

So American consumers are buying hemp, but thanks to heavy-handed regulations, the only option at scale is importing hemp from foreign producers.

Enough is enough. Industrial hemp is a completely different plant than its illicit cousin. It is time we get Washington out of the way and let American farmers meet the growing demand of American consumers.

In the last farm bill, I championed a hemp pilot program that opened the door to some exploration. I recently heard from a fifth-generation Kentucky farmer from Garrard County who participates in the program. Here is what he said: "We had no idea what it would turn into." He said: Growing hemp has been "career-defining for me, beyond anything I'd ever imagined."

At a time when the farm economy is struggling, it is encouraging to hear such enthusiasm for a new potential cash crop.

Another farmer from Marion County wrote and asked Congress to "continue your efforts until we can grow, research, and market this crop freely without undue restriction. We have barely scratched the surface of the countless benefits that come from this plant."

Hemp will be a bright spot for our future. It is full of economic potential in Kentucky and the Nation. So we should pass the farm bill without delay. Let's address farmers' immediate needs. Let's give them new tools to help secure their future. Let's get Washington out of the way in the cases where outdated policies are holding them back.

The bill before us is a prime example of the good that can come when we work together. I look forward to the Senate passing it for Kentucky's farm families. So let's continue our work to get it done.

TAX REFORM

Mr. McCONNELL. Mr. President, this week I have been discussing how the Tax Cuts and Jobs Act is creating breathing room in family budgets. Yesterday I focused on the tax cuts themselves. Lower rates, a doubled standard deduction, a bigger child tax credit add up to serious savings for middle-class families.

Today I want to discuss the permanent pay raises, bonuses, and new benefits that tax reform has enabled U.S. businesses to provide for their workers. Remember, this is exactly what our Democratic colleagues insisted tax reform would not—would not—bring about. To quote my friend, the Democratic leader, right here on the Senate floor in December: "There is nothing about this tax bill that is suited to the needs of the American worker."

Well, Republicans knew better. We listened to the economists who explained in an open letter that "the question isn't whether workers will be helped by a corporate tax rate reduction—it's how much" they will be helped.

The reason is simple. American workers can only thrive if the American businesses that employ them are given the tools to compete and win on the world stage. Here is what they need to compete: a 21st century tax code.

Most economists agree that the real impact of tax reform on workers' wages is a long-term proposition. The wage gains will roll in over the months and years ahead, but it is remarkable how quickly a number of American businesses made immediate investments in their workers.

At Charter Communications, which employs 95,000 people Nationwide, the base wage has already risen to \$15 per hour because of tax reform.

Beginning in April, CVS implemented a new, fully paid parental leave program for full-time employees because of tax reform.

Educational opportunities are expanding for nearly 400,000 McDonald's employees across the country, after tax reform allowed the company to ramp up tuition assistance.

Tax reform has enabled LHC Group, a major healthcare employer with more than 50 locations and 3,600 employees in Kentucky alone, to expand raises for its employees and to grow the 401(k) options the company sponsors.

Workers at businesses of every shape and size are being helped all across our country: bonuses at a grain merchandiser in Chester, MT; a quarter-million-dollar expansion plan that creates 20 new jobs at a roofing company in Massillon, OH. It appears tax reform is very well-suited to the needs of American workers after all.

It is well-suited to the needs of hard-working parents who pocketed thousand-dollar bonuses to help with grocery bills and summer camp costs. It is well-suited to the needs of young Americans on the first rungs of the economic ladder, whose employer can now offer more help with continuing education.

This might come as a surprise to our Democratic friends who opposed tax reform at every turn. It certainly doesn't surprise those of us who fought for the American people.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

AGRICULTURE AND NUTRITION ACT OF 2018—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 483, H.R. 2, a bill to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

The question is on agreeing to the motion.

The motion was agreed to.

AGRICULTURE AND NUTRITION ACT OF 2018

The PRESIDING OFFICER. The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

The PRESIDING OFFICER. The Senator from Kansas.

AMENDMENT NO. 3224

(Purpose: In the nature of a substitute.)

Mr. ROBERTS. Mr. President, I call up the substitute amendment No. 3224.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kansas [Mr. ROBERTS] proposes an amendment numbered 3224.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 3134 TO AMENDMENT NO. 3224

Mr. McCONNELL. Mr. President, I call up the Thune amendment No. 3134.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL], for Mr. THUNE, proposed an amendment numbered 3134 to amendment No. 3224.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To modify conservation reserve program provisions)

In section 2103, strike subsections (b) and (c) and insert the following:

(b) SPECIFIED ACTIVITIES PERMITTED.—Section 1233(b) of the Food Security Act of 1985 (16 U.S.C. 3833(b)) is amended—

(1) by striking paragraphs (1), (2), (3), and (5);

(2) by redesignating paragraph (4) as subparagraph (C) and indenting appropriately;

(3) by inserting before subparagraph (C) (as so redesignated) the following:

“(B) harvesting, grazing, or other commercial use of the forage, without any reduction in the rental rate, in response to—

“(i) drought;

“(ii) flooding;

“(iii) a state of emergency caused by drought or wildfire that—

“(I) that is declared by the Governor, in consultation with the State Committee of the Farm Service Agency, of the State in which the land that is subject to a contract under the conservation reserve program is located;

“(II) that covers any part of the State or the entire State; and

“(III) the declaration of which under subclause (I) is not objected to by the Secretary during the 5 business days after the date of declaration; or

“(iv) any other emergency, as determined by the Secretary.”;

(4) in the matter preceding subparagraph (B) (as so designated), by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”;

(5) in paragraph (1) (as so designated)—

(A) by inserting before subparagraph (B) (as so designated) the following:

“(A) consistent with the conservation of soil, water quality, and wildlife habitat—

“(i) managed harvesting and other commercial use (including the managed harvesting of biomass), in exchange for a reduction in the annual rental rate of 25 percent for the acres covered by the activity, except that in permitting those activities, the Secretary, in consultation with the State technical committee established under section 1261(a) for the applicable State, shall—

“(I) develop appropriate vegetation management requirements;

“(II) subject harvesting to restrictions during the primary nesting season for birds in the area, as determined by the Secretary, in consultation with the State technical committee;

“(III) not allow harvesting to occur more frequently than once every 3 years on the same land; and

“(IV) not allow more than 1/3 of the acres covered by all of the conservation reserve program contracts of the owner or operator to be harvested during any year; and

“(ii) grazing, in exchange for a reduction in the annual rental rate of 25 percent for the acres covered by the activity, except that in permitting that grazing, the Secretary, in consultation with the State technical committee established under section 1261(a) for the applicable State, shall—

“(I) develop appropriate vegetation management requirements and stocking rates, based on stocking rates under the livestock forage disaster program established under section 1501(c) of the Agricultural Act of 2014 (7 U.S.C. 9081(c)) (referred to in this subsection as the ‘livestock forage disaster program’), for the land that are suitable for continued grazing;

“(II) identify the periods during which grazing may be conducted, taking into consideration regional differences, such as—

“(aa) climate, soil type, and natural resources;

“(bb) the appropriate frequency and duration of grazing activities; and

“(cc) how often during a year in which grazing is permitted that grazing should be allowed to occur;

“(III) not allow grazing to occur more frequently than once every 3 years on the same land;

“(IV)(aa) in the case of a conservation reserve program contract that covers more than 20 acres, not allow more than 1/3 of the acres covered by all of the conservation reserve program contracts of the owner or operator to be grazed during any year; or

“(bb) in the case of a conservation reserve program contract that covers less than or equal to 20 acres, allow grazing on all of the land covered by the contract at 25 percent of the stocking rate permitted under the livestock forage disaster program; and

“(V) allow a veteran or beginning farmer or rancher to graze livestock without any reduction in the rental rate; and”;

(B) in subparagraph (C) (as so redesignated), by striking “; and” and inserting a period; and

(6) by adding at the end the following:

“(2) RESTRICTIONS AND CONDITIONS.—Paragraph (1)(A) shall be subject to the following restrictions and conditions:

“(A) SEVERE OR HIGHER INTENSITY DROUGHT.—Land located in a county that has been rated by the United States Drought Monitor as having a D2 (severe drought) or greater intensity for not less than 1 month during the normal grazing period established under the livestock forage disaster program for the 3 previous consecutive years shall be ineligible for harvesting or grazing under paragraph (1)(A) for that year.

“(B) DAMAGE TO VEGETATIVE COVER.—The Secretary, in coordination with the applicable State technical committee established under section 1265(a), may determine for any year that harvesting or grazing under paragraph (1)(A) shall not be permitted on land subject to a contract under the conservation reserve program in a particular county if harvesting or grazing for that year would cause long-term damage to the vegetative cover on that land.

“(C) STATE ACRES FOR WILDLIFE ENHANCEMENT.—The Secretary, in consultation with the State technical committee established under section 1261(a) for the applicable State, may allow grazing or harvesting in accordance with paragraph (1)(A) on land covered by a contract enrolled under the State acres for wildlife enhancement program established by the Secretary or established under section 1231(j) through the duration of that contract, if grazing or harvesting is specifically permitted under the applicable State acres for wildlife enhancement program agreement for that contract.

“(D) CONSERVATION RESERVE ENHANCEMENT PROGRAM.—The Secretary, in consultation with the State technical committee established under section 1261(a) for the applicable State, may allow grazing or harvesting under paragraph (1)(A) to be conducted on land covered by a contract enrolled under the conservation reserve enhancement program established by the Secretary under this subchapter or under section 1231A, if grazing or harvesting is specifically permitted under the applicable conservation reserve enhancement program agreement for that contract.”.

(c) HARVESTING AND GRAZING.—Section 1233 of the Food Security Act of 1985 (16 U.S.C. 3833) is amended by adding at the end the following:

“(e) HARVESTING AND GRAZING.—

“(1) IN GENERAL.—The Secretary, in consultation with the State technical committee established under section 1261(a) for the applicable State, may permit harvesting and grazing in accordance with subsection (b) on any land subject to a contract under the conservation reserve program.

“(2) EXCEPTION.—The Secretary, in coordination with the applicable State technical committee established under section 1261(a), may determine for any year that harvesting or grazing described in paragraph (1) shall not be permitted on land subject to a contract under the conservation reserve program in a particular county, or under a particular practice, if harvesting or grazing for that year in that county or under that prac-

tice, as applicable, would cause long-term damage to vegetative cover on that land.”.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise today as the Senate considers legislation on an issue that is critically important to our Nation—the Agriculture Improvement Act of 2018, the farm bill.

The goal, the responsibility, the absolute requirement is to provide farmers, ranchers, and growers—everyone within America’s valued food chain—certainty and predictability during these very, very difficult times. We are, indeed, in a rough patch with regard to agriculture.

Many of my colleagues have introduced legislation over the last year that addresses priorities and stakeholders in their States. The bill that passed the Agriculture Committee with a strong 20-to-1 vote earlier this month addresses many of those concerns. In fact, the Ag Committee-passed product includes portions of 65 stand-alone bills, and an additional 73 amendments were adopted in the committee. We have also included 18 amendments in today’s substitute amendment.

Needless to say, we have worked to include as many priorities from Members both on and off the Ag Committee, and we want to continue to work with Members to address their concerns. That is why we are here.

We are endeavoring to craft a farm bill that meets the needs of producers across all regions and all crops. All of agriculture is struggling, not just one or two commodities. We must have a bill that works across all of our great Nation. That means, with bipartisan support, we must do our job. We must pass a bill that provides our farmers, ranchers, and rural communities the much needed certainty and predictability they deserve.

I appreciate the bipartisan support that we have had to date of those on the Ag Committee who voted to report a bill in such a strong manner—and other Members of the Senate—and I look forward to working with my colleagues on continuing to move this process forward. I will not say that it is an emergency, but we have to move this bill to provide farmers certainty and predictability during the very tough times they face.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I want to concur with the comments of our chairman, Senator ROBERTS. All together, I believe we have 91 amendments between the work of the committee on a bipartisan basis and the work we have put into the substitute. We have listened and worked together with colleagues on both sides of the aisle and put forward a package of bipartisan amendments that will allow us to move forward in a way that will provide certainty for our farmers and ranchers, as well as our families.

Now we will take the next step, and we look forward to working with colleagues to move this forward to get to a final vote this week.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I wish to list the amendments that are included in the substitute that my distinguished colleague Senator STABENOW and I and our diligent staff have been working on. They are as follows: Senator JONES, No. 3081; Senator SMITH, No. 3082; Senator KENNEDY, No. 3097; Senator MURKOWSKI, No. 3110; Senator HATCH, No. 3125; Senator MERKLEY, No. 3147; Senator TESTER, No. 3148; Senator GILLIBRAND, No. 3154; Senator GARDNER, No. 3157; Senator MORAN, No. 3159; Senator COLLINS, No. 3160; Senator PETERS, No. 3164; Senator SHAHEEN, No. 3172; Senator FEINSTEIN, No. 3177; Senator CORNYN, No. 3186; Senator CANTWELL and Senator CRAPO, No. 3209; and Senator GARDNER, again, No. 3218; and Senator GRASSLEY.

I wish to note that this represents 18 amendments put in the substitute—extremely bipartisan. I have read “Republican,” “Democrat,” “Democrat,” “Republican” all through these 18 amendments. We have proceeded that way in committee. We are proceeding this way on the floor. I urge Members to bring their amendments to the floor for consideration, and, hopefully, the amendments will be of a nature that we can consider them without controversy. I know people have strong concerns about whatever amendment they submit.

Again, the ultimate goal is to do this quickly and to provide farmers certainty and predictability during this difficult time they are going through. I hope Members will keep that in mind with regard to any amendment they may be considering.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

FAMILY SEPARATION

Mr. DURBIN. Mr. President, last night, in the San Diego Federal District Court, U.S. district court judge Dana Sabraw made a critical ruling that will affect the lives of thousands of people who have been the focal point of America's attention over the last several weeks.

Judge Sabraw was appointed to the Federal bench by President George W. Bush. In reading about him online, he is a Japanese American whose background was in private practice law before he assumed the Federal bench.

He was given the responsibility of ruling on the Trump administration's zero tolerance policy. You will remember that policy. It started in April. It

was a decision by the Trump administration and Attorney General Sessions to separate children from their mothers and parents if they attempted to enter the United States without having legal authorization. The net result of that policy was the separation of thousands of children from their parents.

It has been on the news almost every day for weeks now. A firestorm of opposition has come about on both political sides of the aisle. Democrats and Republicans have said this is unfair; that it is not right. Even the First Ladies—Democrats and Republicans—have come together in an unusual show of unanimity in their opposition to President Trump and Attorney General Sessions' zero tolerance policy.

Attorney General Sessions defended the policy and said he had a Biblical defense for what they were doing. President Trump made it clear he was behind the policy as well. Yet the opposition grew and grew in its intensity to the point at which there were statements made by the Pope, as well as by an evangelical supporter of the President, Franklin Graham, when they called the administration's decision immoral.

Late last week, President Trump issued an Executive order that said he was ending this family separation, but that order didn't contain one word about what was going to happen to these children. There was no resolution of the whole question of reuniting these children with their parents.

I learned about this matter months ago—well, several weeks ago, at least—when we learned that a mother from the Congo had made it through South America and Central America to our border in California. She presented herself with her 6-year-old daughter and asked for asylum because she feared persecution and death back in her home country. That happened over 6 months ago. They removed her 6-year-old daughter from her custody and flew the girl 2,000 miles to Chicago. So the mother remained in San Diego, and the daughter was in Chicago. That was when we learned about it in my office.

We started pursuing it. After we brought it to the attention of those at the Department of Homeland Security, they said that was not the policy, and they were going to work on it. They did reunite the mother and child, but the separation of this family led to this lawsuit, the lawsuit Judge Sabraw ruled on last night.

Mr. President, I ask unanimous consent that the opinion of the court be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Judge Sabraw's order begins as follows:

“Eleven weeks ago, Plaintiffs leveled the serious accusation that our Government was engaged in a widespread practice of separating migrant families, and placing minor children who were separated from their parents in government facilities for ‘unaccompanied minors.’ According to Plaintiffs, the practice was applied indiscriminately, and

separated even those families with small children and infants—many of whom were seeking asylum. Plaintiffs noted reports that the practice would become national policy. Recent events confirm these allegations. Extraordinary relief is requested, and is warranted under the circumstances.

On May 7, 2018, the Attorney General of the United States announced a “zero tolerance policy,” under which all adults entering the United States illegally would be subject to criminal prosecution, and if accompanied by a minor child, the child would be separated from the parent. Over the ensuing weeks, hundreds of migrant children were separated from their parents, sparking international condemnation of the practice. Six days ago on June 20, 2018, the President of the United States signed an Executive Order (“EO”) to address the situation and to require preservation of the “family unit” by keeping migrant families together during criminal and immigration proceedings to the extent permitted by law, while also maintaining “rigorous[]” enforcement of immigration laws. See Executive Order, Affording Congress an Opportunity to Address Family Separation §1, 2018 WL 3046068 (June 20, 2018). The EO did not address reunification of the burgeoning population of over 2,000 children separated from their parents. Public outrage remained at a fever pitch. Three days ago on Saturday, June 23, 2018, the Department of Homeland Security (“DHS”) issued a “Fact Sheet” outlining the government's efforts to “ensure that those adults who are subject to removal are reunited with their children for the purposes of removal.”

Plaintiffs assert the EO does not eliminate the need for the requested injunction, and the Fact Sheet does not address the circumstances of this case. Defendants disagree with those assertions, but there is no genuine dispute that the Government was not prepared to accommodate the mass influx of separated children. Measures were not in place to provide for communication between governmental agencies responsible for detaining parents and those responsible for housing children, or to provide for ready communication between separated parents and children. There was no reunification plan in place, and families have been separated for months. Some parents were deported at separate times and from different locations than their children. Migrant families that lawfully entered the United States at a port of entry seeking asylum were separated. And families that were separated due to entering the United States illegally between ports of entry have not been reunited following the parent's completion of criminal proceedings and return to immigration detention.

This Court previously entered an order finding Plaintiffs had stated a legally cognizable claim for violation of their substantive due process rights to family integrity under the Fifth Amendment to the United States Constitution based on their allegations the Government had separated Plaintiffs from their minor children while Plaintiffs were held in immigration detention and without a showing that they were unfit parents or otherwise presented a danger to their children. See *Ms. L. v. U.S. Immigration & Customs Enf't*, 302 F. Supp. 3d 1149, 2018 WL 2725736, at *7–12 (S.D. Cal. June 6, 2018). A class action has been certified to include similarly situated migrant parents. Plaintiffs now request classwide injunctive relief to prohibit separation of class members from their children in the future absent a finding the parent is unfit or presents a danger to the child, and to require reunification of these families once the parent is returned to immigration custody unless the parent is determined to be unfit or presents a danger to the child.

Plaintiffs have demonstrated a likelihood of success on the merits, irreparable harm, and that the balance of equities and the public interest weigh in their favor, thus warranting issuance of a preliminary injunction. This Order does not implicate the Government's discretionary authority to enforce immigration or other criminal laws, including its decisions to release or detain class members. Rather, the Order addresses only the circumstances under which the Government may separate class members from their children, as well as the reunification of class members who are returned to immigration custody upon completion of any criminal proceedings."

Judge Sabraw went on to explain why an injunction was needed despite the Trump Administration's claims that it was unnecessary. He said:

"[T]he Court addresses directly Defendants' argument that an injunction is not necessary here in light of the EO and the recently released Fact Sheet. Although these documents reflect some attempts by the Government to address some of the issues in this case, neither obviates the need for injunctive relief here. As indicated throughout this Order, the EO is subject to various qualifications. For instance, Plaintiffs correctly assert the EO allows the government to separate a migrant parent from his or her child "where there is a concern that detention of an alien child with the child's alien parent would pose a risk to the child's welfare." EO §3(b) (emphasis added). Objective standards are necessary, not subjective ones, particularly in light of the history of this case. Furthermore, the Fact Sheet focuses on reunification "at time of removal[.]" stating that the parent slated for removal will be matched up with their child at a location in Texas and then removed. It says nothing about reunification during the intervening time between return from criminal proceedings to ICE detention or the time in ICE detention prior to actual removal, which can take months. Indeed, it is undisputed "ICE has no plans or procedures in place to reunify the parent with the child other than arranging for them to be deported together after the parent's immigration case is concluded." Thus, neither of these directives eliminates the need for an injunction in this case."

Judge Sabraw went on to say:

"The Executive Branch, which is tasked with enforcement of the country's criminal and immigration laws, is acting within its powers to detain individuals lawfully entering the United States and to apprehend individuals illegally entering the country. However, as the Court explained in its Order on Defendants' motion to dismiss, the right to family integrity still applies here. The context of the family separation practice at issue here, namely an international border, does not render the practice constitutional, nor does it shield the practice from judicial review."

The judge went on to discuss the shameful lack of planning that has characterized the Trump Administration's zero-tolerance policy, saying:

"[T]he practice of separating these families was implemented without any effective system or procedure for (1) tracking the children after they were separated from their parents, (2) enabling communication between the parents and their children after separation, and (3) reuniting the parents and children after the parents are returned to immigration custody following completion of their criminal sentence. This is a startling reality. The government readily keeps track of personal property of detainees in criminal and immigration proceedings. Money, important documents, and automobiles, to name a

few, are routinely catalogued, stored, tracked and produced upon a detainees' release, at all levels—state and federal, citizen and alien. Yet, the government has no system in place to keep track of, provide effective communication with, and promptly produce alien children. The unfortunate reality is that under the present system migrant children are not accounted for with the same efficiency and accuracy as property. Certainly, that cannot satisfy the requirements of due process."

He also discussed the Trump Administration's problematic treatment of those seeking asylum:

"Asylum seekers like Ms. L. and many other class members may be fleeing persecution and are entitled to careful consideration by government officials. Particularly so if they have a credible fear of persecution. We are a country of laws, and of compassion. We have plainly stated our intent to treat refugees with an ordered process, and benevolence, by codifying principles of asylum. The Government's treatment of Ms. L. and other similarly situated class members does not meet this standard, and it is unlikely to pass constitutional muster."

Judge Sabraw concluded his order as follows:

"The unfolding events—the zero tolerance policy, EO and DHS Fact Sheet—serve to corroborate Plaintiffs' allegations. The facts set forth before the Court portray reactive governance—responses to address a chaotic circumstance of the Government's own making. They belie measured and ordered governance, which is central to the concept of due process enshrined in our Constitution. This is particularly so in the treatment of migrants, many of whom are asylum seekers and small children. The extraordinary remedy of classwide preliminary injunction is warranted based on the evidence before the Court. For the reasons set out above, the Court hereby GRANTS Plaintiffs' motion for classwide preliminary injunction, and finds and orders as follows:

(1) Defendants, and their officers, agents, servants, employees, attorneys, and all those who are in active concert or participation with them, are preliminarily enjoined from detaining Class Members in DHS custody without and apart from their minor children, absent a determination that the parent is unfit or presents a danger to the child, unless the parent affirmatively, knowingly, and voluntarily declines to be reunited with the child in DHS custody.

(2) If Defendants choose to release Class Members from DHS custody, Defendants, and their officers, agents, servants, employees and attorneys, and all those who are in active concert or participation with them, are preliminarily enjoined from continuing to detain the minor children of the Class Members and must release the minor child to the custody of the Class Member, unless there is a determination that the parent is unfit or presents a danger to the child, or the parent affirmatively, knowingly, and voluntarily declines to be reunited with the child.

(3) Unless there is a determination that the parent is unfit or presents a danger to the child, or the parent affirmatively, knowingly, and voluntarily declines to be reunited with the child: (a) Defendants must reunify all Class Members with their minor children who are under the age of five (5) within fourteen (14) days of the entry of this Order; and (b) Defendants must reunify all Class Members with their minor children age five (5) and over within thirty (30) days of the entry of this Order.

(4) Defendants must immediately take all steps necessary to facilitate regular communication between Class Members and their children who remain in ORR custody, ORR

foster care, or DHS custody. Within ten (10) days, Defendants must provide parents telephonic contact with their children if the parent is not already in contact with his or her child.

(5) Defendants must immediately take all steps necessary to facilitate regular communication between and among all executive agencies responsible for the custody, detention or shelter of Class Members and the custody and care of their children, including at least ICE, CBP, BOP, and ORR, regarding the location and well-being of the Class Members' children.

(6) Defendants, and their officers, agents, servants, employees, attorneys, and all those who are in active concert or participation with them, are preliminarily enjoined from removing any Class Members without their child, unless the Class Member affirmatively, knowingly, and voluntarily declines to be reunited with the child prior to the Class Member's deportation, or there is a determination that the parent is unfit or presents a danger to the child.

(7) This Court retains jurisdiction to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this Order and Preliminary Injunction."

Mr. DURBIN. Mr. President, let me read some of the words Judge Sabraw wrote last night in his order, in his conclusion, about the zero tolerance policy of separating children from their parents.

