

at a stoplight and you gaze at its beauty and think that is a beautiful car, well, great, I am glad you like it because you helped pay for it. All of those Teslas that are on the road—\$7,500 of the cost of that Tesla was paid by you, the Federal taxpayer. So what you should do at a stoplight is roll down your window and say to the person driving the Tesla: It is my turn. I helped pay for the car. Why don't you let me drive it for the rest of the day?

We ask questions about grants for such things as sea lions in Russia because the U.S. taxpayer gave almost \$2 million to study sea lions in Russia last year. We spent \$600,000 doing a documentary on Joseph Stalin. We spent a big chunk of money actually studying the Russian flu in 1889. Why did we do that?

Some of these things are small, and some of them are large.

We laid out a proposal dealing with prescription drugs because the way the tiering is done on prescription drugs now costs the Federal taxpayer \$22 billion. That is because generic drugs were placed on a higher cost branded tier, so the Federal taxpayer and the consumer end up paying not the generic price but the more expensive branded price when they could have paid the lower price. That is a cost of \$22 billion for just that one piece.

We laid out a whole set of ideas and said: Let's just look at them together.

This Congress passed \$380 million that was sent out to the States to help with election security. After the Russians were clearly trying to interfere with our elections in 2016, we decided to do something about it to help our States. So \$380 million was sent out to the States to do the work that was needed to be done to upgrade election security equipment and to be prepared for 2020.

As of this last July, of the \$380 million sent to the States, the States have only spent a little over \$100 million. They have literally banked the other \$250 million and just saved it and said: We will use it sometime. The 2020 elections are coming. The money was allocated, but it has not actually been spent and used for election security.

We want to highlight issues and find ways to solve them. We didn't try to bring partisan ideas; we just brought ideas.

This is our fifth volume. We have had other editions that dealt with other issues that need to be resolved. In the back of the book, we actually put out what we call the "Touchdowns" and the forward progress. These are some of the things we listed in previous versions that we actually looked at and can say we have made some progress on these things in trying to actually solve them. That is because at times we complain about what is happening in government, but we don't identify the good things, and there are a lot of good things that are actually happening.

This Senate passed the GREAT Act. The GREAT Act dramatically in-

creases the way we handle data on grants. About \$600 billion a year in the Federal Government is spent just on grants. We think there needs to be greater oversight on that, and this Senate has agreed. This Senate has sent the GREAT Act over to the House and has said: Let's try to resolve how we can be more effective in how we do grants and be more transparent in the process and streamline the data itself to make it easier on those requesting a grant, as well as allowing for more transparency in where the Federal dollars are going. We don't want to just complain about the way grants are done; we want to try to actually fix it.

We highlight multiple other areas where we have made real progress in the past year tackling some of the things we have listed in previous versions of "Federal Fumbles."

But I do want to remind this body that while we talk about some of these hard issues, we often break into Republican-Democratic fights over hard issues. America is more than an economy, and while the economy is extremely important, we are Americans. We are Americans together. While we struggle to deal with hard issues, such as debt and deficit and what is going to be done to resolve this, we just can't conveniently go into our corners and make speeches and say that we have tried; we have to sit down and do hard things and do hard things together.

That is why we are opening this conversation. That is why we keep this conversation going, because I do believe that while the economy is important, who we are and how we value each other is just as important because we have the responsibility to solve this. Again, other offices may have other ideas on how to resolve it. Great. Let's bring all those ideas together. Let's get 100 books like this, and everyone bring their ideas. Then let's actually do the work to solve this in the future.

We are Americans. We do hard things. This one is going to be hard, and it is going to take a long time, but it doesn't get easier if we don't start, and it doesn't get done until we begin. So I am challenging us today to begin. Let's deal with the ways we have fumbled the ball in the past, and let's solve our debt and deficit together over the years into the future.

With that, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Ohio.

