vukelich, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2018.

Navy nomination of Alice S. Y. Shen, to be Lieutenant Commander.

By Mr. CRAPO for the Committee on Banking, Housing, and Urban Affairs.

Rae Oliver, of Virginia, to be Inspector General, Department of Housing and Urban Development.

\*Elad L. Roisman, of Maine, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2023.

\*Michael R. Bright, of the District of Columbia, to be President, Government National Mortgage Association.

\*Dino Falaschetti, of Montana, to be Director, Office of Financial Research, Department of the Treasury, for a term of six years.

\*Kathleen Laura Kraninger, of Ohio, to be Director, Bureau of Consumer Financial Protection for a term of five years.

\*Kimberly A. Reed, of West Virginia, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2021.

By Ms. MURKOWSKI for the Committee on Energy and Natural Resources.

\*Lane Genatowski, of New York, to be Director of the Advanced Research Projects Agency-Energy, Department of Energy.

\*William Cooper, of Maryland, to be General Counsel of the Department of Energy.

By Mr. GRASSLEY for the Committee on the Judiciary.

Ariana Fajardo Orshan, of Florida, to be United States Attorney for the Southern District of Florida for the term of four years.

Peter G. Strasser, of Louisiana, to be United States Attorney for the Eastern District of Louisiana for the term of four years.

G. Zachary Terwilliger, of Virginia, to be United States Attorney for the Eastern District of Virginia for the term of four years.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. BALDWIN (for herself and Mrs. ERNST):

S. 3369. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a congenital anomaly or birth defect; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ (for himself, Mr. MARKEY, Mr. THUNE, and Mr. NELSON):

S. 3370. A bill to designate the area between the intersections of 3rd Street, Southwest and E Street, Southwest and 4th Street, Southwest and E Street, Southwest in Washington, District of Columbia, as "Hidden Figures Way", and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY (for himself and Mr. DURBIN):

S. 3371. A bill to provide consumer protections for students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INHOFE:

S. 3372. A bill to require asylum officers to conduct credible fear screenings before admitting aliens seeking asylum into the United States, to direct the Secretary of Homeland Security to establish an alternatives to detention pilot program, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Ms. WARREN, and Mrs. FEINSTEIN):

S. 3373. A bill to amend title 38, United States Code, to provide for a presumption of service connected disability for certain veterans who served in Palomares, Spain, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUBIO (for himself and Mr. NELSON):

S. 3374. A bill to require the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia to develop a plan for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. YOUNG (for himself and Mr. DONNELLY):

S. 3375. A bill to amend the National Trails System Act to extend the Lewis and Clark National Historic Trail, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SMITH (for herself, Mr. HEINRICH, Ms. HIRONO, Ms. CORTEZ MASTO, Ms. STABENOW, Mr. KING, and Ms. DUCKWORTH):

S. 3376. A bill to require the Secretary of Energy to establish an energy storage research program, a demonstration and deployment program, and a technical assistance and grant program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN:

S. 3377. A bill to require the purchase of certain items related to national security according to certain criteria; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GARDNER (for himself and Mr. COONS):

S. 3378. A bill to impose sanctions with respect to state-sponsored cyber activities against the United States, and for other purposes; to the Committee on Foreign Relations.

By Ms. BALDWIN (for herself and Mrs. CAPITO):

S. 3379. A bill to amend the Tariff Act of 1930 to prevent the circumvention of anti-dumping and countervailing duties by non-market economy countries, and for other purposes; to the Committee on Finance.

By Mr. DONNELLY:

S. 3380. A bill to direct the Office of National Drug Control Policy to track and review federally funded drug demand reduction activities; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. RUBIO, Mr. NELSON, Mr. CARPER, Mr. PETERS, Ms. CANTWELL, Ms. HASSAN, and Mrs. SHAHEEN):

S. 3381. A bill to encourage Federal agencies to expeditiously enter into or amend cooperative agreements with States for removal and remedial actions to address PFAS contamination in drinking, surface, and ground water and land surface and subsurface strata, and for other purposes; to the Committee on Environment and Public Works.

By Ms. STABENOW (for herself, Mr. ROUNDS, Mr. CARPER, and Mr. PETERS):

S. 3382. A bill to require the Director of the United States Geological Survey to perform a nationwide survey of perfluorinated compounds, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CARDIN:

S. 3383. A bill to amend title XIX of the Social Security Act to provide for a demonstration project to increase substance use provider capacity under the Medicaid program; to the Committee on Finance.

By Mr. CARDIN:

S. 3384. A bill to amend title XIX of the Social Security Act to provide for an extension of the enhanced FMAP for certain Medicaid health homes for individuals with substance use disorders; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 3385. A bill to reestablish the Office of Noise Abatement and Control in the Environmental Protection Agency, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. MCCASKILL (for herself and Ms. HEITKAMP):

S. 3386. A bill to amend the Immigration and Nationality Act to provide for an electronic employment verification system, and for other purposes; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself and Ms. COLLINS):

S. 3387. A bill to restore administrative law judges to the competitive service; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TILLIS (for himself, Mr. ALEXANDER, Mr. GRASSLEY, Mrs. ERNST, Ms. MURKOWSKI, Mr. CASSIDY, Mr. WICKER, Mr. GRAHAM, Mr. HELLER, and Mr. BARRASSO):

S. 3388. A bill to amend the Health Insurance Portability and Accountability Act; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BOOKER (for himself, Mr. FLAKE, Mr. DURBIN, and Mr. COONS):

S. Res. 616. A resolution urging the Government of Kenya to respect human rights, protect democratic space for civil society, and promote transparent and accountable democratic governance; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself and Ms. SMITH):

S. Res. 617. A resolution recognizing The American Legion for 100 years of service to

veterans and members of the Armed Forces in the United States and their families; to the Committee on the Judiciary.

By Mr. NELSON (for himself, Mr. RUBIO, Mr. WARNER, and Mr. Kaine):

S. Res. 618. A resolution commemorating the 50th anniversary of the commissioning of the USS John F. Kennedy; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 170

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 207

At the request of Ms. KLOBUCHAR, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 207, a bill to amend the Controlled Substances Act relating to controlled substance analogues.

S. 479

At the request of Mr. BROWN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 569

At the request of Ms. CANTWELL, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 569, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 998

At the request of Mr. DAINES, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 998, a bill to amend the Tariff Act of 1930 to protect personally identifiable information, and for other purposes.

S. 1109

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1109, a bill to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

S. 1503

At the request of Ms. WARREN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1503, a bill to require the Secretary of the Treasury to mint coins in rec-

ognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 1682

At the request of Mr. GARDNER, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1682, a bill to facilitate a national pipeline of spectrum for commercial use, and for other purposes.

S. 2138

At the request of Ms. WARREN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2138, a bill to authorize the creation of a commission to develop voluntary accessibility guidelines for electronic instructional materials and related technologies used in postsecondary education, and for other purposes.

S. 2645

At the request of Mrs. ERNST, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2645, a bill to establish a demonstration program under which the Drug Enforcement Administration provides grants to certain States to enable those States to increase participation in drug take-back programs.

S. 2712

At the request of Ms. BALDWIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2712, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a farm and ranch stress assistance network, and for other purposes.

S. 2823

At the request of Mr. HATCH, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 2823, a bill to modernize copyright law, and for other purposes.

S. 2863

At the request of Mr. BLUNT, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 2863, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.

S. 2896

At the request of Mr. KENNEDY, the names of the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 2896, a bill to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering.

S. 2900

At the request of Mr. BROWN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2900, a bill to amend title XVIII of the Social Security Act to include screening for potential substance use disorders and a review of any current opioid prescriptions as part of the initial preventive physical examination and the annual wellness visit under the Medicare program.

S. 2904

At the request of Mr. CARPER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2904, a bill to require the Secretary of Health and Human Services to provide guidance to States regarding Federal reimbursement for furnishing services and treatment for substance use disorders under Medicaid using telehealth services.

S. 2908

At the request of Mr. ROBERTS, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2908, a bill to amend title XVIII of the Social Security Act to provide for electronic prior authorization under Medicare part D for covered part D drugs, and for other purposes.

