

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Charles P. Rettig, of California, to be Commissioner of Internal Revenue for the term expiring November 12, 2022.

The PRESIDING OFFICER. The Senator from Wyoming.

REPUBLICAN AGENDA AND NOMINATION OF BRETT KAVANAUGH

Mr. BARRASSO. Mr. President, the Senate recently completed what was easily the most productive August in memory. We passed six appropriations bills with full debate on the Senate floor. We passed the John S. McCain National Defense Authorization Act. We confirmed 25 appointees to important jobs in the administration. We confirmed 17 Federal judges to the bench, and we set up votes for another 8 earlier this month.

When I was home in Wyoming, I talked to a number of people around the State, and they were pleased to see how much we are actually getting done. I can state that they absolutely think we should keep up this pace.

Maybe the most important thing that people expect us to deal with quickly is confirming Judge Brett Kavanaugh to the Supreme Court. I believe we are off to a good start with confirmation hearings for Judge Kavanaugh, which were held last week in the Judiciary Committee.

What people who watched the hearings learned was that Judge Kavanaugh is well respected, mainstream, and a highly qualified individual for this important job. What people also saw is that some Members of the opposite party—the Democrats in the Senate—are totally unwilling to give him fair consideration.

Senators have been given access to more than 500,000 pages of records from his time as a judge and throughout his career in public service. That is three times the amount of information that any other Supreme Court nominee has ever produced. For some nominees of the Supreme Court, these kinds of documents are very important. They can tell us a lot about how a nominee thinks and about how he or she might approach the job of being a Justice. It is especially important when that person under consideration has never

served as a judge before, and sometimes that is all we have to look at. But that is not the case with Judge Kavanaugh.

Judge Kavanaugh has served on the circuit court of appeals for 12 years, and he has written opinions in over 300 cases. If anyone wants to know what he will act like as a judge, then they can just look at how he has already acted as a judge for the past dozen years.

These documents, these opinions he wrote in the 300 cases on the court in which he is serving, are the documents that matter. They are the ones that tell us how he approaches being a judge. Senators have had access to these court opinions since the day Judge Kavanaugh was nominated 8 weeks ago. If Democrats would just take the time to read through these opinions, they would see that Judge Kavanaugh is extremely thoughtful and is independent. He is absolutely devoted to preserving the rule of law and protecting the separation of powers that is the basis of our Constitution. If Democrats don't want to read through all these documents and these decisions, well, they can focus on the 13 cases where the Supreme Court adopted Judge Kavanaugh's reasoning. That is how much respect other judges and Justices have for the careful and compelling decisions he has written.

One case dealt with a regulation put out by the Environmental Protection Agency. Judge Kavanaugh found that the Agency had exceeded its authority under the law when they wrote the regulation. Judge Kavanaugh wrote that "it is not our job to make the policy choices and set the statutory boundaries, but it is emphatically our job to carefully but firmly enforce the statutory boundaries."

The Supreme Court agreed with Judge Kavanaugh's reasoning.

One constitutional scholar pointed out that "Judge Kavanaugh commands wide and deep respect among scholars, lawyers, judges, and justices."

Another legal scholar said that Judge Kavanaugh is "one of the most learned judges in America on a variety of issues, ranging from theories of statutory interpretation to separation of powers."

A third law professor agreed. He called Judge Kavanaugh "a true intellectual—a leading thinker and writer on the subjects of statutory interpretation and federal courts."

Finally, if it is even too much for some Democratic Senators to read through all the glowing reviews of Judge Kavanaugh's career, they could just look at what he has actually said. Look at his own simple, straightforward summary of his judging philosophy. In a speech last year, he made it very clear. He said: "The judge's job is to interpret the law, not to make the law or make policy."

This view—that the judge's job is to interpret the law, not to make the law or make policy—and every example I have seen from Judge Kavanaugh's

record is squarely in the mainstream of America's thinking today.

Despite all of this information being available, some Democrats are trying to say that they still want even more documents. They are hoping against hope that if they request another 500,000 pages, they can delay things a little longer. Well, let me assure you, it is not going to happen.

I think that most Democrats who have been making the most noise really don't want more documents. That is because so many of the Democrats complaining the loudest are the same ones who said that they have already made up their minds and made announcements that they are planning to vote against the nominee. Some were saying it before the nomination was even announced.

From the very beginning, liberal activists called on Senator SCHUMER to do everything in his power to keep this seat empty for as long as possible. There are several Senators on the other side of the aisle who have gladly taken up this challenge from the far left corners of their base.

I hope that more reasonable Democrats will reject the calls for needless delays and dangerous obstruction. I hope there are Democrats in the Senate who are willing to listen to what Judge Kavanaugh actually said during his hearing. I hope there are Democrats who are willing to read some of the hundreds of thousands of pages of documents. I hope there are some Democrats who are willing to listen to the experts who are describing Judge Kavanaugh as "one of the most learned judges" in our country.

It is clear that Judge Kavanaugh has the right approach to being a judge. It is clear that he is a person of solid character and that he has a strong intellect. It is clear that America needs Judge Kavanaugh on the Supreme Court and that it is time for Democrats to give up this pointless obstruction.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

CONFERENCE REPORT TO H.R. 5895

Mr. DAINES. Mr. President, the conference report that we are considering today is good news for our country. Along with providing funding for our veterans and supporting critical energy and infrastructure projects, it also includes \$4.8 billion for the agencies in the legislative branch.

The legislative branch portion of the conference report allocates funding in an appropriate manner. It promotes government transparency, as well as increasing security here at the Capitol Complex. This is very important.

In support of good government, this agreement includes a provision known as e-file, requiring U.S. Senate candidates to file campaign finance reports electronically, directly with the Federal Election Commission, as every other Federal candidate must do. Not

only does this provision increase transparency, it will reduce bureaucratic inefficiency and will save about \$1 million in taxpayer dollars.

This agreement also provides \$589.7 million for the Government Accountability Office to hire additional staff to bolster oversight of government programs and spending. Having spent most of my career in the private sector, accountability is a good thing. There is not enough of it here in Washington, DC. In fact, according to a report issued by the GAO, the GAO returns \$128 for every dollar invested in its budget. That is a good example of accountability and getting results for the American taxpayer. In fact, the resulting benefit of this oversight by GAO was approximately \$74 billion in documented savings for the taxpayers in 2017. That is where you get the \$128 return for every dollar invested in the agency.

The Capitol Police is fully funded at the requested level of \$456.3 million, allowing for the continued protection of visitors coming to the Capitol campus every year, as well as the Members and their staff.

These are just a few highlights of the bill, which allocates resources in a responsible way to maintain existing services, as well as providing critical investments across the U.S. Capitol campus.

Lastly, and importantly, I want to thank Senator CHRIS MURPHY, my ranking member, for working with me in a bipartisan manner throughout this process. This is my first year as chairman of the Legislative Branch Subcommittee. I would also like to thank Chairman SHELBY and Vice Chairman LEAHY for their leadership and efforts to return to regular order on a Senate appropriations bill. This is quite remarkable, but it shouldn't be. The bar has been set so low in Washington, DC, that Congress can't get their appropriations bills or spending bills passed before the end of the current fiscal year going into next year. Well, guess what. The fiscal year ends on September 30, and here we are on September 12, moving forward now on appropriations. That is a good thing for our country.

I urge my colleagues to support this conference report as we continue to move these bills forward to fund the government on time and in the right way.

I see my distinguished colleague, Senator MURPHY from Connecticut, is here as well, and it has truly been an honor to serve with Senator MURPHY to move this forward on behalf of the American people.

Thank you, Mr. President.

THE PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, let me express my thanks in return to Chairman DAINES for being such a fantastic guide and a fantastic partner on this subcommittee budget. I am excited to bring this to my colleagues this morn-

ing. I will note that he took over midstream from Senator LANKFORD, who began this process. I will also note that we didn't really get moving so quickly to a conference committee until Senator DAINES took over. I give him great credit for adding so much and being such a great partner in all of this.