UNITED STATES-MEXICO-CANADA TRADE  
AGREEMENT

Mr. PORTMAN. Mr. President, I am on the floor today to urge the U.S.

Congress to do the right thing, and that is to allow a vote on this new agreement between Mexico and Canada and the United States.

Unbelievably, this agreement was negotiated a year ago—they signed it at the end of November last year—and yet for a year now, Congress has refused to take it up. It has got to go to the House of Representatives first, and Speaker PELOSI and the House Democrats who control that body have not been willing to at least take it to the floor for a vote.

The agreement is such a big improvement over the status quo. The status quo is the NAFTA agreement, which is 25 years old. The new agreement, which was negotiated a year ago, gives something that Canada wants, Mexico wants, and the United States wants. We want it because it is really important to us.

It is particularly important to my home State of Ohio. I will tell you our No. 1 trading partner by far is Canada. We send about 40 percent of our exports to one country: Canada. So to have a better agreement with our biggest trading partner—and our second biggest trading partner, which is Mexico—is really important. Alongside Mexico, our trade with Canada accounts for about \$28 billion a year.

I am hearing a lot about it. I am hearing from Ohio farmers. They have had a tough time. A combination of bad weather, a combination of shrinking markets for them in China, and a combination of low commodity prices going in to the bad weather period last year has made it really tough for farmers. A lot of them are having a very difficult time making ends meet this year.

They see the USMCA for what it is, an expansion of their market. They can sell more stuff to Canada and to Mexico, and that will help them improve their prices and help them to be able to get through this tough period, so for them, it is a light at the end of the tunnel. If we can get this new trade agreement passed, it means expanded markets for dairy products, for pork, for corn and soybeans, and other commodities. Get those prices up, and give our farmers a chance to compete on a level playing field. This is a good thing. That is why they are all for it.

Businesses really want the USMCA passed. By the way, I hear mostly from small businesses about this because they increasingly have looked to markets overseas—particularly Canada and Mexico in the State of Ohio—and they are concerned that if we do not put this agreement forward, we are going to have a lot of uncertainty out there, and they are going to sell less stuff, rather than more stuff, to these countries.

So a lot of small manufacturers in particular sell a lot from Ohio to Canada and to Mexico, and they tell me they want this agreement passed—and passed now—because it will really help them. My colleagues here in the Senate

have to be hearing the same thing. When they go home, they have to be hearing from these same people because all around the country, when people look at this agreement, they say: Of course, this is better than the status quo for my business. Workers, farmers, service providers will all benefit.

Taken together, our neighbors in Canada and Mexico now make up the biggest foreign market for U.S. goods anywhere, so these two countries together combined are the biggest market anywhere in the world. One-third of all American exports in 2019 have gone to Canada or Mexico, way ahead of all foreign markets. It is about 12 million jobs, so 12 million jobs nationally depend on trade with Canada and Mexico.

I am a former trade lawyer myself—a recovering trade lawyer—and I do not practice it today, but I did at one time. I am also a former member of the trade committee in the House of Representatives, called the Ways and Means Committee, and today, I am a member of the Senate Finance Committee, which is the trade committee over here. In the interim, I was U.S. Trade Representative for President George W. Bush. I will tell you, from all the experiences that I have had in trade, I have learned one lesson, which is, yes, it is complicated, trade has a lot of nuances, it is politically difficult, but it is really important to our economy.

Why? Because we have got about 5 percent of the world's population and about 25 percent of the economy here, so it is in our interest to access that other 95 percent of consumers outside of America in order to keep America as a prosperous country.

That is what these trade agreements tend to do. The problem with the NAFTA agreement, the current one, is that it is 25 years old, and it needs to be updated. You know, it is one of the oldest trade agreements we have, and it is one that is fraught with problems right now, some of which are fixed in this USMCA.

