



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, TUESDAY, AUGUST 21, 2018

No. 139

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Our Father in Heaven, who brought creation out of the void and order from chaos, we bless Your Holy Name. Guide our lawmakers. Use their daily experiences of joy and sorrow, pleasure and pain, victory and defeat, for Your glory. Lord, continue to lead them with Your merciful hands, providing for their needs as You direct their steps. Thank You for preparing tables of peace and confidence for us in the presence of our enemies, inspiring us to rejoice because of Your faithfulness. Continue to protect the leaders of our various branches of government with the shield of Your love.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019

The PRESIDENT pro tempore. Under the previous order, the Senate will re-

sume consideration of H.R. 6157, which the clerk will now 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.

McConnell (for Nelson-Capito) amendment No. 3773 (to amendment No. 3695), to require a Comptroller General of the United States report on the implementation of the Military Health System Genesis electronic health record.

McConnell (for Kennedy-Reed) amendment No. 3703 (to amendment No. 3695), to increase funding for the National Suicide Prevention Lifeline.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The majority leader is recognized.

CLEAN AIR

Mr. MCCONNELL. Madam President, the Obama administration's so-called Clean Power Plan offered a typical story from that era, an innocent-seeming name, a pleasant-sounding objective, but underneath, an intrusive regulatory regime built not on effective policy but on far-left ideology. That is why I am so grateful today that the Trump administration is unveiling its plan to pare back this unfair, unworkable, and likely illegal policy.

Remember, the far left tried to push through radical legislation like an energy tax through the last Congress. Well, enough of us knew it would have hurt American competitiveness, victimized the poor, and done little to actually give the American people a cleaner environment, but instead of learning from those failures, the Obama administration tried to go it alone and impose their radical agenda unilaterally.

The so-called Clean Power Plan they dreamed up would have had no meaningful effect on global emissions. It would, however, have packed up middle-class American jobs and sent them right overseas. It would have piled a heavier burden onto the most vulnerable families. Lower income Americans are hit the hardest when energy costs take off, and this plan was projected to yield double-digit percentage increases in electricity costs of 40 States, of course, including Kentucky.

Unfair, ineffective, unaffordable, more than likely illegal. That is quite the pedigree.

That is why I fought the Obama administration's entire War on Coal, which was centered around this regulation, tooth and nail. I submitted an amicus brief to the courts when this was challenged for exceeding the scope and intent of the Clean Air Act. I championed legislation to cancel it entirely. On two occasions, I wrote to every Governor in the Nation asking them to not be complicit in implementing this outrageous overreach until the courts had ruled on its legality.

My colleagues and I have been at this for quite some time.

That is why the President's actions today are so encouraging. Today's proposed rule is the first step in the process. I look forward to engaging in this process as it moves forward toward a better outcome for Kentucky and for the entire country.

APPROPRIATIONS

Madam President, on another matter, the Senate is considering the eighth and ninth of 12 appropriations measure for fiscal year 2019. They will deliver on most of the important promises we make to the American people.

First and foremost is our promise to defend the Nation and to meet our obligation to the brave men and women who do so, to ensure that if we send them into battle, they will be prepared and equipped to prevail.

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



Printed on recycled paper.

S5733

Secretary Mattis and our Nation's top military commanders have made their assessments perfectly clear. Our security and our interests are challenged every day across the globe by a wide array of threats, whether nation states or terrorist groups. They include the destabilizing influences of Iran in the Middle East and Russia in Eastern Europe, the challenges we face on the Korean Peninsula, the security of our allies, and the stability of international commerce in the Pacific. Our leaders have outlined the threats we face and the strategies it will take to check them, but they have also explained how the past decade's pattern of inconsistent and insufficient funding undermined readiness and borrowed from the future. This Congress and this President are determined to right the ship.

Earlier this year, we did away with the arbitrary spending caps that had cut our military readiness and modernization. We passed a defense bill that authorized the largest year-on-year increases in defense spending in 15 years. This week, we have the opportunity to follow through by appropriating the necessary resources.

The Defense appropriations measure before us will support American military installations at home and abroad. My fellow Kentuckians and I are more than proud to host installations like Fort Campbell, Fort Knox, and the Blue Grass Army Depot. This legislation supports the most important work that goes on at those facilities and the communities that revolve around them.

Each of my colleagues, I am sure, can offer similar reports of the resources directed to military operations in their States.

Whether they are serving at sea or training with the 101st Airborne Division in Kentucky, our Nation's men and women in uniform will receive some well-deserved benefits from the legislation we are considering today. That includes expanded access to onbase services for veterans, billions in new funding for housing, support infrastructure, child and health services, and the largest pay raise for our military personnel in nearly a decade.

It is impossible to put a price on the sacrifices warfighters—and their families—make in service to our Nation, but it is within our power to give them the support they deserve on behalf of a grateful nation, and that is precisely what this legislation will do.

I thank Senator SHELBY and Senator DURBIN, who led this bill through the subcommittee process. I urge my colleagues to join me in supporting this bipartisan measure when the time comes to pass it.

ECONOMIC GROWTH

Madam President, on one final matter, our servicemembers will not be the only Americans who will be receiving well-deserved pay increases. As Republicans' pro-opportunity agenda continues to take hold, our economy con-

tinues to steam ahead, and working families across the country are reaping the benefits.

By now, we are all familiar with the fact that millions of American workers have received special bonuses, wage increases, or other new benefits from their employers as a direct result of our Nation's new Tax Code. We are talking about nationwide employers from AT&T to Walmart, and local businesses from Glier's Meats in my home State of Kentucky to Stricks Ag in Montana, and New Hudson Facades in Pennsylvania. These are, in some cases, the multithousand-dollar bonuses that my friends, the Democratic leaders in the House and in the Senate, tried to shrug off as "crumbs"—maybe in New York or San Francisco but not much anywhere else.

Remember, they persuaded every one of our Democratic colleagues to vote against tax cuts.

Well, the Bureau of Labor Statistics recently found the Employment Cost Index—that is everything American employers spend on employee wages and benefits—has increased 2.8 percent in the last 12 months alone. As CNBC reported, that is the strongest year-over-year growth since the autumn of 2008.

