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. 3963 (to amendment No. 3696), 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 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 legislative clerk proceeded to call the roll.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. Without objection, it is so ordered.

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. Without objection, it is so ordered.

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 have seen 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 overdose, and certainly in the Presiding Officer’s State as well, is that we have States with 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 they grow. This has impacted our entire State very deeply. I have seen these needs firsthand through visits to the facilities, consultations 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 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 is 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 grow in the teenage years, 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 a 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. I strongly believe that people need resources that 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—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 the protein that is called 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. It is 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 in 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 and other serious brain disorders is contingent 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 brain disorders. 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 funding for Alzheimer’s, $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 underway. 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 member of the Senate Aging Caucus, I visited NIH headquarters last year with such determined advocates on behalf of the families all across our Nation who are living 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 Appropriations Committee. With NIH funds, 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 MURAN, 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, who has advocated for 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, consuming 1% of Medicare and Medicaid covering $386 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 Medicare system. Fortunately, Congress has taken significant actions and 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 $956 million in 2016, $1.4 billion in 2017, and $1.5 billion this year. Each $1 billion in NIH spending 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 believe 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.

Research laid 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 stopping or slowing or 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 the Appropriations subcommittee, I appreciate the opportunity to join my colleagues, 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 living with this devastating disease of Alzheimer’s.

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 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, Mr. 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 living with this devastating disease of Alzheimer’s.

In addition to our work in the appropriations process, there are a number of legislative efforts that are underway. 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 member of the Senate Aging Caucus, I visited NIH headquarters last year with such determined advocates on behalf of the families all across our Nation who are living with this devastating disease of Alzheimer’s.

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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.
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 expand biomedical research, increase 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 would like to recognize the 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 incredible increase in 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 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 their work. They have provided me with 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 Coons, Senator Carper, and Senator Moran.

When you think about what we are talking about here—healthcare research, the epidemic opioid, 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, perhaps, and me, we 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 for us 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 job 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 skills 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 Moran referred to has 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. And, 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 people 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 employers. 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 certification to 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 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.

Mr. CARDIN. Mr. President, before Senator Blunt leaves the floor, let me thank him for his leadership in regard to this important provision. The bill will require 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 other thing on.

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 the cruel 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 under-served 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 am a 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.

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. And so many 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 medications 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 increase in prescription drug costs 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 drug costs 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 industrialized 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.

Last, 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 directs the Army Futures Command to establish its headquarters for this fiscal year.

The purpose of this amendment is to delay the move 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 end 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 and investments.

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 how are they being 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 clear explanations, 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 now we have 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.

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 heartless and deliberate 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 pre-existing 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 pre-existing conditions are unconstitutional—unconstitutional.
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 business. He doesn’t hold 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 chockle 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 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 the kind of 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 the 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 justice who 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 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 SPIRE Act. We could be putting an end to the opioid crisis by reducing 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. We could be enabling President Trump’s worst instincts 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 Kavanaughs nomination. Tell the President his nominee will not get a hearing until he drops his lawsuit 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 on 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 panel 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—under 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.

Preexisting 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 my friend 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 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 if you can have Xarelto blood thinner rather than warfarin or some other version.

The difference, of course, is that 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? What I tell you, you will be surprised. 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. 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 because, perhaps in part, doctors drive 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 all outpatient hospital care. About $5,500 a month—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 combating the rising cost of prescription drugs, 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. And if you want to ask 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 brake 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 to not 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 said 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 stations. It makes 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 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, because everybody ought to want to consider the price.

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 200 years. That is why when all we want to do is 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 the fact 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 week 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 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 that the price 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 where 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 it 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 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, but 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 deals with much 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 seen on this floor, Wall Street profits keep going up, executive compensation keeps 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.

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

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

ROHINGYA CRISIS

Mr. MERCLEY. 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 organizations 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 350,000 or so villages burned, countless individuals slaughtered 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 of this horrific circumstance. We have no excuse not to 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 says the President has no authority to repatriate 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 procure, only man can prevent." But we do not respond clearly and effectively when there is a 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 democratized this ethnic 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. 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 before 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 get out of jail free. 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 to advise 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 about her position on the role of teachers and 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.

