

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, for the information of all Senators, we have just worked out a managers' package with Ranking Member REED and the majority and minority leaders that includes the text of 44 bipartisan amendments in the modified substitute amendment.

Those 44 bipartisan amendments are as follows: Rounds No. 2273; Rounds No. 2275; Inhofe No. 2278; Reed No. 2283; Warner No. 2285; Fischer No. 2286; Shaheen No. 2291; Feinstein No. 2293; Peters No. 2313; Gillibrand No. 2335, as modified; Heitkamp No. 2338; Smith No. 2340; Cardin No. 2347; Wicker No. 2351; Inhofe No. 2353; Menendez No. 2360; Cortez Masto No. 2367; Hoeven No. 2368; Perdue No. 2380; Heller No. 2392; Inhofe No. 2402; Sullivan No. 2408; Nelson No. 2424; Van Hollen No. 2426; Inhofe No. 2429; Gardner No. 2430; Collins No. 2436; Young No. 2463; Cruz No. 2469; Nelson No. 2489; Wicker No. 2503; Manchin No. 2508; Roberts No. 2513; Cotton No. 2514; Udall No. 2527; Stabenow No. 2537; Donnelly No. 2542; Lankford No. 2553; Fischer No. 2554; Cardin No. 2562; Rubio No. 2564; Reed No. 2636; Schumer No. 2757; Menendez No. 2683; and Smith No. 2523.

The PRESIDING OFFICER. The Senator from Tennessee.

#### MORNING BUSINESS

Mr. CORKER. Mr. President, I ask unanimous consent that the Senate be in 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.

#### TARIFF AMENDMENT

Mr. CORKER. Mr. President, I had a conversation with Senator INHOFE and Senator REED earlier. I talked a little bit about resolving a blue-slip issue. I think many Members here are aware that I want to offer an amendment that deals with our ability to weigh in on the tariffs that were put in place under section 232 of the trade act—national security issues.

I think we may have found a resolution to that, but I don't want to offer it right now. I know that Senator INHOFE, not knowing whether it works yet for him and the committee, would have to object, and I don't want that to be the case. I want us to continue to work on this. So I am not going to offer an amendment and statement thereof relative to this.

#### CONFIRMATION OF KENNETH L. MARCUS

Mr. SCHUMER. Mr. President, I share Mr. MARCUS's concerns about rising anti-Semitism on college campuses and his strong opposition to the Boycott, Divestment, and Sanctions move-

ment, which I believe is infused with anti-Semitism. I voted against Mr. Marcus's nomination, along with all of my Democratic colleagues, because Mr. Marcus convinced me in his hearing that he would not be an effective advocate for students of all backgrounds, including victims of sexual assault on campus. Mr. Marcus was unable to name a single example of something President Trump has said or done when it comes to discrimination or civil rights that he disagrees with, he agreed with Secretary DeVos's Title IX changes, which rolled back protections for campus victims of sexual assault, and his answers on protecting minority students and LGBTQ students were woefully insufficient to earn my support.

(At the request of Mr. DURBIN, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Ms. DUCKWORTH. Mr. President, I was necessarily absent for vote No. 120 on the motion to proceed to H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. On vote No. 120, had I been present, I would have voted yea on the motion to proceed to H.R. 5515.●

#### VOTE EXPLANATION

Mr. HEINRICH. Mr. President, from June 4 to June 6, 2018, I was unavoidably absent during rollcall votes Nos. 112, 113, 114, 115, 116, and 117. I was in New Mexico helping to address the devastating wildfires. Had I been present, I would have voted yea on these rollcall votes.

#### USING DATA TO PREVENT OPIOID DIVERSION ACT

Ms. CANTWELL. Mr. President, today I wish to thank my colleague from California, Senator FEINSTEIN, for including provisions from my legislation, the Comprehensive Addiction Reform, Education, and Safety, CARES, Act of 2018, S. 2440, in her bill the Using Data to Prevent Opioid Diversion Act of 2018, S. 2838. Specifically, the provisions contained in my legislation provides for a tenfold increase on civil penalties from \$10,000 to \$100,000 and doubles criminal penalties from \$250,000 to \$500,000 on opioid manufacturers that fail to report suspicious orders of opioids and fail to maintain intern controls against diversion of their drugs. Senator Feinstein's bill was considered in and reported out of the Judiciary Committee just before the Memorial Day recess.