So let me say that again. By this measure, on Republicans' watch, worker pay and benefits has already logged a faster 12-month growth rate than we ever achieved in all of President Obama's time in office.

It is yet another data point: American workers, job creators, and middle-class families are enjoying one of their best economic moments in a long time, and it is thanks, in part, to Republicans' economic agenda, which is getting Washington's foot off the brake.

I am proud this week's appropriations bill will give American servicemembers a raise. I am also proud our healthy economy is giving a raise to millions more Americans, and Republican policies are helping to make that happen.

The PRESIDING OFFICER. The Democratic whip.

DEFENSE APPROPRIATIONS

Mr. DURBIN. Madam President, pending before the U.S. Senate today are two of the biggest appropriations bills we will consider this year. As Senator MCCONNELL, the Republican leader, mentioned, they are the eighth and ninth bills we will pass.

One of those bills I have had a direct interest in as the ranking Democrat on the Defense Appropriations Subcommittee. We are about to break a record. This spending bill for the Department of Defense is one of the largest increases we have seen in any given year. This bill is \$607 billion for day-to-day operations of the Department of Defense and another \$68 billion for something known as Overseas Contingency Operations, which is just another category of spending. This one bill—one bill of the Department of Defense—comprises 49 percent of all of

discretionary spending of the Government of the United States of America. Almost half of our discretionary budget is going to be spent in this bill. Accompanying it is the bill on health and education, which is the second largest appropriations bill we consider. So between the two of these bills, we are talking about a massive government expenditure.

Let's reflect on that expenditure for a moment.

There is no replacement for a strong national defense, but we should ask ourselves why. Why does it cost the American taxpayer so much to defend America?

The last budget deal, under which we are working here, provided a near-record increase for the Department of Defense. Going back almost 50 years, you can only find two or three other increases comparable. We are talking about a massive expenditure and a substantial, historic increase in the Department of Defense.

Why? Because we face enemies in this world. I am not naive about that. I believe it. When it comes to superpowers threatening us, at the top of the list is Russia, and second on the list is China.

How much do they spend, when it comes to the defense budgets of those two countries—our two hard targets, the most threatening nations when it comes to the United States? That is where you have to step back and shake your head and say that can't be true. But it is true.

The Russian defense budget from 2017 to 2018 is \$78 billion. Remember my earlier figures? We are going to be spending \$700 billion, and their annual budget is \$78 billion.

How can there be such a disparity? Some people have argued that it is because of the accounting methods. It is the fact that Russian soldiers are paid dirt wages and ours, thank goodness, are paid just compensation and are given benefits. I accept all of that, but it still doesn't explain an almost 10-to-1 ratio of spending in the United States against spending in Russia.

What about China? There is another nation that we are worried about in terms of our national defense. China is believed to spend about \$175 billion a year, about one-fourth of our total defense spending.

Here is Russia spending about 10 percent of our defense spending, and we are concerned about the threat they pose to the United States and our allies. Here is China spending one-fourth of what we do, and we worry about their expanded roles in places like the Pacific.

What is baffling about that comparison is that we spend so much more than our major adversaries in the world. Yet many experts testify over and over before congressional committees that we are falling behind in the development of key technologies—technologies like satellites, artificial intelligence, hypersonic missiles, and quantum computing.

It doesn't stand to reason that the United States of America, with all of its strength and all of its innovation and all of its ingenuity, is being challenged in the world by countries that are spending a fraction of what we spend.

The conclusion is obvious. Our large increase of military spending calls for more accountability on how these funds are being spent. I voted for Secretary Mattis. I respect him very much, not only for his service to our country as a General in the U.S. Marine Corps but also as our Secretary of Defense. Thank goodness he is on the job. I have a lot of faith in him, and I believe he has a steady hand in an administration where there aren't too many steady hands.

In March, Secretary Mattis sent a memo to every member of the Department of Defense, and here was the title: "Be Peerless Stewards of the Taxpayers' Dollars." I have had the opportunity on two or three occasions to have direct conversations with Secretary Mattis about my concern that we are dramatically increasing American spending over our adversaries and still we believe they have a competitive edge or a near-competitive edge in many critical areas. Secretary Mattis correctly assessed in this report that the Pentagon needs a culture of performance and accountability in order to increase the trust and confidence that not only Congress but especially the American taxpayer places in his team.

We also have a procurement system—a purchasing system—that sadly encourages poor behavior and poor results. I asked Dr. Michael Griffin, the top research and development official in the Department of Defense: Why do we spend so much more in the United States and continue to fall behind?

He said that many members of the Department of Defense are afraid to be the last to say yes to a program that may not succeed. Too many decisions are pushed up the bureaucratic ladder to higher levels, which strangles these programs in redtape and delays them even more. If something goes wrong, failures are the subject of heated congressional hearings. We have seen that over and over—from \$20,000 toilet seats and similar scandals in the past.

I agree with Dr. Griffin's findings. The Department of Defense needs to do so much more to change the culture of accountability at that agency. We need to establish a new spirit of transparency. Right now, every weapon system—every single one of them—is sold to Congress with a rosy scenario: technological breakthroughs at a modest cost. There is no difference between the sales pitch on a program that is easy to develop and one that is a giant risk.

The Department of Defense needs to be more upfront and more candid with what can go wrong and what will happen if something does go wrong. Very often, the contentious hearings that Dr. Griffin spoke about are not the re-

sult of a failed test but a broken promise.

While the Pentagon has much work ahead of it to improve its accountability, the world does stand still. The Defense appropriations bill before the Senate makes major investments and innovation, and these are critical to our servicemembers, their families, and to the defense of our Nation. In this bill there is \$95.1 billion in research and development spending. Remember, the total budget is almost \$700 billion, and \$95.1 billion goes for R&D. This is the highest level of R&D funding in programs in the history of the Department of Defense, even when adjusted for inflation, and I support it.

The increases provided by the committee will include major investments in areas that are challenging and promising at the same time: artificial intelligence, satellite technologies, and basic research. In addition, the bill provides \$1.8 billion, just a small proportion of the total budget, and that money goes to medical research. That is a 5-percent increase over last year's spending. This DOD research is just a fraction of what is invested at the National Institutes of Health, which I will address in a moment, that resulted in breakthroughs ranging from breast cancer treatments to battlefield medical care.