The unfolding events—the zero tolerance policy [the judge writes] serve to corroborate Plaintiffs' allegations. The facts set forth before the Court portray reactive governance—responses to address a chaotic circumstance of the Government's own making. They belie measured and ordered governance, which is central to the concept of due process enshrined in our Constitution. This is particularly so in the treatment of migrants, many of whom are asylum seekers and small children. The extraordinary remedy of classwide preliminary injunction is warranted based on the evidence before the Court. For the reasons set out above, the Court hereby GRANTS Plaintiffs' motion for classwide preliminary injunction, and finds and orders as follows.

It goes into detail, and I will not read it in its entirety since it is now going to be printed in the RECORD, but it reads, clearly, that the court is enjoining the government—the Trump administration—from separating minor children from their parents.

It goes on to read that it also orders the Trump administration to reunify all class members with their minor children who are under the age of 5 within 14 days of the entry of this order, and defendants must reunify all class members with their minor children who are aged 5 and older within 30 days of the entry of the order. Defendants must immediately—and this is the government—take all steps necessary to facilitate the regular communication between class members and their children.

The court went on to say that within 10 days, the government—the defendants—must provide parents telephonic contact with their children if the parent is not already in contact with his or her child.

Last Saturday, the Department of Health and Human Services issued

what I consider to be a rosy and misleading press release about how much information they had about the parents and their children and how much telephone communication was taking place. I will tell you, in having contacted various people who are well aware of the situation, they have really overstated the contact information as well as the context between parents and children. Now they are being tested. The court has told them to return these children to their parents.

Last Friday, I was in Chicago at one of the agencies that was the custodian for 66 of these children who have been the victims of President Trump's zero tolerance policy. It was an experience I still remember and will not ever forget—of seeing six little children walk into a conference room, where I was sitting—little kids—and learning that two of them, who I thought might be twins because they had similar hairdos, were, in fact, as one of them said to me, “just amigas,” friends. One was 5 years old, and one was 6 years old.

As a father, it is hard for me to remember my kids at that age, but I can sure visualize my grandkids for a moment, who are now 6, 7, and 8, if they were to be separated from their parents by thousands of miles for weeks at a time. That was the policy of zero tolerance—to put pressure on those who consider seeking protection or asylum in this country.

I just left a meeting downstairs with a person whom I admire greatly. His name is King Abdullah of Jordan. I admire him for so many things—his efforts to find peace in the Middle East—but especially because that tiny Kingdom of Jordan, in the Middle East, has done something which should be a lesson to the world. That nation of 7 million Jordanians has accepted 3 million refugees. It is at their political peril for them to have that large of a population within their borders. Yet, time and time again, refugees have presented themselves to Jordan and have been given not only humane treatment but good treatment under the circumstances.

The United States and many other nations have helped, and I am glad we have, for it is the right thing to do. Compare what we have done in the United States when it comes to refugees. Historically, we have accepted 75,000 to 100,000 refugees a year after careful screening, inspection, and vetting. In some cases, we have gone way beyond that.

When the Cubans came over and said they wanted to escape Castro's communism, we opened our doors. Thank goodness, we did, as they have made a great addition to America. Three Members of the U.S. Senate are Cuban Americans, and I am sure they are very proud of their family heritage. We opened our doors to Cuban refugees. We opened our doors to refugees as well from the Soviet Union and to people who wanted to practice their Jewish religion and felt they were being dis-

criminated against. We opened our doors for them. We opened our doors for the Vietnamese to come here after the war and to become part of America because they had been on our side and had fought for freedom in their country and had run the risk of being killed. Time and again, the United States has opened its doors.

What has happened under this administration? First, the President announced last year that he was reducing the number of refugees to 45,000 a year who would be allowed in America—a dramatic cutback. How many have been accepted so far this year as we are well over the halfway point of this fiscal year? There have been less than 16,000 refugees. After careful screening, there have been less than 16,000.

I believe we can do better. I believe there are those who are in need of help. I believe this is the definition of who we are as Americans—the way we treat the people at our borders. If we are humane, if we are civilized, if we are caring, it is a message to the world. If we are the opposite, it is also a message to the world. Right now, we have to look at the scoreboard. The kids have won, and zero tolerance has lost.

I hope now we can sit down and come up with a rational, reasonable approach. America cannot accept every person who wants to live here. I wish we could, but we can't. We have to have an orderly process, and we must have border security, but we need to do it with clarity and with humanity. We need to follow our Constitution, which the President, I hope, is reminded of after this decision last night.

This decision reads that due process is a part of the Constitution and that the chaotic governance of this administration is not consistent with the Constitution and its principles. It is time now for the President to understand that and to reunite these children under the age of 5 within 14 days. Within 30 days, those under the age of 18 need to be reunited as well. Then we can move forward and put this sad chapter in American history behind us.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I understand that the Democratic leader may be on his way, and I will yield the floor when he comes, but I do want to respond to the comments that have been made by my friend, the Senator from Illinois, the Democratic whip.

I think what he is proposing is a false choice. He says we need to do away with zero tolerance when it comes to enforcing our immigration laws. Basically, what that means is an argument for the nonenforcement of our immigration laws. We can actually enforce our immigration laws and keep families together. Indeed, we have a proposal, which I know he is very familiar with, to do precisely that—proposed by Senator TILLIS and Senator CRUZ. I know he and Senator FEINSTEIN are talking to them, and hopefully they

can come up with a bipartisan solution. Yet the argument that somehow this is a new phenomenon is just not borne out by the facts.

We all remember 2014, when the vast wave of unaccompanied children who came across the border from Central America was called a humanitarian crisis by President Obama. It was because we simply were not prepared to deal with the medical and other needs, feeding, housing, and taking care of these tens of thousands of children who were streaming across the border.

Central America, basically, has some very serious problems which result in there being people who flee from those countries and seek, in many cases, asylum in the United States. Yet the idea that President Trump started something new when he decided to enforce the law or that this phenomenon of children coming across the border is something new is simply not the case. It has been happening for a long time.

Back when President Obama was detaining families and was separating families, on some occasions when the accommodations were not available to deal with them together, we didn't hear a peep out of our friends on the other side of the aisle. When 1,500 unaccompanied children from Central America—those placed with sponsors here in the United States who were not American citizens, who were not even family members, and who had not had criminal background checks—were unaccounted for, as reported in a New York Times story recently, that was as a result of the flawed policies of the past in dealing with this humanitarian crisis.

We do agree on one thing; that is, that families ought to be kept together, and the President has said as much. Yet what every single Democrat across the aisle has agreed to is a bill by our friend from California Senator FEINSTEIN, which, simply goes from zero tolerance, when it comes to violating the immigration laws, to zero enforcement.

What that bill would result in is a return to the flawed catch-and-release policies of the past because, if you can't enforce the law—if you don't have the immigration judges, if you don't prioritize these family cases—then you will have to give people notices to appear at some time in the future. Of course, most of them will not show up for their court hearings, and the cartels and human smugglers, whose business models depend on their ability to exploit these gaps in American law, will win. They will win because they will have successfully circumvented the enforcement of America's immigration laws. Those are the people who benefit the most from this.

I am very sympathetic to the circumstances of these children and their families living in Central America, but as my colleague said, we simply can't accept anybody and everybody who wants to come to the United States under any and all circumstances. That

is why we have a legal system of immigration. That is why we have due process to consider asylum claims, which should be considered and should be expedited, in my view, while these family units are detained, and not simply say that we are going to go from zero tolerance of immigration law violations to zero enforcement and return to a catch-and-release policy, which is associated with huge surges in additional illegal immigration. According to Manuel Padilla, the Rio Grande Border Patrol Chief, who I was with this last Friday, that is a big mistake.

The American people understand that we need to enforce our immigration laws. They are as compassionate as we all would hope to be about keeping these families together as much as we can, but at some point we need to enforce our laws. In this case, that means family units need to be detained in a secure, safe, and humane facility, but then they need to present those claims to an immigration judge on a prioritized basis. If they don't meet the legal criteria, then we simply don't have any alternative but to return them to their home country. That is the law of the land.

So 83 percent of the children in U.S. custody now came unaccompanied because their parents sent them from Central America by themselves. Only 17 percent came as part of a family unit. This is a longstanding problem, and we need to fix it. We have legislation that can do that, and we need to pass it this week in my view.

I see the distinguished Democratic leader here.

Mr. SCHUMER. I am not—keep going.

Mr. DURBIN. Will the Senator from Texas yield for a question?

Mr. CORNYN. Sure.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Mr. President, I would like to make one point and then ask a question.

When President Obama, who was my friend and colleague in the Senate, came up with family detention policies under his administration, I objected, as well, and I can show the Senator from Texas the objection.

Mr. CORNYN. Mr. President, I am sorry; I did not mean to suggest that the Senator from Illinois didn't object back then, but my point is that Senator Obama—President Obama had the same policies that are now being objected to under President Trump.

Mr. DURBIN. The question I have for the Senator from Texas is this: If our goal is to make sure that the person presenting himself or herself actually appears as scheduled for the required hearings to be considered for eligibility under American law, if that is our goal, I would like to suggest to the Senator from Texas—and I think he can find in his own State evidence of this—over 90 percent of those in that circumstance appear at a hearing, as required, if they have one of three things: legal counsel;

second, case management, which is the counsel of groups like Catholic Charities or Lutheran family services; or in some circumstances, ankle bracelets, where the government can monitor where they are. Over 90 percent show up, as required, for a hearing. It costs as little as \$4 or \$5 a day. It costs over \$300 a day to detain a family. It is certainly not in the best interests of taxpayers to spend an amount that is unnecessary. Wouldn't the Senator agree that we ought to look for alternatives to detention that would also guarantee the appearance of individuals?

Mr. CORNYN. Mr. President, I would respond to my friend from Illinois that I think alternatives to detention are a reasonable thing to look at, but the point is that people need to show up for their court hearings because right now, without detention, based on catch-and-release policies, these people simply fade away into the landscape and basically win the lottery when it comes to immigrating illegally to the United States without making a legitimate asylum claim.

I would say on the representation issue that I certainly support pro bono legal counsel being allowed to represent the asylum seekers, and I believe that is the practice now. I would be reluctant to ask an American taxpayer to fund a lawyer for every immigrant who shows up at the border and makes a claim for an immigration benefit. I think that might be a bridge too far. But I do think that pro bono legal counsel makes a lot of sense.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, I thank my friends from Illinois and Texas for yielding the floor to me amidst that interesting debate.

FAMILY SEPARATION AND ASYLUM PROCESSING

Mr. President, yesterday a Federal judge ordered the Trump administration to immediately reunify the families who were separated by the administration's policy. It certifies what we in the Congress already expect—that the administration will expend all resources at its disposal to immediately reunite the over 2,000 families who have been separated. This should be the President's first order of business to undo the harm he has caused through his chaotic and cruel family separation policy.

In addition to this effort, Democrats believe we should start addressing the root cause of the migrant crisis, attacking the disease as well as the symptoms. We believe that Central American countries should conduct asylum processing within their own countries. We believe the United States should help governments in Central America crack down on the ability of gangs and cartels to operate freely and ruthlessly in their countries. And we believe we should go after the drug cartels, smugglers, and drug traffickers with increased penalties and sanctions. There were robust efforts during the

last administration to do exactly that, and they were showing progress. But President Trump, in shortsighted fashion, proposed significant cuts to the aid and resources used to fight the cartels and stop the violence in Central America. This is not only dangerous, but it also shows a basic lack of understanding.

There is a pretty simple reason people are fleeing Central America. It is the impunity of these gangs and cartels and the brutal violence they spread. Many of the young people who want to escape being killed are then forced to use smugglers and other coyotes and carry drugs into this country through no fault of their own. We should stop this there in ways that we have been successful in Colombia, and that would greatly reduce the number of people coming to the border. That would make things easier for our country, but it would also make their lives a lot better and safer if they could file an asylum claim in their own country and get it adjudicated quickly. This is what many Democrats are going to propose in about an hour. There are other things we can also do, but we are addressing this issue today.

President Trump needs to end the inhumanity and chaos at the border. We have to develop a real strategy to go after the gangs and cartels in Central America, curbing the violence that sends migrants to our borders in the first place. Later today, I will be joining with several of my colleagues to discuss how we believe the United States should go about this.

CHINA AND TRADE

Mr. President, on China, I have long argued that the best way to make progress in our trade relationship with China is to be consistently tough until real concessions are won.

China has flagrantly abused international trade rules and norms for more than a decade, stealing our intellectual property and know-how, illegally dumping artificially cheap goods into our markets, and denying blue-chip American companies access to their markets unless those companies sign away their know-how and intellectual property.

Previous attempts to force China to change its behavior have been faulty and milquetoast, at best. Unsurprisingly, these efforts have largely failed.

While we disagree on a lot of things, I was happy to hear President Trump talk as if he had learned from the lessons of the past. President Trump has, at times, pursued a tough, aggressive course of action against China, and I have applauded him when he has. But President Trump seems unable to consistently keep pressure on China. Every time I think he is going down the right path, he turns around and gives China a pass on something.

Take the Chinese telecom giant ZTE, for example. Out of the blue, President Trump relaxed penalties on ZTE and loosened the restrictions on its sales in

the United States, despite the fact that it has been labeled a national security threat by our military. Why? It seemed to no end other than to placate President Xi, hardly our friend on economic issues.

This morning, after threatening a tough new approach to limit China's ability to invest in the United States where national security was concerned, the Trump administration has once again backed off, it seems. Instead, the President seems to be endorsing a bill here in Congress to expand the authority of CFIUS, the Committee on Foreign Investment in the United States. That is a good provision in the NDAA. It passed with a filibuster-proof majority. An endorsement of the provision hardly means much because it is going to pass. Many of us wanted it to go further. Expanding CFIUS is not just for military and national security, but for economic security as well. But it is not sufficient—not sufficient.

Mr. President, you are backing out again. President Xi is outfoxing you and outplaying you again. Once again, we get the tough talk and no action.

This happens over and over and over again with this President and this administration. Why are we waiting to impose real pressure on China for its efforts to undermine our Nation's economic wellspring? It is another example of President Trump starting down a tough path with China and then just veering off course for reasons unexplained, sometimes on a whim.

It appears there is a total war in the administration over just how strong the President should be with China. One week he is pulled in one direction, and the next, the opposite. If we are going to convince the Chinese Government we are serious, the United States must be strong, tough, and consistent. Otherwise, the President's approach will not succeed in changing China's behavior—or convincing President Xi that he means business—to the detriment of American workers, American businesses, and the economy for generations to come.

SUPREME COURT RULINGS

Mr. President, there is one final topic, on the Supreme Court and what they did yesterday and today.

Yesterday, the Supreme Court ruled that California was violating the First Amendment by requiring crisis pregnancy centers to provide information to their patients about abortions.

It comes alongside a rule to affirm the President's travel ban in which the majority also bent over backward to accept President Trump's position. You would have to be living with your head in the sand over the past 2 years not to see a racial and religious animus behind the President's decision to ban travel into the United States from Muslim-majority countries.

Unfortunately, both cases were decided 5 to 4. Five conservative judges ruled against California law and the travel ban. Anyone watching the Bench at the moment ought to be shaking

their heads at the political polarization of the Court.

The abortion case makes it even worse. As Justice Breyer pointed out in his dissent, in 1992, there was a California case where the Supreme Court upheld a Pennsylvania law requiring a doctor to provide information about adoption services. In other words, clinics performing abortions, helping women, had to provide alternative information.

Now the shoe is on the other foot. California passed a law that said that clinics that try to dissuade women from having abortions, which is their right, also had to provide information about abortion.

The majority ruled one way in the one case and the opposite in the other case. If free speech works in the one case, why doesn't it work in the other? If the government can compel a doctor in Pennsylvania to provide women information about adoption, why can't the government compel someone in California to provide information to a woman about abortion? There is a total contradiction.

The majority somehow argued there was a glaring difference between the two cases, but it is plainly sophistry. In fact, there was little to no difference between these two cases.

Let me state it again exactly. If an abortion clinic should be required to give information about alternatives, why shouldn't an anti-abortion clinic be required to do the same exact thing? Why does free speech apply to one and not the other? Why does lack of free speech fit one and not the other?

Many Americans see this Court in a much more negative light than they used to. Chief Justice Roberts famously claimed in his confirmation hearings that he would “call the balls and strikes” as he sees them. Here we have the Chief Justice of the Supreme Court leading a majority departing from a clear precedent to affirm a conservative ideology, an anti-choice ideology. No one can see Chief Justice Roberts' decision in the California case as calling balls and strikes; instead, it is a wild, political pitch. And I would say to the Chief Justice: You are demeaning the Court you seek to uphold, in this type of contradiction, and the dissenting opinion showed its outrage at it.

Just a moment ago, the Court ruled on the Janus decision. In the Janus decision, the Court said people had a First Amendment right not to join a union. That is a crazy idea cooked up by the conservative anti-labor movement and pursued relentlessly until a favorable collection of Judges would accept such a harebrained theory. The First Amendment and the right to organize are two totally separate things, but somehow the hard right first pays for these think tanks, which come up with these ideas, and then they assemble enough people in the Court who see things politically—not constitutionally, not legally, not ideologically—to affirm this decision.

Unions are only 6 percent of private sector America. They are declining in membership, and it is a reason the middle class doesn't make more money even in this prosperous economy. This is an awful decision. It is going to increase economic polarization in this country. It is going to make it harder for middle-class people to earn a decent living. And sooner or later, people are going to get so angry that Lord knows what will happen.

The American people are now seeing the results of a coordinated political campaign by deep-pocketed conservative interests to influence the bench all the way up to the Supreme Court. Justice Gorsuch, of course, and the current conservative majority on the Court are the capstone of these efforts, the result of an appalling decision by Senate Republicans to refuse President Obama a Supreme Court pick.

Alongside the California ruling, the Roberts' Court affirmed a plainly discriminatory travel ban, unleashed a flood of unlimited, dark money in our politics, and scrapped a key pillar of the Voting Rights Act—all goals of the hard right, all having little to do with the Constitution or reading the law, all making America a more polarized, economically divided country.

Opponents of these decisions and the President's policy should focus on the Supreme Court, whose thin majority will once again hang in the balance this November.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SULLIVAN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

IMMIGRATION

Mr. LANKFORD. Mr. President, today, Wednesday, is day 83,723 since the Senate first achieved a quorum and started work. No grand celebration there. That is 229 years, 2 months, and 22 days. In that time, this body has deliberated over some of the most difficult issues of our time—of any time—slavery, war, voting rights. They have all been difficult issues that our Nation has debated in this building.

But lately it seems we have less and less debate and more and more empty-Chamber quorum calls. For the people who watch the debate in this room and watch an empty room and think “Where is the debate happening in the Senate?” I can assure you there is work being done. There is a lot happening in committee hearings right now. There is a lot happening in different offices on trying to work through the issues.

Our days are busy and full, but for some reason, we are not getting to some of the biggest debates of the moment that need to be done and completed. We had a real push in the nomination process. We spent 100 days in

the last 18 months just on a quorum call waiting for a nomination to come up. That didn't happen in the last five Presidents combined. There have only been 25 requests for additional time for any nominee in five Presidents. This time, in 18 months, there have been 100. It is slowing down the body. We have to fix that.

We have to fix our budget process. Our appropriations process is working a little better this year, and that is good. We moved three bills last week. That is the first time that has happened in a decade in the Senate. That is good progress, but we have to complete the process so we don't end up with omnibus bills. That is going to take some reform. There are 16 of us—8 Republicans and 8 Democrats—who are meeting consistently to work on how to reform the process of our budgeting to make sure that we can fix that.

So there is some work that needs to be done. There is also some reform that needs to be done. But as we deal with things like the farm bill this week—so far, we have not had amendments and votes on it—we have to reform the process on how we get through the farm bill, how we get through our appropriations process, and how we get through nominations.

We also need to work through things that are difficult, things like immigration. I have been in this body multiple times to talk about this issue, and I will continue to come back to this body to raise it. The challenge we have with immigration is that there seems to be no deadline to solve it, so Congress just delays actually working on immigration. When a deadline comes, Congress finds a way to get around it, or the courts step in and make some change and say: We are going to make some ruling, which delays a decision here, and it just gets delayed again.

The Nation is once again looking at the issue of immigration because of what we are watching happen with families on the border. Americans are people of great compassion. We do not want to see families separated. But we also understand the basics of the law. So how do we deal with all these things together?

I would say first, this body has to learn how to focus on solving the issue of immigration rather than just complaining about the issue of immigration. We can't have it come up every once in a while when it is in the news and then work on something else when the news stops focusing on it. We have to solve this issue.

Last February, we had four different bipartisan bills that came before the Senate. All four of them failed. You would think that there would have been work to say: Let's combine them. Let's find the common ground between the four different bills, form a final bill, and pass it in the Senate. Instead, the Senate got distracted with something else and walked away.

We have to solve the issues on immigration. What is currently separating

families is not a new issue. Some people believe it might be, but it is not new. This comes out of the Flores decision from 1997. Every single President has struggled under this Flores decision from a court in California. That court said that you can only detain children for 20 days. Well, it takes 35 days to do a hearing. So the court set up an impossible situation where it takes 35 days to do a hearing and you can only hold children for 20 days. So every administration has had the same problem: Do I release people into the country and tell them to show up for what is called a notice to appear at a future court date so their family can stay together, or do I separate families?

Previous administrations have said: I will just release people into the country and will tell them to show up at a hearing at a future date. Well, there are a couple of problems with that. One is that thousands upon thousands of those individuals never show up for their first hearing, the notice to appear. The vast majority beyond that, after they show up for their first hearing, are given what is called a notice of removal, which says: You don't qualify to be in the country legally, so you need to leave. The problem is that 98 percent of those individuals then don't leave. Once they get that notice of removal, they find a way to disappear into the country. They move to a new city, and they are gone.

This administration is struggling with that, saying: Well, what we have created is an incentive to come into the country illegally. If you cross the border and bring your family, you will be released into the country, and then you can just disappear, and no one will ever try to find you.

That is a problem with the legal system, period.

I am not cold to immigration. Quite frankly, I am grateful we are one of the most open immigration countries in the world. We have 1.1 million people a year who become legal citizens of the United States, going through the process the right way. I just spoke at a naturalization ceremony in Oklahoma City. If you ever come to one—and I encourage every American to go to one of the naturalization ceremonies, but take Kleenex with you. They are incredibly moving events—watching people from all over the world stand and raise their right hand and take their oath to become an American citizen, say the Pledge of Allegiance for the first time as an American, hold the little American flag and wave it, and seeing their family cheer them from the audience, saying: We are Americans together. It is incredibly moving to see that. There are 1.1 million people a year who do it the right way.

Let me add one more number. Half a million people a day legally cross our southern border. Let me run that past this body again. Half a million people a day legally cross our southern border. We are not a nation that is closed to

immigration. We are a nation that is open to immigration. Half a million people a day legally go through that process of crossing the border back and forth. That is just coming from the south to the north; that is not counting the people going from the north back to the south, back into Mexico.

We are an open nation for immigration, but we have real issues that need to be resolved. Let me run through a couple of these.

We have to solve the Flores issue. We shouldn't have an impossible situation to say: You can either release people into the country whom we know, by and large, will never show up for a court hearing or detain them and separate families. That is intolerable. This body can fix that, but no one has since 1997. It is time for us to be able to take ownership of that and to be able to fix that. We should not separate families, but neither should we just release them into the country and give them a notice to appear.

Many people in this body may not know, but right now, if you called our Department of Justice and DHS and asked them: In the regions of the country, when is the next available court date for an immigration hearing for a notice to appear? They will tell you—because we have just checked—that the next available court date—if you are crossing the southern border right now, they will hand you a notice to appear for August of 2022—August of 2022. They will release you into the country on your own recognizance, hoping you will show up 4 years and 2 months from now at the next available court hearing. That is intolerable.

So what do we do? Let's start with some basics. Can we agree that we should add more immigration judges? We have 350 immigration judges in the country. Last year, this body agreed and voted to add another 150. It is still not close to what is needed. We have a backlog of 700,000 immigration cases right now. It is not possible for that group of immigration judges to actually get through all of that.

Can we agree to add more immigration judges so individuals get due process but don't have to wait 4 years to get due process? We should be able to agree on that.

We should be able to agree on reforms to the process. It takes over 700 days to hire a new immigration judge. That is a broken process for hiring. Can we agree that process needs to be fixed?

Can we agree on basic southern border security? That used to not be a controversial thing. In 2006, this body passed something called the Secure Fence Act. It added 650 miles of fence and border onto our southern border. That vote passed with overwhelming support from this body, Republican and Democratic. Outspoken conservatives, such as CHUCK SCHUMER, Joe Biden, and Senator Barack Obama, voted for the Secure Fence Act in 2006. This used to not be a partisan issue that we would

just have basic border security. So 650 miles of fencing is now on our southern border today because of the bipartisan Secure Fence Act that passed with overwhelming support from this body in 2006. Can we still agree that securing our southern border is a good thing or is that still a partisan issue? I hope it will not be. That should be a basic principle of trying to secure our southern border. Every Nation just wants to know who is coming in and out of our borders.