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

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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, nor what parents want. That is not what students want. That is not what teachers want. That is 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 PRESIDENTING OFFICER (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 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. 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 overruns. A second amendment would 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 unmanned ships. More ships mean 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 Pentagon’s Management and Budget Director, Mckinley Mulvany.

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 DO D would have to allocate for the parade at $15 million. That is in line with past 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 1,990 calories. A side of french fries adds another 400. A medium-sized soda is another 300 calories. A single vegetable 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 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 for a 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 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 PRESIDENTING OFFICER. The Senator from Wyoming.

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

When President Trump took office, he ran on the promise 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 put 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 regulations? That is a ratio of 22 to 1. It is in favor of cutting red tape, eliminating regulations, and cutting the amount of paperwork people have
April 18, 1966

Department of Commerce

Mr. President, I am authorized to inform the Senate that the President has signed Public Law 90-248, an Act that revised the National Aeronautics and Space Administration Act of 1958, as amended.

This Act revises the Administration's mission, organization, and responsibilities and, among other things, authorizes the establishment of a National Aeronautics and Space Administration and transfers to that Administration from 11 other Federal agencies the functions relating to the development of aeronautics and space and their utilization for peaceful purposes.

I am authorized to inform the Senate that the President has signed Public Law 90-249, an Act that appropriated $8.7 billion for the Department of Defense for the fiscal year ending September 30, 1967.

The Public Law appropriates the funds under this Act for the support of the several military departments of the Department of Defense and the several agencies within the Department of Defense for the conduct of military activities.

The Act also authorizes the establishment of Armed Forces volunteer programs on a voluntary basis, the establishment of a 1,000-man Seabee Detachment, and the appointment of a special representative to coordinate the work of Federal Government agencies in the field of technology and vocational education.

An excerpt from the Public Law states:

"...therefore, be it enacted by the Congress of the United States of America that it is hereby declared to be the policy of the United States to foster the necessary growth of the technological and research capabilities of the United States to meet the needs and demands of a rapidly changing technological world, to encourage the development and utilization of technological resources and to train personnel for the successful conduct of the technological enterprise of the United States...

The Act authorizes the appointment of a special representative to coordinate the work of Federal Government agencies in the field of technology and vocational education and authorizes the establishment of Armed Forces volunteer programs on a voluntary basis.

Mr. President, these Acts are an important step forward in our Nation's technological and educational programs. They reflect the President's commitment to the development of our technological capabilities and the need for a well-trained workforce to meet the challenges of the future.
hauled 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. 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 attention. We have been bedridden and required special attention for generations to come.

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 and strangers 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 Mr. 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.

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 our emergency response, our job here in Washington was just beginning. In the weeks and months following landfall, Congress passed three separate aid bills totaling $417 billion. Of course, this wasn’t just for Hurricane Harvey. 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 suddenly enabled 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 units, 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 Engineers 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 Pasc 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 wetlands.

Importantly, these projects include cost-share requirements reflecting the partnership between Texas, local officials, and the Trump administration to respond. Instead of single infrastructure projects, 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 cut was 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 hub of 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.

The clerk called the roll.

Mr. CARPER. Mr. President, I rise today with a number of my colleagues to speak out against the Trump administration’s EPA’s dirty power plan—a
proposals 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 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 with them with their bags, 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 their failed 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 economic—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 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, and the loss in lives 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 see 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 Arizona, 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 three of those 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 theoretical concern; 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 an amendment to the Senate floor that would 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, 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 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, C, or 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.

To 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 Obama administration’s analysis. This is EPA’s own analysis of Trump’s Clean Power Plan replacement. 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 death per year? Does that 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 throw 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 cost 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 air? The clear winner is 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. It follows 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 the 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 me worked on sulfur oxide, nitrogen oxide, and mercury—the Bush administration’s proposal Clear Skies. Pretty clever. We added 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 asked, are you happy with the proposal? 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 is supposed to do. It is going to be 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.

Mr. FLAKE. Mr. President, I want to rise today to address something that happened overnight that the President tweeted with regard to South Africa. I serve as chairman of the Foreign Relations 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 number of farmers 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 Africa 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. KAINÉ. Mr. President, I ask unanimous consent that the signatures come from the House.