Our soldiers, sailors, marines, members of the Coast Guard, and airmen are surviving in battle because of this research at the Department of Defense. It is money well spent.

With all of the valuable investments that are included in this bill, I want to especially thank Chairman RICHARD SHELBY, of Alabama, for all of his work on this bill. It has been a real joy to work with him. We have disagreed on a few things—don't get me wrong—and I am sure we will continue to do so, but we have known one another for many years. We respect one another, and we are determined that this critical bill is going to be part of the success report that comes out of the Senate as we break for the Labor Day recess.

Chairman SHELBY has been receptive to many suggestions and comments, and I have tried to do the same when he has made some ideas a part of his proposal in this bill. I want to commend him for all of his work to get the appropriations process on track, not just on this bill but on the others as well. We stand a real chance in the Senate of sending most appropriations bills to the President before the end of the fiscal year the last day of September—a feat that has not been accomplished for the defense budget in 10 years.

To Chairman SHELBY's great credit, he understands that moving this Defense appropriations bill along also means moving other appropriations bills with it. While there may be tough votes coming up, we have come a long way to reestablish regular order in the last few months, and I am happy to be a part of this bipartisan solution. I

hope the House will come back soon and join us in this effort. We would love to see them again.

Now, let me say a word about the other appropriations bill that is part of our package on the floor. This bill, the Labor-HHS-Education bill, includes funding for the National Institutes of Health. For the past 6 years, I have made this the focal point of my work here in the Senate. I don't take particular credit for the results, but I have done my darndest to encourage my colleagues on both sides of the aisle to make this a priority, and I am happy to report they have.

For the fourth year in a row, Congress is on track to provide the National Institutes of Health with funding increases of at least 5 percent in real growth—a \$2 billion increase in this bill. In the fiscal year 2019 Labor, Health and Human Services, and Education appropriations bill before the Senate, we will help to ensure that our Nation's best and brightest medical researchers have the funding they need to conduct research on the diseases and conditions that impact every single American.

NIH researchers are currently trying to develop cures for cancer, to figure out developments to delay or prevent the threat of Alzheimer's, and to help better those living with heart disease or diabetes.

Between 2010 and 2016, the Food and Drug Administration approved 210 new drugs in that 6-year period of time for treatments in the United States. Every single one of these new drugs was developed with funding by the National Institutes of Health.

I hope, as we move forward to conference with the House on this bill, that we can include at least a 5-percent funding increase for the Centers for Disease Control and Prevention, as well as other agencies that allow America to literally lead the world in medical innovation.

This bill provides \$3.7 billion for the prevention and treatment of the scourge of opioid addiction. It will help our Federal agencies to respond better to this ongoing public health challenge. It includes provisions I requested to help the CDC address the toll of violence in the city of Chicago and assist with the Legionnaires' disease outbreak in Quincy, IL. It rejects President Trump's efforts to slash the Federal-Work Study Program and includes an increase in the maximum Pell grant of \$100. It includes \$5 million for the Open Textbooks Pilot Program, helping college students across America with the exploding cost of higher education.

It is a good bill, and I want to commend Senator PATTY MURRAY of Washington, the Democrat, and Senator ROY BLUNT of Missouri, the Republican, for crafting the bipartisan fiscal year 2019 Labor, Health and Human Services, and Education appropriations bill. I do think we should be addressing the skyrocketing drug costs that every single

American is well aware of. It is something we all talk about, but the underlying bill doesn't address it. I filed a bipartisan amendment with my friend and colleague from Iowa, Republican Senator CHUCK GRASSLEY, to improve price transparency and direct-to-consumer drug advertising.

If I ask you whether you have seen any ads for drugs on television and you answer no, then, I know automatically that you don't own a television because the average American sees a drug advertisement about nine times a day.

Why do the drug companies spend so much money advertising on television in the United States? Doesn't every other country do the same? No. It turns out that the United States and New Zealand are the only two countries that allow pharma, drug companies, to advertise their products on television directly to consumers.

Why would pharma spend \$6 billion a year on advertising so many different ways for Americans to buy these drugs? Because it is profitable. Americans, finally, after the fifth, sixth, seventh, or eighth time they have seen it can not only pronounce but even spell Xarelto. When they go to the doctor's office, they say: Doctor, maybe I need a little different blood thinner; maybe I need Xarelto.

Xarelto turns out to be the brand name of a very expensive prescription drug.

What about the drug Humira? How many ads have you seen for the drug Humira? You can't escape them. It is the most advertised treatment on television. Humira was designed to deal with rheumatoid arthritis, a very serious illness that many Americans face. Then, they found out that Humira might have some value when it comes to something called psoriasis. What is psoriasis? It is the red patch on my elbow.

They said: You know, you ought to consider Humira to deal with psoriasis.

Here is a Humira ad. Here is the one thing they don't disclose about Humira on the ad. It costs \$5,500 a month. I would like to have perfect skin on my elbow—but at a cost of \$5,500 per month? Would you think twice about asking for this drug from your doctor if you knew that it was going to cost this much? Of course you would.

Senator GRASSLEY and I have a simple amendment. The drug companies that want to advertise on television ought to advertise the price of their product or treatment as well. Pharma hates this idea like the devil hates holy water. The notion of actually disclosing what these drugs cost would not only give you a jolt—as you hear \$5,500 a month for Humira—but it would also dramatize the increases in drug costs that we see happening all of the time.

Senator GRASSLEY and I have an amendment before this Senate that is going to call for the disclosure of drug pricing. Don't you think the American people deserve this information?

Guess what. Look at the passenger side behind the driver's seat in your car. Look at the window. There is a little disclosure about exactly what you should have to pay for that car. But when it comes to paying for prescription drugs, pharma doesn't want to tell you. They want you to finally face it at the cash register.

I think Americans have a right to know earlier and more about the cost of these prescription drugs. Seventy-six percent of the American people, incidentally, agree with that position.

This amendment is bipartisan and is supported, incidentally, by 76 percent of Americans, the American Association of Retired Persons, the American Medical Association, and—hold on to your hat—President Donald Trump supports this provision as well.

We have an amendment that is bipartisan and is supported by the administration, which should be included in this bill, which will move us toward price disclosure. I think it is overdue.

