

Finally, we are close to a deal on the Transportation, Housing and Urban Development bill. I hope we can finish negotiations on this bill this week. This is our Nation's infrastructure bill. I worked very closely with Senator SHELBY on this. We want to rebuild our crumbling bridges and roads. We want to invest in our communities and create jobs for thousands of workers across this country.

Funding the government is one of Congress's basic responsibilities. I would urge my friends in the other body to do what Senator SHELBY and I have done. Drop poison pill riders so that we can send this bill to the President before October 1. We can do it. I realize we need 60 votes in the Senate. We don't have poison pill riders, so that should be easy to do. We can get 9 of the 12 bills across the finish line by October 1.

I am pleased we are going to be voting on the Defense and Labor-HHS package today. I thank Chairman SHELBY and the chair and ranking members of the subcommittees, Senators BLUNT, MURRAY, and DURBIN, and the staff of the Appropriations Committee. We never could have done this without the hard work of both the Democratic staff and the Republican staff.

Mr. President, I ask unanimous consent to have printed in the RECORD the names of all those staff members.

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, Bridgit Houton, John Lucio, Andy Vanlandingham, Mark Laisch, Lisa Bernhardt, Kelly Brown, Catie Finley, Teri Curtin, Shannon Hines, Jonathan Graffeo, David Adkins, Mary Collins Atkinson, Brian Potts, Laura Friedel.

Mike Clementi, Colleen Gaydos, Katy Hagan, Chris Hall, Hanz Heinrichs, Kate Käufer, Jacqui Russell, Will Todd, Carlos Elias, Michael Gentile, Ashley Palmer, Jeff Reczek, Courtney Bradford, Robert Putnam, Christy Greene, Jenny Winkler, Clint Trocchio, George Castro, Hong Nguyen, Valerie Hutton, Elmer Barnes, Penny Myles, Karin Thames.

Mr. LEAHY. Mr. President, I yield the floor.

I think we are ready to vote.

#### CLOTURE MOTION

The PRESIDING OFFICER (Mr. CRUZ). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 6157, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

Mitch McConnell, Orrin G. Hatch, John Boozman, John Barrasso, Lamar Alex-

ander, Marco Rubio, Johnny Isakson, Mike Rounds, Pat Roberts, John Hoeven, Steve Daines, James M. Inhofe, Cory Gardner, Shelley Moore Capito, John Cornyn, Roger F. Wicker, John Thune.

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

The question is, Is it the sense of the Senate that debate on the conference report to accompany H.R. 6157, an act to make appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

(Mr. GARDNER assumed the Chair.)

The yeas and nays resulted—yeas 92, nays 8, as follows:

[Rollcall Vote No. 211 Leg.]

#### YEAS—92

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

Gardner  
Gillibrand  
Graham  
Grassley  
Harris  
Hassan  
Hatch  
Heinrich  
Heitkamp  
Heller  
Hirono  
Hoeven  
Hyde-Smith  
Inhofe  
Isakson  
Johnson  
Jones  
Kaine  
Kennedy  
King  
Klobuchar  
Kyl  
Leahy  
Manchin  
Markey  
McCaskill  
McConnell  
Menendez  
Merkley  
Moran  
Murkowski

Murphy  
Murray  
Nelson  
Peters  
Portman  
Reed  
Risch  
Roberts  
Rounds  
Rubio  
Sasse  
Schatz  
Schumer  
Scott  
Shaheen  
Shelby  
Smith  
Stabenow  
Sullivan  
Tester  
Thune  
Tillis  
Udall  
Van Hollen  
Warner  
Warren  
Whitehouse  
Wicker  
Wyden  
Young

#### NAYS—8

Daines  
Ernst  
Lankford

Lee  
Paul  
Perdue

Sanders  
Toomey

[Rollcall Vote No. 212 Leg.]

#### YEAS—93

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

Fischer  
Gardner  
Gillibrand  
Graham  
Grassley  
Harris  
Hassan  
Hatch  
Heinrich  
Heitkamp  
Heller  
Hirono  
Hoeven  
Hyde-Smith  
Inhofe  
Isakson  
Johnson  
Jones  
Kaine  
Kennedy  
King  
Klobuchar  
Kyl  
Lankford  
Leahy  
Manchin  
Markey  
McCaskill  
McConnell  
Menendez  
Merkley

Moran  
Murkowski  
Murphy  
Murray  
Nelson  
Peters  
Portman  
Reed  
Risch  
Roberts  
Rounds  
Rubio  
Schatz  
Schumer  
Scott  
Shaheen  
Shelby  
Smith  
Stabenow  
Sullivan  
Tester  
Thune  
Tillis  
Udall  
Van Hollen  
Warner  
Warren  
Whitehouse  
Wicker  
Wyden  
Young

#### NAYS—7

Flake  
Lee  
Paul

Perdue  
Sanders  
Sasse

Toomey

The conference report was agreed to.  
The PRESIDING OFFICER. The Senator from Arizona.