Even for asylum seekers—there has been much in the news about asylum. Asylum seekers who go to the port of entry have not violated any law. They are going to a port of entry and saying: I request asylum. What is interesting from that is even if I go back to, let's say, 2016, the last year of the Obama administration, of the people who came to the border requesting asylum, after they got into the country, only 40 percent of them actually filed paperwork for asylum. Of that 40 percent who actually filed paperwork for asylum, only 13 percent of them actually received asylum, and that is in the last year of the Obama administration.

We should allow for asylum, but they should come to the ports of entry. That is the right spot to do it, not skip around the ports of entry, and when they are arrested for coming between the ports of entry, then claim: Now I want asylum.

Those folks, the vast majority of them who claim they want asylum, never actually file the paperwork to get it. Once they are released into the country, they never follow through with the actual request. We should be able to fix some of those issues.

We should also be able to fix the DACA issue. I have raised this in this body multiple times, and I have talked about it often at home. We have a couple of million kids who have grown up in this country whose parents illegally crossed the border when they were infants and children at the time and who have grown up in this country. They don't know another country. Now, their parents violated the law. Those kids did not violate the law. What do we do with them?

The most simple principle, and that is what I hope we can agree on common ground is, let's secure the border. Let's take a couple years to make sure we secure the border, but let's also give a shot to those kids who are here with the DACA Program to be naturalized, to become citizens of the United States in the only country they have ever known.

This shouldn't be that controversial either. Quite frankly, that opinion is agreed upon by President Obama and by President Trump.

Back in February, over 70 Members of this body voted for a bill that allowed for naturalization of individuals in the DACA Program. We had four bills we voted on. None of them got 60 votes, but if you count up each of the people who voted for them on a bill

that included naturalization of those kids, over 70 people voted for that in this body on some level.

We have common agreement that we should do that. We can't seem to finish the work to actually do it though. We should be able to resolve it. We should be able to fix the issues of family separation. We should be able to solve basic border security issues. This is doable stuff, but we need this body to focus and to actually get it done.

Every issue we debate is controversial. Some of them are louder and more controversial than others—I get that—but that is our job, to go through the difficult issues, read the Constitution, and talk to the people at home to deal with the issue and make a decision.

I encourage this body to finish the work. We should be able to secure our border. We should deal with this issue of family migration. We should keep families together but actually go through the legal process, not just release them into the country for a hearing 4 years from now, for which they probably will not show up. We should do this and find that common ground.

Let's work together. Let's finish the task that needs to be done on this and actually get this resolved.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TAX REFORM

Mrs. CAPITO. Mr. President, I rise today to highlight the 6-month anniversary of the Tax Cuts and Jobs Act. I would like to illustrate what it has meant to the people of West Virginia since President Trump signed this into law. I will speak in a larger sense, as well, regarding what a difference it has made in this country.

We see it in the news every single day, and the benefits are really undeniable. Since Congress passed tax reform, we have seen incredible job creation—more than 1 million jobs, to be exact. We have seen unemployment drop to historic lows and wages are on the rise. Our small businesses and their employees are feeling optimistic again.

When I travel throughout the State and visit our small businesses, there is a real hop in the step of those small business owners and those who work there because of their increased business, because of their ability to expand, and other things that they have wanted to do for years. So it really has been an incredible transformation.

Only a few days ago, a "CNBC News" survey showed that 54 percent of Americans say the economy is "good or excellent"—good or excellent. That is the highest percentage that has ever been recorded in the 10 years that CNBC has been doing the survey.

But even more important are the number of stories that I have heard of what has transpired since we did tax reform. In letters, in meetings, and everywhere around town, I have heard from West Virginians who are feeling the positive effects of tax reform. Our small businesses have been able to expand and hire new employees. They have been able to give back to their employees, whether in the form of bonuses or reaching out to their communities with more charitable donations. Others have been able to create jobs and hire more workers.

Just this month, I received a letter from a constituent, Chris from Charleston, who owns an eye consulting business. Chris wrote that the Tax Cuts and Jobs Act is "legislation that has benefited small business owners all across the country and our folks back here in West Virginia." He said that as a result of the tax cuts, small businesses have hired more people, raised employee wages, and expanded opportunities and operations.

He continued to talk about the other aspects of the tax cuts. He said:

That doesn't sound like a tax cut that only caters to the rich and powerful. As each week passes, more and more of our fellow Americans support the new tax code. I hear it from my patients in the office all the time.

Chris isn't alone. I have heard from families who are better able to cover expenses and invest in their children's education. When President Trump traveled to West Virginia this spring, we spoke to one family, the Ferrell family from Huntington. Thanks to tax reform, the Ferrells were able to open a 529 savings account for the first time to help support their children in their education.

I have heard from families who have been able to afford high-speed internet for the first time. That might sound like a little thing to a lot of people, but it is a big thing to a family and to a child who comes home from school and can't do their homework because they don't have connectivity. Because of that change, one more student in our State is able to complete their homework at home. They no longer have to feel left behind when they get back to school. That is a powerful thing.

But it is not just West Virginia's small businesses and working families who are benefiting from tax reform. In our State, these benefits are helping to improve entire communities.

During President Trump's roundtable—again, in West Virginia—we also heard from Tony, who is a rural mail carrier. Tony and his wife Jessica live in Hurricane, WV, with their two sons. Tony explained that because of tax reform, their family was not only able to make home improvements, but they were also able to make more charitable contributions.

Specifically, they took extra money that they are seeing in their paychecks and gave it to their church, specifically for the faith-based initiative that has

been a very successful resource in fighting the opioid epidemic that we see throughout our State. It is no secret that this opioid epidemic is severely damaging and having devastating consequences in our State with our communities and our families. But because of tax cuts and Tony and Jessica's generosity, at least one community has extra support that can be used to fight back against the drug crisis.

I know this is not an isolated incident. It is one that illustrates a very important point: Tax reform is making real and meaningful changes in West Virginia and across the country. That is certainly not crumbs to us in the Mountain State.

Just think that it has only been 6 months—only 6 months—and already 4 million workers have received bonuses across the country. Consumer confidence is at an all-time, 18-year high, and 102 utility companies have cut their rates. Think of what that does for the folks at the lower end of the economic scale. When your power bill is \$50 or \$100 less or even \$25 less a month, that makes a difference. That makes a real difference. And more than 8,000 low-income communities have been designated as opportunity zones.

I am excited to see what else is ahead for the State of West Virginia and for all Americans thanks to the Tax Cuts and Jobs Act. I am excited to continue building on the incredible momentum that we have created, and I am excited to continue delivering pro-growth solutions that will help to improve lives all across this country.

TRIBUTE TO DENNIS FRYE

On another note, Mr. President, I was just visited by Dennis Frye, who is a retiring park ranger in Harpers Ferry. He has been a good friend to me. He is a historian of the highest degree on the Civil War and the critical battles that were fought in and around Harpers Ferry and in that region of our State and in Virginia and Maryland.

I want to thank him for his service, for his 42 years, 32 of those in the Park Service. He is a public servant who will never be forgotten in our region. I know he is going to continue to give back to the community.

So I want to say thank you to Dennis for his depth of knowledge, for his appreciation for our history, and for his appreciation of what we can really learn about our future if we look back at our history.

So thank you to Dennis Frye.
With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to address an amendment that I worked on with my colleague Senator CORKER from Tennessee. It is an amendment that I hope we are going to get a vote on today because I think it is timely, it is important, and it is really a measure that would simply restore to Congress a responsibility that the Constitution assigns to Congress.

So what am I talking about? I am talking about the amendment that we have crafted that would simply require that before a President—this President or any other President—can invoke section 232 of our trade law, which is the provision that grants the President special powers when the national security of America is threatened or is at risk and gives him the power to impose tariffs in that situation, what this amendment would do is that it would say that when a President makes the determination that he wants to impose tariffs because it is essential for the security of our country, he could do so as long as he has the assent from Congress. It would require an expedited process and a simple majority vote. It couldn't be dragged out. It couldn't be filibustered, but it would ultimately be congressional responsibility.

Now, why do I say that this would be restoring to Congress its constitutional power? Well, it is because the Constitution is very unambiguous about this. Article I, section 8, clause 1 states that "the Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises."

It goes on from there. Duties are tariffs, and I don't think anybody disputes that. So article I, section 8, clause 1 assigns that responsibility to Congress.

Clause 3 goes on further to make it clear that this is Congress's responsibility, by stating that the Congress shall have the power "To regulate Commerce with foreign Nations." Well, the imposition of duties clearly is an exercise in regulating commerce with foreign nations.

Now, over time the Congress has ceded authority in this area—unwisely, in my view—to the Executive, and that has been going on for decades. There is no question about it. The Executive now has a lot of authority under powers that Congress has delegated to the President. Frankly, it is part of a broader trend of congressional powers that are being delegated to the executive branch, to regulators, agencies, and to the Cabinet. I think it is a mistake. I think this is a congressional responsibility. We ought to take that responsibility, and we ought to take it seriously.

Why do I think it is important in this particular case? Because, in my view, this section 232 provision is being misused. It is meant to ensure that our Defense Department can procure defensive materials needed in time of war. That was the real motivation behind creating this power for the President to block foreign trade in the event that our national security depended on it. What do we have instead? We have this provision being invoked as a way to impose tariffs on some of our closest allies, our closest friends, and most important trading partners—in fact, the Canadians, the Mexicans, and the European Union—over very small amounts of steel that we import. In the case of Canada, it is really quite amazing. Do we have a closer ally than our next-

door neighbor, Canada, the country that sends troops to fight alongside ours whenever we have a need to do that, a country with whom we have massive amount of trade in both directions, a country with whom we have a balance of trade overall, a country where we actually have a surplus in steel? What we are doing is we are imposing taxes on Americans, taxes on my constituents if they choose to buy steel from Canada, and we are saying that is necessary for national security purposes. Of course, it is not. It has nothing to do with national security, and the Secretary of Commerce admitted as much before our committee last week when he said what it is really about is getting the Canadians to agree to the changes the administration wants to make in NAFTA. Well, I don't agree with those changes in the first place.

So we are misusing a national security element of our law to punish American consumers for products that originate from one of the friendliest countries on the planet with respect to our country, and I think this is a problem. By the way, it is not the first time that we have had really dubious trade policy from the administration. I totally disagreed with the Mexican sugar deal that was negotiated. It is a protectionist bill that treats domestic sugar growers very, very well. They get an artificially high price for their sugar, and all of us who are consumers of sugar pay too high a price. Then we had tariffs imposed on solar panels and washing machines. We now are finding that, first, we had tariffs on Canadians, Mexicans, Europeans, and South Koreans. Then, there was relief. But, then, that expired, and now the tariffs are back.

We have gone too far down the road. This has become very disruptive. This is bad for our economy, it is bad for my constituents, and, fundamentally, it is a responsibility that we have. It is in the Constitution. It says so.

So what this amendment does is that it simply says: Look, the President can invoke 232; the President can invoke national security if he sees fit, but he has to come back to Congress for an expedited up-or-down vote.

Frankly, that is exactly what our responsibility is. This bill is relevant. The ag community is more adversely affected by the retaliation against these ill-conceived tariffs than any other sector of the economy I can think of. This is the bill that addresses ag policy. This is the right moment to have this debate and to decide whether we want to take the responsibility that the Constitution assigns to us or not.

By the way, I get that not everybody agrees with what Senator CORKER and I and others are trying to do, but I hope everybody acknowledges that the role of the Senate is to debate and vote on tough issues. That is part of what we are sent here to do—to decide what our policy will be—and that necessarily includes having a debate and having a vote.

So I think my colleague from Tennessee is going to make a request that we be able to consider this amendment and vote on this. I wholeheartedly support this effort. I think it is very, very important.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President I want to thank my friend from Pennsylvania for his comments and for his leadership on issues relative to free trade and other important issues to our Nation. I just want to reiterate for a minute, before I ask for this amendment to be called up, the fact that this particular amendment, No. 1, is cosponsored by 14 people of various ideologies, on both sides of the aisle. Senator FLAKE, who is here on the floor, is a cosponsor of this amendment. It is probably one of the most supported amendments we are going to vote on as it relates to the farm bill.

Is the farm bill the right place? Absolutely. Farmers around our country are being hurt by this administration's trade policies, and more than 20 farm bills could help them. So it is very important for us to address this issue now.

Some of my friends on the other side of the aisle—by the way, we have many people on the other side of the aisle supporting this legislation, this amendment—have said: Well, we don't want to hurt our ability to impose tariffs on China.

This has nothing to do with that. As the Senator from Pennsylvania mentioned, the President has used section 201 of the Trade Act to put in place tariffs on solar panels and on washing machines. He did that in January. The additional tariffs that he is putting in place on China are under section 301.

What this amendment narrowly focuses on is the abuse of authority that the administration is utilizing to put tariffs in place on Canada, Mexico, and on many of our allies, especially in Europe, and what he is doing is citing national security. It is dubious. All of us know that it has nothing whatsoever to do with national security, but the reason the President is using this is that he doesn't have to prove anything to use it. Under the other sections, you have to deal with the WTO or the ITC, and you have to actually make a case for what it is you are doing.

When you use section 232, no case has to be made. He can just do it. Therefore, because of this abuse of authority, that is the reason we believe the President ought to be free to negotiate these.

Sure, he is the leader of our Nation, but once he completes those negotiations, if he is going to use section 232 of the Trade Act, we believe he should come to Congress, as was laid out by the Senator from Pennsylvania.

With that, I ask unanimous consent to set aside the pending amendment to call up amendment No. 3091.

The PRESIDING OFFICER. Is there objection?

The Senator from Ohio.

Mr. BROWN. Mr. President, I reserve the right to object.

My colleague raises concerns about the effect of retaliatory tariffs on our farmers and others. I couldn't agree more, but we should not pit farmers against steelworkers. Only a few days after Candidate Trump became President-elect Trump, my first correspondence with him was about how we do trade policy in the next few years. One of the conditions—one of the admonitions, if you will—was that you don't play off one industry against another. You don't play off agriculture against autos or steel or chemicals or anything else. I think my colleagues agree that it benefits all Americans if we stop China cheating, if we force them to play by the rules.

I would say to my colleagues today—to Senator TOOMEY and Senator CORKER—that I understand they have some bipartisan support on this, but I would say that probably the worst thing you do for America's farmers is to jeopardize passage of the farm bill today. I have spoken with Senator ROBERTS and Senator STABENOW about that, and that is exactly what this amendment would do.

The amendment would gut, most importantly, one of our trade enforcement tools, a tool Congress passed and enhanced in the Finance Committee just in the last couple of years to ensure we protect the industries necessary to defend our country.

I know my colleague from Tennessee generally opposes the President's trade agenda. I think he does that from an intellectually honest position, but that is not justification for completely undoing a decades-old statute that is one of the few tools we have to defend national security interests against distortions in the global market.

The steel and aluminum tariffs the President has put in place are long overdue actions to defend against the further shrinking of two sectors critical to national defense. Senator TOOMEY knows this in the western part of his State, as I know it in mine. I know my colleagues agree that excess steel production capacity in China is troubling. We are talking about a country that now has the capacity to produce half of the world's steel, close to half of the smelt, and half of the world's aluminum. It has affected the global market. It has made steel overcapacity a global problem.

We know that China puts people to work because they can't afford to have tens of millions of young men unemployed in the country. They subsidize their energy, water, capital, and land. They have dozens of government-owned enterprises. They want to keep their people at work. They cheat when they do. That is very simple. We have an administration now that is finally willing to take action and defend our highly competitive steel industry and steel workers.

I know what a competitive steel plant looks like. I was at ArcelorMittal

in Cleveland, 7 miles from my house, only a week ago. That is the first steel mill in the world that has been able to produce raw steel with one person-hour of labor. Think of that, a ton of steel produced by one person-hour. That tells you how productive our plants are, but against China cheating and subsidizing nearly all of the components—we simply can't do that.

The State of Tennessee, perhaps, has been lucky to avoid the devastation brought to steel towns, like Steubenville, Yorkville, Martins Ferry, Warren, and Lorain, all cities in Ohio, up and down the Mon River in Pennsylvania—Senator TOOMEY said the same thing—all as a result of China's excess capacity.

The shuttered steel mills and thousands of steel workers in Ohio who lost their jobs are constant reminders for my State that this trade enforcement action by the President was long overdue. We have to have steel and aluminum sectors in this country to defend ourselves. It is that simple. We will not have these critical sectors if our steel and aluminum producers can't keep their doors open.

This section of the statute, 232, was Congress's way, some time ago, of acknowledging there are connections between trade and national security. Imports can undermine our national security. Congress has recognized that for years. There should be ways for the President to take action when that is the case.

The Corker amendment fundamentally rejects that idea and hamstringing the President's ability to protect America's national security interests. Even worse, the Corker amendment would immediately remove the 232 steel and aluminum tariffs, including those on China. Why would any colleagues vote to let China off the hook?

Just look at the bipartisan effort to pass the Foreign Investment Risk Review Modernization Act, which passed down the hall, I believe, with only two "no" votes. There is broad bipartisan support also for ensuring that the President take a tough stance with ZTE, which he has not been wild about doing. But for some reason, when it comes to aluminum and steel, it is OK to let China off the hook. It makes no sense.

I know some of my colleagues who support this amendment will say that they would support the President's actions if they were targeted just to China. They think the Corker amendment is necessary because the President has applied these tariffs to our allies. But steel overcapacity is a global problem. It needs a global solution. If we don't take a more comprehensive action, China will cheat their way into those other markets. Ask ArcelorMittal, ask Nucor, ask AK Steel, ask U.S. Steel, just to name a few domestic producers we have in my State. They have all seen the tricks China uses to work around our anti-dumping and countervailing duty laws.

Look at the findings of Ambassador Lighthizer's recent report on China's intellectual property theft. He found that China was stealing about \$50 billion of intellectual property from the United States every single year. The evidence is clear.

I don't even particularly fault China because they are acting in their national interests. Maybe we should try to do the same thing. China is determined to gain U.S. market share in technological advances, and they will stop at nothing to get it.

I agree that we should work with our allies, and this administration, to a degree, has. They have negotiated agreements with South Korea, Brazil, Argentina, and Australia. Some of our colleagues are concerned, rightly, about Canada and Mexico being covered by the tariffs. I share that concern. But gutting trade enforcement is not the way to fix that.

I have worked with the administration to reach a solution through negotiations; I encourage my colleagues to do the same. I spoke to Ambassador Lighthizer again late last night. We are in a holding pattern with NAFTA talks until Mexico's elections, in about a week. But soon after that, NAFTA talks will pick right up. Steel and aluminum tariffs will be part of that dialogue, as they should be. Because Canada and Mexico have such close proximity to our market, they are primary targets for Chinese transshipment. We have to guard against that or the section 232 tariffs simply will not be effective.

I am confident an agreement with our NAFTA partners can be reached. I hope it is reached soon. Canada and Mexico are important parts of the North American steel supply chain. They are important partners in making sure our efforts to address steel overcapacity are effective.

The tariffs have been effective. Just yesterday, Republic Steel announced that one of its rolling mills in Lorain, OH, will restart in September. In Granite City, IL, 800 steelworkers were called back to work. The Corker amendment would threaten these new jobs and would thwart other announcements of steel mills restarting in the United States.

To summarize, the Corker amendment would permanently undermine a longstanding section of statute that makes sure the United States has the industries necessary to defend itself. It would let bad actors, like China, off the hook, able to flood our markets with unfairly traded steel. It disregards ongoing negotiations with our NAFTA partners. It threatens the improvements seen in our steel and aluminum industries since the tariffs were imposed.

For all those reasons, I object.

The PRESIDING OFFICER (Mrs. ERNST). Objection is heard.

The Senator from Tennessee.

Mr. CORKER. Madam President, I don't even know where to start. The

Senator from Ohio is a friend of mine. We came in together at the same time. He has written books on labor and trade, and I respect the fact that he knows a great deal about the topic. We serve together on the Banking Committee, and I respect him.

Much of what he just said was focused on China. I have never heard of a trade policy where you have a country like China, which is, in fact, dumping steel around the world because it is in their interest—I have never heard of a trade policy where you punish your friends in order to get at someone who is doing something to you. So we are punishing Canada and Mexico.

We are fortunate to live in the neighborhood we live in, to have the neighbors we have. We are punishing our European allies, who have been with us for centuries, in order to get at China. It makes no sense.

As a matter of fact, I haven't heard a person who has gone to the White House to talk about what they are putting in place—a trade policy—come back over here and be able to articulate anything coherent about that policy. I haven't heard a single soul be able to explain to me why we would punish our allies in Europe and our neighbors next door in order to get at China.

Section 232 has nothing to do with China. That is absolutely not true; it has nothing to do with China. China is being punished by 201 and 301, and we are punishing our allies by abusing a national security section called 232. So I don't know what to say.

Mr. TOOMEY. Will the Senator yield?

Mr. CORKER. Let me finish one more thing before I yield, and I will gladly yield.

People in our Nation are being hurt today. People are being hurt. We saw the Harley-Davidson issue, where they are going to move some of the jobs overseas to avoid these tariffs. Other companies are going to be doing the same.

Right now, farmers are being hurt around our country. On July 1, a whole other set of countermeasures is coming in from other countries. On July 6, there will be a whole other set of countermeasures coming in.

I just want the record to be clear. The Senator from Ohio, my friend, will not even allow us to vote. If he disagrees with this policy, he can vote against it. He is not even allowing us to vote on something that could ease and stop the pain that is being inflicted on our country by a trade policy that is not coherent, that is being made up on a daily basis, and that has nothing whatsoever to do with what China is doing with steel and aluminum.

I don't know what this body has become when you can't even vote on an issue that is current, that is damaging farmers more than 20 farm bills could make up for.

With that, I yield the floor to my friend from Pennsylvania.

Mr. TOOMEY. Madam President, I thank my colleague from Tennessee.

I will put aside how stunned I was to hear that my colleague from Ohio has suggested that maybe we want to emulate the Communist-managed economy of China as a good model for economic development. That is just breathtaking to me. But I really want to stress the point that the Senator from Tennessee made, and that is the fact that this amendment has nothing to do with China.

We can go on all day about how outrageous some Chinese behavior is in the trade space. It is true; there is really bad behavior, and, by the way, we need to address that.

We would be better able to address things like the theft of intellectual property and porous technology transfer if our allies were working with us to address that outrageous behavior. But it is harder to get your allies to work with you when you are hitting them with tariffs and the excuse is national security.

Let me just put a little bit of scale to this. Our colleague suggested how important it is that these industries survive. I completely agree. Domestic producers produce 75 percent of all the steel we consume. We import about 25 percent of it. Do you know how much of that comes from China? About 2 percent of the 25 percent. We don't import steel from China; that is the reality.

We do import a little bit of steel. The No. 1 source is Canada, which buys more steel from us than we buy from them.

So that is our national security threat; that is why we need to hit my constituents with a tax when they choose to buy those kinds of steel the Canadians happen to specialize in and Americans don't. This makes no sense at all.

Finally, my last point is this: We have sincerely held differences of opinions on this. Why can't we vote? Isn't that what the Senate is here for? Let's debate this, let's consider this, and let's have a vote. I didn't think the purpose of the Senate was to avoid votes that people think are tough or challenging or that they even disagree with. I fully accept disagreement. I don't expect unanimous agreement on the outcome, on the policy. But why in the world is this a body that can't have a debate and vote about something as timely, important, and relevant as this?

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I will be very brief. I know the Senator from Ohio wants to speak, and the Senator from Wyoming has been waiting.

People in our Nation are being hurt today. Americans are being taxed heavily. A tariff is a tax on the American people. What the Senator from Ohio is doing is saying that the Senate should not even vote on a measure to alleviate the pain that Americans are going to feel and the jobs that are going to be

lost over the next couple of months as this trade war continues.

I am just disappointed. I cannot believe it. With the zeal with which we both came to the Senate 11½ years ago to debate and deal with the big issues of our Nation and to have an amendment that is supported in a bipartisan way when people know that the trade policy being put forth by this administration is being made up on a daily basis and they know that jobs are going to be lost and farmers are already hurt, we cannot even vote, even though we may disagree, on an amendment.

So on this day, June 27, let it be known that on a bill that is very relevant because of the pain that farmers are going through, we were kept from voting on a measure that would have alleviated an incoherent policy from continuing as it relates to trade.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I appreciate Senator CORKER's comments. I appreciate a little less those of Senator TOOMEY, who tried to say that I was thinking that the People's Republic of China has an economy we should emulate.

What I actually said—and I have seen him do this before. What I actually said is that China's Government fights for its national interests by putting people to work, and our trade policy, for 25 years—since NAFTA, since PNTR, since CAFTA, since South Korea, many of them pushed by Presidents whom I have stood up for—has undermined American national security and domestic security. So I just reject that.

But I appreciate Senator CORKER's comments about voting on this. This is a major change in policy, with no legislative hearings, with no real discussion or debate. It is a bit rich when the majority party talks about our not allowing votes when, to start with, there was the Supreme Court nominee of 3 years ago and all the times we tried to do a transportation bill, important in our Banking Committee, as Senator CORKER knows. He wasn't really part of the obstruction, but I just find it a bit rich.