I really don't need to go through all of the important initiatives Senator DAINES already did; maybe I will spend a minute doing so. I would note that we made progress on some issues that had been stalled in the Legislative Appropriations Subcommittee for a long time—such as intern pay or the requirement to file campaign finance reports online—I think because we were able to do this budget on its own, with a real process, with a real committee debate, and with a real conference committee. When these budgets get tied up in giant omnibus negotiations, it tends to be that only the top four or five issues in the omnibus get the attention from the folks in the room. These budgets are very important, but maybe because they are a little bit smaller than the budget for HHS or the Department of Defense, they go untended to.

As we return to regular order, not only do I think that is a breath of fresh air for democracy, it is not good news for anybody when the decisions over a budget get decided behind closed doors amongst a very small set of people appointed by the Democratic leader and the Republican leader. It is also good government because when we do these budgets one by one, we get to flesh out some very important and sometimes controversial issues that we might not get to address when they are all lumped together in a massive package.

I hope this is now the way we do things. I congratulate Senator MCCONNELL and Senator SHELBY for setting the tone. I know there are a couple of conference committees tomorrow on some other packages. I hope they go as well as ours did.

In this budget, we did some very good things. We have a long list of deferred maintenance here on this campus. We have 16.5 million square feet of buildings. We have millions of visitors who come to experience the U.S. Capitol. We provide \$734 million for the Architect of the Capitol to make those targeted investments.

Accountability and transparency were things Senator DAINES focused on as chairman. We will have 50 additional auditors and investigators at the Government Accountability Office. That is the office which makes sure that we are doing our job, that we are spending taxpayer dollars wisely. When they issue reports, the taxpayers save money, and now they have the ability to do more of that great work.

It also provides full funding for the Capitol Police. I want to specifically thank Senator DAINES for working with us to include in this budget an initiative that we started here in the Senate to improve protections and co-

ordination for Members' security off campus, to recognize the new and emerging threats that exist in and around Washington, DC.

Finally—I have said it before, but I will say it again—there is a breakthrough, a small amount of money to help compensate interns. Lives change when they get to experience something like working for their Member of Congress, for their Senator. It opens their eyes to a set of experiences that would not be available to them otherwise.

Under prior practice where very few Senate offices paid for those internship experiences, you had to be a child of means in order to get here. Now, hopefully, with this small amount of money we are giving to our interns, we will have a much greater pool of applicants and a much greater pool of young men and women who will be able to be here and work in our offices. I think that is good for this place, and I think it is good for the kids who are going to get to experience government. Faith in government and belief in civic participation couldn't be lower today. Giving more kids from diverse backgrounds access to the Federal Government is a very positive development.

Again, it has been a joy to work with Senator DAINES. It is great to be on a conference committee. I had heard rumors about conferences committees, and we got to sit on one and hammer out a budget with our House colleagues. I hope it sails through as we move to final debate and passage.

Thank you, Mr. President.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Pennsylvania.

FREEDOM OF THE PRESS

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. CASEY. Mr. President, I rise before you today to express the importance of freedom of the press both around the world and here at home. Journalists take risks—often great risks—to tell the stories of war, genocide, hunger, poverty, and corruption around the world while facing unprecedented rates of intimidation and violence.

Freedom of expression is the bedrock of our democracy, but we must not take it for granted. It is how we hold ourselves to the standards set by the Founders and hold ourselves accountable and how we protect our institutions from falling into traps set by those who seek to abuse power.

Earlier this year, I introduced S. Res. 501, a resolution recognizing threats to freedom of the press and freedom of expression. This resolution was introduced with Senators RUBIO and WYDEN, and I thank my colleagues for their leadership on this important issue.

This resolution highlights the importance of the freedom of the press, condemns attacks against journalists, and reaffirms press freedom as a priority

for the U.S. Government. This resolution is in honor of the 46 journalists who were killed in 2017 for their reporting, for the 262 journalists who were imprisoned around the world last year, and, as part of that 262, the 21 journalists who were jailed just in 2017 for “false news,” which more than doubled the 2016 record.

These journalists are mothers and fathers and sons and daughters who put their lives and, indeed, their freedom on the line to shed a light on some of the world’s toughest stories. I would like to tell the story of one of the journalists who lost his life last year, Chris Allen, while he bravely reported from a conflict area. I acknowledge Chris’s parents, Joyce Krajian and John Allen, who are here with us today.

Chris grew up in Narberth, PA, and graduated from the University of Pennsylvania. Chris’s parents say he was an explorer from an early age and had a keen interest in history. He went on to pursue his master’s degree at Oxford. He was encouraged to go to places where history was being made. Chris embraced this calling and became a freelance journalist—first in eastern Ukraine, where he embedded with pro-Ukrainian forces and reported for outlets like the Independent and the Guardian, in order to help give his audience a glimpse of the conflict up close.

His mother Joyce and his father John have shared this memory of Chris:

This desire to bring to light untold stories from uncovered regions of the world and the plights of their peoples—that’s what motivated Chris. He wanted to know the thoughts and feelings of those encountering conflict firsthand.

So said his parents.

After 3 years in Ukraine, Chris decided to embed with the South Sudan opposition forces near the Ugandan border. On August 26, 2017, we understand that Chris walked overnight with these fighters and two other journalists to the town of Kaya. Chris was killed shortly after dawn while he photographed a gun battle between opposition and government forces. Chris was just 26 years old.

In the early years of his professional life, Chris had already committed himself to the vital job of covering dangerous places and exposing stories of vulnerable people whose countries were embroiled in war. In the year that has passed since his death, despite commitments from the South Sudanese Government to investigate, Joyce and John have no official information about how he was killed, and no one has been held accountable for the loss of their son. They have seen South Sudanese Government officials smear Chris’s reputation and threaten other foreign journalists with the same fate. This is unthinkable for any parent to have to endure.

Chris Allen’s parents have more questions than they have answers. Chris and others like him have lost their lives in the pursuit of truth, with no

accountability or justice. Other journalists sit in prison today for daring to speak truth to power. We have a responsibility to advance these core American values—the values of freedom of expression and freedom of the press. These values continue to serve as an example to the world.

As I mentioned earlier, our bipartisan resolution reaffirms press freedom as a priority for the United States. What does this mean exactly?

First, advocating for media freedom should be a feature of the U.S. Government’s interactions with other governments where the media is censored, silenced, or threatened. I have had tough conversations over the years, as I know many of my colleagues have had, with foreign government officials about human rights and the rule of law. I know it can be difficult to advance these values while always cooperating on other issues like security or other political issues, but we must press these issues. Whether it is advocating for the release of two Reuters journalists who were detained under antiquated laws in Myanmar, pressing for an investigation into Chris Allen’s death, or pushing for reforms to allow media workers to operate more freely, the U.S. Government must be consistent and persistent.

Perhaps more importantly, we must model the respect for free journalism and empower journalists here at home. Investigative journalism helps to hold accountable government officials, elected representatives, business leaders, and others. It exposes fraud and waste and corruption, which corrode our society. It helps us to connect with the men and the women in uniform who serve our Nation overseas and to understand the conflicts in which they fight. It shows us the atrocities of terrorist groups like ISIS and the abuses of dictatorial regimes like that of Bashar al-Assad’s. Journalists amplify the voices of the most vulnerable among us and provide for us a window into the homes and into the hearts of people a world away.

Instead of respecting these professionals, President Trump has called them the “enemy of the people.” When we hear powerful voices denigrate tough reporting as “fake news” or bar reporters from doing their jobs by blocking access, we all must condemn it. Reporters, writers, photographers, and media workers in the United States have not been intimidated and will continue to carry the torch of core American values like freedom of the press. On both sides of the aisle, we have a responsibility to rebuke any anti-press narratives by any public officials. This narrative is not only antithetical to the values our Founders laid out in the Bill of Rights, but it is dangerous.