We also need to increase the funding for the Centers for Disease Control's work on congenital heart disease, the most common and deadliest category of birth defects.

I will be filing an amendment to increase the funding for this program from \$4 million to \$7 million—a modest amount in a bill of billions of dollars but one that would help 2.4 million Americans living with congenital heart disease.

STUDENT LOAN DEBT

Madam President, I also plan to file 2 amendments to help some of the 44 million Americans who are struggling with student loan debt by bringing sanity to the way student loans are treated in bankruptcy.

Unlike most types of debt, student loans are extremely difficult—almost impossible—to discharge in bankruptcy. Why? There are two reasons. A debtor has to meet a high bar of showing “undue hardship” in order to get student loans discharged, and the Department of Education pays private contracting firms to fight the students tooth and nail in court if they try to seek a discharge of their student debt because of undue hardship.

My amendments would bar the use of Federal funds to pay these contractors who contest undue hardship claims in bankruptcy court when the claims are brought by certain student debtors.

Listen to the categories of people we have included in this amendment, people I think would be deserving of discharge of their student debts in bankruptcy court: No. 1, veterans who have been deemed unemployable because of a service-connected disability; No. 2, family caregivers of veterans or of the elderly or disabled family members; No. 3, people receiving Social Security disability whose only income is Social Security payments; and No. 4, borrowers who have finished school but have spent at least 5 years at a low income of less than \$24,000 a year.

Those are four of the categories of people we think deserve a break when

it comes to student loan debt. I hope my colleagues will join me in helping disabled veterans and their caregivers and the others included in this amendment.

A second amendment would focus exclusively on disabled veterans and family caregivers.

Finally, I will file two amendments to protect students from our Secretary of Education, Betsy DeVos. Secretary DeVos is planning to repeal or rewrite Obama-era borrower defense and gainful employment rules that help students and taxpayers avoid being cheated by for-profit colleges and universities.

Do you want to know the story on for-profit colleges and universities? You need to know only two numbers: only 9 percent of all post-secondary students attend for-profit schools—University of Phoenix, DeVry, and similar schools; 9 percent of students go to that type of school, yet 33 percent of all student loan defaults are from students who attend these for-profit schools. Why—9 percent of the students, 33 percent of the student loan defaults? There are two reasons. No. 1 is they charge too darn much. They are dramatically more expensive than other alternative education at the higher education level. Secondly, their diplomas aren't worth the paper they are written on. These students learn after they graduate that they can't get a job to pay back their student loans.

So I think in this situation Secretary DeVos is doing exactly the wrong thing. She is not holding these schools accountable. She is making it tougher for the students who are lured into their traps to get relief. I am pleased that many of my colleagues have joined in this effort. The Secretary of Education should not roll back important protections for students and taxpayers, and the Secretary should not eliminate Federal student debt relief for borrowers defrauded by predatory for-profit schools like Corinthian and ITT Tech. It is my hope that these amendments will be included in the final bill.

Madam President, once again, the Senate is considering bipartisan appropriations bills. These bills may not include everything I want or everything other Members want. They are good compromises, which I plan to support. I yield the floor.

I suggest the absence of a quorum.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Madam President, today, President Trump's nominee for the Supreme Court will be making the rounds in the Senate. I will be meeting with him this afternoon. Several members of the Judiciary Committee will be meeting with him over the course of today and the rest of the week, as will some other Members.

I hope he comes prepared to answer direct questions about his writings,

speeches, opinions, and judicial philosophy. The nominee has weighed in on a number of legal issues publicly and in his role as a circuit judge. There is little reason why he should be unable to answer direct questions about his judicial philosophy, his record, and already decided cases.

I also hope that he is willing to shed some light in the areas in his record that remain opaque. The Senate and the public have been able to see only a tiny fraction of the nominee's extensive written record because, unfortunately, the Republican majority continues to block access to the great bulk of these documents. I will ask our Republicans: What are they hiding?

We did make a little progress last night after the Parliamentarian ruled that the rules of the Senate allow every Senator to see the committee documents. Chairman GRASSLEY graciously agreed that any committee member could see them without muss or fuss. So we very much appreciate that.

The next Supreme Court Justice, whether it is Judge Kavanaugh or not, will have immense influence over the lives of every American for generations to come. Most Americans think this is sort of an abstract or political argument. It is not.

The actual rulings of Kavanaugh will affect just about everyone's life in America in very significant and material ways. The next Supreme Court Justice may someday determine whether the President must comply with a duly issued subpoena. The next Supreme Court Justice may someday soon determine whether Americans with preexisting conditions will be able to afford healthcare. The next justice someday soon may determine just how much States can restrict a woman's constitutionally guaranteed right to make her own medical decisions, to say nothing about labor rights, civil rights, voting rights, environmental protections, and more.

All of these things, part of the wellspring of America, are affected by the Supreme Court's rulings. As we know, Judge Kavanaugh will be a crucial vote on just about every one of those issues with the 4-to-4 division on the court today.

Judge Kavanaugh, in his meetings with Senators today and the days ahead, has a responsibility—a responsibility—not to duck, not to hide behind false legal shibboleths or say: Oh, I just can't discuss this; a case might come before me. He has a responsibility to inform the Senate as to his beliefs and philosophy so that the Senate can conduct its constitutional duty to advise and consent.

HEALTHCARE

Madam President, on another matter, it seems that every day we read about a new danger to our healthcare system caused by President Trump and his party in Congress. Only a few days ago, it was announced that the court case that concerns the constitu-

tionality of protections for Americans with preexisting conditions, *Texas v. United States*, will begin on September 5.

Remember, President Trump's Justice Department has refused to defend protections for preexisting conditions in court. What an abomination. Just about every American has someone in their family—who has an illness. Someone might have diabetes. Someone might have asthma and, God forbid, something worse. Those are preexisting conditions. That family will not be able to get health insurance. That family risks that their present insurance will expire and they will not get anything new.

This administration is trying to take away that protection so important to so many Americans. That is what is happening, so Senators MANCHIN and CASEY have introduced a resolution asking the Senate legal counsel to step in to defend the law since the administration will not. I hope we get a vote on that resolution soon. I don't see how anyone couldn't be for it.