S. 2910

At the request of Mr. ROBERTS, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2910, a bill to evaluate access to services and treatment for substance use disorders and to telehealth services and remote patient monitoring for pediatric populations under Medicaid.

S. 2922

At the request of Ms. STABENOW, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2922, a bill to amend title XIX of the Social Security Act to help improve access to care for pregnant and postpartum women receiving substance use disorder treatment, including for opioid use disorders, in an institution for mental diseases.

S. 2923

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2923, a bill to support the development of evidence-based family-focused residential treatment programs.

S. 3049

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3049, a bill to amend the Help America Vote Act of 2002 to require paper ballots and risk-limiting audits in all Federal elections, and for other purposes.

S. 3057

At the request of Mr. PORTMAN, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 3057, a bill to

provide for the processing by U.S. Customs and Border Protection of certain international mail shipments and to require the provision of advance electronic information on international mail shipments of mail.

S. 3063

At the request of Mr. BARRASSO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 3063, a bill to delay the reimposition of the annual fee on health insurance providers until after 2020.

S. 3172

At the request of Mr. WARNER, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 3172, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 3195

At the request of Mr. CARDIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3195, a bill to encourage greater community accountability of law enforcement agencies, and for other purposes.

S. 3227

At the request of Ms. HARRIS, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 3227, a bill to reunite families separated at or near ports of entry.

S. 3250

At the request of Ms. HARRIS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3250, a bill to amend the Internal Revenue Code of 1986 to allow for a credit against tax for rent paid on the personal residence of the taxpayer.

S. 3283

At the request of Mr. ROUNDS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3283, a bill to require the appropriate Federal banking agencies to increase the risk-sensitivity of the capital treatment of certain centrally cleared exchange-listed options and derivatives, and for other purposes.

S. 3329

At the request of Mr. PORTMAN, the names of the Senator from Mississippi (Mr. WICKER), the Senator from California (Mrs. FEINSTEIN) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 3329, a bill to amend section 232 of the Trade Expansion Act of 1962 to require the Secretary of Defense to initiate investigations and to provide for congressional disapproval of certain actions, and for other purposes.

S. 3359

At the request of Ms. HARRIS, the names of the Senator from Rhode Island (Mr. REED), the Senator from Minnesota (Ms. SMITH) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 3359, a bill to

posthumously award a Congressional Gold Medal to Aretha Franklin in recognition of her contributions of outstanding artistic and historical significance to culture in the United States.

S. CON. RES. 42

At the request of Ms. HARRIS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Con. Res. 42, a concurrent resolution supporting America's clean car standards and defending State authority under the Clean Air Act to protect their citizens from harmful air pollution.

S. RES. 606

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 606, a resolution expressing the sense of the Senate that the United States condemns all forms of violence against children globally and recognizes the harmful impacts of violence against children.

S. RES. 612

At the request of Mrs. FEINSTEIN, the names of the Senator from Oklahoma (Mr. LANKFORD), the Senator from Ohio (Mr. BROWN), the Senator from West Virginia (Mrs. CAPITO), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. Res. 612, a resolution designating September 2018 as "National Child Awareness Month" to promote awareness of charities that benefit children and youth-serving organizations throughout the United States and recognizing the efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

AMENDMENT NO. 3504

At the request of Mr. PETERS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 3504 intended to be proposed to H.R. 6147, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3730

At the request of Mr. PAUL, the names of the Senator from Texas (Mr. CRUZ) and the Senator from Nebraska (Mr. SASSE) were added as cosponsors of amendment No. 3730 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3751

At the request of Mr. REED, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 3751 proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3759

At the request of Mr. SCHUMER, the names of the Senator from New York

(Mrs. GILLIBRAND), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of amendment No. 3759 proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3795

At the request of Mr. MURPHY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 3795 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3797

At the request of Mr. MERKLEY, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of amendment No. 3797 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3839

At the request of Ms. WARREN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 3839 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3865

At the request of Mr. MANCHIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of amendment No. 3865 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3885

At the request of Mr. ROUNDS, his name was added as a cosponsor of amendment No. 3885 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3907

At the request of Mr. PETERS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of amendment No. 3907 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3910

At the request of Mr. MURPHY, his name and the name of the Senator from Rhode Island (Mr. REED) were added as cosponsors of amendment No. 3910 proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3928

At the request of Mr. WARNER, the names of the Senator from Maine (Ms.

COLLINS) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 3928 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3958

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 3958 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3964

At the request of Mr. DURBIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of amendment No. 3964 proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3965

At the request of Mr. BOOKER, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 3965 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3967

At the request of Mr. PAUL, the names of the Senator from Texas (Mr. CRUZ) and the Senator from Nebraska (Mr. SASSE) were added as cosponsors of amendment No. 3967 proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 616—URGING THE GOVERNMENT OF KENYA TO RESPECT HUMAN RIGHTS, PROTECT DEMOCRATIC SPACE FOR CIVIL SOCIETY, AND PROMOTE TRANSPARENT AND ACCOUNTABLE DEMOCRATIC GOVERNANCE

Mr. BOOKER (for himself, Mr. FLAKE, Mr. DURBIN, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

## S. RES. 616

Whereas the United States has a serious interest in the democratic trajectory of Kenya, as the United States and Kenya are partners with longstanding mutual interests in East Africa and cooperate on a wide range of economic and security issues;

Whereas unrest related to governance and ethnic tensions has periodically threatened the standing of Kenya as a stable partner in the region;

Whereas the Department of State has identified abuses by security forces, including “unlawful killings, forced disappearances, and impunity”, as among the most serious human rights problems in Kenya;

Whereas the 2017 Country Report on Human Rights Practices of the Department of State for Kenya noted that, according to some human rights groups, the number of extrajudicial killings by security forces was “significantly underestimated” due to underreporting in poor areas, and the report describes impunity as a major problem with respect to both violent abuses and police corruption;

Whereas the tumultuous elections held in August and October 2017 were marred by serious human rights violations perpetrated by security forces, who used excessive force to break up protests and carry out house-to-house operations in opposition strongholds;

Whereas Human Rights Watch reports that at least 67 people were shot or beaten to death by police after the August 2017 elections;

Whereas the continued pattern of widespread sexual violence against women and girls at the time of elections and the absence of appropriate post-violence care demonstrate a failure by the authorities of Kenya to prevent, investigate, and hold perpetrators accountable for election-related gender-based violence;

Whereas, although the September 1, 2017, decision of the Supreme Court of Kenya to nullify the results of the August 2017 election demonstrated the independence of the judiciary, a result of reforms under the new Constitution of Kenya, subsequent threats and attacks against judges, disregard by government officials for court orders, and a more recent effort by the Government of Kenya to cut the budget of the judiciary raise concerns about respect for the separation of powers in Kenya;

Whereas, following the electoral victory of President Uhuru Kenyatta in October 2017, the Government of Kenya has targeted the media and access to information, despite numerous public promises to safeguard press freedom;

Whereas, more recently, journalists and civil society activists have raised concerns that a new cybercrime law that criminalizes the publication of “fake news” may be used to stifle press freedom;

Whereas reports of anti-riot police physically attacking journalists, senior government officials threatening journalists, and arbitrary arrests and kidnappings of journalists suggest a pattern of abuse and a closing of civic space;

Whereas an independent, impartial media is crucial to ensure access to information for the people of Kenya as afforded by the Constitution of Kenya;

Whereas the lack of accountability for the police of Kenya and actions to limit democratic space for civil society threaten to undermine the Constitution of Kenya and the rule of law;

Whereas the religious, ethnic, and geographic diversity of the people of Kenya is a source of strength and economic vitality for the country;

Whereas the courts of Kenya have made some progress in providing access to justice, as demonstrated when the High Court agreed to hear a case, brought by 3 rights groups representing the lesbian, gay, bisexual, and transgender community (in this preamble referred to as the “LGBT community”), to challenge parts of the penal code seen as targeting the LGBT community; and

Whereas the Government of Kenya must continue to work towards protecting the human rights of the LGBT community in Kenya because many members of the community continue to face harassment, threats, and violence: Now, therefore, be it Resolved, That the Senate—