I urge my colleagues to support S. Res. 501 this week and to speak up for media freedoms every day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

OPIOID EPIDEMIC

Mr. CORNYN. Mr. President, late this week or early next week, we will vote on a bill called the Opioid Crisis Response Act.

This is a powerful piece of legislation for which our colleague Chairman LAMAR ALEXANDER deserves great credit for shepherding through the process, but he was, by no means, alone in doing so. This bill, as he will tell you, represents the contribution of more than 70 different Senators and 5 different standing committees of the U.S. Senate. That takes a lot of careful work and a lot of determination. The bill is bipartisan, as one would expect, and that, of course, would not have happened without there having been intense collaboration. For those who like to say that bipartisanship is dead in the U.S. Senate, this bill and other bipartisan work we have done and will do is evidence that that is simply false.

In 2017, President Trump declared the opioid crisis a national public health emergency. Since then, we have seen 116 Americans die from opioid-related overdoses daily, and in places like New Hampshire, that death rate has been double the national average. In some places, coroners have asked local funeral homes to help because there has just not been enough room to store the bodies at the morgues. Let that sink in for just a minute. Coroners are asking funeral homes to help store the bodies because there is not enough room at the morgues because of the 116 Americans who lose their lives to opioid addiction each day.

People of all races and ethnicities—regardless of gender—are dying. Drugs, of course, do not discriminate. Even when people survive overdoses, they often come back only to return to the prisons of their addictions. Sometimes they rob, steal, or sell themselves in order to get their fixes for oxycodone, hydrocodone, heroin, or fentanyl—all opioids. Meanwhile, for the rest of their lives, their relationships, their families crumble. Maybe they are looking for escape. Maybe they are looking for some sort of meaning. Maybe they are veterans who are self-medicating or they have mental diagnoses that simply go undiscovered, and, thus, they try to medicate by resorting to alcohol or, in this case, to opioids. Yet the result is always the same. Their bodies can’t handle the poison, and their minds’ cravings can never be wholly satisfied. That is how the breakdown begins.

Drug addiction and the carnage associated with it is, of course, nothing new in our country. What is new are the types of drugs that are being created by those who tinker with chemical formulas in order to evade our current laws. What is also new is the extent of the tragedy. Overdoses are going up in many places—so high, in fact, that the average life expectancy for adult males in the United States has fallen. As Christopher Caldwell wrote in “First Things” last year,

“The death toll far eclipses those of all previous drug crises.”

The bill we will be voting on is our honest attempt to look this crisis in the eye, not to shy away from the ugly reality. The legislation tries, in several mutually reinforcing ways, to end what Caldwell calls the “artificial hell” of those who are addicted. It will supply States with critical funding. It will ensure that research is expedited and that patients will have access to substance abuse treatment. It will also improve detection and interdiction measures to reduce the supplies of illicit drugs that are being funneled across our southern border. I will return to the border in a moment and our neighbor Mexico’s role in this.

Part of the opioids package involves legislation I introduced with the senior Senator from California, Mrs. FEINSTEIN, called the Substance Abuse Prevention Act. It is one of the critical pieces of this broader bill we will be voting on. In addition to reauthorizing lifesaving programs, it is aimed at reducing demand. Of course, supply increases to meet the increasing demand, and we have to do something about the demand side in order to deal with this problem.

It does this first by reauthorizing the Office of National Drug Control Policy, which oversees the executive branch’s efforts on narcotics control by developing a national drug control strategy and coordinating efforts with the States.

Second, it reauthorizes one of our Nation’s most important programs for preventing youth substance abuse and keeping drugs out of our neighborhoods, the Drug-Free Communities Program.

Third, the legislation expands opioid and heroin awareness. Of course, heroin is just one type of opioid. It also improves substance abuse treatment and will hopefully result in prescribers of controlled substances being better trained and educated on the potential harmful effects of the drugs they are prescribing.

Finally, under our legislation, Senator FEINSTEIN’s and mine, the Attorney General can also make grants available that focus on substance use disorders. Some of these grants will be used to determine the effectiveness of programs that pair social workers with families who struggle with substance use disorders. We need to invest in programs that actually work, that make a quantifiable, measurable difference. So these grants will help.

Like the rest of the country, my State is no stranger when it comes to opioid addiction. According to the National Institute on Drug Abuse, Texas deaths from heroin and fentanyl—its wicked cousin—have been steadily increasing since 2010. These are real people we have lost, who have real families and real lives. Cash Owen, from Austin, TX, was only 22 years old. When he went to Westlake High School in Austin, where my daughters attended, he

liked to cook for a hobby. He later overdosed on heroin. His is just one example of another life lost to this terrible scourge.

Obviously, I come from a border State and realize, when it comes to stemming addiction, it is a two-way street. We need to do our part to try to deal with the demand side and to also prevent illicit substances from crossing our borders.

ICE—Immigration and Customs Enforcement—deserves a lot of credit when it comes to fighting the opioid crisis in America. Despite some politicians’ bizarre and irresponsible calls to abolish the agency, it continues to make great strides in protecting public health and public safety. For example, ICE initiated 3,900 cases for human smuggling just last year. It has arrested more than 4,700 members of transnational gangs who moved people and drugs across our border into the United States. It has seized more than 980,000 pounds of narcotics, including drugs such as fentanyl, a synthetic opioid. As I said, it is a two-way street.

Actually, fentanyl is worth dwelling on because it shows just how implicated Mexico is in all of this.

Fentanyl was first developed as a synthetic painkiller and anesthetic. It is 100 times more potent than morphine and up to 50 times stronger than heroin. What is happening is that enterprising drug traffickers and designers are taking pure fentanyl and cutting it with other substances—sometimes heroin, sometimes cocaine, and sometimes methamphetamine. But sometimes amateurs use cheaper fillers and less professional equipment, which makes the doses even more dangerous and the people who take it more likely to overdose.

There remains a debate on just how much fentanyl comes to the United States via Mexico. We know that some comes directly from places like China through our national Postal Service, but a sizable percentage is certainly snuck across our border, along with other illegal drugs, from Mexico.

According to the San Diego Union-Tribune, Customs and Border Patrol seized 355 kilograms of fentanyl at the San Diego ports of entry alone in 2017. By the way, a kilogram is 2.2 pounds. They seized 355 kilograms of fentanyl at the San Diego ports of entry alone in 2017.

There are fentanyl routes that run through Mexican cartel strongholds and head north across the border into the United States. They funnel an estimated 80 percent of the drug across the border.

All this is to say that we here in the United States are not alone because the Mexican Government has its hands full as well. Fentanyl seizures inside Mexico have risen sharply, with just under a kilogram seized in 2013 to more than 100 kilograms seized inside of Mexico last year. According to government data obtained by InSight Crime, in the first 6 months of this year, 2018,

Mexican authorities seized 114 kilograms.

Of course, it is not just problems with fentanyl that we share; our heroin problem in the United States is also tied directly to Mexico. U.S. officials estimate that 90 percent of the heroin used in the United States is produced and trafficked from Mexico.

From all the news regarding the opioid crisis, we know what the results are in our country, but what about Mexico? Is this a problem just for the United States, or is this a problem for Mexico as well?

In Juarez, right across the El Paso border, a rehab center treats nearly 300 patients a day, including many heroin addicts. In Tijuana, where drug use reportedly starts as early as middle school, we know they also have a big problem. We know that all across Mexico, adolescent consumption is on the rise, particularly with regard to drugs like marijuana. But it is not just marijuana, it is methamphetamine, fentanyl, heroin—you name it. In fact, according to a recent survey, the percentage of Mexican men and women between the ages of 12 and 65 who admit to using illegal drugs has roughly doubled since 2011.

