

297, S. 118; that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from California.

Mrs. FEINSTEIN. Madam President, reserving the right to object, I rise today to express concern with S. 118, the Reinforcing American-Made Products Act, because it would preempt California's strong "Made in America" labeling standards.

California requires that at least 90 percent of a final product be composed of American-made parts to use the label—the strongest standard in the Nation.

This bill would undo California's tough standard, setting instead a watered-down national standard. Companies could then confuse consumers by flooding the market with products sold under the "Made in America" label that were built using more foreign-made components. That is why the California attorney general and the Consumer Federation of California support keeping California's strong standards in place.

The "Made in America" label should promote U.S. manufacturing and give consumers confidence that they are supporting American jobs. Consumers want to know that products bearing the "Made in America" label are truly made in America. Because this would undermine that confidence and preempt California's strong standards, I believe this bill should not move by unanimous consent. Regretfully, for those reasons, I object.

The PRESIDING OFFICER (Mr. COTTON). Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the comments made by my distinguished colleague, the Senator from California.

When Americans see a "Made in USA" label on a product, it is a source of great pride. It represents the American virtues of innovation and industriousness. It is a symbol of support for American manufacturing jobs and high-quality products across the board, and it often spurs American consumers to buy those very products.

The Federal Trade Commission currently enforces a difficult standard for products to claim the "Made in USA" label. It requires that all or virtually all of a product must be made in the United States, and it has issued lengthy guidance documents establishing the rules. However, one State holds a different standard—one that is nearly impossible for businesses to meet. Under California's law, if more than 5 percent of the components of a product are manufactured outside the United States, even if that means just a few bolts or a few screws, then that product cannot be labeled "Made in USA."

While companies could legally boast this claim in 49 of the 50 States under the Federal standards set by the Federal Trade Commission, they are often unable to do so because of the flow of interstate commerce. Most manufacturers sell wholesale to national and international distributors who then disperse products throughout the country. As a result, companies must label products according to the most rigid definition in order to protect themselves from costly litigation. In short, one State—one single State—is effectively governing how interstate commerce is conducted with regard to "Made in USA" labeling throughout the country.

The Reinforcing American-Made Products Act would solve this problem by ensuring that the current Federal definition is the supreme labeling law in interstate commerce without weakening the strong "Made in USA" national standard. In addition to upholding the Constitution, which empowers Congress—this body—to regulate interstate commerce, this legislation would provide clarity and consistency, which would help American companies avoid unnecessary hardships and frivolous lawsuits.

In the global marketplace, it is increasingly difficult for small American companies to stay afloat, let alone to compete. This reform would ultimately encourage manufacturing in America and use American tools and resources. It would also help so many of the small businesses and ordinary American workers who are currently being left behind, and helping them ought to be our goal.

This bill passed unanimously out of committee, and it has broad bipartisan support. I am disappointed that it is being blocked by the few people who do not support it when it could benefit all 50 of our States. We should exercise this authority, and we should open the flow of interstate commerce.

I yield the floor.

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the Oldham nomination?

Mr. LEE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 160 Ex.]

YEAS—50

Alexander  
Barrasso

Blunt  
Boozman

Burr  
Capito

Cassidy  
Collins  
Corker  
Cornyn  
Cotton  
Crapo  
Cruz  
Daines  
Enzi  
Ernst  
Fischer  
Flake  
Gardner  
Graham  
Grassley

Hatch  
Heller  
Hoeven  
Hyde-Smith  
Inhofe  
Isakson  
Johnson  
Kennedy  
Lankford  
Lee  
McConnell  
Moran  
Murkowski  
Paul  
Perdue

Portman  
Risch  
Roberts  
Rounds  
Rubio  
Sasse  
Scott  
Shelby  
Sullivan  
Thune  
Tillis  
Toomey  
Wicker  
Young

#### NAYS—49

Baldwin  
Bennet  
Blumenthal  
Booker  
Brown  
Cantwell  
Cardin  
Carper  
Casey  
Coons  
Cortez Masto  
Donnelly  
Duckworth  
Durbin  
Feinstein  
Gillibrand  
Harris

Hassan  
Heinrich  
Heitkamp  
Hirono  
Jones  
Kaine  
King  
Klobuchar  
Leahy  
Manchin  
Markey  
McCaskey  
Menendez  
Merkley  
Murphy  
Murray  
Nelson

Peters  
Reed  
Sanders  
Schatz  
Schumer  
Shaheen  
Smith  
Stabenow  
Tester  
Udall  
Van Hollen  
Warner  
Warren  
Whitehouse  
Wyden

#### NOT VOTING—1

McCain

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Ryan Wesley Bounds, of Oregon, to be United States Circuit Judge for the Ninth Circuit.

Mitch McConnell, Roger F. Wicker, Steve Daines, Richard Burr, Mike Rounds, Bob Corker, Mike Crapo, Thom Tillis, Chuck Grassley, John Boozman, Johnny Isakson, Orrin G. Hatch, John Cornyn, David Perdue, John Barrasso, John Hoeven, Roy Blunt.