Sadly, the Justice Department's decision to abandon protections for preexisting conditions is far from the only example of President Trump's repeated sabotage of our healthcare system. Over and over again, he has tried to undo the healthcare Americans have without even understanding what he is really doing.

On day one, President Trump issued an Executive order aimed at the healthcare law. It was the very first thing he did. He then proposed legislation with congressional Republicans to repeal the healthcare law, devastate Medicaid, and eliminate protections for tens of millions of people with preexisting conditions. That failed, but congressional Republicans managed to repeal the coverage requirement in their tax bill, of all places, and put nothing in its place, causing unnecessary premium increases across the country.

Americans know, as their premium increases gallop upward, that it is Republicans in the Senate and President Trump in the White House who have caused this to happen. Now he continues to do that. He has expanded the availability of junk insurance plans that bait Americans in with lowest rates while providing only the flimsiest of coverage.

Again, if these junk insurance plans become the law, the rule, the mode, so many people will lose their ability to protect themselves when they have preexisting conditions.

These actions by President Trump, aided, abetted, and encouraged by congressional Republicans who either agreed with him or failed to challenge him meaningfully, have had devastating results for so many Americans.

Premiums have risen by double digits in a bunch of States, the direct result of Republican sabotage. And the insurers themselves—they are the ones who

have raised the rates, but they say: Hey, it is Republicans in the House, Senate, and the White House who are causing it. Those insurance industries don't tend to favor Democrats, but they have to protect themselves and their clients.

Prescription drug costs continue to rise. After promising tough action on prescription drugs, the President and congressional Republicans have hardly lifted a finger. The United States is now last—dead last—among industrialized nations in maternal mortality. The United States is the only industrialized country in the world with rising maternal mortality rates. Despite all of our advances in genetics, nutrition, and surgery, the United States is getting worse at caring for mothers. We should hang our heads in shame about that. We should do something about it.

Come on, Republican colleagues. Your voters are no different from our voters and independent voters. They care about good healthcare at an affordable cost. Please, do something about it. Join us.

But instead of grappling with these problems and proposing solutions, President Trump and congressional Republicans just launch attack after attack after attack on our healthcare system, particularly women's health. That worked in the 2016 campaign because they said that they had a plan to replace it with something better. No plan—no plan emerged. And it is not working for them now. It is just not working for them.

The American people overwhelmingly prefer Democrats to Republicans on healthcare, and healthcare is the No. 1 issue in State after State after State. So for their own political benefit, Republicans in the Senate and in the House ought to wake up—wake up—because the old playbook that may have worked in 2014 and 2016 when you weren't in charge—it was a Democratic President and a Democratic Senate for part of that time—ain't no more. You are in charge, and you put nothing in its place—nothing. There is just negativity.

In poll after poll after poll, the American people say that healthcare is the No. 1 issue. They don't want to go back to a time before we offered protections for Americans with preexisting conditions. They don't want to go back to a time when insurance companies charged women and seniors and older Americans more for the same exact coverage. They don't want to go back to a time when insurance companies could deny maternity care, mental health treatment, prescription drug coverage, and more, but that is where President Trump and our Republican colleagues want to take us. I say to all those blue-collar folks who voted for President Trump: He promised you better healthcare. Is he delivering it? Go look at your bills. Go look at healthcare. If he is not, maybe you will help bring some change to Washington—real change—so that your

healthcare costs will be lower and your healthcare will improve.

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

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

NOMINATION OF BRETT KAVANAUGH

Mr. ALEXANDER. Madam President, the Senate has developed a bad habit. That bad habit is treating Presidential nominees as innocent until nominated. I hope to see better behavior during the next few weeks as the Senate begins hearings on President Trump's nomination of Judge Kavanaugh to be a member of the U.S. Supreme Court. Instead of treating Judge Kavanaugh as someone recently released from San Quentin prison, I hope we treat him with dignity and respect so Americans can better understand his temperament, his intelligence, and his character. That is what we should want to know about a Presidential nominee for the Supreme Court.

The current rudeness is a recent phenomenon. Historically, Senators have recognized that bipartisan approval of qualified nominees helps improve the esteem of the Court. It confirms its impartiality. It strengthens it as an institution. For example, conservative Justice Antonin Scalia was confirmed unanimously by this body even though he was perhaps the most conservative Justice on the Court. On the other hand, Justice Ruth Bader Ginsburg was confirmed with only three votes against her even though she may arguably be the most liberal Justice on the Court. Both were obviously well qualified, of good character, high intelligence, and good demeanor, and therefore the Senate—unanimously in one case and with only three “no” votes in the other case—confirmed the President's nominees.

More recently, half the Democratic Senators voted to confirm President Bush's nominee Chief Justice John Roberts. In 2014, I voted to confirm President Obama's nominee, Sonia Sotomayor, not because I agreed with her but because I thought she was obviously well qualified for the position.

Some Senators insist that Judge Kavanaugh should tell them how he might decide a case. That reminds me of a story from Senator Howard Baker, the former majority leader of the U.S. Senate, who was a practicing lawyer in the mountains. He said he was once before a mountain judge who told the lawyers right before the case: “Boys, just give me a little bit on the law. I had a telephone call last night, and I pretty well know the facts.” Judges aren't supposed to decide a case in advance. That is why we have judges—to create an impartial judicial system.

Justice Ginsburg said during her confirmation that she would give “no

hints, no forecasts, no previews” of what her legal views might be if she were to be confirmed. This rule is now known as the Ginsburg rule. Justices are supposed to follow the law and decide cases when the cases are presented, not before Justices are confirmed or while they are being confirmed.

Of course, a Justice's opinions and decisions can be surprising. That has been true throughout the history of the Supreme Court. President Franklin D. Roosevelt was often surprised by Justice Felix Frankfurter. Justice Scalia once ruled that a government ban on flag-burning violated the First Amendment. Scalia also said that “the judge who always likes the results he reaches is a bad judge.”

In 2006, I voted for Judge Kavanaugh when he was President George W. Bush's nominee for the U.S. Court of Appeals for the District of Columbia Circuit.

Last month, I attended President Trump's nomination of Judge Kavanaugh at the White House. It is said that you only get one chance to make a first impression, and Judge Kavanaugh certainly took advantage of his one opportunity that night.