Here is my point: American and Mexican carnage is related. It is actually interrelated. That is why in recent years, through programs like the Merida Initiative, we have worked together with the Mexican Government to combat this multiheaded monster. But our two governments will have to work even closer in the months and days ahead because gangs, cartels, and drug runners are all adapting, diversifying, and evolving based on new circumstances, and we need to make sure we keep up with their innovations.

In Mexico, since 2007, roughly 200,000 people have died as a result of drug-related violence. That is more than all the deaths in the war zones in Afghanistan and Iraq combined. In Mexico, 200,000 people have died as a result of drug-related violence in the last 10 years.

Now the cartels have diversified. As someone put it, they are commodity agnostic—they will do anything for money. They will ship people from Central America across the border—adults with children, or so-called family units, or unaccompanied children. They will move drugs. Now they are involved in the fuel theft business as well. Black market gasoline is now a \$1 billion industry in Mexico. They are also involved in mining, port operations, and other industries. They have multiple income streams. As I said, they are diversifying.

Meanwhile, the bloodshed continues unabated. The most violent year in Mexico’s recorded history was 2017. The armed conflict between the cartels and Mexico’s military, which started 12 years ago under President Felipe Calderon, now ranks as perhaps the deadliest war in the world apart from Syria. Mexico is second only to Syria as the deadliest war zone on the planet.

As that war continues—and by the way, we support Mexico's waging it—we may think that the United States has been mostly spared, but that really depends on your perspective. Fortunately, we have been spared the most gruesome acts of public violence by and large, although there are certainly notable exceptions.

The U.S. Centers for Disease Control and Prevention estimates that more than 72,000 Americans died from a drug overdose last year. I wonder why we don't read about this in the newspapers or hear about it on TV. We have somehow become numb or anesthetized to the fact that tens of thousands of Americans have taken their own lives accidentally through a drug overdose. Of those 72,000 people who died as a result of a drug overdose last year, 49,000 were associated with opioids, which include substances such as fentanyl and heroin.

The annual numbers continue to rise, with the death toll for 2017 nearly 10 percent higher than a year earlier. This problem is getting worse, not better. Experts believe the rise is attributable to opioids becoming more readily available and more potent than recent versions of the drug.

So here in the United States, we are losing lives as well. That is why the vote later this week or earlier next week on this bill is so important—it is how we will attempt to make some progress in dealing with this crisis. That is also why our partnership with Mexico must consistently be strengthened and reinforced.

Our drug problem—and ultimately the associated violence and criminality—is Mexico's, and Mexico's is ours.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER).

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING SEPTEMBER 11

Mr. SCHUMER. Mr. President, yesterday was the 17th anniversary of the 9/11 attacks—an event that changed my city and our country forever. I spent the morning at the 9/11 Memorial in Lower Manhattan. Two deep scars in the Earth remind us where mighty towers once stood.

I will never forget that day, nor the next: the phones—when they worked—ringing endlessly; the smell of death; the lines of hundreds of people holding homemade signs—I will never forget that—as I walked there. President Bush sent a plane, and we went to Ground Zero the day after. Hundreds of people were lined up asking: “Have you

seen my father Joe?” “Have you seen my daughter Mary?” The towers had crashed, but no one knew how many people had survived. It was awful.

Mr. President, 3,000 souls were lost in one day—one of the bloodiest days on American soil since the Civil War—people I knew: a guy I played basketball with in high school, a businessman who helped me on my way up, a firefighter with whom I went around the city to ask people to donate blood.

Seventeen years ago today, September 12, 2001, I called on Americans to wear the flag in remembrance of those who were lost, the brave men and women who rushed to find those who might still be alive. I have worn that flag every single day since. I will wear it every day of my life for the rest of my life in remembrance of those who were lost.

This year, I want to turn everyone's attention to a harrowing statistic. By the end of 2018, we expect that more people will have died from exposure to toxic chemicals on 9/11 than were killed on that day itself. Last year, 23 current or former members of the New York Police Department died of 9/11-related diseases—the same number who died on September 11. A new tablet was recently installed at the Hall of Heroes at One Police Plaza to commemorate all the new deaths of members of the FDNY. There is now an American living with a 9/11-related illness in every one of the 50 States and 429 of the 436 congressional districts. I guess they have 436 counting the District of Columbia.

Just as we will never forget the bravery so many fallen Americans showed that terrible day, let us never forget those first responders who did survive, only to contract cancer or a respiratory illness from breathing in a toxic cocktail of dust and ash at Ground Zero.

Nearly a decade ago, I was proud, along with my colleague from New York, to pass the Zadroga Act to provide healthcare for our first responders and a victim compensation fund to help survivors who get sick and the families who lost a loved one to illness. Three years ago, I was proud to work across the aisle to make the healthcare component of the Zadroga Act virtually permanent.

Next year, however, Congress must reauthorize the September 11th Victim Compensation Fund because the administrator of the fund now predicts that the funding will not last until 2020, as we had previously hoped. So many new claims are being filed because so many of these deadly cancers are now showing up. As the death tally from 9/11 continues to grow, we have to make sure the fund is capitalized with enough money to provide an ever longer list of 9/11 victims. So I want to remind my colleagues that soon we have to come together once again to do what is right for the families of the first responders and the surviving first responders themselves who, without

hesitation, risked their lives to save other lives 17 years ago yesterday.

NOMINATION OF BRETT KAVANAUGH

Now, last week, the Judiciary Committee concluded its hearings on President Trump's nominee to the Supreme Court, Judge Brett Kavanaugh. Over the course of 2 days of questioning, Brett Kavanaugh managed to avoid definitively answering nearly every question of substance, making a mockery of his participation in the hearings. He refused to say that he believed *Roe v. Wade* was correctly decided. He refused to say that he would affirmatively uphold the existing healthcare law, including protections for over 100 million Americans with preexisting conditions.

He even refused to visit what many consider to be his extreme views on executive power and would not even say if he believed the President was obligated to comply with a duly issued subpoena.

It didn't matter if members of the Judiciary Committee phrased the questions about already decided cases or hypothetical situations. When he got an already decided case, he said he couldn't talk about those. When he got a hypothetical case, he said he couldn't talk about those. He couldn't talk about anything—anything. What the heck did we have him before us and the American people for if he refused to answer any of these questions?

So after 2 full days of questioning, the American people are no closer to understanding the kind of jurist Judge Kavanaugh would be if confirmed to the Court.

In my view, Judge Kavanaugh's silence on crucial questions about *Roe*, healthcare, and executive power speaks volumes about his fitness for the Supreme Court. There were so many questions he failed to answer or were purposely evaded, and many times, when he did answer, his answers were totally unsatisfactory and did not answer the question.

Senators LEAHY and DURBIN, for instance, asked numerous questions about his involvement in the Bush administration controversies, including interrogations and the nominations of controversial judges, like Pryor and Pickering. Judge Kavanaugh either avoided answering or offered misleading testimony.

In 2004, Judge Kavanaugh told Senator FEINSTEIN that he didn't know about a potential judicial nominee's views on abortion in the vast majority of cases, but recently released emails show that he was told about and discussed nominees' views on ideology, including *Roe*.

Judge Kavanaugh repeatedly denied knowledge of the Bush administration's policy on detention and interrogation of combatants, but emails released last week indicate that he had meetings on the subject, reviewed talking points, and opined on legal strategy.

Judge Kavanaugh claimed that he only learned of President Bush's

warrantless surveillance program when it became public, but an email suggests he knew about a memo justifying the White House's authorization of the program.

Judge Kavanaugh said, for instance, again, that he didn't personally work on the extremely controversial Judge William Pryor, but new records tell a different story. Emails show Judge Kavanaugh was personally involved.

So the extent and the number of these discrepancies is very disturbing, and these discrepancies were made about only the small portion of his record that Republicans have released. Given what we heard last week, who knows what is hidden in the 90 percent of Judge Kavanaugh's record that Republicans continue to hide.