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

The PRESIDING OFFICER. The clerk will call the roll.

Mr. KAINÉ. Mr. President, I ask unanimous consent to enter into a colloquy with my colleagues 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. KAINÉ. 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 take the two-ship part that the Navy needs 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 assurance 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 build 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. KAINÉ. 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 details on how significant savings will be achieved and a commitment to full transparency to any changes to the funding. 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 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 budgeting concerns.

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 gets signed, which I believe, 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 present.

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 to the Senate, the House, 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 able to make such purchases.

As some members of Congress have noted, the military needs more than two ships to ensure the future of our carrier force. Without a block buy, the military is faced with less certainty about the future of its shipbuilding programs, which is critical to the United States to maintain its global naval presence.

Mr. DURBIN. Mr. President, I thank Senator Kaine, Senator Wicker and Senator Warner for raising this issue. Planned 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 providing 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:


Hon. James Mattis, Secretary of Defense, Washington, D.C.

DEAR SENSORMY Secretary: 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.

Previous block-buys have yielded savings of several percent of the total cost of the ships when compared to single 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 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 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 our shipbuilding industrial base that 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 benefit from the predictability and stability of a known future workload. We believe the stability offered by a block-buy approach would enable the suppliers to make needed improvements 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 the acquisition 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,


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

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

AMENDMENT NO. 397

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 tax payer is really 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 blocked by the Senate. 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 that will happen right now—right now, today, Republicans don’t object.

Everybody knows that the Democrats love abortion and Planned Parenthood more than life itself. But Republicans? 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 appropriation 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, 3,000 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 America, 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 American lives or saving 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 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 instances, can 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's amendment, which has stood here to defund Planned Parenthood, and I will today. Yet I am about to make a modification request in the hope 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 on an amendment that is being offered by Senator JOE MACHIN 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 of a preexisting condition. Those two amendments 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 amendment No. 3966, no further. 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 50-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 50-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 the federal court, which is being led by my home State of Texas, which is being brought 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 exert caution and defer 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 defund 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, we have an amendment 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 amendment until we get Senator CORNYN’s agreement. The PRESIDING OFFICER. Objection is heard. The Senator from West Virginia.

AMENDMENT NO. 3062

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 families 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 this 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 we had 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 are predetermined 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 is that our 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 the people think 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 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 than I am using. I am saying that this is not a political issue. This is not a life-or-death issue. And I think it is an interesting fact that the family who sold the land to the 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, and the attraction is now safer for hikers. Visitors’ experiences were improved with parking and restroom availability. 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 heritage 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 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 people are able to use the fund for recreational benefits and the beauty of Catawba Falls find a circuital route to get there, and in many cases, we have individuals who have gotten injured. This becomes very costly to local emergency services. 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 the family who sold the land to the 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, and the attraction is now safer for hikers. Visitors’ experiences were improved with parking and restrooms. A beautiful trail that belongs to the public was made, and local government’s burden was eased.

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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 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 25–25 years. Eventually, the authorization level would triple, and 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 sprang on everybody yesterday.

Members of the U.S. Senate have expressed a concern about a permanent revenue source for the fund 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 approve 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 happened. So each and every year, $900 million goes in, and appropriators dole out what they want to. It is all royalty money; it doesn’t have any thing to do with taxpayer money. That has left a hefty chunk of change just sitting in Treasury. 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 entire LWCF program and the $11 billion left in 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 $15 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 about 4–5–6 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 maintain those lands, because 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 in the bill that I am going to ask unanimous consent 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, and $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 their conservation areas.

It is a significant gift. There are winners and winners and winners. There is no difference between this and the Cañon de Chelly example I gave you where the winners were the local community, the parks and the recreation maintenance, 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 respect the rights of every individual.

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 get 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 take up 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 development 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 state whose community has 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.

At the same time, the 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. We believe that it is possible to do something about it, and we need 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.

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 are due to my mother, and I 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 to it and that we need to work through multilateral organizations to do something about it, and we need to sign something called the “climate pledge,” which denied that it was real. Ever since then, we haven’t been able to do anything about 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 a stand-alone clean energy bill that doesn’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
companies Go Green on Their Own Steam

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 become key economic drivers.