(1) calls upon the Government of Kenya and President Kenyatta—

(A) to enforce the rule of law by—

(i) publicly condemning all extrajudicial killings and other violations perpetrated by the security forces of Kenya;

(ii) ensuring that extrajudicial killings and other violations are investigated and prosecuted by an independent judicial inquiry, such as the Independent Policing Oversight Authority;

(iii) investigating the excessive use of force by the security forces; and

(iv) committing to provide reparations, including adequate compensation, for victims and their families;

(B) to secure human rights for all citizens of Kenya, including members of the lesbian, gay, bisexual, and transgender community;

(C) to safeguard press freedom, according full respect to international law, by allowing open reporting and commentary on any issues of pressing public interest and by permitting journalists to exercise the freedom of expression as provided for in the Constitution of Kenya;

(D) to open up civic space by allowing individuals to assemble peacefully, express their views freely, and hold opinions without interference;

(E) to reform electoral processes and institutions, including by providing support for accountability, as part of a broader effort to address the history of election-related violence in Kenya and prevent future bloodshed;

(F) to provide access to independent courts for citizens of Kenya who have suffered from intimidation, corruption, and violence by the security forces of Kenya and armed gangs; and

(G) to demonstrate greater respect for the independence of the judiciary by complying with court orders and ceasing actions or statements that may be seen as seeking to intimidate judges;

(2) urges the security forces of Kenya—

(A) to show restraint and refrain from any unnecessary or excessive use of force, including intimidation, kidnapping, extrajudicial raids, confiscation, and killings;

(B) to carry out arrests and prosecutions in full accordance with the rule of law and demonstrate transparent due process; and

(C) to publicly acknowledge violations, conduct speedy, impartial, thorough, and transparent investigations, and hold those responsible to account as a key step toward achieving justice for victims;

(3) calls upon the leaders and citizens of Kenya to begin a national conversation to build cohesion and address longstanding issues; and

(4) calls upon the President, the Secretary of State, and other senior officials of the United States, as well as international partners—

(A) to raise the issues described in this resolution with President Kenyatta and the Government of Kenya;

(B) to continue to support civil society and the development of democratic institutions in Kenya; and

(C) to identify opportunities in which resources or diplomatic engagement could contribute to moving democracy forward in Kenya.

#### SENATE RESOLUTION 617—RECOGNIZING THE AMERICAN LEGION FOR 100 YEARS OF SERVICE TO VETERANS AND MEMBERS OF THE ARMED FORCES IN THE UNITED STATES AND THEIR FAMILIES

Ms. KLOBUCHAR (for herself and Ms. SMITH) submitted the following resolution;

tion; which was referred to the Committee on the Judiciary:

S. RES. 617

Whereas The American Legion was chartered and incorporated by Congress in 1919;

Whereas The American Legion is the largest wartime veterans service organization in the United States;

Whereas The American Legion has advocated for legislation on behalf of veterans throughout its history;

Whereas the members of The American Legion were crucial in passing the Act of August 9, 1921 (42 Stat. 147, chapter 57) (commonly known as the “Sweet Bill”), which combined the responsibilities for veterans’ affairs under a single agency, the Veterans’ Bureau;

Whereas the legislative achievements of The American Legion are important to veterans and include the Servicemen’s Readjustment Act of 1944 (58 Stat. 284, chapter 268) (commonly known as the “G.I. Bill”), which provided benefits to veterans of World War II, including funds for higher education, low-cost mortgages, low-interest loans for businesses, and unemployment compensation;

Whereas The American Legion has advocated for veterans who were exposed to hazardous materials during their service in the Armed Forces, such as Agent Orange and toxins from burn pits;

Whereas The American Legion continues to provide valuable services to veterans, including advocacy for high-quality health care, vocational training, and employment programs;

Whereas The American Legion provides scholarships for post-secondary education and grants for nursing training programs;

Whereas American Legion Baseball is a very successful amateur athletic league that values sportsmanship, citizenship, and fitness;

Whereas the inaugural convention of The American Legion was held in 1919 in Minnesota; and

Whereas the 100th National Convention of The American Legion will be held August 24 through August 30, 2018, in Minnesota: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and commends The American Legion for a century of service to veterans and members of the Armed Forces in the United States and their families; and

(2) designates the week of August 24 through August 30, 2018, as “American Legion Week”.

#### SENATE RESOLUTION 618—COMMEMORATING THE 50TH ANNIVERSARY OF THE COMMISSIONING OF THE USS “JOHN F. KENNEDY”

Mr. NELSON (for himself, Mr. RUBIO, Mr. WARNER, and Mr. KAINE) submitted the following resolution; which was considered and agreed to:

S. RES. 618

Whereas the USS John F. Kennedy (CV-67) was named in honor of the 35th president of the United States;

Whereas, on May 27, 1967, President John F. Kennedy’s 9-year-old daughter, Caroline Kennedy, christened the USS John F. Kennedy at the Newport News Shipbuilding and Drydock Company in Newport News, Virginia;

Whereas, on September 7, 1968, during the height of the Cold War, the USS John F. Kennedy entered service at its home port of Naval Station Norfolk in Norfolk, Virginia,

as the only ship of her class and the last conventionally powered carrier built for the United States Navy;

Whereas the USS John F. Kennedy was a stalwart for the Atlantic Fleet of the United States Navy, sailing to Europe, Africa, and the Middle East, and across the Arctic and Pacific Oceans;

Whereas, on March 28, 1977, the USS John F. Kennedy became the first United States aircraft carrier to make a port call at Dubrovnik, Yugoslavia;

Whereas, on December 4, 1983, the USS John F. Kennedy launched 10 sorties to bomb Syrian anti-aircraft and artillery positions near Hammama, Lebanon, in response to attacks against aircraft of the United States Armed Forces;

Whereas, on July 3 and 4, 1986, the USS John F. Kennedy hosted more than 8,000 people during the International Naval Review honoring the 100th anniversary of the Statue of Liberty and hosted President Ronald Reagan on Independence Day;

Whereas, on January 4, 1989, the USS John F. Kennedy launched two F-14 aircraft from Fighter Squadron 32 to intercept and destroy 2 hostile MiG-23s from the Libyan Air Force;

Whereas, on December 29, 1990, the USS John F. Kennedy entered port in Jeddah, Saudi Arabia, as the first United States aircraft carrier to visit Saudi Arabia;

Whereas, on January 17, 1991, the USS John F. Kennedy launched its first strikes in Operation Desert Storm as part of a multi-country coalition to drive the military of Iraq out of neighboring Kuwait;

Whereas, from the beginning of hostilities on January 16, 1991, to their cessation on February 28, 1991, the USS John F. Kennedy launched 2,895 aircraft sorties, executed 114 strikes, and flew 11,263 combat hours;

Whereas, on September 22, 1995, the USS John F. Kennedy was transferred to Naval Station Mayport in Jacksonville, Florida, as the new home port of the vessel;

Whereas, on November 1, 1999, the USS John F. Kennedy became the first United States aircraft carrier to make a port call in Al Aqabah, Jordan, and hosted the King of Jordan;

Whereas, on September 11, 2001, the USS John F. Kennedy was called upon to secure the mid-Atlantic seaboard to “help calm a fearful and shocked nation”;

Whereas, from March 11 to July 17, 2002, the USS John F. Kennedy deployed and launched strikes in support of Operation Enduring Freedom, and those strikes dropped 64,000 pounds of ordnance on Taliban and Al Qaeda targets;

Whereas, from July 10 to November 20, 2004, the USS John F. Kennedy deployed in support of Operation Iraqi Freedom and launched 8,296 aircraft sorties, which dropped 54,000 pounds of ordnance;

Whereas, on December 13, 2004, the USS John F. Kennedy returned from its final deployment;

Whereas the USS John F. Kennedy was decommissioned at her final homeport of Naval Station Mayport in Jacksonville, Florida, on March 23, 2007, stricken from the Naval Vessel Register on October 16, 2009, and lays in wait at Philadelphia, Pennsylvania, pending final disposition or the call to serve again in the United States Navy; and

Whereas, from August 23 to 26, 2018, the former crews and supporters of the USS John F. Kennedy will meet in Norfolk, Virginia, to honor the 50th anniversary of the commissioning of the vessel: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the 50th anniversary of the commissioning of the USS John F. Kennedy (CV-67); and

(2) honors the USS John F. Kennedy, its crew, and all of the courageous sailors and

Marines of the United States who have served on board in the past.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4004. Mr. MURPHY (for himself, Ms. BALDWIN, Mr. MENENDEZ, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. REED, Mrs. FEINSTEIN, Mr. MARKEY, Mr. CARPER, Mrs. MURRAY, Mr. DURBIN, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3887 submitted by Mr. CRUZ and intended to be proposed to the amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table.

