

made it a separate crime to manufacture or distribute illegal drugs to benefit terrorists or terrorist organizations. The law is codified at title 21, section 960(a) of the U.S. Code. It is often called the narcoterrorism law.

Just as important, Congress created mandatory minimum sentences applicable to narcoterrorism. Those sentences are set at “not less than twice the minimum punishment” applicable to the underlying drug trafficking offenses which are codified in title 21, section 841. However, the Smarter Sentencing Act would drastically cut the mandatory minimum sentences that apply to these underlying drug trafficking offenses. What this means is that by slashing in half the mandatory minimum sentences for the local drug dealer down the block, the Smarter Sentencing Act also slashes in half the mandatory minimum sentences for members of the Taliban, Al Qaeda or Hezbollah who deal drugs to fund their acts of terrorism.

For example, terrorists who currently face a mandatory minimum sentence of 20 years in prison for narcoterrorism would instead face only 10 years if the Smarter Sentencing Act were to become law. By cutting the mandatory minimum sentences for trafficking drugs to fund terrorism, the Smarter Sentencing Act weakens a very important tool that can be used to gain the cooperation of narcoterrorists facing prosecution. This cooperation leads to more arrests, more drug seizures, more terrorists off the streets, and more intelligence that could help prevent further attacks.

Indeed, law enforcement authorities have been supportive of the mandatory minimum sentences that apply to the narcoterrorism statute for this very reason. For example, the Assistant Administrator for Intelligence at the Drug Enforcement Administration testified before Congress that “the robust sentencing provisions in these statutes provide incentives for defendants to cooperate with investigators, promoting success in investigations.”

The last thing we should do is weaken the leverage law enforcement currently has to win a terrorist defendant’s cooperation, but that is what the Smarter Sentencing Act would in fact do.

Indeed, in opposing the bill, Federal prosecutors wrote that “mandatory minimums . . . help gain the cooperation of defendants in lower level roles in criminal organizations to pursue higher-level targets.”

The same principle is true—and even more important—when our national security is at stake. These threats to our safety and security are not theoretical, they are very real, and the narcoterrorism law is not just a statute on the books, it is a tool that is actively used by prosecutors to protect our Nation.

For example, in 2008, Khan Mohammed, a member of the Taliban, was convicted under the narcoterrorism law of distributing heroin and opium to

finance attacks against American troops in Afghanistan.

Chillingly, Mohammed was just as concerned with killing American civilians with drugs as he was with financing rocket attacks against our troops. The opium he agreed to sell was to be processed into heroin and imported into the United States. As a result, Mohammed was caught on tape exclaiming “Good, may God turn all the infidels into dead corpses.”

He later expounded on his deadly intentions:

May God eliminate them right now, and we will eliminate them too. Whether it is by opium or by shooting, this is our common goal.

Similarly, the narcoterrorism law was used to prosecute Afghan heroin kingpin Haji Bagcho in 2012. He was also trafficking heroin to America and funneled the proceeds to the Taliban. The evidence at trial showed that in 2006 his drug trafficking organization produced almost 20 percent of the world’s opium and, similar to Mohammed, he targeted Americans. He reportedly encouraged Afghan farmers to “grow opium so we can make heroin to kill the infidels.”

Perhaps it is little wonder, according to the Drug Enforcement Administration, heroin overdoses resulting in death in the United States increased 45 percent between 2006 and 2010.

It should go without saying that these are not individuals whose mandatory minimum sentences should be cut in half. But the authors of the Smarter Sentencing Act apparently think otherwise because that is what the bill says or maybe they don’t understand what they are doing. Either way, the American people should be extremely concerned about this bill that unbelievably was reported out of the Judiciary Committee.

Some may assume that the Department of Justice has other tools to go after defendants such as these, but the only other charges that Mohammed and Bagcho faced were for unlawfully importing these illegal drugs into the United States. Unbelievably, the Smarter Sentencing Act cuts the mandatory minimum sentences for that crime in half as well.