The reason is that Senator HATCH has already said he wants to do hearings to really understand what it would mean to roll back years of having these trade remedies, like 232. What would it mean?

We have lost 7,000 jobs in the steel industry in my State. I don't know the number in Western and Central Pennsylvania—in Senator TOOMEY's State—but I want to move quickly on having these real discussions and real debates. Having a vote on a bill that nobody really understands, except it is reacting to the President's sometimes bungled positions and attempts on trade enforcement—I share that frustration. I am his ally on this, but I have been frustrated, too, with the back-and-

forth on which countries are in and which countries are out.

Fundamentally, tariffs are a temporary tool. They are not a trade policy used by the President, in this case to force a discussion and a real policy about what to do with China's excess capacity, where half the world's steel can be made in one country, and they put people to work and undermine international trade laws by doing it. People in my State have paid the price, as they have all over the country.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, this amendment has nothing to do with China. This amendment deals with Canada, Mexico, our European allies, and other countries. I guess when we go back home this week and we talk to our constituents and they talk to us—I had a member of the UAW write a letter to the editor thanking me for these efforts that are underway to stop these tariffs that are killing the automobile industry or will kill the automobile industry that exists in Ohio and Tennessee. But I guess what I will tell him is, well, we couldn't vote on a simple measure that would allow Congress to vote up or down on tariffs the President negotiates. But what we are going to do, while you lose your jobs, while you pay 25 percent more for steel and aluminum, while these industries go away, I will tell them: Well, we are going to have hearings.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

BUDGET AND APPROPRIATIONS PROCESS

Mr. ENZI. Madam President, I am so glad that you are presiding at this time because I know you are part of the Joint Select Committee on Budget Reform. I want to address that a little bit.

Earlier this week, the Senate passed its version of the fiscal year 2019 Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs spending bills. Prior to this week, the last time the Senate had passed its version of a regular appropriations bill—not a supplemental or an omnibus bill—was more than 2 years ago.

I commend Chairman SHELBY and the members of the Appropriations Committee for their work in getting us this far and for their commitment to restoring a more regular process for the consideration of appropriations measures. I hope that in the weeks to come, we will be able to process more such measures in a similarly productive manner.

It was a long road getting to this point. Last February, after a brief government shutdown that followed an immigration policy dispute and a year-long stalemate on appropriations, Congress and the administration agreed to legislation establishing new discretionary spending caps for this fiscal year and the next and providing a process for budget enforcement—something

normally done by the Budget Committee.

This latest budget agreement follows a string of 2-year budget deals, each reached under the threat of a shutdown. In fact, frustration with the current process has grown so great that through the February legislation, Congress created the Joint Select Committee tasked with improving our broken budget and appropriations process. I commend the Joint Committee and its leaders, Co-Chairman WOMACK and Co-Chairwoman LOWEY, for their work on this subject. Our budget and appropriations process is clearly in need of reform, and I wish them success in this effort.

Today, I rise to share some of my thoughts and experiences on this subject, having led bipartisan efforts in the Senate Budget Committee to explore and reform the budget process.

As my colleagues know, the Senate Budget Committee sets the top-line spending levels that the Appropriations Committee then divides each year among the various departments and accounts. The Appropriations Committee does the specific spending. While there are many potential improvements we could make in this process, I will focus my remarks at this time on just three points.

First, the annual spending process will never truly improve so long as we are willing to hold it hostage to larger ideological or political battles. Both sides have been guilty of this in the past, and until we are willing to say "no more," no process reform will succeed. I am hopeful that the progress we are seeing now on fiscal year 2019 appropriations bills is a sign that we have reached a tipping point and are willing to work together, as the American people expect us to do.

The second topic I want to address is the need to move to a biennial funding cycle. I have been pleased to hear some members of the joint committee voice support for this concept, and I hope that consensus on this point continues to build.

The appropriations process—the spending process—has rarely worked as intended. In all but 4 years between 1977 and 2018, continuing resolutions, or CRs, were enacted because of the failure of Congress to complete all of the regular appropriations bills before the beginning of the new fiscal year. We have actually had more than 180 continuing resolutions signed into law over the last four decades. In this fiscal year alone, we required five.

These short-term continuing resolutions keep the government funded while we continue our work, but their recurring nature demonstrates the problems with our current process. The individual agencies have to operate on last year's budget until something new is approved. All too often, by the time Congress can agree on how to appropriate money for a given year, the result is a massive omnibus that funds the entire government. Members are

then presented with a choice—either pass the bill or shut down the government.

I have long believed that one of the most important things we can do is fix this process. The way to do that would be to move to a biennial appropriations system. By providing funding for 2 years instead of 1, Congress would immediately make the consideration of regular appropriations measures more likely. Instead of subjecting itself to a nearly perpetual annual cycle of developing and attempting to pass 12 appropriations bills for the next fiscal year, which starts October 1, Congress could spread those bills over 2 years, allowing more time to develop and scrutinize them and give 2 years' worth of planning to everybody.

Not only would a biennial appropriations process help Congress execute its power of the purse, it would also benefit the Federal agencies too. Agencies would have more time to devote to developing and to executing long-term strategies and would finally have some certainty in their budgets.

Nowhere is the need for this more obvious than at the Department of Defense. The Budget Committee has heard repeatedly from Defense Department leaders that the one thing they want more than anything is budgetary certainty. Annual spending fights and the inability to plan under continuing resolutions have wreaked havoc on the Department's workforce and contracting efforts.

Secretary of the Navy Richard Spencer recently delivered public remarks in which he identified \$4 billion in waste due to a lack of financial stability. He said:

Since 2001, we have put \$4 billion in a trash can, poured lighter fluid on top of it, and burned it. It's enough money that it can buy us the additional capacity and capability that we need. Instead, that \$4 billion of taxpayer money has been lost because of inefficiencies [caused by] continuing resolutions.

Transitioning to a biennial appropriations process could help solve that problem.

Last Congress, I introduced legislation that would continue the budget resolution process on an annual cycle in order to allow for top-line adjustments and reconciliation instructions as events warrant but would move toward a bifurcated biennial appropriations process. Under such a proposal, appropriations would continue to be divided among 12 different bills, 6 of which would be adopted in the first session of Congress, and 6 would be adopted in the second session. Maybe we could even make it so the six toughest ones would be done right after an election and the six easier ones, just before an election, to take more of the politics out of it.

By cutting in half the number of bills required to be adopted annually, Congress could create space for itself to devote more time and attention to oversight and other national priorities. If adopted, I believe this proposal would

yield a more sustainable and successful budget and appropriations process—a goal I believe both parties share.

I thank Speaker of the House RYAN for his comments this morning in which he suggested that we should do it on a biennial basis and that they should be divided into two segments of six, each for a 2-year period, so they would stagger how they are approached.

My third suggestion is a minor one but could have some of the most significant impact on the budget. The first one is, change the name of the Budget Committee. People think that we actually make all of those spending decisions. We don't. We set the top line for the Appropriations Committee, which is also improperly named, so they can do their work. My suggestion would be that we stop calling the Budget Committee the Budget Committee and call it the Debt Control Committee. We ought to be and are responsible for seeing how much revenue is coming in and what some of the different allocations are and doing a lot of reviews of that and checking to see what the debt-to-GDP ratio is going to be and how much the debt limit is going to go up, which becomes another subject of debate. If that were the Debt Control Committee, all of that could be done in committee, with one approval here on the floor.

The other half of that suggestion is that the Appropriations Committee ought to be called the Budget Committee because they really are the ones in control of the spending, in control of the budget. In every State in the Nation, the committee that actually does the appropriations is the budget committee. That would stop the flood of people who come in right after the President's budget comes out and before the Senate Budget Committee does their work, where they think they have to come in and ask for the details on their expenditures at that time. If it was the Debt Control Committee, they would have a whole different perspective on what it was that committee is trying to do, and they would take their suggestions to the appropriate committee, which would be the Appropriations Committee, renamed the "Budget Committee" so they would understand what they are doing.

As the Joint Select Committee continues to work, I encourage my colleagues here and in the other body to consider biennial appropriations as a necessary reform. I wish them success in their endeavor.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Madam President, I rise today to talk about the farm bill. I want to start by thanking Senators ROBERTS and STABENOW for making this farm bill a model of bipartisan ship.

I have lived in a community in Newark for the last two-plus decades that most folks would not associate with a

farm bill. The truth is, the issue we are grappling with in this bill affect all of our American communities—suburban, urban, and rural alike.

Folks in my community have borne the burden of horrific environmental injustices for decades—from toxins that poisoned our river, to lead in our soil, to pollutants in the air. Families in my city cannot plant crops in their soil because huge swaths of my city in many areas are toxic. We also have food deserts that exist in communities like mine, where people don't have access to healthy foods.

I have also visited rural areas of our country that endure the same kinds of injustices. I have met families who cannot open their windows because industrial farming operations are spraying waste into the surrounding air. Families can't hang their clothes outside, they can't run their air-conditioning, and they can't plant in their soil because of the way we do factory farming.

The truth is, pollution and environmental degradation at the local scale, in communities like mine and many of the communities I visited, are real for folks all across this country. It is real for rural folks; it is real for urban folks; and it is real for suburban folks. It has caused the same misaligned incentives that are also contributing to the much larger scale problem of climate change. Just like local-scale pollution—toxins—in communities like mine and others, global climate change is very real and cannot be ignored because of its impacts on folks all over our country, particularly on those in vulnerable communities.

So I will take a few moments to talk about these kinds of pollutants and to talk about climate change, which is closely intertwined with issues within the farm bill, even if it doesn't appear to be so at first glance.

The numbers on what is happening to our climate are clear. We know that atmospheric carbon dioxide levels are higher now than they have been at any point in recorded history and that our global carbon emissions are still rising.

Sixteen of the seventeen warmest years on record in history have all occurred in the 21st century, and if nothing changes, we are headed for 3 degrees Celsius of warming by 2100, which would cause catastrophic changes in many parts of the world and in many parts of the United States of America. Hurricanes in the North Atlantic will actually continue to become stronger and more intense and potentially more devastating. Drought and heat waves out West will become ever more frequent, and parts of the southwestern United States could see temperatures above 100 degrees for one-third of the year.

All of the extreme weather will have a dramatic impact on our farmers. Climate change is real for American family farmers even now. Some U.S. crop yields are expected to drop significantly with climate change, and estimates suggest that under a "business

as usual" emissions scenario, yields of wheat and soybeans and corn could fall by 20 to 50 percent by the end of this century.

Just as climate change impacts our agricultural system, our agricultural system also impacts the climate. Although it is often not discussed in the same breath as transportation or power generation, the global agricultural industry is, actually, one of the largest contributors to climate change. Some estimates suggest that up to one-third of our global greenhouse gas emissions come from agriculture, and these numbers are projected to grow and grow and grow as people's diets from around the world continue to change. In fact, as China and India and parts of Africa move to a Western diet, our globe simply cannot sustain that impact. As people shift to our diet, global agricultural emissions are projected to rise another 80 percent by 2050 alone. This is huge. This is unsustainable.

Industrial animal agriculture, in particular, is especially harmful to the climate. This factory farming is having a tremendous impact on our climate. Globally, livestock production alone accounts for nearly 15 percent of all human-caused greenhouse gas emissions, which is greater than the total greenhouse gas emissions for the entire global transportation sector. It is a fact.

We have all of the tools we need to tackle the dual challenge of climate change and environmental degradation, but in order to solve these problems, we must address the impacts of this consolidating global industrial farming system. This system is having an impact on our climate and environment. The farm bill should find ways to reduce the pollution, to reduce the impact, to reduce the environmentally devastating impact it is having on our country. The 2018 Senate farm bill takes some small steps in the right direction.

The farm bill grows the overall funding for agricultural conservation practices. It encourages farmers to plant cover crops, which improve soil and water quality. The farm bill also helps to drive climate-smart agriculture with several initiatives to keep carbon stored in our soils and in our forests. Yet what we really need is a fundamental shift in some of the major elements of our food system, shifts that, actually, can improve health and well-being and improve our Nation as a whole.

We need to emphasize local farm economies, where food is produced in a way that minimally impacts the environment and, actually, empowers our small- and medium-sized farmers. We also need to grow more of our produce by using organic and regenerative methods.

We need to put limits on the ability of major agricultural corporations, which are growing in size, to consolidate—to merge—and dictate the market. These corporate agricultural insti-

tutions that are growing so large and so powerful are dictating practices that are contrary to our very idea of farming in our country, whereby small- and medium-sized farmers who engage in practices that are more sustainable are being overrun by these large factory farms. We need to protect small family farmers from being squeezed out of business.

I am a New Jersey Senator, but I have been meeting farmers from all over our country who have told me the painful stories of what we are allowing to happen as our country is being gutted out of our traditional farmers by these big agribusinesses.

Consolidation in the agricultural industry is threatening the American farmer. The top four grain companies today control 90 percent of the global grain trade, and just four companies now control 60 percent of the poultry market. While giant agribusinesses are posting record earnings, our farmers—our American farmers—are facing desperate times. A farmer's share of every retail dollar has plummeted from 41 percent in 1950 to, approximately, 15 percent today. Many of these large corporate agricultural companies—some of them are not even American-owned—are continuing to punish America's small farmers by shrinking their margins, driving them out of business, and undermining what is an American way of life.

This consolidation must stop. I am working on a new bill that would help address this challenge, but for the farm bill that is before us, I will speak now about three amendments that I have filed.

First, I will talk about the amendment that Senator LEE and Senator HASSAN and I have filed—a bipartisan amendment that would make much needed reforms to our checkoff programs.

Checkoff programs collect fees which amount to their being a tax on all farmers. They collect these fees from producers of particular agricultural commodities. They are supposed to use these fees that are collected from farmers to promote and do research on that particular commodity. Unfortunately, we have seen some of these checkoff programs plagued by conflicts of interest—people who are engaging in anti-competitive behavior and funneling dollars to trade associations that only represent a sliver of the farmers who are required to pay into the checkoff programs. As one would imagine, those farmers who get the benefit are the big agribusinesses, often to the detriment of our small- and medium-sized farmers. Let me give you some examples.

We know, for example, in 2015, that documents obtained from requests under the Freedom of Information Act showed that the American Egg Board illegally used checkoff dollars to attempt to halt the sales of an egg-free mayonnaise product. Talk about anti-competitive activities.

In 2016, it was discovered that the Oklahoma Beef Council lost 2.6 million

checkoff dollars to embezzlement by a staff member who wrote over 790 fraudulent checks to herself during a 10-year period.

In 2017, it came to light that the USDA had failed for more than 4 years to publish legally required annual financial reports on the \$400 million per year dairy checkoff program.

This year, 2018, a Federal court ruled that the USDA had unlawfully approved the spending of \$60 million of hog farmers' checkoff money on a defunct promotional campaign.

So this amendment I am leading with Senator LEE and Senator HASSAN would make some commonsense reforms to the checkoff program in order to stop these abuses. Frankly, I don't see how anyone could argue against what are very commonsense, moderate reforms to the checkoff program so as to create fairness and transparency and actually stop and prohibit these conflicts of interest. That is what the amendment would do—prohibit conflicts of interest.

The amendment would require more transparency and mandate that the USDA publish budgets and expenditures that the USDA approves.

The amendment would prohibit anti-competitive behavior, such as we saw from the American Egg Board in its attacking of a startup company that it viewed as a threat. The language from the emails was actually stunning—about working to kill a business.

The amendment would prohibit checkoff boards from contracting with entities that engage in ag lobbying. I am one of those people. We have enough lobbyists here in DC, so I hope that this bipartisan amendment to implement commonsense reforms will get a vote and that it will receive the bipartisan support it needs to pass.

There are two other amendments I have filed that I would like to discuss that would help to protect contract farmers. They are the salt of the Earth. These farmers are Americans, many of whom have been on their land for generations, and what is happening now is unacceptable.

The first amendment I am filing to protect contract farmers would prohibit retaliation against these farmers by the large integrators, like Smithfield and Tyson.

As our agricultural markets have become more and more corporate-concentrated, the rights and bargaining power of our family farmers have diminished dramatically. The traditional model of independent farmers selling to independent processors has shifted toward one of contract production, particularly in the livestock and poultry sectors. Farmers now go into debt in excess of \$1 million to help build the facilities on their farms in order to get into this new contract production and often put their farms and their homes up as collateral.

For the majority of contract farmers, the large corporate integrator with which one must contract is either the

only company or one of two companies in a farmer's area. These farmers simply don't have the option of shifting to other buyers. Under these new circumstances of consolidated corporate, major agribusinesses, contract farmers—small farmers, small business people—are left incredibly vulnerable to retaliation by these big corporate agribusinesses. At least one—Smithfield, for example—is not even an American company. It is a Chinese company.

Recently, I had some contract farmers come to my office to meet with me. These farmers were terrified of coming to DC and actually talking to Members of Congress and Senators. They were terrified that the integrators they contract with might find out that they were talking to us and raising legitimate concerns about the abuses they were suffering.

This is the United States of America. We are making our farmers, our small business people, afraid of even talking about the abuses they are suffering from these massive, multinational agricultural corporations. Our contract farmers should not have to live like this. They should not have to be afraid that they will be retaliated against for engaging in lawful activities like speaking with Members of Congress or the USDA or for joining together in producer associations. James Madison's Federalist No. 50 talks about this idea of free association. Yet these contract farmers are afraid of doing that.

The second amendment I am filing to help contract farmers would require transparency in how these large corporate integrators calculate the payments they make to contract farmers. The payment mechanisms that are used by poultry companies and meat packers to pay livestock and poultry farmers are deliberately opaque. It is deliberately difficult to understand how those payments are made. Not only does this lack of transparency make it difficult for farmers to make wise business decisions, but it allows integrators to manipulate the farmers' compensation. It is a practice that is despicable. It is not the free, open, and transparent market we all claim to have in the United States. These are large, concentrated, massive corporations manipulating local contract farmers in our communities for nefarious purposes.

My amendment would simply require poultry companies, swine contractors, and meat packers to provide farmers with the relevant statistical information and data used to calculate their compensation. This is clear. You shouldn't do these things to squeeze or retaliate or pit farmers against each other. These are businesses. Have some transparency about the data so businesses can make sound decisions.

When President Obama left office, the USDA would have proposed rules that would have prohibited this kind of retaliation from these large corporate entities. They would prohibit retaliation by integrating and requiring more

transparency in payments to contract farmers. We were moving in the right direction. Unfortunately, under this administration, when they came in, they killed these GIPSA rules, once again siding with big agribusinesses, some of which are these foreign-owned companies that are coming in and rendering our contract farmers and our small family businesses into what has been compared to sharecropping.

The dignity of these small businesses, the humanity, the American tradition of farming is being eroded and undermined by these massive corporations, many of them foreign-owned. They are attacking our way of life. They are attacking one of the most dignified professions in America, which is small farming. It is outrageous and unacceptable what is going on to contract farmers across our country.

These two amendments would reverse the Trump administration's rollback of these important protections for our small contract farmers. I urge, with all of my heart, my colleagues to support these two amendments to be with the small farmers of America, to be with these people who are now struggling with mortgages and facing bankruptcy, who are now suffering because of these large corporations that are making their lives so difficult, that are undermining what has been the American way for centuries.

I conclude by speaking about the importance of SNAP and SNAP assistance for the food insecure. I was relieved. I actually rejoiced to see that the Senate farm bill does not cut SNAP funding.

In 2014, I voted against the farm bill because it contained more than \$8 billion in cuts to SNAP, the Supplemental Nutrition Assistance Program. It disproportionately helps people in my State of New Jersey, so the cuts disproportionately impacted my State. The truth is, at a time when we continue to heavily subsidize these large agribusinesses, I say very purposely that there is still corporate welfare in our farm bill. We should not force struggling families, seniors, and disabled citizens, working Americans to make sacrifices they can't afford. At the end of the day, this program aims to feed our country's most vulnerable population, with more than half of SNAP recipients being children and seniors. I repeat that. More than half of SNAP's benefits are for our kids and our elderly.

In my home State of New Jersey, approximately 142,000 senior citizens and 113,000 disabled residents receive SNAP. SNAP helps a cross-section of Americans in all ethnic groups. SNAP helps folks in our cities, towns, suburbs, and rural communities alike, and SNAP feeds our family farmers who too often rely on food assistance to feed themselves and their families while producing the food we eat. The irony of that is unacceptable. SNAP feeds our childcare workers, our healthcare providers, and our veterans. SNAP feeds

those who are in between jobs or who have three jobs and are still struggling to make ends meet.

I am glad to see the Senate bill has rejected the damaging and destructive SNAP cuts in the partisan House farm bill because, the truth is, at a time when over 13 million children in our country—please understand, the children in America, a global, knowledge-based society, the greatest natural resource a country has is not coal, oil or gas, but the genius of our children, and young minds need proper nutrition. At a time when 13 million children in our country face food insecurity, what we need to be doing is funding programs like SNAP—not funding them less but actually funding them more.

SNAP plays a critical role in making sure children are able to focus in a classroom and not be distracted about where their next meal is coming from or the hunger pains they are feeling.

I live in a low-income community. I am a Senator who lives in a community where, according to the last census, the median income is \$14,000 per household. I see my neighbors, working folk, working full-time jobs and still not making ends meet. When I go to my local bodega, I see people use programs like SNAP. God bless America, if we are not going to raise the minimum wage so people who work a full-time job in this country don't have to still live in poverty, we should not be cutting programs that are essential to helping families meet their nutritional needs. I see this at the end of the month when SNAP benefits are running out. One study shows that calories fall by up to 25 percent—the intake of calories for folks on food stamps—from the beginning of the month to the end. Families struggle. Kids struggle when there is less food in the house, when they go to school hungry. What does that do to cultivate that genius?

That is why we should be passing the SNAP for Kids Act of 2018 introduced by my friend and colleague Senator KIRSTEN GILLIBRAND. If we are serious about helping our communities and making sure every child, every adult, every senior citizen has access to their next meal, this legislation is important.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Madam President, I would like to talk today for a few minutes about food stamps and the farm bill. Let me preface it by saying, it has been my experience that the American people are the most generous people in the world.

We spend about \$1 trillion of taxpayer money at the Federal, State, and local levels helping our neighbors who are less fortunate than we are. In America—and I am very proud of this—if you are homeless, we will house you. If you are too poor to be sick, we will pay for your doctors. If you are hungry, we will feed you. That separates our country from a lot of other countries

that exist and have existed in the world, and I am very proud of those principles as an American. So I do get upset when people suggest that the American taxpayer is not generous with his or her money. We are the most generous people in the world.

In that regard, I know that for many Americans, the Food Stamp Program—we call it the Supplemental Nutrition Assistance Program, some people call it SNAP—means the difference between an empty stomach and a warm meal, and that is just a fact. I am talking about the men and women, many of whom are hard-working, who do all they can to provide for their families, but they need just a little extra help to put food on the table. The American people are happy to provide it.

Each and every year, the Federal Government spends more than \$68 billion to make sure no American has to wonder where his or her next meal is going to come from. It is the generosity of the American people that pays for those meals.

If the Food Stamp Program is going to continue to provide food to the 42.2 million Americans who use their benefits every month—and I want you to think about that number—42.2 million Americans out of a country of over 120 million, including one in five Louisianians, we have to do our part to ensure our program's integrity.

This is a natural fact. The Food Stamp Program is rife with fraud and criminal activity. Every year more than \$1.2 million of SNAP benefits are stolen or misused by criminals. So it is no wonder Congress has been discussing requiring photo identification at the point of sale for the Food Stamp Program since the 1970s.

As early as 1981, our GAO testified—and GAO, they are not politicians, not Republicans, and not Democrats. I don't mean this in a pejorative sense, but they are bean counters. GAO testified that such efforts would be effective in reducing overissuance, but we have not acted.

Reform is long overdue, and the time to act, it seems to me, is right now when we are considering the farm bill. If SNAP is going to be available to the people who depend on it most of the years to come, we have to do more to ensure that taxpayer dollars are going where taxpayers intended them to go.

That is why I have offered an amendment to the farm bill which will help protect our precious SNAP dollars by requiring a photo ID to use your benefits. It doesn't take anybody off the rolls, it just says you have to have a photo ID to use your benefits.

This amendment is very simple. It will require States to list on EBT cards the names of all of those who are eligible to use the EBT card. Household members listed on the card must then produce photo ID at point of sale when they use the EBT cards—about as simple as you can get.

Two States right now are already doing it and doing it successfully. One

State is Maine and one is Massachusetts. They both have successful SNAP benefit photo ID bills in law that are already saving thousands—indeed, probably millions—of taxpayer dollars. This should send a very clear message to every Governor and every legislature and every Congresswoman and every Congressman that food stamp reforms can work.

In the past few months, we had numerous SNAP benefit fraud cases that have been identified throughout our country. In Tennessee, for example, two men were found to have been selling their EBT cards to undercover cops in exchange for cash and heroin. In New Jersey, a couple managing a grocery store exchanged more than \$4 million in SNAP or food stamp benefits for cash between the years 2014 and 2017.