#### MORNING BUSINESS

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### RECESS

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

Thereupon, the Senate, at 1:07 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

#### MORNING BUSINESS—Continued

The PRESIDING OFFICER. The Senate will come to order.

The majority leader is recognized.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5:30 p.m. on Monday, September 24, the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 849 and 850.

I further ask that there then be 2 minutes of debate equally divided in the usual form and that following the use or yielding back of time, the Senate vote on the nominations en bloc, with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid

upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements related to the nominations be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 938.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Peter A. Feldman, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for the remainder of the term expiring October 26, 2019.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Peter A. Feldman, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for the remainder of the term expiring October 26, 2019.

Mitch McConnell, Richard C. Shelby, Todd Young, Pat Roberts, Thom Tillis, Cory Gardner, Roger F. Wicker, Mike Rounds, David Perdue, John Boozman, Roy Blunt, Jerry Moran, Lamar Alexander, John Thune, Tim Scott, John Barrasso, Steve Daines.

#### LEGISLATIVE SESSION

Mr. MCCONNELL. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 941.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Peter A. Feld-

man, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2019. (Reappointment)

#### CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Peter A. Feldman, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2019. (Reappointment)

Mitch McConnell, Richard C. Shelby, Todd Young, Pat Roberts, Thom Tillis, Cory Gardner, Roger F. Wicker, Mike Rounds, David Perdue, John Boozman, Roy Blunt, Jerry Moran, Lamar Alexander, John Thune, Tim Scott, John Barrasso, Steve Daines.

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

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

#### HURRICANE FLORENCE

Mr. THUNE. Mr. President, many in the Carolinas and other communities in our eastern States are dealing with wind, flooding, and storm surge damage caused by Hurricane Florence. In the lead-up to this hurricane and in the ongoing response to it, Federal agencies have played and continue to perform critical roles in forecasting, public safety, rescue, and recovery.

One of the key agencies involved in this effort is the Commerce Department's National Oceanic and Atmospheric Administration, or NOAA. NOAA houses the National Weather Service and the National Hurricane Center, which is responsible for issuing watches, warnings, and forecasts of these hazardous weather events.

Despite its responsibility for critical functions, NOAA has been without a Senate-confirmed Administrator for nearly 2 years due to obstruction by Senate Democrats. Barry Myers, the President's nominee to lead NOAA, was first approved by the Commerce Committee, of which I have the privilege of chairing, in December of 2017. Ten months later, his nomination sits stalled on the Senate floor, and he is far from alone.

During and after disasters like a hurricane, Americans use products such as portable generators, ladders, and power

tools in greater quantity and frequency than during other times. The Consumer Product Safety Commission has a critical public safety mission to ensure that such products sold on store shelves or over the internet are safe. When there are safety issues, the Commission is charged with taking action. But nominations for this critical agency have also been blocked in the Senate. The same is true for the country's leading highway safety regulator. For months, Democrats have blocked the nomination of Heidi King to be the administrator of the National Highway Traffic Safety Administration. While she has shepherded the agency in an acting capacity, she has been denied the full weight and authority of a Senate-confirmed leader. So have other Commerce Committee-approved nominations for the Departments of Transportation and Commerce, Amtrak, and the Surface Transportation Board. All of these agencies play critical roles in promoting public safety. What is most frustrating is that this all feels like *deja vu*.

We have already seen this disturbing pattern play out with other safety nominees earlier in this Congress. The nomination of Ronald Batory to lead the Federal Railroad Administration had been stalled in the Senate for more than 6 months over demands by Senate Democrats concerning a parochial infrastructure project. Only after three deadly passenger rail accidents did Democrats finally relent and allow this critical railway safety official to assume his full agency leadership duties.

In another instance, Senate Democrats blocked nominees for the National Transportation Safety Board. This opposition only subsided following a deadly Missouri duck boat tragedy that claimed 17 lives. Once the Board was sent out to investigate and attention moved toward the blocked vacancies, Democrats finally relented to their confirmation.

Maybe Hurricane Florence will have a similar effect on some of these other blocked nominees, but it shouldn't take a tragic national disaster for Democrats to stop making unrelated demands that obstruct nominees from working in critical posts.

I urge my colleagues to stop this dangerous obstruction and instead give qualified nominees approved in committee the chance to lead their agencies so that we are all well prepared for the next natural disaster, safety recall, or serious accident.

#### OPIOID EPIDEMIC

Mr. THUNE. Mr. President, in 2017, more than 72,000 Americans died from drug overdoses, and 49,000 of those deaths were related to opioids. Opioid overdoses have surpassed motor vehicle accidents as the leading cause of accidental death in the United States. Whole communities have been devastated by the opioid epidemic. The situation is rightly described as a crisis.