SA 4005. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 4006. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 4007. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 4008. Mr. MCCONNELL (for Mr. KENNEDY) proposed an amendment to the bill S. 2896, to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering.

#### TEXT OF AMENDMENTS

SA 4004. Mr. MURPHY (for himself, Ms. BALDWIN, Mr. MENENDEZ, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. REED, Mrs. FEINSTEIN, Mr. MARKEY, Mr. CARPER, Mrs. MURRAY, Mr. DURBIN, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3887 submitted by Mr. CRUZ and intended to be proposed to the amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, line 6, strike “be used by the States, to improve” and all that follows through page 3, line 2, and insert “be used by States and local educational agencies for activities to foster safe and supportive learning environments, which may include high-quality training for teachers, school-based mental health service providers, or other school personnel in trauma-informed practices, school-based violence prevention strategies, and positive behavioral interventions and supports: *Provided further* that none of the funds made available under this title and authorized under the Elementary and Secondary Education Act of 1965 shall be used for the provision to any person of a firearm or training in the use of a firearm.”

SA 4005. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike “1 day” and insert “4 days”.

SA 4006. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike “2” and insert “5”.

SA 4007. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike “3” and insert “6”.

SA 4008. Mr. MCCONNELL (for Mr. KENNEDY) proposed an amendment to the bill S. 2896, to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Justice Against Corruption on K Street Act of 2018” or the “JACK Act”.

#### SEC. 2. DISCLOSURE OF CORRUPT MALPRACTICE BY LOBBYISTS.

(a) REGISTRATION.—Section 4(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(b)) is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (6) the following:

“(7) for any listed lobbyist who was convicted in a Federal or State court of an offense involving bribery, extortion, embezzlement, an illegal kickback, tax evasion, fraud, a conflict of interest, making a false statement, perjury, or money laundering, the date of the conviction and a description of the offense.”.

(b) QUARTERLY REPORTS.—Section 5(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b)) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) for any listed lobbyist who was convicted in a Federal or State court of an offense involving bribery, extortion, embezzlement, an illegal kickback, tax evasion, fraud, a conflict of interest, making a false statement, perjury, or money laundering, the date of the conviction and a description of the offense.”.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. BLUNT. Mr. President, I have 6 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Sen-

ate, the following committees are authorized to meet during today’s session of the Senate:

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, August 23, 2018, at 10:15 a.m., to conduct a hearing on the following nominations: Kelvin Droegemeier, of Oklahoma, to be Director of the Office of Science and Technology Policy, James Morhard, of Virginia, to be Deputy Administrator of the National Aeronautics and Space Administration, and Joel Szabat, of Maryland, to be an Assistant Secretary of Transportation.

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, August 23, 2018, at 9:30 a.m., to conduct a hearing on the following nominations: Kathleen Laura Kraninger, of Ohio, to be Director, Bureau of Consumer Financial Protection, Kimberly A. Reed, of West Virginia, to be President of the Export-Import Bank of the United States, Elad L. Roisman, of Maine, to be a Member of the Securities and Exchange Commission, Michael R. Bright, of the District of Columbia, to be President, Government National Mortgage Association, and Rae Oliver, of Virginia, to be Inspector General, both of the Department of Housing and Urban Development, and Dino Falaschetti, of Montana, to be Director, Office of Financial Research, Department of the Treasury.

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, August 23, 2018, at 10 a.m., to conduct a hearing on the following nominations: David T. Fischer, of Michigan, to be Ambassador to the Kingdom of Morocco, Earl Robert Miller, of Michigan, to be Ambassador to the People’s Republic of Bangladesh, Daniel N. Rosenblum, of Maryland, to be Ambassador to the Republic of Uzbekistan, Kip Tom, of Indiana, for the rank of Ambassador during his tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture, and Donald Y. Yamamoto, of Washington, to be Ambassador to the Federal Republic of Somalia, all of the Department of State.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, August 23, 2018, at 10 a.m., to conduct a hearing on the following nominations: William Cooper, of Maryland, to be General Counsel, and Lane Genatowski, of New York, to be Director of the Advanced Research Projects Agency-Energy, both of the Department of Energy.



COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, August 23, 2018, at 10 a.m., to conduct a hearing entitled “Prioritizing Cures: Science and Stewardship at the National Institutes of Health”.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, August 23, 2018, at 10 a.m., to conduct a hearing on the following nominations: Ryan Douglas Nelson, of Idaho, to be United States Circuit Judge for the Ninth Circuit, Richard J. Sullivan, of New York, to be United States Circuit Judge for the Second Circuit, Gary Richard Brown, Diane Gujarati, Eric Ross Komitee, and Rachel P. Kovner, each to be a United States District Judge for the Eastern District of New York, Stephen R. Clark, Sr., to be United States District Judge for the Eastern District of Missouri, Lewis J. Liman, and Mary Kay Vyskocil, both to be a United States District Judge for the Southern District of New York, John M. O'Connor, to be United States District Judge for the Northern, Eastern and Western Districts of Oklahoma, John L. Sinatra, Jr., to be United States District Judge for the Western District of New York, Joshua Wolson, to be United States District Judge for the Eastern District of Pennsylvania, James W. Carroll, Jr., of Virginia, to be Director of National Drug Control Policy, and Ariana Fajardo Orshan, to be United States Attorney for the Southern District of Florida, Peter G. Strasser, to be United States Attorney for the Eastern District of Louisiana, and G. Zachary Terwilliger, to be United States Attorney for the Eastern District of Virginia, all of the Department of Justice.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Madam President, I ask unanimous consent that my intern, Amelia Ziegler, have privileges of the floor for the balance of the day.

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

CENOTE ACT OF 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 504, S. 2511, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Commercial Engagement Through Ocean Technology Act of 2018” or the “CENOTE Act of 2018”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Coordination regarding assessment and acquisition by National Oceanic and Atmospheric Administration of unmanned maritime systems.

Sec. 4. Regular assessment of unmanned maritime systems to support National Oceanic and Atmospheric Administration missions.

Sec. 5. Acquisition of unmanned maritime systems.

Sec. 6. Reports on unmanned maritime systems and usage for mission of the National Oceanic and Atmospheric Administration.

Sec. 7. Funding and additional authorities.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **ADMINISTRATION.**—The term “Administration” means the National Oceanic and Atmospheric Administration.

(2) **ADMINISTRATOR.**—The term “Administrator” means the Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration.

(3) **COOPERATIVE ACTIVITIES OF THE ADMINISTRATION.**—The terms “cooperative activities of the Administration” means cooperative activities between the Administration and an external entity, such as the Cooperative Institutes, Sea Grant Colleges, National Estuarine Research Reserves, the National Oceanographic Partnership Program established under chapter 665 of title 10, United States Code, and regional associations of the Integrated Ocean Observing System.

(4) **DATA SPECIFICATIONS.**—The term “data specifications” shall refer to the type, resolution, periodicity, and quality of data required by an program of the Administration.

(5) **TEST OR TRAINING RANGE.**—

(A) **IN GENERAL.**—The term “test or training range” means an area designated for operating unmanned maritime systems and other types of systems for the purpose of—

(i) evaluating the performance of such systems; or

(ii) training personnel on operating procedures for such systems.

(B) **INCLUSIONS.**—The term “test or training range” may include specialized fixed or portable instrumentation for the operation of unmanned maritime systems and other types of systems.