In Rochester, NY, a storeowner was found to have used cash to purchase food stamp benefits from beneficiaries for less than half their full value over a 5-year period. Now that is not what the American taxpayer intends the Food Stamp Program to do. That one individual's criminal actions cost taxpayers and people who really need food stamps \$1.2 million. That was only one act, and I could go on and on.

In the farm bill, we are asking the taxpayers to spend \$68 billion a year. We throw this figure “1 billion” around like it is a nickel. A billion dollars is a lot. If I started counting right now to a billion—1, 2, 3, 4, 5, 6, 7, 8, 9, 10—it would take me 32 years to count to 1 billion. It would be 2050 when I finished. I wouldn't make it.

We are asking taxpayers not to spend \$1 billion a year, but \$68 billion of their money on the farm bill. We have an obligation, therefore, to keep an eye on that money and to make sure it is going to those who need it the most. The Federal Government and not a single one of us in this Congress should stand by and tolerate criminal stealing from the mouths of children. That is not a Democratic principle; that is not a Republican principle. That is a human principle.

We owe it to the American taxpayer and to every family who relies on food stamps to put food on the table to protect the program from those who would take advantage of our generous American spirit. It is in that spirit that I will be offering my amendment.

I yield the floor.

THE PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from North Dakota.

Ms. HEITKAMP. Madam President, first, I want to acknowledge and thank Chairman PAT ROBERTS and Ranking Member DEBBIE STABENOW for their incredible hard work and commitment to draft such a strong bipartisan farm bill. We would not be here today if it weren't for their tenacity. I think, more importantly, we would not be here today if it weren't for their love of agriculture and their love of rural America. Knowing these are challenging times in rural America, the one

thing we can do here is to take this important policy and enact it into law so that we can give a 5-year window of certainty to American farmers and farmers in my State.

Over 90 percent of the land in North Dakota is engaged in the production of agriculture, whether it is farming or ranching. It is the bedrock of what we do in North Dakota. In fact, it is who we are.

In every given year, 30,000 farmers and ranchers lead the Nation in the production of over 10 different commodities. These agriculture products are sold in every State and exported to every corner of the globe. At a time when farm income is down and commodity prices have declined, it is so important that we, as members of the Senate, work together in a bipartisan way to provide our Nation's farmers and ranchers with a strong farm bill. With disruptions in trade weighing heavily on our agricultural producers, the single most important job right now is to provide certainty to farmers and ranchers by passing this farm bill and reauthorizing it beyond September 30, 2018.

In fact, it is important to note that net farm income since 2013 has been literally cut in half. When people say: Why do we need a farm bill? Why should we care? I would suggest that if we want food security in this country and if we want to make sure that we have farmers in this country, we need to care.

How many American families could really support or weather a 50-percent reduction in their income? When I first came to the Senate, I was fortunate enough to receive a committee assignment on the Senate Agricultural Committee, which for North Dakota is, quite honestly, the highest and most important committee assignment.

Passing a strong, bipartisan farm bill has been my highest priority since coming to the Senate. I helped to write, negotiate, and pass the 2014 farm bill, and as a member of the Ag Committee, I have been working with farmers and ranchers to make sure that the 2018 farm bill is as strong as possible for North Dakota.

Since 2014, when the farm bill was signed into law, I have heard from countless farmers and ranchers about what programs worked and what didn't work and how we can build a stronger rural America. While the 2014 farm bill addressed a number of key priorities needed to ensure an effective safety net for farmers and ranchers, there were challenges with aspects of the law. Understanding these concerns, I am pleased that members of the committee, the current administration, the chair, and ranking member have been willing partners in addressing these important challenges.

In particular, I am excited that this bipartisan farm bill includes language from our ARC-CO Improvement Act, a bill I introduced with Senator ERNST last October. It works to strengthen

and improve the Agricultural Risk Coverage-County Program. This language would direct the Farm Service Agency to use more widely available data from the Risk Management Agency as the first choice in calculating yields so that county level data is more accurate and updated. This would calculate safety net payments to reflect what is owed to producers in the physical county where their farms are located and not where their farmstead is.

This bill succeeds in protecting and improving the safety net that allows farmers and ranchers to weather the most difficult times and thrive during favorable conditions. This bill extends and makes improvements to the commodity programs passed in the 2014 farm bill and maintains the farm safety net that is crop insurance.

I do want to give a shout out to my colleague Senator ROBERTS. Every time there was testimony on the farm bill, he started with crop insurance, crop insurance, crop insurance; and that is a sentiment that is shared by almost every producer in my State.

From those provisions passed in 2014, this bill extends the livestock disaster programs, which played a valuable role in North Dakota last year as we experienced one of the worst droughts in our recent history.

Additionally, this farm bill includes a number of provisions that work to improve access for beginning farmers and ranchers. Included in the bipartisan bill is part of the Next Generation in Agriculture Act, which I introduced with my colleague Senator COLLINS. It provides baseline funding for the Beginning Farmer and Rancher Development Program, and it would codify positions at the USDA to coordinate beginning farmer and rancher programs and to provide youth organization outreach.

The average age of farmers in our State and across the country is way too old. If we are going to help to build that next generation of farmers, we are going to have to pay attention to those risks and respond to those risks in a way that will make a difference for our future production.

I am also excited that this legislation includes a number of provisions that work to raise the profile of Indian Tribes within the farm bill, and it includes a provision from the Tribal Food and Housing Security Act, which I introduced earlier this year. Specifically, the provision included from my bill would waive the majority, if not all, of the administrative costs required to run the Food Distribution Program on Indian Reservations, which Tribes use to provide healthy, affordable food options to low-income individuals and families. It also would establish a permanent Rural Development Tribal Technical Assistance Office at USDA to provide rural development support for Native American communities and to offer greater certainty for the current Tribal Promise Zone designees.

As we consider the farm bill, I wanted to make sure that Indian Country

had a seat at the table, which is why I introduced this legislation. Indian Country faces a unique set of challenges, many of which can be addressed in the farm bill. I think sometimes we forget that the fundamental occupation of many of the Tribal members in my State is farming and ranching. I think we also sometimes forget that they suffer not only historic challenges to economic development but, as we are experiencing in all of rural America, challenges in economic development that are not only from the reservation but also from being rural.

Checkoff programs are vitally important for our ag commodities, as they provide beneficial research, promotion, and education services to the producers they represent. It is critical that these programs function as intended in order to be preserved and protected from unnecessary scrutiny. The beef checkoff program has not, for some time, represented the majority view of beef producers and hasn't been functioning as intended. As such, I strongly encourage my colleagues to examine with a critical eye the Beef Promotion and Research Act of 1985 to ensure that the checkoff functions as a truly independent organization, representing the needs and viewpoints of the majority of our Nation's beef producers.

The farm bill also makes important investments in ag research and enhances trade. I strongly believe that we need to increase our investment in research. I am pleased to see a robust level of support for our land-grant universities, and the inclusion of the Pollinator Health Task Force and funding is maintained in this bill. But I agree that more should be done in order to enhance agriculture so we may continue to be competitive on the global stage.

With that said, we also have to improve market access and develop new export opportunities for our agricultural products. In North Dakota, we export soybeans to China, beans to Cuba, and barley to Mexico. And the list goes on. Building upon these successes will play a critical role in the improvement of the economic health of rural America.

During consideration of the farm bill, we must also work to protect programs that are vitally important to farmers in my State who provide and produce American-grown sugar. Last week, I had the opportunity to deliver to each Senator a simple Hershey's candy bar with a sticker labeling the cost of the sugar included. First, I am going to thank Curt Knutson, a sugar beet farmer in the Red River Valley, who took time to put these candy bars together for me. In fact, he said he saw a rainy day, and he quickly put the stickers on.

I think you will hear a lot about the sugar program. People have probably been down here telling you how it burdens the confectionary industry and how this will, in fact, increase their costs. I think it is absolutely critical

that you know that in this candy bar—not this big one, but a normal size one—there is only 2 cents' worth of sugar.

Did you know that in 1980, a candy bar like this cost 35 cents and had 2 pennies' worth of sugar in it? Today, this same candy bar costs \$1.49, but still contains just 2 cents of sugar.

Don't let anyone tell you that we have a crisis as it relates to the sugar program. The beet farmers and the sugar cane farmers guarantee a steady supply of sugar in this country, and we know that we need to maintain that industry in our State.

I would encourage everyone to keep that in mind as they are being asked to roll back the sugar policy in the farm bill. Each year, our sugar industry employs nearly 142,000 Americans in 22 States and generates over \$20 billion in economic activity. The policy that makes it all possible—listen to this—is at a zero cost to taxpayers. Given the economic importance of this industry to our Nation, it is critical that we maintain the sugar program to protect the many jobs in this industry and so that we can continue to enjoy American-grown sugar.

The chairman and ranking member really deserve incredible praise for the work they have done collaboratively, not just with members of our committee but, as you see in the back here, working with Members who aren't on the Ag Committee to listen to their response. This farm bill works to improve programs that were authorized by the 2014 farm bill and to provide much needed certainty to farmers and ranchers.

I want to make a general observation. When all of us go home, we are asked: Why can't you get anything done? Why can't you work together to solve America's problems? I think it would be a wonderful way to exit for the Fourth of July if we were allowed an opportunity to say in a bipartisan way, after a robust discussion about amendments: We passed a farm bill.

I know the Presiding Officer knows how important the farm bill is to her State of Mississippi. She comes with that as her top priority. Let's get this done. Let's work together. Let's try and overcome any hurdles that we have right now. Let's tell the American people that, when it comes to producing their food and having them access their food, this food bill is possible in a time of great division in this country.

I am proud to have been a member of the Ag Committee. I am proud to say I played a role in improving this farm bill. I look forward to not only passing it but seeing what comes out of the conference committee.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Colorado.

MR. GARDNER. Thank you, Madam President.

I know the Presiding Officer is a cattle farmer, as I think they are referred to in Mississippi. It is an honor to be

here on the floor with you to talk about important work for Mississippi.

Colorado is an incredibly diverse State. When it comes to our economy, we are the—if you look at jobs per capita, we have more aerospace jobs per capita than any other State in the country. We have the second highest number of jobs outright, second only to California. Our tourism industry is world renowned—our first-class ski resorts, our gold medal trout fishing streams. It is incredible, all that we have. We are also one of the country's biggest agricultural producers. In fact, the ag economy in Colorado remains the fundamental foundational building block of our economy.

I grew up in a part of Colorado that looks more like Kansas. Most people think it is in Kansas instead of Colorado. This is my backyard. This is where I live. I live in town. This is a farm, a pivot irrigation system that I grew up with. In fact, our family sells farm equipment. I have told stories about that to everybody here—everybody who will listen—so many times that they have probably stopped listening. I grew up selling farm equipment.

I can remember, when I first ran for office, going around eastern Colorado and introducing myself to farmers. I would introduce myself. I would say: Hi, I am CORY GARDNER, and I am running for the State legislature. I have met most of you at the implement dealership. I have sold half of you the wrong parts. I quit using that line when everybody would shake their head—yes, you have. So I grew up knowing a lot of great people in agriculture through that business.

Water is the lifeblood of our area. Agriculture is the lifeblood of our area. There is an old saying that sometimes if there is a downturn in agriculture, then our community will feel it next week. Well, that is not true anymore. If we have a downturn in agriculture, our community feels it that day. That is how connected we are to global commodity prices and what it means for us.

I am fifth-generation Coloradoan. Our entire family has been all agriculture. It is the heart and soul of who we are as a country, and that is why this farm bill debate is so important.

In Colorado, we have tremendous crop opportunities, livestock opportunities. We have some of the best hay operations in America. In fact, several of our counties—Yuma County, which is the county I am from, over the years has been ranked and rated one of the top corn-producing counties in the Nation. We are a leading wheat exporter. Eighty-seven percent of the wheat that is produced in the 4th Congressional District—my old 4th Congressional District in Colorado—gets exported overseas.

The research we are doing out in eastern Colorado on dryland cropping systems is pretty remarkable—the Akron research station there.

The San Luis Valley is known nationally and around the world for our

high-quality San Luis Valley potatoes, purple potatoes that you can get from the San Luis Valley. We have sorghum and barley. A lot of people are familiar with our Banquet beer in Colorado. We have great beef. We have pintos and potatoes. We have it all. And, of course, who could forget our world-renowned Palisade peaches? It is that time of year now when we are starting to see peaches in the farmers markets and in the stands all around. I challenge anybody from South Carolina or Georgia to compare their peaches to our peaches because we know we have the best. We are coming up on the Peach Festival, as well, in the Western Slope of Colorado. We certainly have sugar beets.

We have an incredibly diverse economy. We have a diverse economy that represents a lot of export opportunities. Some of our best exports and some of our largest exports are beef. Frozen beef, fresh beef—you name it; we have a lot of beef. That is why trade is so critically important to our economy. We are going to get our ag economy growing.

By the way, ag is kind of facing a tough time right now. Farm receipts are down about 35 percent from what they were in 2013. If you look at some of the golden years of agriculture not too long ago, we are probably down even further than that. When commodity prices drop, when exports drop, these communities that I grew up in—these agricultural communities in the Western Slope of Colorado and in the Eastern Plains—they feel that impact not next week, not the week after, they feel it immediately. That is why trade is so important.

Let me give an example of this field right here. If you had an irrigated cornfield in Colorado—let's say that you had a good year. Let's say that you raised 225 bushels an acre of corn. Let's say that in May the price of corn was \$4.05. I looked it up yesterday, and it was about \$3.55. That 50-cent drop in commodity price on 160 acres—if you take 160 acres a quarter, if you look at the farmable land, the irrigated land, that is probably around 120, 140 acres, somewhere in between that. If you just raise that corn crop on 120 acres of land, 225 bushels an acre, and that price drops 50 cents per bushel, that is about a \$12,000 or \$13,000 impact—loss of income—per quarter.

The average farm size in Colorado is—let's say a corn farmer—let's just say they have 1,000 acres of corn, irrigated corn. If that price drops 50 cents, that is a \$100,000-plus loss of income. If we start seeing the impacts of a trade war that lowers the price of these commodities, we will see that impact not tomorrow but today. These low commodity prices have already affected the health of our rural communities. We don't need any more downward pressure.

Beef alone accounts for \$675 million worth of these exports. We should be pursuing free-trade opportunities. Col-

orado-grown potatoes account for over 50 percent of all U.S. potato exports to Mexico. NAFTA is incredibly important for this country, what we are doing with all of our agriculture products and how we are getting them to market.

We know rural development is key, and agriculture is key and trade is key to that rural development. So the farm bill represents a great opportunity for us to focus on rural development—what we can do to help start young farmers, help them get a start and help them afford the operation, because it is incredibly expensive. A quarter of irrigated ground in Colorado at one point was approaching \$1 million a quarter. A tractor could cost around \$250,000 if you had to buy a new one, a big one.

All of this means that we have an obligation to provide certainty in policy. That is what this debate is doing with the farm bill—providing our farmers, folks involved in agriculture, with the certainty they need to plan, to be able to go to the bank to talk about next year's operation loan, this year's operation loan, how they are going to get the receipts to allow them to continue that generational business of agriculture in Colorado and beyond.

We know economic times have also resulted in significant economic stress and significant mental stress. I am very pleased to have worked with a number of my colleagues to introduce the FARMERS FIRST Act earlier this year. This is a bill that helps address some of the mental health concerns we have seen in agriculture.

In agriculture, per 100,000 population—we have about 5 times the number of suicides in agriculture than the broader group of Americans—5 times higher suicide rate. This bill starts to address that.

In Colorado, Don Brown, our agriculture commissioner—I grew up with him. He is from the same town I am from. They have restarted the suicide hotline in Colorado to address the mental health needs because of the challenges we face in agriculture today. I thank Commissioner Brown for that work.

I thank my colleagues for the work we have been able to do together on the FARMERS FIRST Act to make sure we can help provide some of that relief.

In this farm bill, we have also made great strides on conservation. I was able to get the EQIP amendment included in the farm bill. That addresses agricultural drought concerns to make sure that the farm bill more adequately addresses the critically important conservation title work as it relates to drought.

I thank Senators FEINSTEIN, WYDEN, UDALL, MORAN, BENNET, and HARRIS for their support in allowing me to work with them on this amendment and to have it included in the substitute. If you look at the drought that is gripping the Western United States in particular, you have Arizona, 100 percent drought; California, 69 percent of the

land in a drought; Colorado, 79 percent of the State in a drought; Kansas, 79 percent in a drought; Oklahoma, 80 percent; Utah, 100 percent; North Dakota, 81 percent. These are areas that this EQIP language that was included will help address as we work toward solving this ongoing drought condition.

Water is the lifeblood of the West. Colorado is the only State in the country where all water flows out of it and none flows into it, so we have to make sure we get this right. As you can see, this is a picture of the Colorado River. That is an example of a bloodline of water that goes from Colorado down to California and all the States in between that rely on this river. As we see, as that water in the river decreases, it puts more pressure on the upstream States. If we ever have a problem in the river, that is going to be a significant challenge between the upper basin States and the lower basin States. That is why the tools that we have helped provide in the farm bill will help us manage this river, will help us manage the land, will help us address conservation needs to use less water so that we can keep more water in the systems, keep more water on the land, and prevent the dry-up of agriculture.

We were able to streamline EQIP contracting, increase cost share for nutrient reduction practices, and increase the authority of USDA to enter into drought-related Conservation Reserve Enhancement Program agreements. This will help areas like the Republican River in Colorado and beyond.

These are important inclusions in the farm bill. We have other things that should be highlighted, though, that will also address some of our water concerns.

We know that forest fires are a significant challenge to Colorado. If there is a massive forest fire, all those watersheds that those forests are in result in debris flows and contamination of those water systems, those waterways, and that hurts our ability to have access to that water.

In the omnibus that we passed earlier this year, we were able to include certain language addressing categorical exclusions, building upon insect and disease—efforts to combat them in certain areas of the forest. The challenge we have in Colorado is that the categorical exclusions only apply to fire regime groups 1, 2, and 3, but in Colorado, we have about 24 percent of our zones of concern in Colorado that are in a different category, not in 1, 2, or 3, which means we can't use the categorical exclusion to address insect and disease concerns under that provision. Yet we know a significant area of these forests have insects. This is where a lot of the insect infestation has occurred.

Insects have devastated our forests. It results in dead trees, and then the drought doubles the pressure on that, creating historic fire conditions, and then you end up imperiling the watersheds.

We have offered an amendment to try to address that, to extend the categorical exclusion so that we can have better management opportunities to prevent the next disaster from occurring and to make sure that we can help manage our forests in a more responsible way.

I am also excited that we were able to include work addressing the Akron research station in Akron, CO, in eastern Colorado, a dry land facility. We have an amendment that is incorporated in the substitute that authorizes research and extension grants to study the utilization of big data for more precise management of dryland farming agriculture systems. This goes into how much water we need and how we could better manage dryland cropping alternatives. If we have a drought that continues, we are going to have to have more tools and data to help manage farming practices so that we can do a better job of creating high yields in a low-moisture environment.

These are all important issues that we worked on.

Crop insurance is incredibly vital to our Main Streets in rural Colorado and across this country. That is why we have to continue to strengthen the Crop Insurance Program. That is why I am glad the farm bill makes sure that it does just that. The conservation title is important to Colorado as well.

There are a lot of issues this farm bill addresses. I thank Chairman ROBERTS for his work on this legislation. He is our neighbor in Kansas. I don't think he included a provision in the farm bill to thank Colorado for the water that we send to Kansas, but they have better lawyers than us, so I will not push that too far when it comes to some of the water conflicts that we have had. I say that jokingly, of course.

What I don't say jokingly, of course, though, is what agriculture means to all of us. It is that bond that we share in our communities. It is the foundation of Colorado's economy and this country's economy. There are so few people today in agriculture, that those of us who are involved in agriculture, who are in agricultural communities, have to be strong advocates. I hope the work this Senate is doing when it comes to agriculture will be that ambassadorial effort that we need to be good stewards of our land, to continue to promote small farms, new farmers, and young farmers to make sure that we keep generations of farmers and ranchers on the land and that we don't have a buy-out and dry-out history because we mismanaged our water resources.

This farm bill helps address some of our biggest challenges. Let's get our other policies like trade right, continue to work together in a bipartisan fashion, and we can make our farmers and ranchers proud of the work we do every day.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Madam President, I rise today on behalf of this Nation's farmers and ranchers. I would urge this body to continue in the bipartisan way that they have been on the farm bill to get this farm bill passed, keep in good shape the strong farm bill at this moment in time, and work to improve it and get it out of the body so that farmers can have the certainty they need with a predictable farm bill.

I believe I am the only actively engaged working farmer in this body. I have lived on the farm I live on for over 61 years. My wife and I have been farming the land that my grandfather and grandmother homesteaded, and my folks farmed after them, for the last 41 years. During that time, I have been able to see good farm bills that have worked, and I have seen bad farm bills—the kinds of farm bills that have resulted in devastating consequences for our family farms, driving families off the land, paving the way for more consolidation; bad farm bills that have dried up our rural areas and our small towns and along the way dried up our rural way of life.

This is an important time for folks in production and agriculture. The commodity prices are low pretty much across the board. We are seeing this administration engaging in tariffs and a potential trade war that is threatening Montana's No. 1 industry—agriculture—and threatening the viability of the economy of Montana and rural America. That is why it is critically important that this week we pass a good farm bill that will work and give certainty to Montana's producers and rural communities across this country.

In my travels around the State of Montana, I have had a number of listening sessions on the farm bill. I have heard from farmers and ranchers. I have visited with them, looked at them eyeball to eyeball, and heard their concerns and their priorities. During these farm bill listening sessions in Montana, I heard from grain growers, cattlemen, sugar beet producers, hops growers, wool growers, pulse growers, specialty crop producers, and organic farmers. We grow a lot of stuff in Montana. I even sat down with the folks who fight the good fight to make sure our kids don't go hungry. I sat down with fifth-generation Montana farmers and ranchers whose families have worked the land for over 100 years and young producers who are getting ready to go out for their very first harvest.

For the most part, they all said the same thing; that is, they want certainty. They want access to quality crop insurance that is a big part of the safety net for our farmers and ranchers. In times when they can't get their paycheck from the marketplace, this safety net is critically important. They also want to be in a position financially where they can hand their farm—or their ranch or their operation—down to their kids and their

grandkids, but don't just take my word for it.

Since my last farm bill listening session, literally hundreds of Montana's farmers and ranchers have written in to my office to make sure their voice is heard on the farm bill.

Tom, from Glasgow, MT, wrote to me about the challenges facing farmers and ranchers. He said:

I urge you to support the Farm Bill before it expires on September 30. The legislation that came out of the Senate Agriculture Committee has a robust farm safety net, including a strong Crop Insurance Program. Our farmers face a challenging agriculture economy. They need the certainty of knowing what programs are available as they make their plans for the coming years.

That is critically important. Everybody who is in agriculture knows that you have to plan multiple years out before you can get to a point where you can harvest that crop and bring it to the bin and bring it to market. So having that kind of certainty of a long-term farm bill and getting one done long before September 30 is critically important.

Another fellow by the name of Frank, from Lewistown, MT, wrote me about the important role the farm bill plays in feeding this country—the United States. Here is what Frank said:

The farm bill can help put the United States on track to ending food insecurity and hunger in our country. I urge you to work on a bipartisan farm bill that protects and strengthens domestic nutrition programs, especially SNAP.

We have a democracy in this country, and we are very proud of it, but as we offer that safety net for our folks in production agriculture, we need to make sure we don't have hunger in this country, to the best of our ability, because democracies don't work well when you have a hungry society.

So I am on the Senate floor to tell Tom and Frank and the hundreds of other Montana farmers and ranchers who have contacted me that their voices have been heard and that their priorities are reflected in this Senate farm bill.

This bill reauthorizes critical crop insurance initiatives that keep farmers in business. It rejects the House attempt to combine and cut funding for successful conservation practices. It amends EQIP to allow dollars to flow to producers that focus on research conservation and drought resiliency. It strengthens our fight against foot-and-mouth-disease. It keeps in place important sugar provisions which have a multidecade track record of success, especially in the sugar beet country of Southeast and Eastern Montana. It reauthorizes funding for agricultural research and, as we know, for every dollar invested in agriculture research, we see major returns to our economy. It gives the green light to industrial hemp growers. Industrial hemp is a crop that can fit in most rotations around this country, and Montana is no exception, and it reauthorizes funding

for critical USDA rural development grants, which help fund water and wastewater infrastructure, and it helps build rural communities.

Although the House chose to make political hay out of the farm bill, I commend the folks in the Senate because we got to work and, through the Senate Ag Committee, we put together a bill that farmers and ranchers can literally take to the bank. We did so while protecting the provisions that feed hungry families and protect seniors.

Now is the time to get this bill across the finish line. Through the amendment process this week, we have the opportunity to make this farm bill an even better bill.