Companies such as Salesforce.com Inc. have started to embrace energy generated from wind, solar and other clean-energy sources in the past year, with 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. The amount of energy bought, in a way, may be as important as the amount of renewable energy is roughly equivalent to taking 1.4 million cars off the road, according to the institute.

"It's a result 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 has dropped to a megawatt-hour on average, down by nearly one-fifth from 2012, according to research firm Bloomberg New Energy Finance.

Solar power bought under multiyear contracts also fell last year to $77 a megawatt-hour in 2015, down 27% from 2012, according to research to firm Bloomberg New Energy Finance.

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

GM signed a deal last year to produce more than 10,000 vehicles a month 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 1995, 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 business case," Mr. Threlkeld 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.

Mountain Initiative's reports, its big-box stores and warehouses has helped Walmart Stores Inc. trim its electric bills, the company says. With nearly 350 commercial solar installations on its buildings, in 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 the energy needs of 5% of its U.S. stores, distribution centers 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 area, but they don't know what's going on.' But we don't want to pay a premium for our diapers for that," Mr. Ozment said.

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

"We have a variety of awards and programs that are associated with sustainibility 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 renewable-energy goal 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 and 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.

In most of the world, climate change is set- tled science.

Not so in the United States. President Trump has called human-made climate change a "hoax" perpetrated by and for the Chinese in order to make U.S. manufactur- ning noncompetitive."

Former House speaker Newt Gingrich has suggested that the indigenous American Indians have the excuse to take control of our lives by left-leaning intellec- tuals." Conservative broadcaster Rush Limbaugh called it "one of the most prepor- tosous hoaxes in the history of the planet.

"If, in fact, the United States is home to more climate-change skeptics than other countries, Don't believe it. The U.K.-based market research firm surveyed 16,000 people in 20 countries about their attitudes on cli- mate 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 conserva- tive ones—the GOP stands alone in its re- jection of the need to tackle climate change.

One way to look at it is that “virtually no Republican” in Washington accepts climate-change science.

It wasn’t always this way. In 2008, Repub- lican 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 sloppiness and a partisan charism that grew over nine years like a crack in the Antarctic shelf, favoring extreme posi- tions and uncompromising rhetoric over co- operation and conciliation.”

The Times explains that fossil fuel industry players, like Charles D. and David H. Koch, funded a powerful campaign to scare Republicans away from supporting climate-change legislation. Their group Americans for Prosperity pushed a “No Clime- mate Tax” pledge and helped unseat support- ers of Democratic presidential candidate Barack Obama 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 cov- erage. A 2011 report by James Painter from the University of California, Berkeley's Ins- titute for the Study of Journalism looked specifically at how climate change was cov- ered in newspapers in six countries.

And it found that U.S. news media quoted or mentioned climate change skeptics significantly more than outlets in Brazil, China, India and France, Together, outlets in the United States accounted for about 80 percent of all skeptical quotes and mentions. About 40 percent of those articles ran in opinion sections.

According to media watchers, the thing people like to quote a skeptical politician than out- lets in the other countries, in large part be- cause 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 out- lets are much more likely to publish skep- tics than left-leaning outlets.

And it’s reflected in how Americans think about climate change. Americans are usually divided on climate change among major demographics. A large number of Demo- crats believe in human-made climate change; many Republicans don’t. As Painter ex- plained to me in an email, “the polarization on these issues is much greater between Republicans and Democrats than other in- countries."

As Pew explained in a 2015 report, this polari- zation doesn’t look so different than American divides on a lot of other things like abortion and gay marriage.

In other countries, climate change just isn’t a partisan issue. Broad majorities of people accept what scientists say—that climate change is happening and that humans are to blame. But there is no political divide on climate change, people are experiencing the impact of climate change directly, so there is more likely to be- lieve the science. It’s also true that in coun- tries with the highest carbon emissions like the United States, scientific consensus on human- created climate change is lowest. Most other places, too, don’t have big lobby groups or think tanks with links to fossil fuel compa- nies pushing out this message into the pub- lic sphere and media.

Mr. BENNET. I yield the floor.