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

The question is, Is it the sense of the Senate that debate on the nomination of Ryan Wesley Bounds, of Oregon, to be United States Circuit Judge for the Ninth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. TOOMEY). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 50, nays 49, as follows:

[Rollcall Vote No. 161 Ex.]

YEAS—50

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Rubio
Collins	Hyde-Smith	Sasse
Corker	Inhofe	Scott
Cornyn	Isakson	Shelby
Cotton	Johnson	Sullivan
Crapo	Kennedy	Thune
Cruz	Lankford	Tillis
Daines	Lee	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Murkowski	

NAYS—49

Baldwin	Hassan	Peters
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Sanders
Booker	Hirono	Schatz
Brown	Jones	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Smith
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murphy	Wyden
Gillibrand	Murray	
Harris	Nelson	

NOT VOTING—1

McCain

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 49. The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Ryan Wesley Bounds, of Oregon, to be United States Circuit Judge for the Ninth Circuit.

The PRESIDING OFFICER. The Senator from Montana.

UNANIMOUS CONSENT REQUEST—S. RES. 572

Mr. DAINES. Mr. President, as in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. Res. 572; that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Oregon.

UNANIMOUS CONSENT REQUEST—S. 3227

Mr. MERKLEY. Mr. President, reserving the right to object, this moment hardly seems the time for the Senate to engage in debating rhetorical phrases of praise for the Immigration and Customs Enforcement agency when that agency—better known as ICE—is deeply mired in the scandal of separating children from their parents. It is ICE that partnered with Border Patrol and Health and Human Services in this

diabolical situation. It is ICE that holds the parents in detention camps. It is ICE that has failed to arrange for the knowledge within the system of which parents go with which children. It is ICE that often has prevented individuals from having access to counsel, from being able to even phone their children, and charged them for using the phone.

In this situation, some 2,500-plus kids have been torn out of the arms of their parents, and this particular resolution would engage in nice phrases of praise instead of addressing itself to solving the problem.

We should right now be considering Senator HARRIS's act, the REUNITE Act, which would accelerate the reunification of the children, would ensure that family separation never happens again, would coordinate actions between ICE and the Border Patrol and Health and Human Services, and would set up a family case management system that worked, according to the IG of Homeland Security, to deliver 100 percent of the time when individuals had a date for a hearing—100 percent of the time.

That is why I ask my colleague to modify his request so that the Committee on the Judiciary, instead, be discharged from further consideration of S. 3227, the REUNITE Act, and the Senate proceed to its immediate consideration; that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Will the Senator from Montana so modify his request?

Mr. DAINES. I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

The Senator from Oregon.

Mr. MERKLEY. I strongly object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Montana.

Mr. DAINES. Mr. President, I live in a State—the State of Montana—that has a northern border. ICE agents keep our border secure, and I want to thank them for the very important work they are doing.

Far too many people are coming into our country illegally and putting the safety and security of American citizens at risk. In fact, in Montana, the effects of unsecured borders are very personal. All across our State, communities at this moment are torn apart by the meth and opioids that are trafficked through the southern border. In fact, just last year, ICE seized nearly 50 tons of narcotics, nearly a million pounds of heroin, fentanyl, and other deadly drugs that criminals and cartels are smuggling into our country.

At a time when America is suffering from a drug epidemic, how many more lives would be lost if ICE agents were not protecting our borders? How many

more innocent Americans would be harmed or murdered if we did not have ICE agents to arrest illegal immigrants with criminal convictions? These are the questions that those who call for the abolishment of ICE should be asking.

It is outrageous. It is irresponsible to call for abolishing one of our country's most critical security measures. Abolishing ICE would give terrorists, gang members, drug dealers, and other criminals a field day.

I stand for protecting American security. I stand for upholding the rule of law. That is why I stand with ICE.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, this resolution being offered by my colleagues on the other side of the aisle is a partisan political stunt to distract the American people from the crisis created by Donald Trump's zero tolerance policy.

Almost 3,000 children were ripped from the arms of their parents and traumatized by the President's cruelty.

Yesterday, the Senate Judiciary Committee had a closed-door briefing with officials from the Department of Justice, the Department of Health and Human Services, and the Department of Homeland Security. The American people deserve to hear from these officials in public and under oath. All these officials provided at this briefing—not under oath—was more obstruction and obfuscation. The witness from Immigration and Customs Enforcement even claimed that they “did not mess up here.”

Separating almost 3,000 children from their parents, not meeting judicially set deadlines for reunifying these children—the trauma continues. Is there anybody in America paying attention to this issue who actually believes there was no mess-up?

We need a public hearing to hear from these officials under oath.

Donald Trump is weaponizing fear to pursue his anti-immigration agenda, and we are not going to be party to that. We should be focused like laser beams on reuniting the children with their parents.

Mr. DURBIN. Will the Senator from Hawaii yield?

Ms. HIRONO. I yield to the Senator from Illinois.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Mr. President, I would like to thank the Senator from Hawaii for joining in this statement about the agency of ICE, which is in the Department of Homeland Security.

There are certain things that I think Democrats and Republicans can come together to agree on. Let me tell you what I think they are. Border security—the United States needs security at its borders. There is no question about that, whoever the President may be.

The second thing we agree on is, nobody who is dangerous should be allowed to come to this country. Anyone