I was disappointed to hear that yesterday Chairman GRASSLEY said that his committee would not examine Judge Kavanaugh's misstatements. He said it was an "executive branch decision" to look at misleading testimony, which clearly defies all logic. Clearly, the chairman of the Judiciary Committee prefers to turn a blind eye to Judge Kavanaugh repeatedly misleading his committee. He, like his colleagues, just wants to rush the nomination through.

The misleading testimony Judge Kavanaugh gave in his confirmation hearing raises larger questions about Judge Kavanaugh's fitness for the bench. Here we have a partisan attorney, involved in every major partisan legal fight for two decades and who shaded the truth about those events to a congressional committee in order to cast his nomination in a more favorable light. What does that say about his impartiality? It certainly doesn't suggest that he is simply this nonideological, nonpolitical, neutral arbiter of the law.

Part of our responsibility in the Senate is to ensure that all judges, especially at the Supreme Court level, meet the highest standard of judicial impartiality and ethics, lest the Supreme Court become simply an extension of the partisanship we experience here in Congress and his rulings be viewed as illegitimate by half the country.

So I urge my colleagues on the other side to scrutinize Judge Kavanaugh's comments to the Judiciary Committee and decide for themselves whether he was completely forthcoming, because if a nominee provides false or misleading testimony to a committee, that should weigh very heavily on the minds of every Senator when it comes time to vote to confirm or reject the nominee.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Arkansas.

APPROPRIATIONS MINIBUS

Mr. BOOZMAN. Mr. President, sometime soon the Senate will be voting on the first fiscal year 2019 appropriations minibus. It has been a long time since we have brought conferenced bills to the floor, and I am pleased that the

Military Construction, Veterans Affairs, and Related Agencies Appropriations bill is a part of this package. This bill is the result of a bipartisan commitment to return to regular order, and I thank Chairman SHELBY and Vice Chairman LEAHY for leading the Senate in this process and providing all Members a voice in determining how taxpayer dollars are spent.

We have worked hard with our House colleagues over the past two months to develop a thoughtful and responsible conference report that took into account the input of Members on both sides of the aisle. The conference committee made thoughtful decisions about how to provide maximum readiness for the warfighters and prioritize investments at the Department of Veterans Affairs so it can take care of our veterans.

This bill provides \$97.1 billion in discretionary spending, which is \$5.1 billion over last year's level. Within that, the VA is provided a record level of resources at \$86.5 billion in discretionary funding. That is \$5 billion over last year's level and \$1.1 billion over the President's request. These resources will provide healthcare and other important benefits earned by U.S. servicemembers.

Included in the bill is \$1.25 billion more than requested for medical services and community care to support the VA's traditional community care programs as it transitions to a new and improved program. The bill includes \$8.6 billion for mental health services, \$865 million for the caregivers program, and \$1.8 billion for VA homelessness programs, including \$380 million for the Supportive Services for Veteran Families Program. It includes \$400 million for opioid misuse prevention and treatment and \$270 million for rural health initiatives.

The bill provides \$10.3 billion to support military construction and family housing needs, a \$241 million increase over last year's level.

It also funds \$921 million for overseas contingency operations and the European Deterrence Initiative, \$171 million increase over last year's level. In total, 190 military construction projects are funded to restore warfighter readiness and increase lethality of our installations within the United States and around the globe.

This bill also funds improvements to fuel logistics at Little Rock Air Force Base, in addition to a measure to move forward with development on the base's runway.

I am also pleased that the package increases funding to the Veterans History Project, an initiative led by the Library of Congress that builds an archive of oral histories and personal documents of the men and women who served our country in uniform. This is a unique collection of memories of our veterans who served from World War I to the Iraq war and other recent conflicts. It is an important program that ensures future generations understand

the sacrifices our combat veterans made to protect our freedoms. Preserving the experiences of our veterans is an honorable way to recognize their bravery and dedication to our country.

Since its beginning, approximately two decades ago, the project has collected the stories of nearly 1,400 veterans from Arkansas, and nearly 50 of those have been conducted by my office. We are training more and more Arkansans to conduct these interviews for submission to the project.

These are all things that we can be excited about related to this bill. A lot of time and a lot of energy has gone into putting this legislation together. I would like to thank Senator SCHATZ and his staff, including Chad Schulken and Jason McMahon, and Chairman CARTER and Ranking Member WASSERMAN SCHULTZ and their staffs for working hard to address the needs of our servicemembers and our veterans.

I would also like to thank very much my own staff, including Patrick Magnuson, Jennifer Bastin, Joanne Hoff, and Carlos Elias for their dedication and hard work in moving this bill through the committee process, to the Senate floor, and through conference negotiations.

Finally, I want to thank Chairman SHELBY and Vice Chairman LEAHY, along with Chairman FRELINGHUYSEN and Ranking Member LOWEY, for the dedication and leadership they provided throughout this bipartisan process.

I strongly urge my colleagues in the Senate to support final passage so we can get this bill to the President's desk.

I yield the floor.

THE PRESIDING OFFICER. The Senator from New Jersey.

NOMINATION OF CHARLES P. RETTIG

Mr. MENENDEZ. Mr. President, I rise today to oppose President Trump's nominee for Commissioner of the IRS, Mr. Charles Rettig. Now more than ever, the American people need government officials who are willing to stand up and speak truth to power. Unfortunately, Mr. Rettig failed to convince me that he is up for that part of the job.

During his time before the Senate Finance Committee, on which I serve, Mr. Rettig gave me no indication that he would protect New Jerseyans facing the threat of double taxation under the tax bill passed by this Congress and signed into law by President Trump late last year, nor did Mr. Rettig express any respect for the rights of States to administer their own constitutionally upheld charitable contribution tax credit programs. Instead, Mr. Rettig left me all but certain that he would be a rubberstamp for this administration's politically motivated tax policies and would allow a backdoor tax increase on countless middle-class families. At a time when we need independence and impartiality at the IRS, that is absolutely unacceptable.

As we speak, the Treasury Department and the IRS are trying to make sense of the deficit-exploding corporate tax cuts rushed through Congress by the Republican majority last December—tax cuts that, according to the Congressional Budget Office, will drive us toward trillion-dollar annual deficits by 2020 and by undermining the Affordable Care Act, eventually will strip 13 million Americans of their healthcare coverage.

As the IRS attempts to implement these misguided policies, corporations are pulling every string to rig the Tax Code in their favor. Apparently, it wasn't enough for them to get a massive trillion-dollar tax windfall from President Trump. So now they are amassing armies of accountants and legions of lobbyists to get even more out of the IRS. That is why drug companies are rushing to reclassify their cash stocked overseas as assets so they can pay a fraction of what they would otherwise owe. That is why oil companies are drilling into the law to find new loopholes in the way we tax foreign profits. CEOs want no stone left unturned, no loophole left unopened.

But there is one group that is not getting any special access or sweetheart deals, and that is middle-class families like those in my home State of New Jersey. I have said before and I will say again that the Trump tax bill was one giant hit job on New Jersey's middle class and that of States similarly situated.

You would think that with \$1.5 trillion in tax cuts, Republicans could have cut taxes for everyone. Yet, under the Trump tax plan, 40 percent of New Jersey taxpayers will either face an average tax increase of \$2,100 or get no tax cut at all. That is because Republicans gutted the State and local tax deduction, which 1.8 million homeowners across my State alone depend on to avoid being taxed twice on the same money. These people aren't high rollers. They weren't born into multimillion dollar trust funds. They are middle-class families who work hard for everything they have.

As you can see, 83 percent of New Jerseyans who deduct their property taxes make under \$200,000 a year. Nationwide, half of all taxpayers who claim these deductions make under \$100,000. In New Jersey, the average deduction totals about \$18,000 per filer—far above the arbitrary cap imposed by Donald Trump and his corporate-sponsored Republican Congress. It means the average New Jersey taxpayer who itemizes their returns could lose \$8,000 in deductions this year alone.