(6) **UNMANNED MARITIME SYSTEMS.**—

(A) **IN GENERAL.**—The term “unmanned maritime systems” means remotely operated or autonomous vehicles produced by the commercial sector—

(i) designed to travel in the air, on or under the ocean surface, on land, or any combination, and that function without an on-board human presence; and

(ii) that may include associated components such as control and communications, instrumentation, data transmission, and processing systems.

(B) **EXAMPLES.**—The term “unmanned maritime systems” includes the following:

(i) Unmanned undersea vehicles.

(ii) Unmanned surface vehicles.

(iii) Autonomous underwater vehicles.

(iv) Autonomous surface vehicles.

(C) **TREATMENT OF AERIAL VEHICLES.**—The term “unmanned maritime systems” includes unmanned aerial vehicles and autonomous aerial vehicles that are used to address maritime issues to the extent the Administrator determines it is necessary and appropriate to achieve the purposes of this Act.

**SEC. 3. COORDINATION REGARDING ASSESSMENT AND ACQUISITION BY NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OF UNMANNED MARITIME SYSTEMS.**

(a) **ESTABLISHMENT.**—The Administrator shall direct the Office of Oceanic and Atmospheric

Research (in this Act referred to as “OAR”) and the Office of Marine and Aviation Operations (in this Act referred to as “OMAO”)—

(1) to coordinate the Administration’s research, assessment, and acquisition of unmanned maritime systems; and

(2) to consider the use of unmanned maritime systems in cooperative activities of the Administration.

(b) **COORDINATION WITHIN THE ADMINISTRATION.**—

(1) **AUTHORITY TO ESTABLISH COORDINATING COMMITTEE.**—The Administrator shall establish a coordinating committee to ensure that OAR and OMAO address requirements throughout the Administration.

(2) **INCLUDED.**—In establishing a coordinating committee under paragraph (1), the Administrator shall ensure that representation in the committee is included from the following:

(A) The Office of Ocean Exploration (OER).

(B) The program office of the Integrated Ocean Observing System.

(C) Such other offices of the Administration as the Administrator determines are actively engaged with unmanned maritime systems.

(3) **DESIGNATION.**—A coordinating committee established under paragraph (1) shall be known as the “Unmanned Maritime Systems Ocean Technology Coordinating Committee”.

(c) **COORDINATION WITH THE NAVY.**—

(1) **IN GENERAL.**—In carrying out this Act, the Administrator shall—

(A) make efforts to coordinate with the Secretary of the Navy to leverage expertise in the development and operational transition of unmanned maritime systems;

(B) align with, utilize, and inform the Deputy Under Secretary of Commerce for Operations and the Oceanographer of the Navy’s strategic and operational priorities, particularly for missions and geography within the Administration’s purview;

(C) seek to utilize Naval unmanned systems test or training ranges, such as the Gulf of Mexico Unmanned Systems Test and Training Range of the Naval Meteorology and Oceanography Command, and maximize interagency cooperation and sharing of best practices; and

(D) to formalize coordination, execute a memorandum of understanding with the Secretary of the Navy that includes—

(i) incorporating consideration of priorities and requirements of the Administration into research and development activities conducted by the Secretary of the Navy;

(ii) consultation intended to encourage and facilitate efforts by the Administration to partner with the Navy to procure unmanned maritime systems and to establish, instrument, and operate test or training ranges and related facilities;

(iii) adopting procedures defined by the Secretary of the Navy for the Administration to access and utilize test or training ranges or related Naval facilities for purposes identified in paragraph (2)(B); and

(iv) such other topics as the Administrator considers necessary or advisable, including mapping, bathymetry, observations, and ocean exploration.

(2) **LOCATION.**—The Administrator shall, if practicable, carry out the activities authorized by this Act at a facility where the Navy and the Administration are co-located, for the following purposes:

(A) Gaining efficiencies through collaboration.

(B) Advancing development of unmanned maritime systems, including—

(i) systems research and development;

(ii) systems testing;

(iii) systems modifications; and

(iv) systems integration.

(C) Accelerating transition from concept to manufacturing and acquisition.

(d) **COORDINATION WITH OTHER FEDERAL AGENCIES.**—In carrying out this Act, the Administrator and the Secretary of the Navy may utilize the National Oceanographic Partnership

Program, established under chapter 665 of title 10, United States Code, as a mechanism for providing interagency coordination for the advancement of unmanned maritime systems.

(e) **COORDINATION WITH ACADEMIC SECTOR.**—In carrying out this Act, the Administrator, in consultation with the Secretary of the Navy, may coordinate and co-locate with an academic research institution, or consortium of academic research institutions, for the following purposes:

(1) Maximizing opportunities for research and development of unmanned maritime systems.

(2) Providing training in unmanned maritime systems as part of an accredited certificate or degree program of education.

(3) Facilitating the commercialization of unmanned maritime systems through public-private partnerships that includes academic research institutions, private industry, and public safety agencies.

(4) Arranging access to and use of additional facilities that support testing and assessment of or training with respect to unmanned maritime systems under environmental conditions of interest, increasing operational tolerance under such conditions, certifying operational capacity under such conditions, whether real or simulated, and training operators of unmanned maritime systems in real or simulated environments.

(5) Facilitating engagement with other academic institutions with interest or relevant expertise in unmanned maritime systems.

(6) Promoting information sharing between the academic, environmental, and military institutions to lead to more robust, mission-oriented unmanned maritime systems.

(f) **ENGAGEMENT WITH THE PRIVATE SECTOR.**—Other than as described in subsection (e), the Administrator, in consultation with the Secretary of the Navy, may, in carrying out this Act, to the extent practicable, coordinate and consult with the private sector—

(1) to support the commercialization of unmanned maritime systems; and

(2) to assist with their assessment of commercially available unmanned maritime systems to support the missions and goals of the Navy, the Administration, and cooperative activities of the Administration.

#### **SEC. 4. REGULAR ASSESSMENT OF UNMANNED MARITIME SYSTEMS TO SUPPORT NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION MISSIONS.**

(a) **IN GENERAL.**—The Administrator, acting through the Assistant Administrator for Oceanic and Atmospheric Research and the Director of the Office of Marine and Aviation Operations and the National Oceanic and Atmospheric Administration Commissioned Officer Corps, shall regularly assess publicly and commercially available unmanned maritime systems for potential use to support missions of the Administration.

(b) **SCIENCE-BASED ASSESSMENTS.**—The Administrator shall carry out subsection (a) through the Assistant Administrator for all matters relating to assessment of the suitability, feasibility, and cost-effectiveness of unmanned maritime systems to meet data specifications required by programs of the Administration.

(c) **ASSESSMENT OF OPERATIONAL UTILITY.**—The Administrator shall carry out subsection (a) through the Director for all matters relating to assessment of whether unmanned maritime systems are operationally reliable, feasible, and cost effective enough to make observations required by programs of the Administration.

(d) **ENGAGEMENT.**—The Assistant Administrator and the Director shall jointly—

(1) convene and consult the Unmanned Maritime Systems Ocean Technology Coordinating Committee established under section 3(b); and

(2) consult with the heads of other offices of the Administration, the academic sector, and developers and manufacturers of unmanned maritime systems to conduct the assessments under subsection (a).

#### **SEC. 5. ACQUISITION OF UNMANNED MARITIME SYSTEMS.**

(a) **IN GENERAL.**—The Administrator shall coordinate and centralize the acquisition by the Administration of unmanned maritime systems to meet the prioritized list of data requirements identified by OAR and OMAO in carrying out this Act in their regular assessments and approved by the Unmanned Maritime Systems Ocean Technology Coordinating Committee established under section 3(b).

(b) **MEMORANDA OF UNDERSTANDING.**—In order to realize greater savings and efficiency, the Administrator may develop and execute a memorandum of agreement with the Secretary of the Navy to—

(1) participate in procurements conducted by the signatories to the memorandum of understanding;

(2) accept decommissioned unmanned maritime systems from the Navy;

(3) develop policies and procedures to share unmanned maritime systems; or

(4) provide for other means of creating efficiency and savings in Federal acquisition of unmanned maritime systems.

(c) **RULE OF CONSTRUCTION.**—Nothing in this Act shall be construed to modify Federal procurement law.