We have already attached a bipartisan amendment to this bill that strengthens the safety net by ensuring that ARC-county payments probably reflect yields. We are giving more authority to the State and local FSA committees to identify ARC boundaries that reflect the conditions and the crops being raised in that region.

I want to thank the Montana Grain Growers for their support of this amendment, as well as the Montana Farmers Union for their input.

It is my hope that folks continue to check their politics at the door and do what is right for Montana's family farms—the folks who are making a living off the land—by passing a good farm bill this week.

Farmers and ranchers are always talking about the future. They are always thinking about the future, whether it is the future of commodity prices or market access or costs, yields, or, yes, the weather. They are constantly thinking about the future of their operation—how they can implement new practices that will make their operation more financially viable to pass on to their children. So let's get the job done this week and pass a good farm bill that gives our producers in this Nation and my producers in Montana the kind of long-term certainty they deserve and gives them the keys to building an even stronger family farm unit.

Thank you.

I yield the floor.

THE PRESIDING OFFICER. The Senator from North Carolina.

CALLING FOR THE RELEASE OF PASTOR ANDREW BRUNSON

Mr. TILLIS. Madam President, I am doing something this week I wish I didn't have to do. As a matter of fact, for the past several weeks I wish I didn't have to do this, but I have to draw attention to something that is very important to me and should be important to everybody in the United States and every person on Capitol Hill. It is about a man who has been held in prison in Turkey for 628 days, most of that time without charges, in a cell that was designed for 8 people that had 21 people in it. This man's name is Pastor Brunson. He is a Presbyterian minister who has spent most of the last

20 years doing missionary work in Turkey, sometimes going into Syria, visiting Syrian refugee camps in Turkey, living in and around the Izmir area.

In October of 2016, after the coup attempt, President Erdogan started sweeping up thousands of people, including people who were doing nothing but trying to bring the Word to those who wanted to hear it—in this case, in the country of Turkey. He was actually accused of being a part of plotting the coup attempt. He subsequently has been accused of plotting terrorist activities against the people and the Government of Turkey.

We have been working on this case for well over a year. We treated it like constituent work. We were doing everything we were supposed to do, working with the State Department, working with the various agencies, reaching out to the country team to ask: Why can't we get this pastor free? Why is he being held without charges? How could a Presbyterian missionary—how could he possibly be considered a terrorist or a coup plotter?

About 4 months ago, I was in a meeting, and I overheard—this is about the time he was indicted, about 17 months of being held without charges. I heard he was afraid that after the indictment was released, the American people would believe the indictment and just turn their backs on him and forget him.

So it was important for me to go to Turkey. I requested a visa to get to Turkey. I went to the Turkish prison, and I told Pastor Brunson that is the last thing that is going to happen. I told him he had my personal commitment and that I knew I had the backing of the majority of the Members of the Senate and almost 200 Members of the House now who believe Pastor Brunson needs to be set free. It was important to tell him that face-to-face.

About a month later, I went to his first court hearing. It was absurd. I spent about 12 hours in a Turkish courtroom hearing some of the most extraordinary—almost comedic—allegations against Pastor Brunson. Every week I vary the presentation of the allegations because there are so many you can't cover them in any one reasonable length of floor speech. So this week's absurd allegation is this notion that the Turkish prosecutors believe all the Christian religions in the United States are actually somehow woven together as some sort of intelligence-gathering, coup-plotting, terrorist-plotting network throughout the world to collect information and use it to the detriment of a sovereign nation like Turkey. That is the sort of—so he is an operative. He is a man who actually comes from Black Mountain, who is affiliated with the same church as Rev. Billy Graham, and has been, for 20 years, plotting the overthrow of the Turkish Government.

Now, keep in mind, it is only a concept. He hasn't been charged with any specific activity. There is no witness

attesting to some specific thing that he did, but because he is a Christian, because he is a missionary, and because he has been in Turkey for 20 years, he has to be a part of this organization. Therefore, we are going to put him in prison for 628 days. That is what we are dealing with.

Now, when we started down this path, I spoke with a lot of Turkish officials. What I heard from them is, well, justice has to take its course. We have an independent judiciary; justice has to take its course. Then, not too long ago, President Erdogan, who was just recently reelected President for, I believe, another 5-year term, had the audacity to say: "We will give you your pastor if you give us our pastor."

Well, it turns out there is someone here in the United States who was previously an ally of President Erdogan. They had a falling out, and he is a part of a movement that wants to see change in Turkey. He is a man of faith—a man of Muslim faith.

The President transformed what I believe started out being a situation of let's just let the independent judiciary take its course—they transformed what was an illegal detainment, lengthy detainment of a Presbyterian pastor into what I believe is a hostage swap.

The President said this. If the President could actually make this offer, then, clearly, he is not constrained by a judiciary outcome like we are in the United States.

So the day President Erdogan said this, that was the day we could clearly say Pastor Brunson is being held as a political hostage, and the President—President Erdogan—has the power to end it.

I do this speech every week, and I will do it every week for as long as Pastor Brunson is in prison. Every once in a while my mother or my wife will see a videotape of this speech, and they always say: Why do you act like you get so angry toward the end of it? Because I am. I am angry for a lot of reasons. One of them is that they are a NATO ally.

Since 1952, Turkey has been a member of the NATO Alliance. At the most profound level, that means that if Turkey is attacked by another Nation and their safety, security, and freedom is at risk, then the United States has an obligation to submit our men and women in uniform to the country of Turkey to potentially lay down and die in defense of their freedom. That is what we call a partnership. Now, for the first time in the history of NATO alliance, they are holding an American hostage.

So, on the one hand, in the Armed Services Committee where we spend a lot of time focusing on our alliances, a lot of time training with various countries—and Turkey is one I would like to have a great relationship with—but they are holding a North Carolinian hostage. They are subjecting him to a kangaroo court, and they think it is

OK. For the first time in the history of an alliance, for a NATO alliance partner to behave this way is unacceptable.

So we have taken all the steps we could diplomatically, and it hasn't worked to this point. Now we have to take additional steps, and one of those steps is to put a provision in the national defense authorization bill that asks certain questions about the long-term nature of our relationship with Turkey. Turkey is a very important ally in the Middle East. I hope that someday I come down to the floor gushing over all the great relationships we have. We have many. Their work in Afghanistan is important. Their work and fighting in Syria is important. But what is more important than anything is the freedom of a man who is held in prison and respect for a fellow NATO ally.

So we have put a provision in the National Defense Authorization Act that asks certain questions, like, does Turkey have somebody illegally detained, yes or no? And our President can certify one way or the other. Does the fact that Turkey is considering the acquisition of the S-400 missile system from Russia, which comes with it a lot of intelligence gathering and other tools that could put the safety and security of the Air Force base that we have in Turkey and the manufacturing operations for the Joint Strike Fighter in Turkey at risk—certify one way or the other.

Incidentally, because we rely on Turkey for the supply chain for the Joint Strike Fighter and if that supply chain were to shut down, if Turkey continued to drift further away as a NATO ally—does it make sense to have the entire manufacturing supply chain of the Joint Strike Fighter dependent on a country that is drifting away from the nations that are members of NATO?

Those are simple provisions. We are asking the President of the United States to certify one way or the other. If he can't certify it, then we have to really start questioning just how much further we can go with a country that is holding an American citizen, with a country that is considering a would-be adversary's missile defense system, and with a country that is a critical link in the supply chain for the Joint Strike Fighter.

We will be going into conference fairly soon on the national defense authorization. I am asking all of my colleagues—the 70 who signed on to a letter expressing their concern with the detainment of Pastor Brunson—to stick with us to make sure that provision makes it out of conference and that we hold Turkey accountable.

It is within President Erdogan's power to end this now. I would love to come back to the floor next week and not be talking about the illegal detainment but talking about a freed man and an improving relationship with Turkey.

My last message is to the Turkish people. This is not about the Turkish

people. They are wonderful people. I have traveled to Turkey several times in various official capacities. They are wonderful people who love freedom and want freedom just like we have in the United States. This is about an administration that needs to understand what it means to be a NATO ally. It is about an administration that needs to understand what a real, independent judiciary looks like. It is about an administration that needs to be put on notice until they take the positive step in that direction.

Madam President, thank you very much. I hope I don't have to come to the floor next week when you are presiding and present this same speech, but I promise you, as long as I am a Senator and Pastor Brunson is in prison, I will be back.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Missouri.

Mr. BLUNT. Mr. President, this week we are considering the bipartisan farm bill. The Senator from Mississippi who was just presiding, the Presiding Officer, and I were all raised on farms, so we have an immediate sense that this must be pretty important because of where we grew up and how we grew up. But I think people have less and less connection with what it really takes to grow the food and fiber we need in this country. The farm bill doesn't have quite the same resonance it used to have in terms of millions and millions and millions of families watching carefully to see what the Congress is going to do. In fact, the families who watch this most closely today may very well be the families who benefit from the nutrition parts of the farm bill. The vast majority of spending is in the nutrition parts of the farm bill. The truth is that if you don't have what people need to sustain themselves, nutrition policy really doesn't matter unless what we do in agriculture works. So a lot of the debate here is about that.

In my State of Missouri, we have nearly 100,000 farms. The vast majority of those are family-owned and cover two-thirds of the total land of our State. The industry supports 400,000 jobs in a State of 6 million people, so it has a substantial impact on what we do. The Mississippi Valley, where the Presiding Officer and I are located, is the biggest piece of contiguous agricultural ground in the world, and we are in the middle of that.

In terms of production in the United States, Missouri ranks second in the number of beef cows; fourth in rice; fifth in turkeys; sixth in soybeans; seventh in hogs; ninth in corn; and tenth in cotton. So there are a number of places in the farm bill that impact us, and those crops and others that we might not rank quite so high in are still an important part of our economy.

World food demand is expected to double in the next 30 years or so. That is an easy thing to say and an easy thing to hear, but it is sort of a hard thing to think about. With all the time

in which people have been trying to develop better and better agriculture—we think it took about 10,000 years to raise all the food we raise today—we have about 30 years to figure out how to raise twice as much food as we raise today, and we are likely to need to do that on no more land than we are doing it on now and with fewer inputs. We will need to do that in a way that probably uses not just less water per amount of food grown, but less water totally—not just less fertilizer per crop, but less fertilizer totally. So we will need a lot of science-based work to figure out how we meet this incredible opportunity and challenge of doubling all the food we grow.

I saw some FFA students under a big shade tree looking back at the Capitol on two different days last week. Both times I said: I really can't think of any group I can talk to where I could say with such certainty that no matter what you do, understand that agriculture in the next 30 years as a part of our economy is going to be twice as big the day you retire from whatever you decide to do as it was the day you started. It would take a cataclysmic event for that not to be true.

I said just a minute ago that world food demand will double in about 30 years. We think world food needs will double in 40 years. What is the difference? In 40 years, we will have to have that much food to feed all the people there are to feed. We think that in 30 years it will have to double to meet people's demands for the kinds of food they want to buy. No matter what, in 40 years, twice as much food as we have today will be needed.

This farm bill gives us the chance to advance the kinds of policies that allow us to meet that challenge. It is a bipartisan bill. Chairman ROBERTS and Senator STABENOW, the top Democrat on the committee, have worked hard to produce this bill. Like all pieces of bipartisan legislation, it is not the bill either of them would have written on their own, but it is a bill that can and should pass.

It makes difficult decisions on how to balance priorities and maintain budget discipline at the same time. It is logically connected with helping those who grow our food—the people who determine whether we have an affordable and dependable supply of food, fuel, and fiber. All of that is at stake in this legislation.

The farm bill we are considering provides certainty for farmers. Like the farm bill we did 5 years ago, it takes a different course. It stays where we were. This is more evolutionary than a big revolutionary change. Five years ago, we went much more toward risk management, where the Federal Government basically helped put an insurance kind of component together to insure against the many things that happen in the life of a farm family and in the life of growing food. You don't control the weather. You don't control the prices. You don't control much of any-

thing. You just hope that everything works out and allows you to continue to do something that in the case of almost all farm families in America, they love to do and that is why they do it.

The bill makes forward-looking investments to help new and beginning farmers. The average age of farmers in America today is almost 60. That means half the farmers are over 60, and half the farmers are under 60. Obviously, we have to be concerned. We are concerned about pilots and say: Gee, we are running out of pilots because military-trained pilots are not going to be available to us. We are also about to run out of farmers.

If half the farmers in the country today are over 60, we need to be looking for ways to allow beginning farmers to farm and to meet the needs as well as the opportunities of a growing world where, with fewer resources and the same amount of land, as I said before, we are going to have this great opportunity.

Nobody in the world is better at this than we are, and nobody in the world is better positioned than we are to get ag products all over the world. This is a huge opportunity for our country. In my State—the one I know more about than any other State—we are home to world-class animal and plant scientists. There are more plant scientists within 100 miles of St. Louis, MO, than there are anywhere else in the world in the same amount of space. The farm bill will continue to allow those things to move forward and, again, try to do more with less and produce a better quality product with less input. As farmers deal with the unpredictability of the weather and the market, this is designed to help provide stability as that market grows.

To go back to where I was a minute ago, I believe the biggest economic transactional group in America on any given day—people buying food, fuel, and fiber—relates to agriculture. That is going to double in less than one working lifetime. That is almost never going to work out exactly right. The weather will not be right; the world crops will not be what we thought they were going to be. We want to be sure people don't give up on this opportunity because it is also such a big challenge.

How do you communicate in a world environment with this kind of challenge? The bill also makes investments in rural America to expand high-speed broadband and improve rural infrastructure, something the President, in every discussion I have heard on infrastructure, talks about 25 percent of this needing to go to rural infrastructure. But part of that infrastructure is wireless technology and wireless infrastructure.

If you are going to have precision farming, if you are going to not put more cost into parts of your field than you should, you and your equipment need to know exactly where you are—

I mean precisely where you are. You can't do that if you are not connected to broadband in some way. The GPS systems, the data centers, the automation systems just don't work without that. If you don't have high-speed internet, you don't have high-speed commodity trading capacity. So while somebody maybe 10 miles down the road from you has instantaneous ability to take advantage of a market to buy or sell, yours may be just slow enough that you miss the moment.

So the ability to live in rural America, to thrive in rural America, and to farm as you are going to need to farm for the world we are about to get into is really important. This farm bill isn't just about economic security, although that is a big part of it. It is also about what it takes daily to sustain yourself and those you care about.

As I said, the nutrition programs are now a significant majority of farm bill spending. We are going to debate how some of that money should be spent. But we are entering a time of great opportunity—a time where Americans, particularly in the middle of the country, are really good when you have an economy that is production-oriented, based on growing things and making things, and that growing-things economy is a lot bigger than just production agriculture. It is production agriculture; it is food processing; it is insuring what happens on the farm; it is transportation. We are one incident away from identifying where all that food has been all the time.

I am glad we are getting to the farm bill as quickly as we are. I hope we can pass our bill, come to conference with the House, and put a bill on the President's desk as soon as possible, so with all of the other things that farmers and their families have to deal with, the one thing they will know with some certainty is what the Federal farm bill and what Federal nutrition programs are going to look like over the next handful of years.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RETIREMENT OF JUSTICE ANTHONY KENNEDY

Mr. MCCONNELL. Mr. President, just a few moments ago, Justice Anthony Kennedy announced that he is retiring as an Associate Justice of the U.S. Supreme Court and taking senior status, effective July 31.

First and foremost, I want to pause and express our gratitude for the extraordinary service that Justice Kennedy has offered our Nation. He has served on the Federal bench for 43 years.

In particular, we owe him a debt of thanks for his ardent defense of the

First Amendment right to political speech. As Justice Kennedy concludes his tenure on the Court, we wish him, his wife, Mary, and their family every happiness in the years ahead.

The Senate stands ready to fulfill its constitutional role by offering advice and consent on President Trump's nominee to fill this vacancy. We will vote to confirm Justice Kennedy's successor this fall. As in the case of Justice Gorsuch, Senators will have the opportunity to meet with President Trump's nominee, examine his or her qualifications, and debate the nomination.

I have every confidence in Chairman GRASSLEY's conduct of the upcoming confirmation process in the Judiciary Committee. It is imperative that the President's nominee be considered fairly and not be subjected to personal attacks.

Thus far, President Trump's judicial nominations have reflected a keen understanding of the vital role that judges play in our constitutional order. Judges must interpret the law fairly and apply it evenhandedly. Judicial decisions must not flow from judges' personal philosophies or preferences but from the honest assessment of the words and actual meaning of the law. This bedrock principle has clearly defined the President's excellent choices to date, and we will look forward to yet another outstanding selection.

But, today, the Senate and the Nation thank Justice Kennedy for his years of service on the bench and for his many contributions to jurisprudence and to our Nation.

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

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

Mr. SCHUMER. Mr. President, we recently received news that Justice Anthony Kennedy will be retiring, leaving a vacancy on the Nation's highest Court. This is the most important Supreme Court vacancy for this country in at least a generation. Nothing less than the fate of our healthcare system, reproductive rights for women, and countless other protections for middle-class Americans are at stake.

Will Republicans and President Trump nominate and vote for someone who will preserve protections for people with preexisting conditions, or will they support a Justice who will put health insurance companies over patients or put the Federal Government between a woman and her doctor?

The Senate should reject, on a bipartisan basis, any Justice who would overturn *Roe v. Wade* or undermine key healthcare protections. The Senate should reject anyone who will instinctively side with powerful special inter-

ests over the interests of average Americans.

Our Republican colleagues in the Senate should follow the rule they set in 2016 not to consider a Supreme Court Justice in an election year. Senator MCCONNELL would tell anyone who listened that the Senate had the right to advise and consent, and that was every bit as important as the President's right to nominate.

Millions of people are just months away from determining the Senators who should vote to confirm or reject the President's nominee, and their voices deserve to be heard now as Leader MCCONNELL thought they deserved to be heard then. Anything but that would be the absolute height of hypocrisy.

People from all across America should realize that their rights and opportunities are threatened. Americans should make their voices heard loudly, clearly, and consistently. Americans should make it clear that they will not tolerate a nominee, chosen from President Trump's preordained list and selected by powerful special interests, who will reverse the progress we have made over the decades.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, I am here to talk about the bipartisan, commonsense farm bill that we are working on in the Senate this week.

Agriculture is an essential part of the fabric that defines my home State of Indiana. Hoosier farmers are growing the food that feeds our families. Biofuel producers are making the ethanol and biodiesel that drive our economy. Ag students and researchers are developing the technologies of tomorrow. Together, they represent the best of Hoosier values.

Right now, Hoosiers farmers in our communities are navigating significant challenges. They need us to work together to help provide solutions. Our farmers are dealing with turmoil on the international marketplace, uncertainty in Federal policies, like the RFS, and low commodity prices that, in many cases, are below the cost of production. This farm bill can provide our ag community with some stability, and we need to ensure that we do our part to get it across the finish line.

Here is how Indiana Farm Bureau president Randy Kron described the situation:

Farmers are relying on the Senate to pass a farm bill that will allow them to plan for their operations with some level of certainty for the next five years and provide a safety net in case extreme weather or a natural disaster damages their crops. Indiana's farmers are facing a lot of uncertainties right now.

The dairy industry is facing low prices and lost contracts, there are fears over potential retaliatory tariffs and their impacts, there is a grain surplus that has brought commodity prices down drastically as well as the uncertainty of the Renewable Fuel Standard (RFS).

Net farm income is down more than 50% compared to just five years ago, and the ag-

riculture community is depending on the passage of this farm bill.

If our nation's farmers have the programs and assurances they need, all U.S. citizens will reap the benefit of quality, affordable food in our grocery stores.

Phil Ramsey, a corn and soybean farmer from Shelbyville, IN, and the chairman of membership and policy for the Indiana Soybean Alliance, described the challenges farmers are facing by saying:

After a spring that has challenged our farms from nearly every angle, Hoosiers and rural Americans need a Farm Bill now more than ever. With farm income down . . . input costs skyrocketing, the ethanol industry constantly under attack, and disrupted trade relations sharply driving down prices, the stability and safety net provided by the Farm Bill are critical to our farmers and ranchers across the nation.

Randy and Phil are right. Now, more than ever, farmers need us to do our job, to put together a farm bill that makes sense and gives them the opportunity to succeed.

A farm bill that gives us the best opportunities to be successful will help farmers manage the risks outside of their control, but it is about much more than that. It is also about helping rural communities thrive and also about fighting food insecurity. It is about investing in tomorrow's farms and the most advanced technologies. It is about ensuring that Hoosiers have the resources and the tools to develop new markets for their products anywhere in the world. It is about promoting conversation so that farms and natural habitats remain healthy, generation after generation, and doing the conservation work to make that possible.

Because there is more wisdom in Indiana than in Washington, DC, I firmly believe a good farm bill is one that is written with input directly from Hoosiers and that addresses issues important to our State. From Wayne County to Evansville to Washington, IN, to DeKalb County, to Jasper County, to Rensselaer, across our State there are great ideas, great leadership, and great entrepreneurial skills that can help us build the best farm bill possible. That is why I took every opportunity to listen to the priorities and concerns of Hoosiers who are involved in nearly every segment of our State's agriculture community during my farm bill listening tour and in meetings over the past year-plus. From student groups and researchers to anti-hunger advocates, to soybean and corn growers, to pork and dairy farmers, and to just about everyone in between, I wanted to hear from all of them about what this farm bill should do.

I am not hired help for the people of Indiana. I work for all of our citizens. I took what I heard from Hoosiers, and I worked with my colleagues to develop this bill, to work this bill, and to successfully secure provisions that would include risk management tools for our farmers, while still ensuring full planting flexibility; to expand market opportunities for Hoosiers products; to

promote impactful, voluntary conservation activities; to help fight the opioid epidemic, which is a scourge on our State and our country; to support rural communities with investments in high-speed internet and waste and drinking-water infrastructure; to fight against food insecurity; and to invest in the research necessary for tomorrow's technologies.

I would like to highlight a few of the Hoosiers priorities in this bill. One of my top priorities was helping to fight the opioid epidemic in rural communities. We know it will take all of us, working together, to confront this opioid epidemic—this horrible nightmare that we have. We have more work to do to stem the tide of this public health crisis in our rural communities.

I am pleased this bill includes three of my bipartisan provisions that combat the opioid epidemic by targeting telemedicine and community facility investments for substance abuse treatment as well as by investing in prevention and education programs. We want all of our families to be safe. We want all of our citizens across this country to avoid this scourge. We lost over 60,000 of our fellow brothers and sisters across this country to drug abuse last year. We do not want to lose one more, and we want this farm bill to help end this.

These provisions I have discussed were developed from my bipartisan rural opioids package I introduced with my friend, Chairman PAT ROBERTS, then-Senator Strange, and with Senator JOHN HOEVEN from North Dakota in 2017. I thank all of them for partnering with me on these efforts.

I have also advocated for efforts to ensure that farmers are provided the tools they need to be good stewards for our environment, to hand off to our children and grandchildren, and an even safer, better, stronger planet.

This bill will eliminate potential disincentives for voluntary conservation practices like cover crops and supports soil health improvement programs.

It also allows States to increase cost sharing for the most impactful conservation practices. Soil health and clean water are a passion for many Hoosiers, and for many Hoosier farmers, and this bill helps in those efforts. The need to expand market opportunities has also come up in my conversations with our farmers. I am fully committed to expanding market opportunities for our ag products.

This farm bill will increase opportunities for Hoosier farmers through export promotion programs. I worked with my colleagues on proposals to open up more markets for American exports, including my bipartisan bill that increases investments in two important export promotion programs: the Foreign Market Development Program and the Market Assistance Program. This is legislation I introduced in September of 2017 with my friends and Senators JONI ERNST of Iowa, ANGUS KING of Maine, and SUSAN COLLINS of Maine.

I have also worked to ensure full planting flexibility for our farmers who want to plant fruits and vegetables. This ensures that farmers can diversify their farms without worrying about losing access to commodity support programs in the future. It may sound a little bit technical, but it is critically important, and we have to make sure it gets done.

Ensuring planting flexibility is a strong passion of mine. It builds on the bipartisan bill I introduced with Senator TODD YOUNG, my colleague from our home State, in December of 2017, and it also builds on my work in the 2014 and the 2008 farm bill.

Another important issue I care deeply about is helping those struggling with food insecurity. I am really proud that this bipartisan bill strengthens the oversight of the SNAP program and helps to fight food insecurity by reforming food assistance programs while protecting access to benefits and maintaining the integrity of the programs. It makes it easier for seniors to access food assistance by reducing burdensome paperwork. This is based on legislation I worked on with my friend BOB CASEY from Pennsylvania.

Providing for the future of agriculture by making the investments in vital research and extension activities is another priority. This bill contains a provision of mine that reauthorizes and revamps the New Era Rural Technology Program to help our community colleges fund efforts to develop a workforce trained in the precision agriculture technologies that are expected to continue to improve the efficiency of modern farming.

I have a few more amendments I am hoping we can get adopted this week, including one that increases funding for the Emergency Food Assistance Program. This helps food banks and pantries respond to the needs of their local communities.