Even the President's own top economic adviser agrees. Larry Kudlow made this quote before he was Director of the National Economic Council, which means the quote is really clear and unvarnished in its truthfulness. He said:

When you end the state and local deduction, because rates are still relatively high, you are going to hurt a lot of different peo-

ple. So the internal logic was not good and this is not a true tax-reform bill.

Only in Washington could Republicans borrow \$2 trillion from China to cut taxes for big corporations and still need to hike taxes on New Jersey families and families like New Jersey families in other States in order to pay for it. That is exactly what Republicans did by capping the State and local tax deduction and hitting our middle class with an even higher property tax burden.

But we New Jerseyans aren't known for being pushovers. That is why, last December, several mayors across our State allowed homeowners to prepay their 2018 property taxes before Trump's harmful policies took effect in January. That is why, back in May, I proudly joined Governor Phil Murphy as he signed a new law to shield homeowners from higher property tax burdens.

Under this program, homeowners who contribute to a State-approved charity may receive a property tax credit worth up to 85 percent of those donations. In this regard, New Jersey didn't reinvent the wheel with this new law. It was modeled after existing tax credit programs on the books for at least 32 other States. All of those here in red offer tax credits to residents who contribute to certain charities.

In our case, we are not shielding families from higher property tax bills but making sure New Jersey has the resources needed to keep cops on the beat, firefighters on the job, and New Jersey schools on the cutting edge.

The IRS has consistently respected these programs. Back in 2011, the Chief Counsel of the IRS released an advisory memo clarifying that State tax credits do not—I repeat—do not prohibit taxpayers from writing off the full value of their charitable donations from their Federal taxes. In other words, getting a tax credit doesn't mean you made more money, and thus you shouldn't be taxed more as a result. That is what is happening across the land in all of these 32 States.

It is not just the IRS that upheld these programs. This issue has gone before the U.S. Supreme Court, and the Supreme Court ruled that these tax credits are not considered things of value but rather amount to “the government declin[ing] to impose a tax.”

So let's review. The IRS never had a problem with the 32 other States who had charitable deduction tax credit programs on the books—never. The IRS never had a problem; that is, until New Jersey and States like New Jersey decided to create one—until New Jersey and similar States decided to create one. As soon as New Jersey and other States established this perfectly legal tax credit program, the IRS suddenly decided to reverse course. All of a sudden, they are willing to go to court over this and challenge a well-established precedent.

Apparently, the Trump administration is so intent on sticking it to New

Jersey and States like New Jersey that they are willing to jeopardize all of these programs in all of these States—all of them, all of them.

Let me give a few examples of these programs that will be endangered if Mr. Rettig fails to stand up for the rights of States. In Alabama, there is a program that offers families a 100-percent tax credit for contributing to private school scholarship funds. In Missouri, there are several very worthy programs that offer tax credits for contributions—one for shelters for domestic abuse survivors, another for donations for campuses focused on the STEM fields. There are tax credits for donating to State colleges in Indiana, water conservation in Colorado, and public road construction in Arkansas. There are similar programs in Missouri, Kansas, and Georgia.

I could go on and on, but here is the bottom line: At least 30 State tax credit programs are now in jeopardy because the Trump administration changed the rules in the middle of the game—changed their previous counsel's decision, changed course from what the Supreme Court said.

I have heard a lot of lip service from my colleagues about States' rights over the years. They are all about States' rights—until it comes to States like New Jersey and their rights.

Some say that President Trump and the Republican Congress capped the property tax deduction because they have it out for so-called blue States. But at the end of the day, the States most affected by this foolish policy aren't red States or blue States; they are America's blue-chip States, America's innovation States, America's economic powerhouse States.

New Jersey didn't become an economic powerhouse by accident. Our success wasn't born overnight. It is the result of the priorities we set and the investments we make.

Take it from Kathryn, a constituent of mine from New Jersey. She wrote to me after she saw what happened with the tax bill:

My husband and I pay nearly \$13,000 a year in property taxes to the town of Oradell. For this, we receive excellent services and have reputable public schools. I pay taxes to the state of NJ which support our infrastructure, other cities, and necessary programs.

I am fine paying what I already pay. That being said, I feel very strongly that it is unacceptable to be taxed on taxes that I already pay.

Kathryn is right. She is right. It is no coincidence that New Jersey claims more in State and local tax deductions than other States in the Nation and also has some of the best schools in the Nation. We pay for them. Yet, with the Trump tax scam, Republicans want us to pay for them twice.

The Federal income tax system has historically allowed taxpayers to deduct the taxes they pay at the local level. This is one of the longest standing deductions in the Nation's history—to deduct from their Federal returns—and for good reasons. States

that invest in education, infrastructure, and opportunity for all have higher per capita incomes, enjoy more prosperity, and rely less on Federal handouts. These are the types of investments that make New Jersey a great place to live, work, and raise a family.

You don't have to take my word for it. Earlier this year, Save the Children named New Jersey the No. 1 place in America to raise a child. I want it to stay that way.

In New Jersey, we invest in public schools because we know that they prepare students to compete in high-paying fields like biotechnology, sustainable agriculture, and medicine. In New Jersey, we invest in public health and law enforcement because we know we are all better off when our streets are safe and our families are healthy. In New Jersey, we invest in mass transit and infrastructure because we know it connects workers with opportunities to climb the income ladder.

We do these things for a reason. New Jersey is stronger when we open the doors of opportunity for as many people as possible. We see it here: State investments, better education, higher wages, a stronger middle class, top three States by SALT deduction. They also do incredibly well in educational achievement and income. There is a clear correlation.

But the Republican Congress has put these job-creating, economy-growing, opportunity-expanding investments in the crosshairs by gutting the property tax deduction. In the process, they are threatening the validity of legitimate programs operating in 30 other States.

The Federal Tax Code has always worked to ensure that Americans don't pay taxes twice on their hard-earned money; that was until Donald Trump came along. Then Republicans abandoned their so-called fiscal conservatism, and together they passed a tax scam that subjects hundreds of thousands of New Jerseyans, and many more in other States, to double taxation.

For as long as I can remember, I have heard my Republican colleagues preach about protecting, not punishing, success. But the Republican tax law is a tax on New Jersey's success, slamming hundreds of thousands of families with higher property tax burdens, not in a few years, not in a decade—no, right now—now. It is not fair, and it is not right. It is wrong to force New Jersey families to pay more just so that big corporations and wealthy CEOs can pay less.

In the end, I can't in good conscience support this nominee. He will not protect New Jersey's middle class—and those in other States like it—from higher property tax bills. He will not respect perfectly legal State-based programs like those 32 other States that offer tax credits in return for contributions to nonprofits that do critical work in their communities. He will be nothing more than a Republican rubberstamp for President Trump's po-

litically motivated tax policies. The last thing we need is an IRS that is politically weaponized.

Whether you want to take a stand against double taxation or you don't agree with the Trump administration's politically motivated assault on the rights of States to set their own tax policies, I hope Republicans and Democrats alike will join me in voting down this nomination. Taxpayers in New Jersey and across the Nation deserve better than tax policies that knock the knees out from underneath them and an IRS Commissioner who kicks them while they are down.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I intend to address the Senate on the topic of Bosnia and Herzegovina, but I want to observe that the distinguished leader may be coming in just a moment for a unanimous consent request. If he does, I will be happy to yield during the middle of my remarks so he can take care of that item of business.

BOSNIA AND HERZEGOVINA

Mr. President, it is important for this Senate and this country to once again be interested in Bosnia and Herzegovina. During my time in Congress, and particularly since joining the U.S. Helsinki Commission, which I now chair, the Western Balkans have been an ongoing concern of mine. Although our relationship with all of these countries of the Western Balkans is important, the United States has a specific interest, a particular interest, in Bosnia and Herzegovina. We need to concentrate more on that.