In addition to these two cases, the Department of Justice has brought prosecutions against other narcoterrorists. Many of these individuals were linked to Hezbollah, one of the most notorious terrorist organizations in the world. In at least one instance associates of Al Qaeda were also brought to justice for their role in drug trafficking schemes.

In many of these cases, the narcoterrorism law and the ban on importing illegal drugs played a vital role in their prosecution. We should not be weakening these laws at this critical time by cutting the penalties associated with those acts of crime. Of course, if possible, I would rather these terrorists be treated as enemy combatants and not be subject to the civilian criminal

justice system at all, but on those occasions when they are prosecuted in our criminal justice system, I want authorities to have the strongest tools available to address the threat these criminals pose.

According to the U.S. attorney for the Southern District of New York, who has brought many of these cases, “there is a growing nexus between drug trafficking and terrorism, a nexus that increasingly poses a clear and present danger to our national security. Combating this lethal threat requires a bold and proactive approach.” Cutting the mandatory minimum sentences for narcoterrorists is moving in precisely the opposite direction of what the U.S. attorney for the Southern District of New York said and I just quoted.

Trafficking in illegal drugs has long been understood to be a way that these terrorist organizations raise funds, but it is now equally clear that this activity is also a way for them to target our fellow citizens directly. In effect, drug trafficking is a method of waging war against the United States. It is a way to terrorize our communities with poison without firing a shot. It is a way to threaten the lives of Americans just as surely as using a bomb, a gun or a hijacked plane.

Terrorists are wielding another tool in their efforts to destroy and defeat our country. This is not the moment to weaken one of the tools we have to actually stop them. This is no time to let down our defenses. It is no time for the Senate to take up the misnamed Smarter Sentencing Act.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

NOMINATION OF RONNIE L. WHITE TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI

Mr. REID. Mr. President, I move to proceed to executive session to consider Calendar No. 850.

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 legislative clerk read the nomination of Ronnie L. White, of Missouri, to be United States District Judge for the Eastern District of Missouri.

CLOTURE MOTION

Mr. REID. 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 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, hereby move to bring to a close debate on the nomination of Ronnie L. White, of Missouri, to be United States District Judge for the Eastern District of Missouri.

Harry Reid, Patrick J. Leahy, Claire McCaskill, Tim Kaine, Angus S. King, Jr., Thomas R. Carper, Bill Nelson, Jon Tester, Patty Murray, Christopher Murphy, Benjamin L. Cardin, Mark Begich, Sheldon Whitehouse, Elizabeth Warren, Debbie Stabenow, Tom Harkin, Tom Udall.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

The motion was agreed to.

PROTECT WOMEN'S HEALTH FROM CORPORATE INTERFERENCE ACT OF 2014—MOTION TO PROCEED—Continued

Mr. REID. Is the motion to proceed to S. 2578 now pending?

The PRESIDING OFFICER. It is.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

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

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, hereby move to bring to a close debate on the motion to proceed to Calendar No. 459, S. 2578, a bill to ensure that employers cannot interfere in their employees' birth control and other health care decisions.

Harry Reid, Patty Murray, Mark Udall, Richard J. Durbin, Jeff Merkley, Debbie Stabenow, Jack Reed, Carl Levin, Christopher A. Coons, Elizabeth Warren, Jeanne Shaheen, Michael F. Bennet, Jon Tester, Patrick J. Leahy, Martin Heinrich, Maria Cantwell, Christopher Murphy.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

The Senator from Washington.

Mrs. MURRAY. Mr. President, last month we saw five male Justices give their blessing to CEOs and corporations across America to go ahead and deny legally required health care coverage for their employees. When that news broke, I was outraged, and I know I was one of millions of people across

the country who were shocked and angry.

These women are looking to us. They are demanding a change. Today, as women across America took to social media for a Digital Day of Action, their message was delivered loudly and clearly when they echoed: "My personal health care choices are not my boss's business—period."