I have also introduced a bipartisan amendment with Senators SMITH and FISCHER. It allows community colleges serving rural areas to receive funding through USDA's Essential Community Facilities Program. This helps ensure rural communities have the local educational opportunities that can help our children thrive, that can help our friends and neighbors thrive, and that can help create success in every county in my State and across our country.

Finally, I thank all of my colleagues on the Senate Agriculture Committee for their efforts to ensure that we had strong bipartisan support for getting the farm bill to this point. Everybody worked incredibly hard; everybody focused on doing what was right for America and not worrying about politics; and everybody focused on how we can help our ag community be stronger, have more success, and do even better in the future.

Our farmers need us to continue working together as advocates for agriculture and for a farm bill that supports their hard work.

The ag community gets up in the dark, works all day, and goes home in the dark. They are an incredible example for everybody in our country about dedication to family and faith and community and country.

I know the farmers of Indiana and in Hoosier rural communities are tired of being pawns to partisan politics. They have been dealing with depressed commodity prices, chaotic trade markets, and the uncertainty of Federal policies, whether it was the previous administration's expansion of the WOTUS rule or this administration's efforts to undermine the RFS.

It is time for us to do our part to make sure this is a strong bipartisan bill and that it is an example of us working together—not as Democrats or as Republicans but as Americans—to do good things for our economy and for our people.

I urge the Senate to promptly pass this bill so we can conference with the House and get this to the President's desk as quickly as possible. Farmers and rural communities in Indiana and across our country are counting on us. It is an incredible privilege to represent our ag community on the Agriculture Committee and to work with the farm bill to make the lives of everybody in our farming communities better, stronger, and even more successful.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. ROBERTS. Mr. President, I ask unanimous consent that it be in order to call up the following amendments to the substitute amendment No. 3224: the amendment by Senator LEE, No. 3074, and the amendment by Senator DURBIN, No. 3103.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. RUBIO. Mr. President, reserving the right to object, in this farm bill, when it was considered in committee, there was an amendment added that allows for American agricultural interests to promote American agriculture on the enslaved island of Cuba.

In an effort to be accommodating, I have said: Well, that is fine. It is not a very large market, and, frankly, as long as we are not lending them money—because they are never going to pay us back—I am not going to object to the ability of American farmers to market our products to a market. In the end, it is food.

What I do think we should not allow, however, is the ability to spend American taxpayer money in properties and in other places on the island that are owned and controlled by the Cuban

military. Last year, President Trump issued an Executive order that prohibited American citizens who traveled to Cuba from staying at hotels or frequenting businesses or anything of this nature that is controlled by GAESA, which is a holding company controlled by the Cuban military.

So what I have proposed as a way forward on this is to basically say: That is fine. You can promote American agriculture in Cuba. But while you are there and doing your activities, you can promote it, but you just can't spend any of these taxpayer dollars at any of the facilities or businesses controlled or owned by the Cuban military. The list is detailed and provided by the State Department via Executive order.

That is the amendment I offered. To date, we have not been able to get it considered as part of any of these vehicles that are moving. Therefore, procedurally, I am wanting to protect my right to ensure this gets included in something that is incredibly important from my perspective, so I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Michigan.

Ms. STABENOW. Mr. President, I want to indicate I certainly understand the concerns of the Senator from Florida, and we have been looking for the last 2 days to find a resolution. There are multiple interests on various sides of this issue on Cuba that we are trying to work through so that we can move forward on this as well as other amendments.

As the chairman has indicated, there are two amendments we are trying to get pending so that we can move forward and take the next steps to be able to come to a resolution and get to a final vote on the farm bill, which our farmers, ranchers, and families in rural communities are very anxious to have us do.

We will continue to work, as we have all day and as we did yesterday, looking for ways to resolve this and to be able to move forward. Hopefully, we can do that because there are a lot of folks really counting on us to come together and get this done.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I would only add at this point—and I think Members who have paid attention to this debate at all or to this particular issue are probably a little tired of hearing this, but maybe there are some who haven't really grasped the issue. We have to get a farm bill.

We are the Agriculture Committee. Agriculture is in dire need of this farm bill—the farmers, the ranchers, the growers, their lenders, and everybody up the food chain. Our situation being what it is, I certainly hope that improves.

Many people, of course, are interested in opening up any bill to amendments, having regular order, and voting on their amendments. I understand

that. I think there are about 146 amendments we have agreed to. We are reaching out to people and urging them to come forward and, on a bipartisan basis, agree on these amendments or modify them and then agree to them. So it isn't as if we have not done that.

At some point, we have to pass this bill. The issue is so paramount and the situation is so dire—on behalf of the folks who produce the food and fiber for this country in a troubled and hungry world to at least go on for another year—that it is paramount over any other issue, despite the fact that some people want to come in under a reform they believe would be very salutary, and I understand that. Again, we have to pass this bill.

With that observation, I hope people can understand and we can get some agreement with regard to some of these issues. None of my remarks are intended to impugn in any way the interest of the distinguished Senator from Florida.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

WOMEN'S HEALTHCARE

Mr. WYDEN. Mr. President, 2 years ago, the Supreme Court handed down its decision in *Whole Women's Health v. Hellerstedt*, which reaffirmed the longstanding view that the government should not be in the business of deciding what kind of healthcare a woman in America can or cannot receive. A number of my colleagues are going to be coming to the floor to discuss this issue. It was a crucial victory. My colleagues who have been so involved in this issue over the years—Senator MURRAY and Senator BLUMENTHAL—and I as the ranking Democrat on the Finance Committee have tried to do everything we possibly could because our committee has extensive jurisdiction over women's healthcare in a variety of programs that are crucial for women. It is in that context that I want to reflect on what has happened since the Supreme Court handed down that crucial victory, that important win for women's healthcare as embodied in *Whole Women's Health v. Hellerstedt*.

At every turn since the President went to the White House, the President's administration has put themselves in between American women and their doctors. The President has sought to prevent healthcare providers from sharing critical care information. The President has sought to place restrictions on health clinics that women rely on every single day for lifesaving services, such as cancer screenings, physicals, prenatal care, and more. He has again and again sought to place restrictions on and attempted to defund health clinics, such as Planned Parenthood, that women in America rely on every single day for lifesaving services, such as cancer screenings, physicals, prenatal care, and more.

I hope colleagues will look at the words that I used to describe those life-

saving services—lifesaving services that have absolutely nothing to do with abortion—nothing—cancer screenings, physicals, prenatal care, and more. That is what the President sought to place restrictions on and attempted to defund in terms of health clinics that offer those services.

The latest blow to the cause of making sure women can go to the healthcare providers of their choosing came yesterday from the Supreme Court. Yesterday, the Court in effect opened the door for deceptive crisis pregnancy centers that are allowed to lie to women about what kind of care they are able to receive.

All of these developments demonstrate that the effort for affordable, accessible healthcare is far from done, and it is going to take a constant push to ensure that healthcare in America moves forward and not backward.

In my view, one of the biggest threats to Americans' healthcare is the Trump administration's full-throated endorsement of repealing preexisting condition protections. That is particularly important for women who count on these essential consumer protections to get affordable care for all services.

American women don't want to turn back the clock to the days where health insurance was more expensive by default for women because maternity care and other services weren't covered in standard plans. Women don't want to be denied health insurance because of a cancer scare they had a few years back or a small preventive surgery. That was the reality before the Affordable Care Act.

I can only say that at one time, Democrats and Republicans here in the Senate felt very strongly about loophole-free, airtight protection for women and men and all Americans against discrimination for preexisting conditions. I know that because in the context of debating the Affordable Care Act, I was the sponsor of legislation, the Healthy Americans Act, which had seven Democrats and seven Republicans as cosponsors. Our proposal did have loophole-free, airtight protection for women and all Americans against discrimination for preexisting conditions. Essentially, what we seven Democrats and seven Republicans proposed is what became part of the Affordable Care Act provisions against discriminating against those with preexisting conditions, and it is those protections, which are now law, which the Trump administration seeks to roll back.

It is not widely known that it is not just men and women in the individual healthcare market whom the President's reckless approach on preexisting conditions is actually threatening. If the Trump administration is successful, protections for the 167 million Americans with employer-sponsored health insurance will also lose the Affordable Care Act's airtight, loophole-free preexisting condition protections.

That means America would be turning back the clock on healthcare, and an employer could once again put their bottom line over the health of the American people. Back then, it meant individuals were prevented from getting healthcare for months or leaving care for their preexisting condition uncovered. I think it is pretty clear that the American people do not want to return to a system like that.

Over the Fourth of July break, I will be heading back to Oregon. I am going to have my 900th townhall meeting—900 meetings where, for an hour and a half, I don't give any speeches; folks can just come in and say what is on their minds and say what is important to them. I would say that at a significant number of those 900 open-to-all, 90-minute townhall meetings in Oregon, folks at home talk about the importance of the issue I have just described—the protection for women and men and all Americans against discrimination for preexisting conditions.

Certainly, women in America can't afford to return to a system where they are systemically discriminated against. Women have been on the frontlines, standing up and speaking out to ensure that doesn't happen, ever since Donald Trump was elected.

I thank my colleagues, particularly Senator MURRAY and Senator BLUMENTHAL, who have been our leaders on this effort. As the ranking Democrat on the Finance Committee, I try to do everything I can to help them in their good work, and I appreciate their taking the time to point out that it has been 2 years since the Supreme Court handed down a historic decision that actually protected women and why we all feel so strongly about not walking back that decision.

I thank Senator MURRAY, and I yield my time to her.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank the Senator from Oregon.

RETIREMENT OF JUSTICE ANTHONY KENNEDY

I would just say I have been planning to come to the floor about a specific issue related to women's healthcare and rights and freedoms, but before I get to that, I want to comment on the news that is clearly very closely connected.

It is clear that Justice Kennedy's retirement comes at a pivotal point in our Nation's history, when so many of our values are under attack by a President who has spent every day in office testing the limits of our Constitution.

I share the deep concern of so many families across this country who are already suffering under the Trump administration and fear further erosion of the progress in this country.

So, first, I want to be clear. I am hopeful that Republican leaders go back and look at what they said very recently and give families across the country the opportunity to weigh in with an election before moving forward

to fill this seat. We don't know whom President Trump will nominate just yet or when he will make that nomination, but I want to go back to something my dear friend and colleague Senator Kennedy said because it highlights the stakes right now. He was talking about an extreme nominee, Robert Bork. He said:

Robert Bork's America is a land in which women would be forced into back-alley abortions, blacks would sit at segregated lunch counters, rogue police could break down citizens' doors in midnight raids, schoolchildren could not be taught about evolution, writers and artists would be censored at the whim of government, and the doors of the federal courts would be shut on the fingers of millions of citizens for whom the judiciary is often the only protector of the individual rights that are at the heart of our democracy.

Robert Bork was rejected, and Justice Kennedy took his place.

Today, we face similar stakes right now, in this moment. Voting rights are at stakes. LGBTQ rights are at stake. The right to organize collectively is at stake. Those are just a few. There are a lot more.

Families across the country are paying attention, and they are going to be watching what President Trump and individual Members of this Senate do right now. This is what they are going to want to know: Will their rights be protected? Will their freedoms be secure? Will the Supreme Court put people like them first, or will they stand with special interests, big business, and the most extreme ideologues in our country? Those are the questions people across this country will be asking. That is the conversation I expect we will have here in the Senate, and that is what President Trump should be considering as he thinks about this issue and hopefully as he slows this down and gives people across the country a chance to weigh in.

WOMEN'S HEALTHCARE

Mr. President, one issue I know women across the country will be focused on and asking about is their constitutionally protected right to control their own healthcare decisions affirmed in *Roe v. Wade*, because, let me be clear, women and men in this country understand how directly tied this right is to a woman's freedom and economic security, and they overwhelmingly do not want to see that right rolled back.

Today is the anniversary of a ruling that further upheld women's constitutionally protected reproductive rights, and I want to take a few minutes today to discuss what this decision meant for women's lives and why we will not stop fighting to protect the progress we have made.

Almost half a century ago, in its historic *Roe v. Wade* decision, the Supreme Court ruled that every woman, no matter where she lives, has the constitutional right to make her own decisions about her body, her family, and her future, including the right to safe, legal abortion. But a right means nothing without the ability to exercise it.

While *Roe v. Wade* has been the law of the land for years, extreme conservatives have continually tried to undermine the Court's decision by peddling ideological policies that would make it hard for women to exercise their reproductive rights.

Women across the country have not been silent about these efforts and neither has the Supreme Court. Two years ago, the Court reaffirmed the rights enshrined in *Roe v. Wade* when it ruled in favor of *Whole Woman's Health* and struck down an anti-abortion law in Texas that was designed to make it harder for women to access the care they need.

The law in Texas attempted to undermine women's reproductive freedom by putting access to that care far out of reach for women. If it had been allowed to stand, the law would have closed three-quarters of the clinics in the State that provided abortion services. If it had been allowed to stand, hundreds of thousands of women would have no option but to travel hundreds of miles for their reproductive health services.

The Texas law didn't stand; women's constitutional rights did. That Supreme Court ruling sent a strong message, one women have been making for years, and one we continue to make clear today: Politicians have no business interfering with a woman's most personal decisions.

Unfortunately, many people on the right continue to ignore that message. Unfortunately, they have continued to push for damaging, extreme policies that ignore the Supreme Court, the Constitution, and women across the country.

From day one, President Trump and Vice President PENCE have made it clear that turning back the clock on women's health and reproductive rights is a top priority for them. They recently proposed a harmful domestic gag rule on Federal family planning funds designed to restrict access to healthcare for women, interfere with care providers' ability to talk about the full range of reproductive health services with their patients, and ultimately make it harder for women to exercise their healthcare choices and constitutional rights.

That is just the latest of so many extreme and ideological steps, statements, policies, and appointees that have repeatedly shown the Trump administration's hostility to women's rights. We are still seeing radical Republicans in many States pushing to put up new barriers, like those that were struck down in the *Whole Woman's Health* case, to prevent women from making their own healthcare decisions—barriers that would allow perhaps a woman's ZIP Code or her income to determine whether she is able to get the care she needs.

We are also still seeing that every time far-right politicians try and bring us a step back, women and men across the country are stepping forward and

speaking out against them, and that is not going to stop. We are going to continue to defend women's reproductive rights, on all fronts and against all attacks.

One effort to do that in Congress is the Women's Health Protection Act—legislation I am very proud to cosponsor—that would help protect women's constitutional rights to safe, legal abortion care and bring down harmful, ideological barriers to that care, like the one struck down in Texas, once and for all.

I remember being in the room when the Supreme Court heard the Whole Woman's Health case and hearing the skepticism from many Justices as they asked thoughtful questions about Texas's flimsy excuses for trying to undermine women's rights. I remember being outside of the Court shortly afterward and seeing all the women and men making their voices heard and fighting for those rights. I remember being moved by the personal stories shared by so many women about what the right to make their own personal decisions meant for their health, for their family, and their opportunities in life.

I am not going to let anyone forget those stories, including President Trump, Vice President PENCE, and far-right politicians across the country. I am not going to stop defending women's health and reproductive freedoms. I am not going to stop fighting to make sure our daughters and granddaughters have stronger rights and more opportunity, not less. I am not going to stop, and I know women and men across the country aren't going to either.

There is no question in my mind that people nationwide understand just how important a woman's ability to control her own healthcare decision is. This is not about politics. It is about women's health. It is about their economic security, about a woman's ability to contribute fully and equally in our country.

I am confident people across the country who do not want to go backward will stand up and make their voices heard and reject President Trump and Vice President PENCE's extreme ideology wherever it rears its head. I am hopeful that President Trump takes this to heart as he thinks about his Supreme Court vacancy. I am hoping my Republican colleagues are paying attention. I am truly hoping President Trump decides to listen to people across the country, listen to what Republicans just said recently, and not jam a nominee through before people have a chance to weigh in.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, first, I wish to thank Senator BLUMENTHAL for organizing this block of time and for his continued leadership in the fight to protect women's healthcare. Today marks the 2-year anniversary of the Supreme Court's decision in *Whole Woman's Health v. Hellerstedt*.

That landmark decision struck down two provisions of a Texas law that imposed medically unnecessary, burdensome requirements on abortion providers and reaffirmed a woman's constitutional right to access safe, legal abortion. If the Supreme Court had allowed these provisions to stand, more than 75 percent of all reproductive health clinics in Texas would have been forced to close, leaving many women unable to access the care they need.

Whole Woman's Health was a significant victory for reproductive freedom, but the assault on a woman's constitutionally protected right to an abortion has continued unabated over the past 2 years. During that time, Iowa passed an outrageous bill that would prohibit women from seeking an abortion after 6 weeks of pregnancy, often even before these women knew they were pregnant.

West Virginia enacted legislation that would prohibit the State's Medicaid Program from covering abortion services for low-income residents. Indiana passed an onerous new law requiring physicians to report confidential patient information to the State if a woman experienced complications from an abortion.

Louisiana recently passed a law establishing a 15-week abortion ban that includes criminal penalties for any physician who performs the procedure after that time—with only a very narrow exception to save the life of the mother.

These are the kinds of lengths those who want to limit a woman's right to choose will go to. Advocates have recognized the harm these laws would have on women and have filed suits to block their implementation. Several lower courts have ruled that these restrictions are unconstitutional and could come before the Supreme Court for review in the months and years ahead. These laws are only a few of the hundreds of new restrictions enacted in States across the country that are harming women's health and violating their constitutional right to an abortion.

To understand the negative impact of these laws on women, I point to a recent report from the Guttmacher Institute that found 58 percent of women of reproductive age in our country live in a State considered hostile or extremely hostile to abortion rights. Only 30 percent live in a State supportive of abortion rights. We are talking about millions and millions of women who are living in States that are extremely hostile to abortion rights.

Respect for a woman's constitutional rights should not depend on where she lives. Women in Texas, Louisiana, or Iowa deserve the same respect as women living in States like Hawaii, where we have some of the country's most humane, expansive protections for reproductive rights. In fact, Hawaii was the first State in the country to legalize abortion. These disparities and protections for women in different States can have life-or-death con-

sequences for women in need of reproductive healthcare.

Earlier this year, I shared the story of Dr. Ghazaleh Moayedī—an abortion services provider who used to practice in Texas but now lives and works in Hawaii. Dr. Moayedī's story is worth sharing again because it poignantly captures what is at stake for women living in States with sweeping abortion restrictions.

In her letter to me, Dr. Moayedī shared the story of a young woman in her Texas town who sought medical treatment with another provider after her water broke at 22 weeks. This woman desperately wanted a baby, but her fetus was not viable outside the womb. Because of Texas's restriction on abortion services, the patient's doctors were unable to counsel her on all medically appropriate options, including immediate delivery.

This patient became increasingly ill and requested an abortion to prevent her condition from getting worse. The doctors on her case refused this request. Why? Because Texas law would not allow them to respond to her request.

After spending 2 weeks in a hospital intensive care unit, this woman was transferred to Dr. Moayedī's care, where she ultimately had to have both hands and feet amputated due to severe infection. She also lost her baby.

Dr. Moayedī recently moved from Texas to Hawaii, where she provides lifesaving abortion care to women at all stages of pregnancy, including a woman with a desired pregnancy who was flown in from a neighbor island for management of her previsible labor.

Despite the expert specialist care she received, the patient's water broke at 22 weeks. At that point, there was nothing Dr. Moayedī could do to prevent labor. She performed an abortion and saved her patient's life.

The stark contrast in outcomes for Dr. Moayedī's two patients is completely unnecessary. Women across the country have a constitutional right to an abortion, and Congress needs to do more to fight back against what States like Texas, Louisiana, and Iowa are doing.

It is time for Congress to pass comprehensive legislation that prevents States from imposing unconstitutional restrictions on abortions and that ensures every woman has access to the healthcare they need when and where they need it. We need to pass the Women's Health Protection Act, a bill introduced by Senator BLUMENTHAL and one I have supported since its introduction in 2013.

This critical piece of legislation would explicitly prohibit States from imposing restrictions that limit women's access to safe and legal abortion services. It would prevent States like Iowa, Louisiana, and Mississippi from imposing abortion bans before viability; it would preclude States like Arkansas from restricting access to medication abortion; and it would stop

States like Texas from passing laws that impose arbitrary and capricious requirements on facilities and abortion providers that do not improve the health of their patients.

Passing this legislation is particularly important following Justice Kennedy announcing his retirement. The fundamental rights of women should not be subject to the whims of Donald Trump and whomever he selects to fill Justice Kennedy's seat. Congress needs to take decisive action to protect a woman's right to choose. I urge my colleagues to join me in supporting the passage of the Women's Health Protection Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

RETIREMENT OF JUSTICE ANTHONY KENNEDY

Ms. HASSAN. Mr. President, before I begin my remarks concerning the Women's Health Protection Act, I want to state for the record that given Justice Kennedy's announcement today that he will retire, and there will therefore be a vacancy on the Supreme Court, any nominee for the Supreme Court must be committed to protecting the rights of all Americans, including the reproductive rights of women. Nominees can't just be focused on protecting corporate special interests and the powerful few. I also continue to believe that Supreme Court nominees should have broad support from both political parties and be able to clear a 60-vote threshold. A strong and independent judiciary that is above politics and is willing to stop abuses of power is more important than ever given that our current President regularly disregards established democratic norms and voices contempt for constitutional safeguards.

WOMEN'S HEALTHCARE

Mr. President, with this attention on the Supreme Court, it is appropriate that I rise on the 2-year anniversary of a critical victory for women and families across our Nation.

Two years ago, the Supreme Court's ruling in *Whole Woman's Health v. Hellerstedt* reaffirmed that every woman has the right to make her own healthcare decisions and chart her own destiny. This decision preserved women's access to critical health services and reinforced that placing an undue burden on abortion access violates the 14th Amendment of the Constitution.

Unfortunately, despite the fact that the Court has made this clear, politicians in Washington and in States across our country have made it their mission to undermine women's access to safe and legal abortions. Here in Congress, we have seen bill after bill that marginalizes women and restricts their fundamental rights, and my colleagues on the other side of the aisle have confirmed Trump administration officials and judges who are vehemently opposed to women having the freedom to make their own healthcare decisions.

Additionally, State legislatures have pushed a number of burdensome re-

strictions. Politicians have pushed these restrictions under the guise of protecting women's health, but in the *Whole Woman's Health* case, the Supreme Court called their bluff and stated that the real point of these State laws was to deny women access to care.

Unfortunately, many States have remained persistent in their efforts. Since that 2016 decision, State legislatures have introduced 1,039 restrictive bills and have passed 180 of them. These bills have focused on everything from closing abortion clinics to criminalizing providers who offer reproductive health services. No matter their ZIP codes, women deserve equal access to care, but it is clear that there will continue to be attempts from politicians to violate women's rights.

With all of these relentless attacks, it is evident that what we need is Federal legislation that protects women's access to care in every State throughout our Nation. That is why, last year, I was proud to join with dozens of my Democratic colleagues to introduce the Women's Health Protection Act.

This legislation is vital because it protects women from the burdensome requirements that States are enacting. It would invalidate laws that require women to endure unnecessary tests and procedures and would invalidate laws that prevent doctors from prescribing and dispensing medication that is medically appropriate. Above all, the Women's Health Protection Act would ensure that women across the country receive safe, medically sound care if they choose to have an abortion.

At a time when politicians in Washington and in State legislatures continue to marginalize women, I will continue to fight for the Women's Health Protection Act because women deserve respect when making their most deeply personal healthcare decisions, and they have to have the full independence to do so.

TRIBUTE TO MASTER SERGEANT LEE HIRTLE

Mr. President, I rise to recognize retired Air Force MSgt Lee Hirtle, who is also a retired New Hampshire State Trooper of Northfield, NH, as the June Granite Stater of the month for his incredible dedication to honoring our servicemembers and veterans who have passed.

Over a decade ago, at a military funeral, Master Sergeant Hirtle noticed that "Taps," the traditional bugle call performed at military funerals, was playing from a CD player that was hidden behind a gravestone. When he returned home from the funeral, Master Sergeant Hirtle went to his basement and dusted off his old trumpet—an instrument he had not touched since he had been a college student. He taught himself to play "Taps" and practiced until he was skilled enough to play at the funerals of fellow veterans and servicemembers.

Since playing at his first funeral in 2007, he has sounded "Taps" over 3,650 times across the Northeast.

When asked why he continues to sound "Taps," Master Sergeant Hirtle

talked about his first military funeral. At that funeral, he stood alongside a New Hampshire National Guard member named CPL Scott Dimond. A year later, after Corporal Dimond was killed while serving in Afghanistan, Master Sergeant Hirtle sounded "Taps" at his funeral. As the master sergeant said, servicemembers like Corporal Dimond—and all of our veterans—deserve the live version of "Taps."

We can never fully repay those who have served or have made the ultimate sacrifice in defense of our freedom, but we must commit ourselves to honoring those sacrifices. Master Sergeant Hirtle does that and is a true embodiment of that commitment. For his dedication to honoring those who served, I am so proud to recognize him as the Granite Stater of the month.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 3134

Mr. THUNE. Mr. President, I rise in support of my amendment, No. 3134.