I had the opportunity in July to lead a nine-member bicameral delegation to Bosnia. The delegation sought to see more of the country and to hear from its citizens, rather than meet only in the offices of senior Bosnian officials. We visited the small town of Trebinje in the entity of Republika Srpska, and we visited the city of Mostar in the entity of the Federation. Then, we went on and visited in Sarajevo, the capital, engaging with international officials, the Bosnian Presidency, and citizens seeking a better Bosnia.

Bosnia was a U.S. foreign policy priority when I came to the House in 1995. In less than a decade, Bosnia had gone from international acclaim while hosting the Winter Olympics to the scene of the worst carnage in human suffering in Europe since World War II. The conflict that erupted in Bosnia in 1992 was not internally generated. Rather, Bosnia became the victim of the breakup of Yugoslavia and the extreme nationalist forces this breakup unleashed throughout the region, first and foremost by Serbian leader and war criminal Slobodan Milosevic.

At this point, I will be happy to yield to the distinguished majority leader for whatever purposes he would choose.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, I thank my friend from Mississippi. I will be brief.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that notwithstanding rule XXII, the cloture motion on the conference report to accompany H.R. 5895 be withdrawn; that if cloture is invoked on the Rettig nomination, all postcloture time be yielded back and the Senate vote on the nomination; further, that if the nomination is confirmed, the motion to reconsider be considered made and laid on the table and the President be immediately notified of the Senate's action; that the Senate then resume legislative session and resume consideration of the conference report; that there be 10 minutes of debate equally divided in the usual form; that following the use or yielding back of time, the Senate vote on adoption of the conference report; and finally, that S. Con. Res. 46, correcting the title of H.R. 5985, be considered and agreed to, and the motions to reconsider be considered made and laid upon the table.

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

Mr. McCONNELL. For the information of our colleagues, these will be the only rollcall votes during this week's session.

The PRESIDING OFFICER. The Senator from Mississippi.

BOSNIA AND HERZEGOVINA

Mr. WICKER. Mr. President, back to the subject of Bosnia, the carnage and tragic conflict that occurred in the early 1990s was more than about Bosnia. It was about security in a Europe just emerging from its Cold War divisions and the international principles upon which that security was based. For that reason, the United States, under President Bill Clinton, rightly exercised leadership when Europe asked us to, having failed to do so themselves. The Clinton administration brokered the Dayton peace agreement in November 1995 and enabled NATO to engage in peacemaking and peacekeeping to preserve Bosnia's unity and territorial integrity. That was the Bosnian peace agreement.

Almost a quarter of a century later, after the expenditure of significant diplomatic, military, and foreign assistance resources, the physical scars of the conflict have been largely erased. As we learned during our recent visit, the country remains far short of the prosperous democracy we hoped it would become and that its people deserve. Mostar, a spectacular city to visit, remains ethnically divided with Bosniak and Croat students separated by ethnicity in schools, even inside the same school buildings. Bosnian citizens, who are of minority groups, such as Jews, Romanis, or of mixed heritage, still cannot run for certain political offices.

This is 2018. They can't run for State-level Presidency, simply because of their ethnicity. Neither can Bosniaks and Croats in Republika Srpska or

Serbs in the Bosnian Federation run for the Presidency because of their ethnicity, in Europe in 2018. Nor can those numerous citizens who, on principle, refuse to declare their ethnicity because it should not replace their real qualifications for holding office.

This goes on despite repeated rulings by the European Court of Human Rights that this flaw in the Dayton-negotiated Constitution must be corrected. In total, well over 300,000 people in a country of only 3.5 million fall into these categories despite what is likely their strong commitment to the country and to its future as a multi-ethnic state. This is simply wrong, and it needs to end.

In addition, youth employment in Bosnia is among the highest in the world, and many who can leave the country are doing so, finding a future in Europe and finding a future in the United States. This denies Bosnia much of its needed talent and energy.

Civil society is kept on the sidelines. Decisions in Bosnia are being made by political party leaders who are not accountable to the people. They are the decision makers. The people should be decision makers. Corruption is rampant. Ask anyone in Europe, and they will tell you, Bosnia's wealth and potential is being stolen by corruption.

General elections will be held in October with a system favoring the status quo and resistance to electoral reforms that would give Bosnians more rather than fewer choices.

The compromises made two and a half decades ago in Dayton to restore peace and give the leading ethnic groups—Bosniaks, Serbs, and Croats—an immediate sense of security make governance dysfunctional today. Two-and-a-half-decades-old agreements make governance inefficient today in Bosnia. Collective privileges for these groups come at the expense of the individual human rights of the citizens who are all but coerced into making ethnic identity their paramount concern and a source of division, when so many other common interests should unite them. Ethnically based political parties benefit as they engage in extensive patronage and corruption. Beneath the surface, ethnic reconciliation has not taken hold, and resulting tensions can still destabilize the country and even lead to violence. Malign outside forces, particularly Vladimir Putin's Russia but also influences from Turkey and Gulf States, seek to take advantage of the political impasse and malaise, steering the country away from its European and Euro-Atlantic aspirations.

As a result of these developments, Bosnia and Herzegovina is not making much progress, even as its neighbors join NATO and join the EU or make progress toward their desired integration.

In my view, we should rightly credit the Dayton agreement for restoring peace to Bosnia. That was 25 years ago, but it is regrettable the negotiators did

not put an expiration date on ethnic accommodations so Bosnia could become a modern democracy. As one of our interlocutors told us, the international community, which has substantial powers in Bosnia, has steadily withdrawn, turning over decision making to Bosnian officials who were not yet committed to making the country work and naively hoping the promise of future European integration would encourage responsible behavior. That has not happened.

Of course, we can't turn back the clock and can't insert that expiration date on the Dayton agreement, but having made a difference in 1995, we can and should help make a difference again today. It is in our national security interest that we do so.

I suggest the following. The United States and our European friends should state, unequivocally, that Dayton is an absolute baseline, which means only forward progress should be allowed. Separation or new entities should be declared to be clearly out of the question.

Secondly, U.S. policymakers should also remind everyone that the international community, including NATO, did not relinquish its powers to Bosnia but simply has chosen to withdraw and exercise them less robustly. We should seek an agreement to resurrect the will to use these powers and to do so with resolve if growing tensions make renewed violence a credible possibility.

Next, the United States and Europe should adopt a policy of imposing sanctions on individual Bosnian officials who are clearly engaged in corruption or who ignore the Dayton parameters, Bosnian law, and court rulings in their work. Washington has already done this regarding Republika Srpska President Milorad Dodik, and just recently, Nikola Spiric, a member of Bosnia's House of Representatives. However, the scope should be expanded, and European capitals need to join us in this regard.

Senior U.S. officials, as well as Members of Congress, should make Sarajevo a priority. I hope more of our Members will visit Bosnia and increase our visibility, demonstrate our continued commitment, and enhance our understanding.

Bosnia may not be ready to join NATO, but its Membership Action Plan should be activated without further delay. As soon as this year's elections are over in Bosnia, the international community should encourage the quick formation of new parliaments and governments at all levels, followed immediately by vigorous reform efforts that eliminate the discrimination in the criteria for certain offices, ensure that law enforcement more effectively serves and protects all residents, and end the corruption in healthcare and so many other violent areas of daily life.

Our policy must shift back to an impetus on universal principles of individual human rights and citizen-based government. Indeed, the privileges

Dayton accorded to the three main ethnic groups are not rights but privileges that should not be upheld at the expense of genuine democracy and individual rights.

We, in my view, have been far too fatalistic about accepting in Bosnia what we are not willing to accept anywhere else. We also underestimate what Bosnians might find acceptable, and we should be encouraging them to support leaders based on credentials, positions, and personal integrity, not based on ethnicity. There should no longer be a reason why a Bosniak, Serb, or Croat voter should be prohibited by law from considering a candidate of another ethnicity or a multiethnic political party. All candidates and parties would do well to seek votes from those not belonging to a single ethnic group. This may take time and perhaps some effort, but it should happen sooner rather than later.