I was again impressed with Judge Kavanaugh when I visited with him in my office a few weeks ago. We discussed federalism, how to strengthen the Supreme Court as an institution, and other matters. Never once did I ask him how he might vote on a particular case.

I will not announce how I will vote on his nomination until the hearings are complete. Some Democratic Senators have already announced their opposition to Judge Kavanaugh. I wonder, why have a hearing? Why ask for more records to examine if you have already decided how you are going to vote?

During my 8 years as Governor of Tennessee, I appointed probably 50 judges. In doing so, I looked for the same qualities I will look for in considering the nomination of Judge Kavanaugh: intelligence, character, temperament, respect for the law, and respect for those who come before the Court. I did not ask one applicant to be a Tennessee judge, of that entire 50, how he or she might rule on abortion or immigration or taxation. And political party membership was far down my list of considerations when I had the job, as the chief executive of a State, of appointing judges.

I hope the Senate will return to the practice of inquiring diligently about the qualifications of a nominee, about intelligence, about character, about temperament, and get away from this bad habit of treating Presidential nominees for the Supreme Court as if they had just been released from San Quentin and as if they were innocent until nominated.

I thank the President.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3829

Mr. ENZI. Mr. President, I rise to offer an amendment aimed at helping to ensure the integrity of the budget enforcement process in future years. Before I do so, I would like to again acknowledge the hard work the Appropriations Committee has put into the fiscal year 2019 spending bills.

We have made significant progress so far this year, particularly considering that this is the first Labor, Health and Human Services, and Education appropriations bill to be brought to the Senate floor for amendment in nearly 11 years. I commend the committee and its leaders for their efforts and the spirit of cooperation that has made this feat possible.

As it stands now, this appropriations bill is subject to a point of order under section 314 of S. Con. Res. 70, the fiscal year 2009 budget resolution authored by former Democratic Senator and Budget Committee chairman Kent Conrad. That point of order aims to prevent mandatory spending increases on appropriations bills. My amendment remedies this violation while maintaining the proposed increase to the maximum award.

The amendment I am offering relates to the budgetary effects of the substitute amendment's proposed increase to the maximum discretionary Pell Grant award for the award year 2019–2020.

If anybody has been able to follow that so far, you ought to be on the Budget Committee. Now I am going to give a lot more detail that will be equally as difficult, because it needs to be a part of the record to show why we need the amendment that I am talking about in order to avoid a point of order and to get the increase for this year that is being requested.

As former chairman of the HELP Committee, I understand how important Pell Grants are in making college more affordable and accessible, especially for students from my home State of Wyoming. That is why I want to be very clear that my amendment would not cut Pell Grant funding for the 2019–2020 award year or prevent future increases in the maximum annual award. My amendment simply deals with how we account for such increases in the Federal ledger.

First, a little background may be helpful on the Pell Grant program, which has one of the most complicated funding profiles in the entire Federal budget. The Pell Grant program is funded by a mix of annual discretionary appropriations, a so-called mandatory add-on award, and a permanent mandatory funding stream. My

amendment deals with the interaction between the discretionary and the mandatory add-on funding streams.

Each year, the Appropriations Committee includes a provision in the Department of Education spending bill specifying the maximum discretionary Pell Grant award for the upcoming award year. The substitute amendment would increase that maximum award for the award year 2019–2020 by \$100 to \$5,135. CBO estimates that this change, which follows a \$175 increase to the maximum award provided in fiscal year 2018, will increase mandatory spending on the add-on by \$39 million in fiscal year 2019. It is pretty complicated. There are a lot of dollars, a lot of different places.

Even though the substitute specifies the maximum discretionary award is \$5,135 for award year 2019–2020, under scoring rules—that is how we keep track of how much money we are going to owe—the CBO has to assume this maximum award extends through 2028. That means the \$39 million annual mandatory cost of this provision also extends through 2028, giving it a 10-year score of \$390 million. The substitute amendment includes an offset for the \$39 million cost in the first year but leaves the remaining \$351 million in mandatory spending scored to the fiscal year 2019 bill unpaid for. Again, under scoring rules, once that \$350 million in estimated future spending is incorporated into the baseline, it will not be subject to budget enforcement in future years and will never need to be paid for. That is a problem we face regularly around here, and this is the problem my amendment aims to address.

My amendment would maintain the maximum discretionary award for 2019–2020 to \$5,135, preserving the \$100 increase proposed by the Appropriations Committee, while it would prevent the estimated \$351 million increase in estimated future year spending from being rolled into the baseline where it could escape enforcement or even notice in future years. It would require Congress to offset future mandatory spending increases just as the substitute amendment would do for the first year. If we can do it now, we should be able to do it in the future.

Let me repeat. My amendment would not reduce the maximum Pell grant for the 2019–2020 award year or prevent future increases to the maximum award. In fact, it would maintain the proposed increase to the maximum Pell grant for the 2019–2020 award year.

Let me repeat. As it now stands, this appropriations bill is subject to a point of order under section 314 of S. Con. Res. 70 of the fiscal year 2009 budget resolution, which was authored by former Democratic Senator and Budget Committee Chairman Kent Conrad and passed. That point of order aims to prevent mandatory spending increases on appropriations bills. My amendment remedies this violation while maintaining the proposed increase to the maximum award.

This is just a good-government amendment, and I urge my colleagues to support it. Let's not be spending into the future until we know where the money is coming from. Let's go ahead and make the award for this year, and let's find a way to pay for it next year.

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

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

Mr. BLUNT. Mr. President, this is the first time in 11 years that the chairman of the Labor, Health and Human Services, and Education Subcommittee has had a chance to stand on the floor and present a bill. It is a subcommittee that I am honored to chair. As a subcommittee member, I am honored to get to serve on that committee with the Presiding Officer. It is a subcommittee that is led on the other side by Senator MURRAY from Washington, the ranking member on this committee.

This is not a bill that either Senator MURRAY nor I would have drafted on our own, but our job was not to draft a bill that I thought was the perfect bill for me to vote for or the perfect way for all of these agencies to be run. There is a reason that this bill has not been on the floor in 11 years. It is big. It is complex. It can be contentious. But Senator SHELBY, the chairman of the full committee, and Senator LEAHY, the lead Democrat on the full committee, have made an incredible, good-faith effort to come to the floor with a bill that focuses on how we spend the money.