It wasn't just women who were speaking out on social media today. In fact, we heard from several men who understood that if bosses can deny birth control, they can deny vaccines or HIV treatments or any other basic health care service for their employees or their dependents.

I heard from Konrad in my home State of Washington on Twitter today who said he doesn't want his boss knowing what medications he is on, such as diabetes or heart medications. Konrad said, "It is simply not my boss's business."

I also heard from my constituents when I was home this weekend. Friday I spoke directly with business owners and others who are hearing the same thing. Women are tired of being targeted and are looking to Congress to right this wrong by the Supreme Court.

One such woman is a woman named Morgan Beach. Morgan joined me Friday at Oddfellows Cafe, which is a small Seattle business whose owners stood up and spoke out about their disgust as employers about this ruling. Morgan is one of the 58 percent of women who use contraception for reasons other than to prevent pregnancy. As she spoke about how the Supreme Court decision would impact women such as her, Morgan said: "The terrifying power this ruling gives to a small minority to make sweeping personal decisions . . . is frightening. The simple fact is, birth control is not my boss's business!"

Morgan is right. It is not her boss's business.

We are going to be talking about this urgent issue at more length tomorrow morning, but I wanted to come to the floor this evening and share what I heard from back home this weekend and throughout today. We have legislation that is now slated for a vote later this week, and we are going to be talking about this today and tomorrow. I hope all of our colleagues are listening, because it is time for Congress to get to work. Women and men are watching.

I am delighted to be joined today by my colleague from Colorado, Senator UDALL, who is my partner in presenting this legislation.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I rise today to speak about a proposal Senator PATTY MURRAY and I have introduced to restore a woman's power to make personal health care decisions based on what is best for her and her family, not according to her employer's personal beliefs. The Protect Women's Health from Corporate

Interference Act—or the Not Your Boss's Business Act—aims to counteract the far-reaching consequences of the U.S. Supreme Court's Hobby Lobby decision. That misguided Court decision allows closely held corporations to now deny their employees coverage for contraceptives through their employees' health insurance plans.

As Senator MURRAY did in her home State of Washington, I also traveled around my home State of Colorado. Several days ago I stood shoulder to shoulder with women's health experts, including an OB-GYN in Denver, who told me that physicians might now have to consider how an employer's religious beliefs might fit into their diagnosis before they make a medical recommendation, which ought to be based solely on their patients' well-being. This is unacceptable. Women should never have to ask their boss for a permission slip to access common forms of birth control or other critical health services.

Today, as Senator MURRAY alluded, champions in women's health are taking a stand on social media to illustrate why the Senate should come together this week to pass the Not Your Boss's Business Act. This outpouring of support from all over the country shows how important it is that we keep private health care decisions in employees' hands and out of corporate boardrooms.

As part of today's Digital Day of Action across the country, my staff and I put together a BuzzFeed post to dispel some misconceptions about the Hobby Lobby decision and highlight why we need to pass the Not Your Boss's Business Act. Go to BuzzFeed.com/markudall and share my post to help push back against some of the myths.

Despite what some people say, this decision is a bad deal, and it will undermine women's access to contraception across the country. But more and more Americans are joining us to speak out because of how backward this Hobby Lobby decision is. I am proud to have groups from across the Centennial State, such as the Colorado Organization for Latina Opportunity and Reproductive Rights, NARAL Pro-Choice Colorado, Planned Parenthood of the Rocky Mountains, and Colorado's Religious Coalition for Reproductive Choice, come out in support of our bill.

I believe the Supreme Court was wrong in its misguided Hobby Lobby decision, which is already adversely affecting American women and families. But we have a chance to fix this, and I stand here today to call on my colleagues from both sides of the aisle to join me, join Senator MURRAY and America's workers who agree that women's health is not your boss's business.

Mr. President, I yield the floor.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.