The PRESIDING OFFICER. The Sen- ator 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 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 95 of us or 90 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 understands that the job of 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 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 not 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. MURKOWSKI. 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 and 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 chronic health impacts from 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 transport.

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 700 million pounds 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 compared to what we were doing all this damage across the country.

There is damage in every one of our States. This damage doesn’t just happen 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 forests 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 experiencing asthma 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. Are 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 are just 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 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. Those health problems 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 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 have their health 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 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 let us down.

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 are becoming more extreme, 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 is now no such 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 once said: We are the 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 senators on the Senate Appropriations Committee voted to defund 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 go into 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., Senate vote on this 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 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. 3969 be withdrawn and the substitute amendment, as amended, be offered; and that 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. 3966. 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:

(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,

(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; or

(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 in relation to the

(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 life-threatening medical condition, including a physical illness that would, 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, or any portion or part thereof, 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 $2,000,000.

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

(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, and clinics, will not perform, and will not provide any funds to any other entity that performs, an abortion as described in subsection (b).
The PRESIDING OFFICER. Under this vote, the yeas are 45, the nays are 48.

The amendments were agreed to en bloc as follows:

AMENDMENT NO. 3792
(Purpose: To make available $7,000,000 for the Information Assurance Scholarship Program)
At the appropriate place in title VIII of division A, insert the following:

SEC. 110. Of the amount appropriated or otherwise made available by title II of this division under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE", up to $1,000,000 may be available to carry out section 612 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, Air National Guard for the sustainment of certain morale, welfare, and recreation facilities)
At the appropriate place in title VIII of division A, insert the following:

SEC. 110. Of the amount appropriated or otherwise made available by title II of this division under the heading "Operation and Maintenance, Air National Guard", up to $1,000,000 may be used to sustain certain 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 regarding blast injuries)
At the appropriate place in title VIII of division A, insert the following:

SEC. . SENSE OF SENATE ON RESEARCH REGARDING BLAST INJURIES 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 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 to fund the Cybersecurity and Information Assurance Scholarship Program.

The amendments were agreed to en bloc as follows:

AMENDMENT NO. 271
(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. 110. 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. 272
(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. 903
(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 minority entrepreneurs and businesses owned at the prime and subcontracting levels.

Not Voting—7

Corker
Cruz
Fischer

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

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August 23, 2018
S9000

NAYS—48
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:

Sect. (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 certified by the American College of Surgeons, including those trauma centers coupled to a burn center that offers burn care, with trauma hospitals in experience, to provide adequate and readiness for the next generation of medical providers to treat critically injured burn patients and other military trauma patients.

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:

Sect. . (a) None of the funds made available by this 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 Government.

AMENDMENT NO. 3728
(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:

Sect. . From amounts appropriated or otherwise made available by this Act, the Secretary of Defense may be obligated or expended to reimburse the Government of the Republic of Palau in an amount not to exceed $7,000,000 for land acquisition costs for defense sites.

AMENDMENT NO. 3928
(Purpose: To prohibit the use of funds for the development of a beerbot or other robot bartender.)

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

Sect. . Of the amount appropriated or otherwise made available by title IV of this division under the heading “Operation and Maintenance, Defense-Wide”, $2,000,000 may be available for research on a practical means of reducing fighter aircraft engine noise at the source while maintaining operational performance.

AMENDMENT NO. 3831
(Purpose: To make available from Operation and Maintenance, Defense-Wide, up to $20,000,000 for the Department of Defense Family Advocacy Program.)

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

Sect. . 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 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. 3832
(Purpose: To prohibit the use of funds to implement the Arms Trade Treaty.)

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

Sect. . None of the funds appropriated or otherwise made available by this Act 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. 3833
(Purpose: To prohibit the use of funds for the development of a beerbot or other robot bartender.)

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

Sect. . Such recommendations as the Comptroller General considers appropriate for the expansion of blood testing for lead among children who have lived in military housing.
(a) There are appropriated under the heading "Emerging and Zoonotic Infec-
tious Diseases" under the heading "Centers for Disease Control and Prevention", in ad-
tion to any other amounts made available under such heading and in order to provide addi-
tional funding for Lyme disease activi-
ties, $1,300,000.