Let me conclude by asserting that greater engagement is in the interest of the United States—the economic interest and the national security interest. Our country is credited with Bosnia's preservation after the country was almost destroyed by aggression, ethnic cleansing, and genocide. Thank God our country was there for Bosnia.

Our adversaries—notably, but not exclusively, Russia—would like nothing more than to make an American effort fail in the end, and they would ensure that its repercussions are felt elsewhere around the globe.

Current trends in Bosnia make the country an easier entry point for extremism in Europe, including Islamic extremism. If we wait for discrimination and ethnic tensions to explode again, our engagement will then become a moral imperative at significantly greater cost.

The people of Bosnia, like their neighbors throughout the Balkans, know they are in Europe but consider the United States their most trusted friend, their most honest friend. They want our presence and engagement, and given the tragedies they have experienced, they have earned our support and friendship.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, today I want to talk about some of the positive steps the U.S. Senate is about to take in pushing back against—

Mr. WHITEHOUSE. Mr. President, if the Senator will yield for 1 minute, I would like to make a unanimous consent request that at the conclusion of Senator PORTMAN's remarks, I be recognized, and that at the conclusion of my remarks, Senator SMITH be recognized.

The PRESIDING OFFICER. Is there an objection?

Mr. PORTMAN. There is no objection.

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

Mr. WHITEHOUSE. Thank you. Thank you, Senator PORTMAN.

OPIOID EPIDEMIC

Mr. PORTMAN. I thank my colleague, and I am going to talk about him in a second and the work we have done with regard to pushing back against the opioid epidemic that has hit our States. In this body, every single Member is affected by it, and our country is affected by it in very significant ways.

Because of the dangerous hurricanes that are approaching our coast, it looks as though the vote we had expected tomorrow and the debate we had expected tomorrow on the opioid package may be postponed based on what I just heard from the majority leader. But in the next several days, the Senate is expected to take up comprehensive legislation that comes from four or five different committees in Congress to fight the addiction crisis, to help our communities combat some of the deadliest aspects of this crisis nationally. This help is urgently needed.

Let's start with talking about how Congress got here.

First, just a couple of years ago, we passed two bills in Congress that were historic and are making a difference. One is called the Comprehensive Addiction and Recovery Act, or CARA; the other is called the 21st Century Cures Act.

CARA, which I coauthored with my colleague SHELDON WHITEHOUSE, who is on the Senate floor with us—he spoke just a moment ago—provides resources directly to evidence-based prevention, treatment, and recovery programs. These are nonprofit programs. For the most part, they are able to apply to the Federal Government directly for grant money. They are doing things that are innovative and new to try to get at this problem, and in many respects, they are working and making a difference.

This year alone, there will be about \$608 million spent on these programs that offer innovative solutions to this stubborn problem that is affecting everyone in this Chamber.

The Cures legislation, 21st Century Cures legislation, this year will be \$500 million annually. That goes directly to the States, and the States then give grants to various programs in those States.

In my home State of Ohio, for instance, \$26 million has come each of the last 2 years. Sadly, Ohio is one of the hardest hit States in the country, so we have a larger grant allocation than some States that have not had as many overdoses and deaths and rates of addiction that are as high as we have had.

I was a very strong supporter of the 21st Century Cures funding, and I applaud Senators ALEXANDER and MURRAY, as well as Senator BLUNT and other Appropriations Committee members on both sides of the aisle for their work on that.

Of course, with regard to the CARA legislation, it is actually working out there. I have now had the opportunity to see how it is working. I have been to

about a dozen CARA grant recipients in Ohio over the last year alone. I have seen new and powerful ways that the communities back in Ohio are helping to turn the tide of addiction.

Last month, as an example, I visited the Whitehall fire station outside of Columbus, OH. They are doing something innovative for a fire station. They have opened their doors and partnered with another organization. They get CARA funding, and the other organization gets Cures funding to provide immediate help for those who are coming in and are seeking it or have overdosed; Narcan has been applied and has reversed the effects of these overdoses. Yet that gap that so often occurs in our communities doesn't occur there because it is seamless. People can go right into treatment.

The program, again, was made possible by this CARA grant. It opens the doors of the fire station, and it is working.

I was there at a time when, just coincidentally, an addict came in. His name was Blake. Blake was, as he described himself, a heroin addict, and he had heroin on his person. I had the opportunity to speak with Blake and offer him some words of encouragement. I had an opportunity to ask him why he was there and what had happened in the past. He said that he had been to three treatment programs. They hadn't worked. He had gone straight from a short-term treatment program right back to the streets. The gap had occurred.

He also said that he was ready, and he appreciated the opportunity to go straight into a treatment program, which he had not had before.

I had a chance to speak with him, and I told him to stay in touch with me, to let me know what is going on. Last week, he called, and Blake said that he is now in a 3-month treatment program in Portsmouth, OH. He is optimistic; he is confident. He believes that because of this approach, he has an opportunity now to get clean, to get back with his family and get back to work.

This is what is often needed: a seamless transition from immediate medical attention—the application of Narcan to reverse the effects—to treatment, to longer term recovery in order for people to overcome their addiction. That is what CARA and Cures prioritize, and that is why these programs are so important.

Once again, we will see in the funding this year that those programs have been held up. The good parts of the programs, in particular, are being used as an example for the entire country.

Despite the legislative progress we have made, and despite what I see back home with communities beginning to make a difference, overall, the situation is not getting better; it is getting worse. You might ask: Why is that?

Well, I believe it is for one simple reason, and that is the advent of new drugs, particularly less expensive and

more powerful synthetic opioids that have come into our communities in the last few years. The new data from the Centers for Disease Control and Prevention, CDC, show that overdose deaths increased 9 percent from 2016 to 2017, the last year for which we have data. My home State of Ohio had a 9½ percent increase in overdose deaths.

In total, CDC estimates that 72,000 Americans—72,000 Americans—died last year from overdoses, the No. 1 cause of death for Americans under the age of 50. Over 48,000 of those overdose deaths were caused by opioids, and about 30,000 of those were caused by synthetic forms, particularly fentanyl. That is more than 60 percent, so this is the big issue right now.

Two-thirds of the overdose deaths in my home State of Ohio are being caused by synthetic opioids, fentanyl. Columbus, OH, unfortunately had a number of deaths over a short period of time, all due to fentanyl. There were about 20,000 fentanyl overdose deaths in 2016, meaning there has been a 50-percent increase in just 1 year.

When you go from 2013 to 2017, there has been an 850-percent increase just during 5 years—an 850-percent increase in fentanyl overdose deaths in our country.

The opioid crisis has continued to tighten its grip around communities across our country, and the emergence of fentanyl has presented a new challenge in turning the tide of this epidemic. Just as we were making progress, this more deadly, less expensive scourge has come into our families, our communities, our States. That is why we need to take action—and take action this week.

I would like to thank the majority leader, Senator MCCONNELL, and the Democratic leader, Senator SCHUMER, for agreeing to bring this legislation to the floor.

I would also like to thank Chairman LAMAR ALEXANDER for his good work in bringing together all of the different proposals from these four or five committees I talked about and negotiating with all sides to come up with consensus legislation. This should be non-partisan, not just bipartisan. This is something that is attacking our communities at their core.

I would like to thank and commend the several committees that have held public hearings and contributed legislative ideas to this mix. That includes the Judiciary Committee, the HELP Committee, the Finance Committee, and others.

This bipartisan consensus package puts politics aside and does what is right for our communities. It includes some additional legislative priorities I have been working on over the past couple of years that I believe are going to make a real difference in this fight.

Earlier this year, again with Senator WHITEHOUSE and others, we introduced CARA 2.0, the next version of the Comprehensive Addiction and Recovery Act. A number of those provisions are included in this package.