Sadly, the opioid and heroin epidemic continues to ravage communities in my home State of Washington and throughout the United States. Between 1999 and 2016, over 10,000 Washingtonians suffered fatal overdoses from opioids and heroin.

Over the past 4 months, I have held seven roundtables and events in every corner of my State to hear about how the epidemic is affecting Washington State communities from law enforcement, education, and health perspectives. I have heard heartbreaking stories from individuals recovering from addiction and have been moved by their courage.

One consistent thread I have heard throughout my State is that opioid manufacturers need to be held accountable for their role in helping to instigate this ongoing crisis.

Drug manufacturers of controlled substances, like highly addictive opioids, are required under Federal law to keep track and report any suspicious orders or red flags on the distribution of these drugs. However, opioid manufacturers, through their failure to report suspicious orders of prescription opioids and failure to maintain their own controls against diversion, helped create an illicit market for prescription opioids that flooded our communities with highly addictive substances.

My home State of Washington and many other States, cities, and counties have filed lawsuits against opioid manufacturers for their failure to follow the law and the devastating impact those decisions have had on their communities.

However, it should not take lawsuits to get opioid manufacturers to follow the law and be held accountable for their role in this crisis.

Instead, we need to make sure opioid manufacturers follow the law by making the penalties strong enough to serve as an effective deterrent.

For these reasons, on February 15, 2018, I introduced the Comprehensive Addiction Reform, Education, and Safety, CARES, Act of 2018, S. 2440, with my colleague Senator HARRIS of California to do just that.

This legislation increases civil and criminal penalties on companies that fail to reasonably curtail their drugs from entering the illicit drug market. Our legislation increases civil penalties from \$10,000 to \$100,000 per violation for negligence in reporting suspicious transaction activity. In addition, the bill increases the maximum criminal penalty from \$250,000 to \$500,000 for companies that willfully disregard and/or knowingly fail to keep proper reporting systems or fail to report suspicious activity. Again, I am pleased that Senator Feinstein included these provisions as part of her legislation, the Using Data to Prevent Opioid Diversion Act of 2018, S. 2838.

Demonstrating the importance of this issue, a group of bipartisan 39 State and Territories attorneys general sent a letter to the Senate Judiciary Committee on May 21, 2018, in support of my legislation, the CARES Act, S. 2440, that holds opioid manufacturers accountable for negligent distribution practices by increasing civil and criminal penalties.

The attorneys general wrote: “Diversification of prescription opioids has devastated communities in our states. The consequences for turning a blind eye to suspicious opioid orders cannot merely be a cost of doing business. We urge you to support CARA 2.0 and the CARES Act to ensure that penalties effectively hold manufacturers accountable and help stem diversion.”

Additionally, I introduced the CARA 2.0 legislation on February 27, 2018, with Senators PORTMAN, CAPITO, CASSIDY, HASSAN, Klobuchar, SULLIVAN, and WHITEHOUSE. This legislation, while providing authorizations for treatment and naloxone programs, also includes my provision to increase penalties on opioid manufacturers that do not follow the law. This same provision is what Senator FEINSTEIN has included in her legislation, the Using Data to prevent Opioid Diversion Act of 2018, S. 2838.

We must hold opioid manufacturers accountable in our fight to end this scourge. I hope that the Senate will pass this legislation so it can be signed into law.

#### ADDITIONAL STATEMENTS

##### REMEMBERING CLEMENT CLAY “BO” TORBERT, JR.

• Mr. JONES. Mr. President, it is with deep sadness that I rise today to remember Chief Justice Clement Clay “Bo” Torbert, Jr., who died on Saturday, June 2, 2018. Bo Torbert was a good friend and a wise and thoughtful jurist whose leadership in the bench and bar will not soon be equaled or forgotten. Indeed, the significance of Justice Torbert’s legacy was apparent way back in 1994 when the Alabama Judicial Building in Montgomery was named in honor of Justice Torbert and Senator and former Chief Justice Howell Heflin, another friend, mentor, and Alabama legal icon.