#### **SEC. 6. REPORTS ON UNMANNED MARITIME SYSTEMS AND USAGE FOR MISSION OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.**

(a) **IN GENERAL.**—In carrying out this Act, the Administrator shall, not later than one year after the date of the enactment of this Act, and every 4 years thereafter, submit to the appropriate committees of Congress a report on the usage of unmanned maritime systems for the mission of the Administration.

(b) **CONTENTS.**—Each report submitted under subsection (a) shall include, for the period covered by the report, the following:

(1) An inventory of current unmanned maritime systems used by programs of the Administration, a summary of the data they have returned, and the benefits realized from having such data.

(2) A prioritized list of data requirements of the Administration that could be met with unmanned maritime systems, and the commercially available unmanned maritime systems with the operational capabilities to collect such data.

(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Natural Resources, and the Committee on Science, Space, and Technology of the House of Representatives.

#### **SEC. 7. FUNDING AND ADDITIONAL AUTHORITIES.**

(a) **FUNDING.**—The Administrator shall carry out this Act using existing amounts appropriated or otherwise made available to the Administration.

(b) **ADDITIONAL AUTHORITIES.**—In carrying out this Act, the Administrator may—

(1) enter into contracts, cooperative agreements, and other transactions with any domestic or foreign government;

(2) notwithstanding section 1342 of title 31, United States Code, accept donations and voluntary and uncompensated services;

(3) accept funds from other Federal departments and agencies;

(4) utilize the National Oceanographic Partnership Program established under chapter 665 of title 10, United States Code, to accept funds from other Federal departments and agencies, to accept donations, and to enter into contracts and award grants;

(5) under an agreement entered into under paragraph (1), transfer funds appropriated to carry out this Act to any organization;

(6) use, with their consent, with or without reimbursement, and subject to the availability of appropriations, the land, services, equipment, personnel, and facilities of—

(A) any department, agency, or instrumentality of the United States;

(B) any State or local government or tribal government; or

(C) any foreign government or international organization; and

(7) promulgate such rules and regulations as may be necessary and appropriate.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2511) to require the Under Secretary of Commerce for Oceans and Atmosphere to carry out a program on coordinating the assessment and acquisition by the National Oceanic and Atmospheric Administration of unmanned maritime systems, to make available to the public data collected by the Administration using such systems, and for other purposes.

There being no objection, the Senate proceeded to the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to, that the bill, as amended, be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The committee-reported substitute amendment was agreed to.

The bill (S. 2511), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### **JUSTICE AGAINST CORRUPTION ON K STREET ACT OF 2018**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 552, S. 2896.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2896) to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering.

There being no objection, the Senate proceeded to the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Kennedy substitute amendment at the desk be agreed to, that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 4008) was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Justice Against Corruption on K Street Act of 2018” or the “JACK Act”.

**SEC. 2. DISCLOSURE OF CORRUPT MALPRACTICE BY LOBBYISTS.**

(a) REGISTRATION.—Section 4(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(b)) is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (6) the following:

“(7) for any listed lobbyist who was convicted in a Federal or State court of an offense involving bribery, extortion, embezzlement, an illegal kickback, tax evasion, fraud, a conflict of interest, making a false statement, perjury, or money laundering, the date of the conviction and a description of the offense.”.

(b) QUARTERLY REPORTS.—Section 5(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b)) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) for any listed lobbyist who was convicted in a Federal or State court of an offense involving bribery, extortion, embezzlement, an illegal kickback, tax evasion, fraud, a conflict of interest, making a false statement, perjury, or money laundering, the date of the conviction and a description of the offense.”.

The bill (S. 2896), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

**COMMEMORATING THE 50TH ANNIVERSARY OF THE COMMISSIONING OF THE USS JOHN F. KENNEDY**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 618, introduced earlier today.

The PRESIDING OFFICER (Mr. YOUNG). The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 618) commemorating the 50th anniversary of the commissioning of the USS John F. Kennedy.

There being no objection, the Senate proceeded to the bill.

Mr. McCONNELL. I further 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 with no intervening action or debate.

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

The resolution (S. Res. 618) was agreed to.

The preamble was agreed to.

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

**ORDERS FOR ADJOURNMENT**

Mr. McCONNELL. I ask unanimous consent that when the Senate completes its business today, it adjourn until 4 p.m., Monday, August 27; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; and that following leader remarks, the Senate proceed to executive session for the consideration of the Johnson nomination, and that notwithstanding rule XXII, the cloture motions filed during yesterday's session ripen at 5:30 p.m.

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

**ADJOURNMENT UNTIL MONDAY,  
AUGUST 27, 2018, AT 4 P.M.**

Mr. McCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:02 p.m., adjourned until Monday, August 27, 2018, at 4 p.m.

# Daily Digest

## HIGHLIGHTS

Senate passed H.R. 6157, Department of Defense Appropriations Act, as amended.

## Senate

### Chamber Action

*Routine Proceedings, pages S5871–S5939*

**Measures Introduced:** Twenty bills and three resolutions were introduced, as follows: S. 3369–3388, and S. Res. 616–618. **Pages S5931–32**

#### Measures Reported:

H.R. 1491, to reaffirm the action of the Secretary of the Interior to take land into trust for the benefit of the Santa Ynez Band of Chumash Mission Indians. (S. Rept. No. 115–326) **Page S5930**

#### Measures Passed:

*Department of Defense Appropriations Act:* By 85 yeas to 7 nays (Vote No. 193), Senate passed H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, after taking action on the following amendments proposed thereto: **Pages S5875–S5907**

##### Adopted:

McConnell (for Inhofe/Rounds) Amendment No. 3731 (to Amendment No. 3695), to make available \$2,000,000 for a program to commemorate the 75th anniversary of World War II. **Page S5900**

McConnell (for Lankford) Amendment No. 3722 (to Amendment No. 3695), relating to public notice of Department of Defense grants. **Page S5900**

McConnell (for Menendez) Amendment No. 3903 (to Amendment No. 3695), to require a report on the portion of the Department of Defense's advertising budget that is spent on advertising and public relations contracts with socially and economically disadvantaged small businesses. **Page S5900**

McConnell (for Moran) Amendment No. 3702 (to Amendment No. 3695), to provide funding for the defense community infrastructure pilot program. **Page S5900**

McConnell (for Sasse) Amendment No. 3710 (to Amendment No. 3695), to make available

\$4,000,000 for the Cyberspace Solarium Commission. **Page S5900**

McConnell (for Schatz) Amendment No. 3717 (to Amendment No. 3695), to make available funds for Operation and Maintenance, Army for the sustainment of certain morale, welfare, and recreation facilities. **Page S5900**

McConnell (for Portman/Brown) Amendment No. 3860 (to Amendment No. 3695), to express the sense of the Senate on research regarding blast exposure on the cellular level of the brain. **Page S5900**

McConnell (for Warner) Amendment No. 3764 (to Amendment No. 3695), to make available from amounts appropriated for Operation and Maintenance, Defense-Wide \$7,000,000 for the Information Assurance Scholarship Program. **Page S5900**

McConnell (for Cardin) Amendment No. 3750 (to Amendment No. 3695), to require a report on investments of the Armed Forces in research on energetics. **Page S5900**

McConnell (for Gillibrand) Amendment No. 3981 (to Amendment No. 3695), to make available from Operation and Maintenance, Air Force and Operation and Maintenance, Air National Guard \$45,000,000 for payments to local water authorities and States for treatment of certain acids in drinking water as a result of Air Force-supported activities. **Pages S5900–01**

McConnell (for Shelby/Durbin) Amendment No. 3910 (to Amendment No. 3695), of a perfecting nature. **Page S5901**

McConnell (for Kennedy) Amendment No. 3880 (to Amendment No. 3695), to prohibit payments to corporations that have delinquent federal tax liabilities. **Page S5901**

McConnell (for Kennedy) Amendment No. 3727 (to Amendment No. 3695), to prohibit the use of funds for assistance to the Islamic Republic of Iran. **Page S5901**

McConnell (for Hirono) Amendment No. 3733 (to Amendment No. 3695), to authorize the use of

amounts to reimburse the Government of the Republic of Palau for land acquisition costs for defense sites. **Page S5901**