(b) Notwithstanding any other provision of this Act, the total amount ap-
propriated under this Act, the Director of the National Institute for Occu-
pational Safety and Health shall submit to Congress a re-
port that—

(1) includes a description of those active and non-active coal miner partic-
ipation in such program; and

(2) identifies and describes potential bar-
riers that limit active and non-active coal miner participation in periodic health surveillance.

(AMENDMENT NO. 376)

SEC. 3. (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 in-
formation technology and information blocking, required by the 21st Century Cures Act.

At the appropriate place in title II of divi-
sion B, insert the following:

SEC. 7. (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, in-
sert the following:

SEC. 4. (Purpose: To increase funding for the guide-
lines for investigation of potential cancer clusters)

At the appropriate place in title II of divi-
sion B insert the following:

SEC. 3. (Purpose: To require the Secretary of Edu-
cation to report to Congress regarding co-
operation between the Department of Edu-
cation, 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 divi-
sion B, insert the following:

SEC. 3. (Purpose: To require the Secretary of Edu-
cation to report to Congress regarding co-
operation between the Department of Edu-
cation, the National Aeronautics and Space Administration, and the National Science Foundation to promote science, technology, engineering, and mathe-
matics programs that benefit students in grades pre-kindergarten through 12.

(AMENDMENT NO. 382)

SEC. 2. (Purpose: To require the Secretary of Edu-
cation to report to Congress regarding co-
operation between the Department of Edu-
cation and the National Institute for Occu-
pational Safety and Health with respect to the National Institute for Occu-
pational Safety and Health Surveillance program;)

At the appropriate place in title II of divi-
sion B, insert the following:

SEC. 3. (Purpose: To increase funding for the guide-
lines for investigation of potential cancer clusters)

At the appropriate place in title II of divi-
sion B insert the following:

SEC. 3. (Purpose: To increase funding for the guide-
lines for investigation of potential cancer clusters)
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. 3906

(Purpose: To require the Director of the NIH shall conduct a comprehensive study and submit 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:

Since education lags, at least 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 scientific opportunities, and scientific progress.

AMENDMENT NO. 3907

(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. 401. Of the amounts made available under this title, the Secretary for Mental Health and Substance Use shall provide technical assistance to any State or county impacted by a volcanic eruption caused 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.

(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:

(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 in the sense of the Senate that the Secretary of Education should use the authority granted under section 111(e) of the 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 grants for adding programs that 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:

(a) There are appropriated under the heading “Birth Defects, Developmental Disabilities, Disabilities and Health” under the heading “Centers for Disease Control and Prevention” any other funds 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:

(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 System, as authorized in 21st Century Cures Act (Public Law 114-255).

(b) Notwithstanding any other provision of this Act, amounts appropriated under the heading “Substance Abuse and Mental Health Services Administration” is hereby reduced by $5,000,000.

AMENDMENT NO. 3931

(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:

Sect. ....... Of the funds 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. 3969

(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:

Sect. ....... Of the funds appropriated under the heading “Office of the Director” under the heading “National Institutes of Health”, $5,000,000 shall be provided 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 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 these funds may be transferred from one specified activity to another with 15 days prior approval of the Committee on Appropriations of the House of Representatives and the Senate: Provided further, That the Inspector General shall conduct, with the House and Senate Committees on Appropriations, prior to 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. 3985

(Purpose: To require 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:

Sect. ....... 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 transferred out of 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: Provided, That $1,000,000 of the funds made available under this heading “Office of the Secretary” shall be in addition to funds otherwise made available for oversight of the National Institutes of Health: Provided, That these funds may be transferred from one specified activity to another with 15 days prior approval of the Committee on Appropriations of the House of Representatives and the Senate: Provided further, That the Inspector General shall conduct, with the House and Senate Committees on Appropriations, prior to 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. 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 electronic health records or other telehealth technologies to 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:(A) children in rural school districts; (B) students who are considering harming themselves or others.”.