Justice Torbert was born on August 31, 1929, and he was proud to call Opelika home. An active member of the First United Methodist Church, he was also a lifelong hunter, conservationist, historian, and outdoorsman. Educated in the public schools of Opelika, after high school, he attended the U.S. Naval Academy and graduated from Auburn University in 1951, where he was a collegiate swimmer. He served in the U.S. Air Force, attaining the rank of captain. Following his graduation from the University of Alabama Law School in 1954, Justice Torbert began practicing law in Opelika, first with Bill Dickinson, who later became an Alabama Congressman, and later with Yetta Samford. In 1958, he was elected to represent Lee County in the State legislature.

Only 30 years old in 1959, Torbert was voted “Outstanding Freshman” in the Alabama State House. In 1966, he was elected to the Alabama Senate, where he proposed a number of legislative ini-

tiatives that would set the stage for significant reforms to Alabama’s courts and legal system. After his return to private practice in 1970, Torbert continued to support then-Chief Justice Howell Heflin’s efforts to effect court reform through constitutional amendment 328, which was finally ratified in December of 1973. Returning to the State senate in 1974, Torbert shepherded through the legislature the bills necessary to implement the reforms mandated in the amendment, and after he was elected chief justice of the Alabama Supreme Court in 1976, Justice Torbert oversaw the transition to the streamlined system, which was subsequently ranked as one of the best court systems in the Nation.

During his tenure as chief justice, Torbert was also active in national and international judicial organizations, serving as president of the Conference of Chief Justices, chairman of the National Center for State Courts, and chairman of the State Justice Institute. In 1979, he was elected to the Alabama Academy of Honor. After leaving the court, Justice Torbert taught at both the University of Alabama School of Law and Cumberland School of Law before joining the law firm of Maynard, Cooper & Gale, P.C., where he practiced until his retirement several years ago.

My wife Louise and I extend our sincere condolences to Bo’s wife, Gene Hurt Torbert and to his three children, my longtime friend Dixie Alton and her husband, Mitch; Shealy Cook and her husband, Penn; and Clay Torbert and his wife, Cindy, as well as his five grandchildren, Rebecca Cook Davis and her husband, William; Elizabeth Cook; Clay Cook; Bo Torbert IV; James Torbert; and two great-grandchildren, Penton Davis and Celia Davis.

Justice Torbert was a great Christian, husband, father, lawyer, statesman, and judge, and while Alabama will surely miss him, his legacy will live on for generations.●

##### TRIBUTE TO LORENCE M. BERTONE

• Ms. HASSAN. Mr. President, I wish to recognize and extend my sincerest congratulations and happy birthday wishes to Lorence M. Bertone, who celebrated her 100th birthday on June 9, 2018.

Lorence was born in 1918 in Danvers, MA, where she worked at Sylvania until she retired and moved to Seabrook, NH, 38 years ago. Lorence is married to Ricce Bertone, and they have five children: Richard, Clarice, Bonny, Robert, and Linda. Lorence also has many grandchildren and great-grandchildren and still travels to California to visit her grandsons, Rod and Dave.

Today Lorence enjoys taking trips to Vegas, crocheting, baking, and playing bingo every week at the Seabrook American Legion and Seabrook Fire Association.

I hope you join me, Lorence’s friends and family, and many people in the town of Seabrook and across the Granite State in wishing Lorence M. Bertone a very happy 100th birthday.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13405 OF JUNE 16, 2006, WITH RESPECT TO BELARUS, RECEIVED DURING ADJOURNMENT OF THE SENATE ON JUNE 8, 2018—PM 43

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions and policies of certain members of the Government of Belarus and other persons to undermine democratic processes or institutions of Belarus that was declared in Executive Order 13405 of June 16, 2006, is to continue in effect beyond June 16, 2018.

The actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus’s democratic processes or institutions, to commit human rights abuses related to political repression, and to engage in public corruption continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that