There is not much new in this bill about all of the things we could try to determine about social policy and about issues that all of us feel strongly about, but there are other committees whose principal job is to do that. Our committee's principal job is to decide how we establish the priorities for the country and how we spend the money.

Senator MCCONNELL and Senator SCHUMER have also both had to agree that if we are going to get these appropriations bills on the floor, if we are going to have all of the Members of the Senate—for the first time, in the case of this bill—get a chance to debate this bill for the first time in 11 years, that is not going to happen if we try to have a big authorizing bill and a big appropriating bill all wrapped into one.

I see the ranking member has come to the floor right after I praised him and Senator SHELBY for the unique leadership they have had that has allowed us to get this bill on the floor.

This bill deals with everything from medical research to home energy assistance, to employment opportunities, training programs, and Pell grants for

people who are trying to go to college who don't have the resources that would allow them to do that otherwise. It is the largest of the nondefense discretionary bills. About 30 percent of all of the nondefense spending is in this one bill.

We take that bill and add it to the defense spending bill, and suddenly we are looking at roughly 62 percent of all of the spending of the Federal Government. That still sounds like a pretty big bill, but it is the first time in the case of the Labor, Health, Human Services, and Education Subcommittee—and then we have that unique add-on, “and Related Agencies,” just to get the footprint even a little bigger—in over a decade that Members have been able to come to the floor and say: No, we would like you to spend the money here rather than here.

By the way, as the Presiding Officer understands, to do that, that Member also has to say: Here is where we are going to take the money from to pay for it.

So it is not just on the floor and you get to make up all of the spending you want to that those of us on the appropriating committee didn't have a chance to do. There is still a finite amount of money.

So for the Presiding Officer's amendment, the Kennedy amendment, which will be offered right after we finish this morning's discussion and go to votes, he had to come up with an amount of money to pay for that.

I am fully supportive of the amendment that he and Senator REED came up with to deal with the pressing issue of suicide prevention and the disturbing suicide rates. In my State of Missouri, suicide rates have increased by 36 percent above where they were in the year 2000—a 36-percent increase. Too many of those are our veterans. Too many of those are people who serve on the frontlines of homeland security, police, and veterans. All of that is something we need to look at. Here is the Presiding Officer's opportunity, which he took, to say: No, I think there is a better way to spend some of this money than how the committee spends it. That is what we missed for the last 11 years, when 69 of the Senators didn't have any say as to what the 31 of us who serve on the Appropriations Committee need to debate and talk about.

So we now bring this bill to the floor. There were 6,164 ideas that came to Senator MURRAY and me—6,164 Member requests of ideas as to how this could be the best possible bill. I think most of those are reflected in what we did.

In this bill, we talk about fighting the opioid epidemic. We talk about promoting college affordability, strengthening the workforce, and having people better prepared for the jobs that are out there to be filled than they would otherwise see.

Now, both sides would approach drafting this bill differently. We would both start out with some significantly different sets of priorities. We have

been able to reach an agreement that neither of us would have drafted on our own, but that is not the job that we were given. We have been able to present a bipartisan bill to the full committee and have that bill referred out of the full committee with 30 “yes” votes and 1 “no” vote, and now we are bringing that bill to the Senate floor.

It represents a compromise on both sides. It represents taking a step back on issues that authorize on both sides, which we can deal with at a later time. I certainly appreciate not just the leadership of Senator LEAHY and the leadership of Senator SHELBY but also the leadership of Senator MURRAY in helping to determine what those priorities would be and should be.

I see Senator LEAHY is standing on the floor, and I am glad to yield to him for a comment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I just wanted to applaud what the Senator from Missouri just said. He has had a lot of experience in the other body and here in the Senate. He and I have been here since a time when we actually voted on these bills and got them done.

I note that he has been a tremendous help in getting us this far. For Senator MURRAY, because of a very necessary absence, I will manage her part of this bill when it is up. She has worked very hard on it. As the Senator from Missouri just said, regarding the vote we had in the Appropriations Committee, keep in mind that appropriations goes across the political spectrum of both parties, and we reported this bill out of the committee with broad bipartisan support. I commend Senator SHELBY too.

We are opposed to authorizing legislation on the right or the left, unless there is total agreement with everybody, because we want to get these bills done. We still have to go to conference with the House when they come back in a few weeks. We want to have a solid vote here.

So I thank the Senator from Missouri for the work he has done. We are getting somewhere, and as someone who has been here for a long time, I am rather happy to see that.

I yield the floor.

I thank the Senator for yielding.

Mr. BLUNT. Mr. President, I thank the Senator from Vermont for his leadership. Again, this is the first time in over a decade for the 69 people who aren't on the Appropriations Committee to get to come to the floor and offer amendments and think about what this bill does.

Let's talk about some of the things it does. We worked really hard over the last 4 years to do the kinds of things we ought to do in healthcare research. This bill, for the first time, reaches a long-held goal of the national plan to address Alzheimer's disease, of getting those annual research dollars up over \$2 billion—in fact, \$2.34 billion, exceeding what had been a long-term goal.

The goal should not be how much money we spend. It should be finding a way to solve this problem. This is a significant increase over last year. It quadruples where we were 4 years ago. We spent 277 billion tax dollars a year on Alzheimer's and dementia-related care. A lot more private money is spent than that—three times that amount in private money—and there is lost work as caregivers step back to help people with these terrible diseases of dementia and Alzheimer's. But here is \$277 billion. So this bill does about 1 percent of that in research to try to solve a problem that taxpayers are overwhelmed by. It is a problem that by 2050, if we don't find a solution, we will be spending about twice today's defense budget—\$1.1 trillion of today's dollars being spent on Alzheimer's care if we don't do what we need to. This is the only leading cause of death that doesn't have a treatment, doesn't have a cure, doesn't have a way to prevent it, and, obviously, the right kind of discovery, the right kind of medical advancement that can change the lives of millions of American families now and in the future if we do this.