McConnell (for Murray) Amendment No. 3830 (to Amendment No. 3695), to make available from Research, Development, Test and Evaluation, Navy \$2,000,000 for research on means of reducing fighter aircraft engine noise at the source. **Page S5901**

McConnell (for Cassidy) Amendment No. 3926 (to Amendment No. 3695), to require the Secretary of Defense to submit to Congress a report on improving trauma training for trauma teams of the Department of Defense. **Page S5901**

McConnell (for Merkley) Amendment No. 3796 (to Amendment No. 3695), to increase certain funding for the Air National Guard, and to provide an offset. **Page S5901**

McConnell (for Isakson) Amendment No. 3857 (to Amendment No. 3695), to require a Comptroller General of the United States report on the monitoring, compliance, and remediation of lead in military housing. **Page S5901**

McConnell (for Murray) Amendment No. 3831 (to Amendment No. 3695), to make available from Operation and Maintenance, Defense-Wide \$20,000,000 for the Department of Defense Family Advocacy Program. **Page S5901**

McConnell (for Perdue) Amendment No. 3940 (to Amendment No. 3695), to require the Comptroller General of the United States to submit to Congress a report on maintenance of the E-8C Joint Surveillance Target Attack Radar System aircraft fleet. **Page S5901**

McConnell (for Cruz/Inhofe) Amendment No. 3809 (to Amendment No. 3695), to limit the use of funds to implement the Arms Trade Treaty. **Page S5901**

McConnell (for Flake/McCain) Amendment No. 3835 (to Amendment No. 3695), to prohibit the use of funds for the development of beerbots or other robot bartenders. **Page S5901**

McConnell (for McCaskill/Isakson) Amendment No. 3841 (to Amendment No. 3695), to require the Secretary of Defense to use amounts appropriated or otherwise made available to the Department of Defense to provide testing for elevated blood lead levels at military treatment facilities for babies during their 12-month and 24-month wellness checks or annual physical examinations. **Page S5902**

McConnell (for Donnelly/Crapo) Amendment No. 3707 (to Amendment No. 3695), to increase funding for the guidelines for investigation of potential cancer clusters. **Page S5902**

McConnell (for Blunt/Murray) Amendment No. 3721 (to Amendment No. 3695), to authorize student aid administration funds to be available for

payments for student loan servicing to an institution of higher education that services outstanding Federal Perkins Loans. **Page S5902**

McConnell (for Reed/Capito) Amendment No. 3751 (to Amendment No. 3695), to require a report on barriers to obtaining and paying for adequate medical care for survivors of childhood cancer. **Page S5902**

McConnell (for Schumer/Collins) Amendment No. 3759 (to Amendment No. 3695), to increase funding for Lyme Disease activities. **Page S5902**

McConnell (for Warner) Amendment No. 3763 (to Amendment No. 3695), to require a report to Congress on potential barriers to participation in the Coal Workers' Health Surveillance Program. **Page S5902**

McConnell (for Whitehouse/Cassidy) Amendment No. 3765 (to Amendment No. 3695), to require the Secretary of Health and Human Services to provide Congress a status update on rulemaking, with respect to conditions of certification of health information technology and information blocking, required by the 21st Century Cures Act. **Page S5902**

McConnell (for Heller/Klobuchar) Amendment No. 3810 (to Amendment No. 3695), to require the Secretary of Education to report to Congress regarding coordination between the Department of Education, the National Aeronautics and Space Administration, and the National Science Foundation on STEM programs for students in grades pre-kindergarten through 12. **Page S5902**

McConnell (for Hyde-Smith/Reed) Amendment No. 3812 (to Amendment No. 3695), to improve section 115 of title I of division B with regard to Unemployment Insurance State consortia. **Page S5902**

McConnell (for Cortez Masto/Ernst) Amendment No. 3825 (to Amendment No. 3695), to provide for the conduct of a study on the relationship between intimate partner violence and traumatic brain injury. **Page S5902**

McConnell (for Rubio/Nelson) Amendment No. 3853 (to Amendment No. 3695), to provide funds to enhance harmful algal bloom exposure activities. **Pages S5902-03**

McConnell (for Cassidy) Amendment No. 3858 (to Amendment No. 3695), to require the Director of the NIH shall conduct a comprehensive study and submit to Congress a report that includes a portfolio analysis of current funding levels of the NIH related to mental health and substance use disorder. **Page S5903**

McConnell (for Nelson/Rubio) Amendment No. 3862 (to Amendment No. 3695), to provide \$10,000,000 to the Department of Education to fund a demonstration program to test and evaluate

innovative partnerships between institutions of higher education and high-needs State or local educational agencies to train school counselors, social workers, psychologists, or other mental health professionals qualified to provide school-based mental health services in order to expand the employment pipeline and address employment shortages relating to school-based mental health services in low-income public elementary schools and secondary schools.

**Page S5903**

McConnell (for Peters/Capito) Amendment No. 3870 (to Amendment No. 3695), to ensure youth are considered when the Substance Abuse and Mental Health Services Administration follows guidance on the medication-assisted treatment for prescription drug and opioid addiction program.

**Page S5903**

McConnell (for Casey/Collins) Amendment No. 3875 (to Amendment No. 3695), to provide funding for the Secretary of Health and Human Services to establish the Advisory Council to Support Grandparents Raising Grandchildren.

**Page S5903**

McConnell (for Kennedy) Amendment No. 3881 (to Amendment No. 3695), to require the Secretary of Labor to provide a report to the Committees on Appropriations on the implementation of the plan to reduce improper payments published by the Department of Labor in the fiscal year 2017 Agency Financial Report.

**Page S5903**

McConnell (for Wicker/Peters) Amendment No. 3883 (to Amendment No. 3695), to provide a sense of Congress that computer science education programs, including coding academies, can provide important benefits to local industries and the economy and help meet in-demand workforce needs, and the Department of Education and Department of Labor should work together with industry to improve and expand computer science education programs and opportunities, including through apprenticeships.

**Page S5903**

McConnell (for Heitkamp) Amendment No. 3893 (to Amendment No. 3695), to provide funding for the SOAR (Stop, Observe, Ask, Respond) to Health and Wellness Program.

**Page S5903**

McConnell (for Schatz/Hirono) Amendment No. 3897 (to Amendment No. 3695), to assess the ongoing mental health impact to the children and families impacted by a volcanic eruption covered by a major disaster declared by the President in calendar year 2018.

**Page S5903**

McConnell (for Cantwell/Cassidy) Amendment No. 3908 (to Amendment No. 3695), to provide a sense of the Senate that dedicated funding for coding courses in kindergarten through grade 12 education should be a top priority.

**Page S5903**

McConnell (for Heller/Manchin) Amendment No. 3912 (to Amendment No. 3695), to provide addi-

tional funding for activities related to neonatal abstinence syndrome.

**Page S5903**

McConnell (for Isakson/Murphy) Amendment No. 3927 (to Amendment No. 3695), to provide for the establishment of the National Neurological Conditions Surveillance System.

**Pages S5903–04**

McConnell (for Heitkamp) Amendment No. 3933 (to Amendment No. 3695), to improve obstetric care for pregnant women living in rural areas.

**Page S5904**

McConnell (for Blunt) Amendment No. 3950 (to Amendment No. 3695), to increase funding for oversight of grant programs and operations of the National Institutes of Health.

**Page S5904**

McConnell (for Heller/Tester) Amendment No. 3951 (to Amendment No. 3695), to authorize the use of \$2,000,000 to carry out a pilot program for preparing members of the Armed Forces transitioning to civilian life to qualify for, and for assisting in placing them in, apprenticeship programs.

**Page S5904**

McConnell (for Merkley) Amendment No. 3977 (to Amendment No. 3695), to require a report on Civilian Conservation Centers.

**Page S5904**

McConnell (for Cornyn) Amendment No. 3979 (to Amendment No. 3695), to promote school safety in rural areas.

**Page S5904**

McConnell (for Casey/Young) Amendment No. 3982 (to Amendment No. 3695), to increase amounts available for the Child Abuse Prevention and Treatment Act State grant program.

**Page S5904**

McConnell (for Reed) Amendment No. 3985 (to Amendment No. 3695), to require the Comptroller General of the United States to study and report on the condition of the public school facilities of the United States.