By providing haying and grazing flexibility, this amendment would offer commonsense and effective land management options for land enrolled in the Conservation Reserve Program, or what we refer to as CRP.

There are CRP contracts today that are typically 10 to 15 years in duration. As it stands, some CRP contracts only allow for vegetative cover to be removed once or twice during the life of the contract—a practice that is referred to as "mid contract management." Even in areas that have experienced a drought or feed shortage, CRP mid contract management rules have required vegetative cover on CRP land to be destroyed—a practice I have never understood and one about which I get a lot of feedback from farmers across South Dakota who don't understand it either.

The amendment before us today would allow haying and grazing under terms agreed to between the USDA and State technical committees, with safeguards in place that would protect the CRP cover when long-term droughts occur. Specifically, the amendment would allow haying and grazing on one-third of a producer's CRP contract acres on a rotating basis, which would be coupled with a reduction in the CRP rental payment.

CRP is important for so many reasons. After more than 30 years, it remains the cornerstone of the conservation programs the USDA administers.

In my opinion, we need more than the 24 million acres the current CRP acreage cap allows. In order to raise this cap in the current budget environment, in both the House and the Senate farm bills, the CRP cap is raised, and annual CRP rental rates are lowered to 80 and 88.5 percent of normal rental rates, respectively.

In other words, to get an additional cap, you have to reduce the rental rate in order to offset the cost of raising the cap. The House found a way to do that.

It raised it to 29 million acres in its version of the bill, but it lowered rental rates to 80 percent of normal. In the Senate version of the bill, it only goes up 1 million acres, from 24 million acres to 25 million acres, but the rental rate is at 88.5 percent.

My assumption is that in the conference with the House, when we get there, this will be an issue that will be negotiated. Yet, as I said before, it makes sense, in my view, to raise that cap because the cap today is not sufficient for what the demand is out there and for the importance of the program in terms of its impact on production and agriculture in our farming and ranching communities.

The haying and grazing flexibility provisions in this amendment will help to offset these lower rental rates and make CRP a viable choice for a producer's less productive land in today's very tough agriculture economy.

This amendment is a win for farmers and ranchers, and it is a win for conservation.

I thank Senator KLOBUCHAR, my neighbor from Minnesota, for cosponsoring this amendment. I think she will be here, at some point, to talk about this as well.

I thank Chairman ROBERTS and Ranking Member STABENOW for following through on the commitment that they made at the Ag Committee markup, when we were debating this, to work with me on this amendment to improve the CRP program.

I also thank the stakeholder organizations and majority and minority committee staff, who worked with my staff over the past 2 weeks to reach agreement on the amendment before us today.

In my view, this strengthens the farm bill, and it strengthens the CRP program in a way that many producers, farmers, and ranchers across my State have sought for a long time. It allows that added flexibility so that they can, on a 3-year basis, rotate and allow a certain amount of those CRP acres to be harvested and to do away with this crazy mid contract management practice requirement that, as I mentioned earlier, has very little support out there in the farm community.

It also does away with another issue that comes up frequently in States like mine when we have a drought. We had one in 2012, and we had one last year, in 2017. We had to plead with the USDA to allow emergency haying and grazing. This also would eliminate the need for that and, on a periodic basis, when we would face those conditions in States like South Dakota and in other States across the country.

I see that the distinguished committee chairman of the Ag Committee is here. As I said, I appreciate his leadership on this and on so many issues in this farm bill. I hope we get a good, strong, big vote in the end.

Mr. ROBERTS. Will the Senator yield?

Mr. THUNE. Absolutely. I am happy to yield to the chairman of the Ag Committee, Senator ROBERTS.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise in support of my colleague's amendment.

As Senator THUNE indicated, this amendment proposes to make changes to the Conservation Reserve Program. Goodness knows that we have been working on that for several years. As a matter of fact, I can even remember back in the House when I was the original sponsor of the Conservation Reserve Program and when Senator THUNE was Congressman THUNE and continued that effort.

We provide additional flexibilities for the management of routine haying and grazing, which the Senator has pointed out.

The amendment provides greater clarity for when and how often producers can conduct the active management of their CRP land. I strongly support that, as do all of the members of the committee.

These flexibilities not only provide a benefit to the producer but a more active management of CRP also has a mutual benefit to the wildlife that relies upon the habitat created by CRP.

What the distinguished Senator has pointed out is exactly right in that during the Ag Committee markup, both Senator STABENOW and I committed to working with him on this priority. I am pleased the amendment reflects that bipartisan agreement that has the support of the grower and wildlife organizations. I thank my colleague for working with Senator STABENOW and me on this amendment. I support it and urge my colleagues to do so as well.

Thanks, dude.

Mr. THUNE. Thank you, Mr. Chairman.

I appreciate that endorsement. Again, I thank you for your hard work and that of your staff in helping to structure this in a way that we could get the broad support you mentioned from the commodity groups and the wildlife groups. I think this is a win-win for conservation and certainly a win-win for the CRP program and for the farmers and ranchers in South Dakota who—and not just in South Dakota but all across the country who make use of this important and vital resource.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

TAX REFORM

Mr. PORTMAN. Mr. President, today I want to talk about the tax reform legislation that this body passed at the end of last year. It turns out that this week is the 6-month anniversary of the Tax Cuts and Jobs Act, the tax reform legislation. It is time for us to look at it and determine how it is working. It is particularly important because there are a number of provisions in the tax legislation that are not permanent. In other words, there is a sunset on some of the tax cuts. Some of these provi-

sions expire as soon as the end of 2019, which is just the end of next year, so it is time to start thinking about how it works.

Second, we have Members on the other side of the aisle saying that we ought to get rid of this altogether. That would mean, of course, big tax increases for a lot of folks. But let's look at what the results are before we take those kinds of votes and make those kinds of decisions.

I would submit that in the 6 months since it has been put into place, it has worked incredibly well for the people I represent, for the workers and small businesses I represent, and for those who are concerned about getting wages back up, fighting poverty, and helping to grow the economy.

I know that in the debate we are having on the farm bill right now, there has been discussion about the food stamp program. One of the points that are being made is that food stamp spending is actually down right now. It has decreased in the last 6 months. Why? Because the economy is improving. That is a good thing.

Before tax reform, let's face it, our economy was incredibly weak. Wages were flat and had been flat for almost a decade. With the Congressional Budget Office estimating that this year's growth was going to be only 2 percent, we were looking at more weak economic performance. We were looking at another year where we were going to be performing way below our potential as an economy. So what happened? A couple months ago, when the Congressional Budget Office looked at what is happening with the economy, which they attributed to pro-growth policies, including tax reform, they said: You know what, the economy is not going to grow at 2 percent this year. Their projection for this year is now 3.3 percent growth. That is a huge difference. Going from 2 percent to 3.3 percent is going to make a world of difference to people in their lives, in our economy, in their ability to see higher wages and better jobs.

The economy is doing better. Six months into this new law, the economy is up and running and moving toward its full potential. In the most recent Congressional Budget Office estimate for this quarter, it looks as though we are going to see some significant growth. There is no estimate yet from the CBO, but it was stated that the Federal Reserve gave an estimate of 4.5 percent growth. I don't know if that will happen, but the consensus estimate from economists is that in the second quarter of this year, we are likely to see growth at over 4 percent. We will hear the final number from the Congressional Budget Office at the end of July, but, again, we are seeing more jobs, higher wages, better economic growth, and therefore more opportunity for all Americans. That is a good thing.

Why is tax reform helping to create this new opportunity for higher wages

and more growth? I am going to discuss three reasons why I believe this tax reform proposal has been helping to get the economy moving and why it is so important to keep these policies in place and to not risk higher taxes on individuals or lower economic growth if we were to move away from this legislation and not make it permanent.

No. 1, updating our international tax code has definitely encouraged companies to invest in America. We had a totally outdated international tax code. We had the highest tax rates among all the industrialized countries at the business level for international companies. We had a system that actually encouraged companies to keep their money overseas and therefore spend it overseas. So a company facing our old Tax Code would have had their board and stakeholders saying: Don't bring that money back because it is going to be taxed too high. Keep it overseas. That was crazy. It made no sense whatsoever.

Frankly, it took us too long to address that issue, but we finally did. Let me give an example. I am told that in the first quarter of this year, more than \$300 billion was brought into this country, repatriated back to America from overseas. This is the profit U.S. companies made overseas, and \$300 billion was brought back. Compare that to the first quarter of last year, when \$38 billion was brought back. This is because of tax reform. This is good. This money is being brought back to invest in America, and it is the most money on record, by the way. So something is changing, and it is positive. The change to the international system is helping in a number of ways, including companies bringing the money back and investing it here.

Second, lowering the tax rate for small and large businesses has resulted in new investments in people, plant equipment, and technology. We have seen it in terms of higher bonuses, higher wages, and increased retirement contributions.

There are a lot of examples. We have seen it in terms of investing in new technology and new equipment, which, in the end, is probably as important as anything because—think about it—one thing the economists have said about our economy over the last decade is that we are not improving our productivity as we should. What they mean by that is that the productivity of each worker has been disappointing, and that leads to lower wages and not having higher economic performance. If you make a worker more productive by investing in the latest technology and new equipment, that helps everybody. It helps that worker have a higher salary, and it helps the economy.

That is actually happening out there. I have seen the results of it all over Ohio. I represent the State of Ohio, which has a lot of manufacturing and a lot of small businesses. I have gone around and talked with them. I visited 21 individual businesses and held about

a dozen roundtable discussions with small and midsize businesses and one large business. We talked about this, and of the 21 businesses I visited, every single one of them is taking the tax savings and investing it in their people, their plant, and their equipment. Some are raising wages. Some are giving bonuses to their employees. Some are buying new equipment. Some are expanding their operations. Some of them are improving employee benefits.

There is a company that has three branches of an auto parts store that stopped offering healthcare about 5 years ago because of the cost of the Affordable Care Act. They couldn't afford healthcare. Their people had to go out on the individual market and get it through the Affordable Care Act. They are now offering healthcare again, and the employees are extremely happy. Their costs are down, and their deductibles are down. They did that all with tax savings.

Many companies have done a combination of these things. They are investing in their people. There is a small manufacturing company in Cincinnati, and shortly after the tax bill was signed into law, they said: We are going to give \$1,000 bonuses to our people. And they did. They also invested in equipment.

A company I visited in Columbus, OH, invested in equipment. It is a steel processor. The equipment they used was from 1986. The equipment itself was 31 years old, which is exactly the age of our old Tax Code. Nineteen eighty six was when we last reformed the Tax Code. After we modernized the Tax Code—finally modernized an antiquated tax code that was 31 years old—they got rid of a 31-year-old piece of equipment and replaced it with a brandnew piece of equipment. I thought that was appropriate.

That is how these tax savings are being used. There are some groups in town that put up a website saying: These businesses have benefited from this and these employees. I can tell you that it is way understated. I can't find a business in Ohio that hasn't benefited from it.

Some are doing more than others, no question about it. Some of the big financial service companies are giving big wage increases. Other small businesses might be investing in a new piece of equipment, but there are so many businesses out there. They are not all putting out press releases or talking about it, but they are doing something. This is good.

This is why you see this economic growth coming up, finally, after so many years of flat wages and high expenses. You are seeing people begin to see a little improvement in their wages. That is really important.

First are the international parts. Second is what this is doing in terms of the business side and how that affects people. The third one is direct tax relief to individuals because that is part of this bill too. If you hear people talk

about this bill—sometimes on the other side of the aisle—you would think that is not in there. It is very much in there.

People are able to keep more of their hard-earned money, and it goes directly to the middle-class constituents whom I represent. They are the ones who get the biggest bang for their buck because we doubled the standard deduction, taking it from \$12,000 to \$24,000 for a family because we doubled the child tax credit, including increasing the part that is refundable. Even if you don't have an income tax liability, you get it.

We also lowered tax rates for people. That combination means that people have seen their paychecks go up. About 90 percent of workers in America got a paycheck that had more money going into their bank account rather than to Uncle Sam because their withholding changed. You know this if you are listening today because you probably had this happen to you if you are one of the 90 percent, which you probably are. Uncle Sam is taking a little less withholding, and you are able to keep a little more.

As I said consistently during the debate on tax reform, and we went back and forth on this, I just said: Look, the proof is in the paycheck. We can argue this all day long. When people get their paycheck, it is either going to be better or not. For 90 percent of the people I represent, it is better. Of course, they are happy about that.

In addition to that, we also made the Tax Code more progressive. What does that mean? That means those at the top of the income ladder are actually paying a larger portion of the overall tax burden, not a smaller portion. Let me say that again. The Tax Code is more progressive. If you are at the top of the income ladder, you are now paying a larger portion of the overall tax burden. At the lower end, you are paying less in terms of the overall tax burden. The biggest percentage tax increase is for those making over \$1 million a year, and the biggest tax decrease is for those making \$30,000 a year or less. This is why the Joint Committee on Taxation, in response to questions I asked them directly, said that over 3 million Americans now have no tax liability at all in terms of income tax liability thanks to this tax reform effort because they are at the lower end of the economic scale. Before, they had a tax liability, but now they don't because of a lower rate doubling the standard deduction—doubling the tax credit.

Three million Americans don't have to worry about Uncle Sam because they don't have tax liability anymore under this bill. This has changed the way our tax bill works. The Joint Committee on Taxation can show you those numbers. All of this resulted in higher wages for the first time in about a decade. This was the strongest wage growth for nonsupervisory employees in 9 years. That is the latest data. You

can check it out at the Department of Labor.

It also resulted in a lot more optimism out there. If you look at the surveys on optimism—I saw there was one done by an NBC station recently saying this is the highest level of optimism they have seen.

There is optimism also in small businesses. The National Federation of Independent Business does surveys regularly. Their surveys are unprecedented because they are coming back saying that small businesses are ready to invest now and planning to invest.

In my home State of Ohio, we had the Ohio Chamber of Commerce do a survey recently. They found that 70 percent of the businesses already added new employees. We are now in the second quarter, and 75 percent are planning to add new employees. It is amazing. This is actually happening as we talk because we changed a tax system that was discouraging growth, discouraging investment, and making it harder for people to get ahead, harder to see wages go up to meet expenses.

There are good things going on. Since December, the number of long-term unemployed people has decreased by about 400,000 people. The unemployment rate has fallen from 4.9 percent to 4.3 percent in my home State of Ohio. Nationally, unemployment is now down to 3.8 percent, the lowest since 2000.

That is all good news. What do you hear now? I hear from businesses, not so much about the tax burden—and, frankly, not so much about the regulatory burden because Congress has also done some things to relieve the regulatory burden, particularly for small businesses—but I hear that finding qualified workers is their biggest challenge. I heard it last weekend, and I will hear it this coming weekend.

As a small business person myself, I sense it. It is a major hurdle right now. There is a shortage of workers. A big reason is what economists call the labor force participation rate. What does that mean? It just means the number of Americans who are unemployed and not looking for work at all is higher than it has been in the past. These are folks who are on the sidelines. They are not even reported in the unemployment numbers. It is so bad, our labor force participation rate was at its prerecession level of 66 percent of people working rather than the current 62.7 percent. If we just had a level of 66 percent working 10 years ago, our unemployment rate today would not be 3.8 percent. If you take into account those people, our unemployment rate would be about 8.6 percent. It is pretty disappointing.

That is one challenge we still have with this incredible tax relief and tax cut legislation, and increasing economic opportunities, growing jobs, and raising wages. We still have a lot of people who are on the sidelines and not in the workforce.

Among able-bodied men, by the way, between 25 and 55, 8.5 million of them

are in this category. They are not even showing up in the unemployment numbers. That is wrong. You want them to have the dignity and self-respect that comes from work, and our economy needs these people to be able to work.

According to the Congressional Budget Office's 30-year projection they gave us yesterday, they think the labor force participation rate will get even worse. That is what they told us yesterday. It will be declining over the next 30 years to even below what it is now—below 60 percent. That can't happen. That is unacceptable.

The low labor force participation rate cannot be the new normal, and it can't get worse. We want people to get that dignity and self-respect that comes from work. We want them to enter into our economy.

As the economy is growing and businesses are expanding, there is no better time to reverse this trend, to bring people into the economy and bring them back to work.

I have dug into this issue, trying to figure out why this is. There are a number of reasons: dependency on government programs and being sure we don't have people go to work who then lose all their benefits right away—trying to deal with that cliff. Then there is the tax issue. When you go to work, you have higher taxes. We should do more to get people into work making more pay. We should have work requirements in some of these programs. That has been talked about a lot on the floor. We should deal with other issues, including the skills gap. We are doing it with career technical schools and other things.

OPIOID EPIDEMIC

Mr. President, I want to mention the single most important problem we face, and that is the opioid crisis. I say this because the opioid epidemic has hit our country and is, by the way, the No. 1 killer in my State of Ohio right now and in many States around the country. It is already having a devastating impact on everything—on crime, families, the ability for jails to work, our healthcare system to work—but it is also affecting employment in huge ways.

A recent report by the Federal Reserve Bank of Cleveland found that counties with higher levels of opioid prescriptions have lower workforce participation rates. It is no wonder. They surveyed the business community, and about half the organizations they contacted said the opioid epidemic has negatively impacted their businesses. People can't get through the drug tests. Also, people aren't applying for work.

Why do I say that? Well, the Department of Labor did a study earlier this year that showed 44 percent of these people outside the workforce altogether, who are off in the shadows or on the sidelines—44 percent of them had taken a drug, a pain medication the previous day. The Brookings Institute says the number is 47 percent.

When further pushed, two-thirds said they were taking prescription pain medication. That is amazing. That 44 percent is likely underreported. There is a stigma attached to the opioid crisis. Second, there is a legal issue for a lot of people.

It is not like this is an overreported number. That is an amazing number that nearly half of the people who are outside the workforce are saying they are taking pain medication on a daily basis. The sad reality is, again, it is likely to be much higher than that.

We know what we have to do. We need to get people into treatment, support them, help them overcome their addiction, and get them back to work and leading productive lives. There are things Congress can and should do to take care of that.

I ask unanimous consent to continue to discuss solutions to the opioid epidemic after the majority leader has a chance to make his remarks.

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

The majority leader.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk for Senate amendment No. 3224.

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 Senate amendment No. 3224 to Calendar No. 483, H.R. 2, an act to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

Mitch McConnell, Shelley Moore Capito, Pat Roberts, John Barrasso, John Cornyn, Susan M. Collins, Lamar Alexander, John Hoeven, Orrin G. Hatch, Richard Burr, Roy Blunt, Steve Daines, Mike Crapo, Mike Rounds, John Boozman, Joni Ernst, Deb Fischer.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk for H.R. 2.

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 Calendar No. 483, H.R. 2, an act to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

Mitch McConnell, Shelley Moore Capito, Pat Roberts, John Barrasso, John Cornyn, Susan M. Collins, Lamar Alexander, John Hoeven, Orrin G. Hatch,

Richard Burr, Roy Blunt, Steve Daines, Mike Crapo, Mike Rounds, John Boozman, Joni Ernst, Deb Fischer.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

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

MORNING BUSINESS

Mr. MCCONNELL. 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.

The Senator from Ohio.

OPIOID EPIDEMIC

Mr. PORTMAN. Mr. President, we talked a little about the growing economy, and we talked about the fact that one of the weaknesses we have is, in spite of a growing economy and lower unemployment—all this good news coming with the tax cuts and tax reforms and investments—we have a problem, which is that many people are outside the workforce altogether.

Historically high levels of labor force participation are not being part of the workforce, but instead people are being sidelined. How do you get those people back to work? There are 8.5 million men between 25 and 55, as an example, who are not working. They are not showing up on the unemployment numbers because they are not looking for work.

There are a number of reasons for that. The one I think that is most significant today, that puts us at this high level of people outside the workforce, is the opioid epidemic. I am talking about the fact that we have data on this from the Federal Reserve. We have data on this from the Brookings Institute and data from the Department of Labor and the Trump administration showing this is a huge problem.

About half the people, for instance, outside the workforce altogether are taking pain medication on a regular basis. This opioid crisis is affecting us in every way. What is Congress doing about it?

We have made progress. In the last couple of years, we have made unprecedented progress to combat addiction with legislation like the Comprehensive Addiction and Recovery Act, a bipartisan bill I coauthored with my colleague Senator WHITEHOUSE. We have the 20th Century Cures Act, which has been very important in getting funding out to the States to deal with this crisis. We just passed legislation that provides more funding for the kind of treatment and prevention in longer term recovery programs that are proven to work, that have evidence-based results behind them.

That is all very important. We need to continue to push back against this addiction by helping people get the

care they need and the treatment they need to overcome their dependency.

By the way, I have been with three community roundtables in the last few weeks talking specifically about how this funding is being used. It is exciting because it is being used on innovative new ideas that will make a big difference going forward, in terms of getting people who are addicted and overdosing. We are getting them the Narcan they need to save their lives and then not allowing that gap to occur where they go back to that same environment but getting them into treatment. There are quick response teams—a combination of law enforcement, social workers, and treatment providers getting in immediately saying: OK. You overdosed. Your life was saved by this Narcan—this miracle drug that reverses the effect of the overdose. Now, instead of going back to your old community where, unfortunately, many of those people are overdosing again and again, let's get you into treatment.

One of these organizations that is funded by the Comprehensive Addiction and Recovery Act is telling me they are getting an 80-percent success rate getting people into treatment. That is huge. It is still too low, but that is so much higher, unfortunately, than what is typical out there.

So we are beginning to make progress—closing some of the gaps, getting people into the treatment they need, and sending a stronger prevention message out there, keeping people out of the funnel of addiction in the first place. But, in the meantime, we have a huge problem, and it is not getting better in my home State. It is actually getting worse.

In most areas of the State, you will now see higher rates of addiction and more overdoses, and the increase is almost all due to one thing, and that is fentanyl. This is this synthetic form of opioid that is now coming in and kind of taking over, pushing out heroin, prescription drugs, and other drugs.

Fentanyl is incredibly powerful—50 times more powerful than heroin. It is incredibly inexpensive. We are told by the experts that most of it is coming from China—not over land from Mexico but from China—through our U.S. mail system. It is unbelievable. It is a shock, but it is true. It is so potent that a few flakes of it can be deadly. It is totally unacceptable that in some laboratory in China, some evil scientist is making this poison and being allowed to ship it into our country.

It is now the No. 1 cause of death in my home State. Two-thirds of our overdose deaths last year, we believe, are going to be as a result of fentanyl, not heroin or prescription drugs. It is tragic and eye-opening that, when you look at what has happened, the Ohio Alliance for Innovation in Population Health has estimated that opioid overdoses were responsible for more than 500,000 years of life expectancy lost in Ohio between 2010 and 2016. It is

an interesting way to look at it. It is tragic. More than 500,000 years of life expectancy were lost in Ohio between 2010 and the end of 2016.

Overdoses are now the top cause of deaths for all Americans over the age of 50. It is the top cause of death in my home State for everybody.

Increasingly, these drug overdoses are from fentanyl. In Ohio, two-thirds of overdose deaths last year were from fentanyl. That is up from about 58 percent in 2016. It is the deadliest, most difficult drug for us to deal with right now.

Two weeks ago, the police in Dayton, OH, seized about 20 pounds of fentanyl during a drug arrest. Last Friday, Federal agents in Columbus arrested 4 people and seized 22 pounds of fentanyl. Taken together, these two busts—20 pounds and 22 pounds of fentanyl—is enough fentanyl to kill 9.5 million people. Think about that. By the way, that is about 80 percent of the population in my State of Ohio, from just these two busts alone.

On Monday we had a tele-townhall here. We do these on a monthly basis. We asked a number of questions. One question I have started to ask in the last several years is this: Do you know anybody who has been directly affected by the opioid epidemic?

We had the highest percentage of response ever at our townhall meeting here on Monday. The tele-townhall response was that 67 percent of the people on the call said yes. Over two-thirds of the people on this call said that yes, they knew someone who has been directly affected by the opioid epidemic. That is the highest level we have had.

One woman I spoke to on the call, Pauline from Zanesville, OH, told me a tragic story that is, unfortunately, similar to other ones I hear as I travel across the State. It was about her brother. Her brother had died of an overdose. Her brother, according to her, did not use opioids, and yet he died of an opioid overdose. She said he did smoke marijuana, but she said somehow there was something put into the marijuana that he was smoking that caused him to overdose and die.

I hear this story a lot back home. I talked about the three roundtable discussions we had recently in Ohio. In two of those three roundtables, a police chief and a sheriff, respectively, told me about a young man who overdosed, who was saved by Narcan, and then woke up and said: I was just smoking dope. Well, they checked, and guess what it was? It was fentanyl that had been sprinkled into the marijuana.

I am sure it is the same situation with Pauline's brother. The fentanyl that she talked about was what killed him.

What is the lesson here? It is that every street drug—whether it is cocaine, whether it is heroin, whether it is crystal meth—all of them are now subject to having fentanyl included within them, including description