I am pleased to see we are making that investment. I am also pleased to see that after a 12-year period, when there wasn't any increase in healthcare research spending at all, we continue to find money, in many cases by eliminating programs that weren't working, to where we had a 30-percent increase in NIH funding over the last 4 years. What a 4 years to be doing that—understanding the things we know now about the human genome, understanding how each of us is different than all the rest of us and that, in fact, each of us has a different capacity to fight disease than any other person does. If you can figure out how to maximize that, such as things like immunotherapy in cancer, where many cancers that 5 years ago were largely untreatable—and if they were treatable, they were treatable with radiation and chemotherapy—are now treatable by just simply figuring out how, in your own system, you can maximize your ability to fight back. That is the NIH healthcare research kind of victory we need to now continue to find out why it works on some cancers and why it doesn't work on others.

This kind of research and commitment to NIH not only helps individuals and helps families but, frankly, at a time when healthcare is dramatically changing, has the ability to help our economy. The economy that figures out new ways to be in this healthcare fight is also going to be the economy that has the job opportunities and the transformational opportunities to be part of that.

Not only are we looking at healthcare research, but we are also looking at research as it relates to the opioid epidemic. The opioid cost to the economy is now anticipated to be about \$500 billion a year in lost work

time and other costs related to the opioid epidemic.

This bill provides a significant, targeted opioid funding. This is the fourth year in a row we have increased our funding. Again, this is only the second time we have had any more money to do it with. We have had to look at programs that weren't working and cut, reduce, and combine those programs to fight back on the opioid epidemic, which is now, and for a couple of years has been, the No. 1 cause of accidental death in the United States. It is the No. 1 accidental cause of death in my State of Missouri. The 73,000 people who died last year with overdoses exceed the number of people who died in car accidents, which for decades had been the No. 1 cause of accidental deaths until opioids replaced it.

We have \$1.5 billion available for State opioid response grants. Understanding that every State is different, and frankly the more things we try to do in different ways, the more likely we are to find the things that work. We have that.

There is more money for community health centers to expand behavioral health and substance abuse disorder services. There is an increase in the ability to improve surveillance and prevention efforts in the illicit drug space or the drug abuse space, more money to research pain management. Part of the NIH money, at half a billion dollars, is designed to find more ways to research for better pain management and better ways to, if you have become addicted to drugs and opioids specifically, end that addiction in an effective way. There is more money for the hardest hit rural communities. Some of our Members have advocated strongly for a drug problem that is more of a rural drug problem on a per capita basis than it is an urban drug problem.

There is more money for children and families who are put at risk by opioids. I saw a news report just this week focusing on kids being raised by their grandparents because their parents wound up with an opioid addiction problem that drove their life in a way their children were not only in danger and ignored but had to go somewhere else.

This bill prioritizes education programs through a student's life, focusing on programs that provide the most flexibility for States and communities that meet the needs of families, children, and their workforce in their State.

There are increases for Head Start, increases for title I support for low-income schools to help them meet academic challenges. There is more money to meet the goal the Federal Government set decades ago, where individuals with disabilities are assisted within the school context, as the Federal Government determined they had to be, but the Federal Government has been wanting and coming up with the money that was committed to do that

decades ago. We continue to make steps in the right direction there, and I think there are substantial steps in this bill.

There is flexible spending so schools can look at more science, math, and STEM education, more computer science education, and more ability for schools to take some of their funds and look at school safety. Nobody wants to see kids go to school in an environment that is not as safe as we can possibly make it. This allows more flexibility for local administrators and local school boards to decide how they are going to meet that school safety need.

We looked at impact aid, charter schools, and programs that create both competition and fairness in a way I think people we work for will like.

This bill maintains the significant investments made last year on college access. The best way to minimize college debt is to get done, finish. Year-round Pell is something we returned to after several years of having only the normal traditional school year Pell. Year-round Pell is maintained in this as part of our Federal commitment to have people going to school. If you are an adult going back to school, if you are somebody who is a first-time college attendee in your family, if, for whatever reason, you are paying for your own school, the most likely way to get done is don't interrupt a pattern that is working. This bill allows that to continue.

We also do things that I think better prepare our workforce for the workplace. It is a bill to look forward to working with Members to see how it can be improved, just like the amendment we will be voting on soon that deals with suicide prevention in ways Senator KENNEDY and Senator REED have suggested, and I support.

With that, I will conclude my remarks.

I ask unanimous consent that there be 2 minutes of debate, equally divided in the usual form, prior to the vote on the Kennedy amendment.

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

Mr. BLUNT. I yield the floor.

VOTE ON AMENDMENT NO. 3773

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the amendment No. 3773.

Mr. BLUNT. 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 Arizona (Mr. MCCAIN) and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Washington (Mrs. MURRAY), the Senator from Hawaii (Mr. SCHATZ), and the Senator from New

Mexico (Mr. UDALL) are necessarily absent.

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 188 Leg.]

YEAS—95

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

NOT VOTING—5

Table listing Senators NOT VOTING: McCain, Murray, Schatz, Toomey, Udall.

The amendment (No. 3733) was agreed to.

VOTE ON AMENDMENT NO. 3703

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to the vote.

The Senator from Louisiana.

Mr. KENNEDY. Mr. President, my amendment No. 3703 is pretty straightforward. It would increase funding for the National Suicide Prevention Lifeline by an additional \$2.8 million.

It is a bipartisan amendment. It is fully offset. It is not adding money to the budget. I think it will do a great deal to make sure that anyone battling depression knows there is someone out there who is listening. Our National Suicide Prevention Hotline, as you know, supports the national network of local crisis centers. To date, they have answered more than 10 million calls from people in distress, and they estimate that over the next 4 years, they will take 12 million calls. We underfund them. It is embarrassing how much we underfund them.

Again, this will add an additional \$2.8 million to their budget, and it is fully offset.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. REED. I yield back.

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

All time is yielded back.

Mr. KENNEDY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

Under the previous order, the question now occurs on amendment No. 3703.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN) and the Senator from Pennsylvania (Mr. TOOMEY).

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

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 189 Leg.]

YEAS—95

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

NOT VOTING—5

Table listing Senators NOT VOTING: McCain, Murray, Schatz, Toomey, Udall.

The amendment (No. 3703) was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:14 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019—Continued

The PRESIDING OFFICER. The Senator from Idaho.