**Page S5904**

McConnell (for Rubio) Amendment No. 3998 (to Amendment No. 3695), to require a report on circumstances in which the Centers for Medicare and Medicaid Services may be providing Medicare or Medicaid payments to, or otherwise funding, entities that process genome or exome data in the People's Republic of China or the Russian Federation.

**Page S5904**

McConnell (for Durbin/Grassley) Amendment No. 3964 (to Amendment No. 3695), to provide for the use of funds by the Secretary of Health and Human Services to issue regulations on direct-to-consumer advertising of prescription drugs and biological products.

**Page S5904**

Shelby Amendment No. 3695, in the nature of a substitute.

**Page S5876**

Rejected:

By 45 yeas to 48 nays (Vote 191), McConnell (for Paul/Lee) Amendment No. 3967 (to Amendment No. 3695), to prohibit Federal funds being made

available to a prohibited entity. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S5891–93, S5898–S5900**

Withdrawn:

McConnell (for Shelby) Amendment No. 3699 (to Amendment No. 3695), of a perfecting nature.

**Pages S5876, S5898, S5906**

During consideration of this measure today, Senate also took the following action:

By 90 yeas to 6 nays (Vote No. 190), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on Shelby Amendment No. 3695 (listed above). **Pages S5875–76**

By 68 yeas to 24 nays (Vote No. 192), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive all applicable sections of the Congressional Budget Act of 1974 and other applicable budget resolutions, with respect to Shelby Amendment No. 3695. Subsequently, the point of order that the provision of Shelby Amendment No. 3695, Division B, Title III, lines 7 and 8, was in violation of S. Con. Res. 70, the concurrent resolution on the budget for fiscal year 2009, was not sustained, and thus the point of order fell. **Pages S5904–05**

Leahy Amendment No. 3993 (to Amendment No. 3699), of a perfecting nature, fell when McConnell (for Shelby) Amendment No. 3699 (to Amendment No. 3695) (listed above) was withdrawn.

**Pages S5876, S5898**

A unanimous-consent agreement was reached providing that the motion to invoke cloture on the bill, be withdrawn. **Page S5906**

**CENOTE Act:** Senate passed S. 2511, to require the Under Secretary of Commerce for Oceans and Atmosphere to carry out a program on coordinating the assessment and acquisition by the National Oceanic and Atmospheric Administration of unmanned maritime systems, to make available to the public data collected by the Administration using such systems, after agreeing to the committee amendment in the nature of a substitute. **Pages S5937–38**

**JACK Act:** Senate passed S. 2896, to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering, after agreeing to the following amendment proposed thereto:

**Pages S5938–39**

McConnell (for Kennedy) Amendment No. 4008, in the nature of a substitute. **Pages S5938–39**

**USS John F. Kennedy:** Senate agreed to S. Res. 618, commemorating the 50th anniversary of the commissioning of the USS *John F. Kennedy*.

**Page S5939**

**Johnson Nomination—Agreement:** Senate continued consideration of the nomination of Lynn A. Johnson, of Colorado, to be Assistant Secretary for Family Support, Department of Health and Human Services. **Pages S5871–75**

A unanimous-consent agreement was reached providing that at approximately 4 p.m., on Monday, August 27, 2018, Senate resume consideration of the nomination, and that notwithstanding Rule XXII, the cloture motions filed during the session of Wednesday, August 22, 2018, ripen at 5:30 p.m.

**Page S5939**

**Enrolled Bills Presented:** **Page S5913**

**Executive Communications:** **Pages S5913–16**

**Petitions and Memorials:** **Pages S5911–30**

**Executive Reports of Committees:** **Pages S5930–31**

**Additional Cosponsors:** **Pages S5932–34**

**Statements on Introduced Bills/Resolutions:** **Pages S5934–36**

**Additional Statements:** **Pages S5912–13**

**Amendments Submitted:** **Page S5936**

**Authorities for Committees to Meet:** **Pages S5936–37**

**Privileges of the Floor:** **Page S5937**

**Record Votes:** Four record votes were taken today. (Total—193) **Pages S5875–76, S5899–S5900, S5905, S5907**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 6:02 p.m., until 4 p.m. on Monday, August 27, 2018. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5939.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

**Committee on Armed Services:** Committee ordered favorably reported 1,246 nominations in the Army, Navy, Air Force, and Marine Corps.

### BUSINESS MEETING

**Committee on Banking, Housing, and Urban Affairs:** Committee ordered favorably reported the nominations of Kathleen Laura Kraninger, of Ohio, to be Director, Bureau of Consumer Financial Protection, Kimberly A. Reed, of West Virginia, to be President of the Export-Import Bank of the United States,



Elad L. Roisman, of Maine, to be a Member of the Securities and Exchange Commission, Michael R. Bright, of the District of Columbia, to be President, Government National Mortgage Association, and Rae Oliver, of Virginia, to be Inspector General, both of the Department of Housing and Urban Development, and Dino Falaschetti, of Montana, to be Director, Office of Financial Research, Department of the Treasury.

### NOMINATIONS

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the nominations of Kelvin Droegemeier, of Oklahoma, to be Director of the Office of Science and Technology Policy, who was introduced by Senators Inhofe and Lankford, James Morhard, of Virginia, to be Deputy Administrator of the National Aeronautics and Space Administration, who was introduced by Senator McConnell, and Joel Szabat, of Maryland, to be an Assistant Secretary of Transportation, who was introduced by former Representative Ray LaHood, after the nominees testified and answered questions in their own behalf.

### BUSINESS MEETING

*Committee on Energy and Natural Resources:* Committee ordered favorably reported the nominations of William Cooper, of Maryland, to be General Counsel, and Lane Genatowski, of New York, to be Director of the Advanced Research Projects Agency-Energy, both of the Department of Energy.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of David T. Fischer, of Michigan, to be Ambassador to the Kingdom of Morocco, who was introduced by Senator

Peters, Earl Robert Miller, of Michigan, to be Ambassador to the People's Republic of Bangladesh, Daniel N. Rosenblum, of Maryland, to be Ambassador to the Republic of Uzbekistan, who was introduced by Senator Flake, Kip Tom, of Indiana, for the rank of Ambassador during his tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture, who was introduced by Senator Donnelly, and Donald Y. Yamamoto, of Washington, to be Ambassador to the Federal Republic of Somalia, all of the Department of State, after the nominees testified and answered questions in their own behalf.

### NATIONAL INSTITUTES OF HEALTH

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine prioritizing cures, focusing on science and stewardship at the National Institutes of Health, after receiving testimony from Francis S. Collins, Director, Diana W. Bianchi, Director, Eunice Kennedy Shriver National Institute of Child Health and Human Development, Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, Richard Hodes, Director, National Institute on Aging, and Norman E. Sharpless, Director, National Cancer Institute, all of the National Institutes of Health, Department of Health and Human Services.

### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the nominations Ariana Fajardo Orshan, to be United States Attorney for the Southern District of Florida, Peter G. Strasser, to be United States Attorney for the Eastern District of Louisiana, and G. Zachary Terwilliger, to be United States Attorney for the Eastern District of Virginia, all of the Department of Justice.

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## House of Representatives

### *Chamber Action*

The House was not in session today. The House is scheduled to meet in a Pro Forma session at 11 a.m. on Friday, August 24, 2018.

### *Committee Meetings*

No hearings were held.

### *Joint Meetings*

No joint committee meetings were held.

### COMMITTEE MEETINGS FOR FRIDAY, AUGUST 24, 2018

*(Committee meetings are open unless otherwise indicated)*

#### Senate

No meetings/hearings scheduled.

#### House

No hearings are scheduled.

*Next Meeting of the SENATE*

4 p.m., Monday, August 27

## Senate Chamber

**Program for Monday:** Senate will resume consideration of the nomination of Lynn A. Johnson, of Colorado, to be Assistant Secretary for Family Support, Department of Health and Human Services, and vote on the motion to invoke cloture on the nomination at 5:30 p.m.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

11 a.m., Friday, August 24

## House Chamber

**Program for Friday:** House will meet in Pro Forma session at 11 a.m.



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