AMENDMENT NO. 3982

(Purpose: To increase amounts available for the Child Abuse Prevention and Treatment Act)

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

Sect. ....... (a) In addition to amounts appropriated under the heading “Children and Families Services Programs,” 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. 3986

(Purpose: To require the Comptroller General of the United States to study and report to the Committee on Appropriations of the United States Senate a report that in

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

Sect. ....... (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 integrity. (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 and ventilation. (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. 3988

(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 assisting in the performance of, certain entities that process genome or exome data to be performed in the People’s Republic of China or the Russian Federation)

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

Sect. ....... Of the amounts appropriated or made available under this Act, not more than $5,000,000 shall be used by the Secretary of Health and Human Services to submit a report to the Committee on Appropriations and the Committee on 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 Act.”.

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 assisting in the performance of, certain entities that process genome or exome data to be performed in the People’s Republic of China or the Russian Federation)
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. There is a sufficient second.

There appears to be a sufficient second.

The yeas and nays have been ordered.

The PRESIDING OFFICER. Is there a sufficient second?

The result was announced—yeas 68, nays 24, as follows:

**YEAS—68**

Alexander    Baldwin    Bennet    Blumenthal    Blunt    Booker    Brown    Burr    Cantwell    Capito    Cardin    Carpenter    Casey    Collins    Cruz    Cortez Masto    Daines    Donnelly    Duckworth    Durbin    Feinstein    Gardner    Gillibrand

Ainsworth    Carper    Casey    Cassidy    Chaffetz    Crapo    Enzi    Ernst    Ernst    Everstein    Feingold    Frank    Grassley    Hagel    Harkin    Hollings    Inouye    Johnson    Kaine    Kennedy

**NAYS—24**

Barrasso    Boozman    Brunner    Cotton    Crapo    Enzi    Ernst    Kennedy

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 make what I think 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 ensuring the passage of these 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 BLUMENTHAL, 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.

But 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, Hans Heinrichs, Kate Kauffer, 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, one of the last, 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, 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 the help of 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 with the bipartisan support we 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
Brandi Hutton
John Lucio
Andy VanLandingham
Mark Laisch
Lisa Bernhardt
Kelly Town
Catie Finley
Teri Curtin
Shannon Hines
Jonathan Graffeo
David Adkins
Brian Potts
Laura Friedel
Mike Clement
Colleen Gaydos
Katy Hagan

Chris Hall
Hanz Heinrichs
Kate Kaufer
Jacqui Russell
Will Todd
Carlos Elias
Michael Gentile
Ashley Palmer
Jeff Recczek
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 Recczek, 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 all of 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. MURKOWSKI), the Senator from Mississippi (Mr. SCHRACK), 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:

[Holcaway Vote No. 193 Leg.]

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<th>YEAS</th>
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Alexander  Graham  Nelson
Balduhn  Grasley  Perdue
Barrasso  Harris  Peters
Bennett  Hareh  Portman
Blumenthal  Hatch  Reed
Blunt  Hestrich  Roberts
Booker  HitiKamp  Rounds
Boozman  Holler  Rubio
Brown  Hoeven  Sasse
Burr  Hyde-Smith  Sasse
Cantwell  Inhofe  Schumer
Capito  Isakson  Scott
Cardin  Johnson  Shaheen
Cassidy  Jones  Shelby
Coons  Kroll  Smith
Cassidy  Kennedy  Stabenow
Collins  King  Sullivan
Coons  King  Tester
Cortez Masto  Lankford  Thune
Cotton  Leahy  Tillis
Daines  Manchin  Udall
Domnelly  Markay  Van Hollen
Duckworth  McCaskill  Warner
Durbin  McConnell  Whitehouse
Emmi  Menendez  Whitehouse
Ernest  Merkley  Wicker
Feinstein  Morgan  Wyden
Gardner  Markowski  Wyden
Gilibrand  Murphy  Young

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 it is prohibited. In particular, there is no question that sports betting threatens the integrity of the game, and we can see why it is prohibited.

The integrity concerns related to sports betting are no different in my view. The potential for corruption, for gambling, for 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 world outside. When a sports bettor 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 they do in the illicit market, and those legal operators are quickly getting in the game. It would be a mistake to think that seemingly disinterested in the issue at the Federal level has carried over to the States. States, understandably so, see 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 dozens of 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 bet? Imagine if amateur 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 allowed to place bets on certain events. For instance, players should not be allowed to place bets, and certainly not referees. But the