The USMCA, the successor to it, is a lot better. It creates a more balanced and more healthy trade relationship with Mexico and Canada for us. Again, for the workers and farmers and service providers that I represent and other people that this body represents, the level playing field is important because, while trade works if it is done properly and fairly, it does not work well when you have big trade deficits, when other countries cheat, when they do not play by the rules. Everything in this agreement helps to level that playing field.

As an example, right now, our trade agreement with Canada and Mexico does not have a lot of things you would expect in a modern agreement, like provisions relating to the digital economy. So much of our economy now operates on the Internet, yet there is nothing in the NAFTA agreement that protects data from tariffs, for example.

Another one would be labor and environmental standards which are weak and unenforceable under the current NAFTA. All of our new trade agreements have labor and environmental agreements, and they are enforceable. Well, guess what, USMCA does too. It includes a lot of the modern provisions that we have in our more recent trade agreements. I have got a handy chart here to talk about some of the specific changes between USMCA and NAFTA. First, the USMCA means more jobs. The independent International Trade Commission said it will add 176,000 new jobs. New jobs? USMCA, yes; NAFTA, no.

By the way, from my home State of Ohio, which is a big auto State, thousands of those jobs are going to be created in the auto industry, which is a great opportunity for us in America to help to bolster our manufacturing—176,000 new jobs is significant, 20,000 in the auto industry.

In fact, it is going to grow our economy by double the gross domestic product of that which was projected in the Trans-Pacific Partnership. That was the agreement that was done with countries in the Pacific region, Asia, and Latin America. It is an agreement that many Democrats have praised and a few years back criticized the administration for not going into the Trans-Pacific Partnership. But as much as they thought that the Trans-Pacific Partnership was going to be good for our economy, this is even better for our economy. Again, it more than doubles the GDP growth, the economic growth, as compared to the Trans-Pacific Partnership.

Second, the agreement does level the playing field we were talking about. It has enforceable labor and environmental standards—USMCA, yes; NAFTA, no—so another big difference. By the way, these standards are one reason why we have lost so many jobs to Mexico over the years.

Third, the USMCA, like I said, it has new rules for the Internet economy. Those new rules of the road are really important, particularly to small businesses in Ohio and around the country that rely on Internet sales for their businesses.

Unlike all our modern trade agreements, right now, there is no chapter in NAFTA—none at all—as it relates to the digital economy. Fortunately for Ohio online businesses, the USMCA has these protections. As an example, small businesses that rely on access to Canada and Mexico are going to have an easing of their customs burden for small values of their products, so both countries have agreed to raise their cap. I frankly wish they had agreed to raise it even more. But this is important both for small businesses that are in the Internet economy to save some money from customs and tariffs, but also it simplifies their business, which is fair because the United States has a higher cap.

The USMCA also prohibits requirements that data be localized in Mexico

and Canada. This is a big concern around the world. The country says: Okay, you can do it, but you have to localize your data here. In other words, you have to have your servers and your data here in our country. That is not required now. Under USMCA, that can be huge for our small businesses, and USMCA helps.

If I may, it does prohibit tariffs on data, which NAFTA does not do. So these are key provisions to keep the modern economy moving. And voting against USMCA—or not allowing it to come up, which is what is happening right now—really means that you believe these burdens and uncertainties should continue for our small businesses.

Fourth, USMCA goes further than any agreement we have toward leveling the playing field on steel. Steel production in this country is an incredibly important manufacturing sector. In Ohio, we are big steel producers. We are proud of that. It is one of the core industries we need to keep in this country. USMCA requires that 70 percent of the steel in vehicles that are produced under NAFTA in North America has to be steel from North America—so USMCA, 70 percent requirement; NAFTA, nothing, nothing.

Fifth, there is also an unprecedented requirement in the USMCA that is not in any other agreement in the world and that helps to level the playing field considerably by saying that between 40 and 45 percent of vehicles have to be made in NAFTA countries by workers earning at least \$16 an hour. We have heard a lot about, well, it is not fair in our dealings with Mexico in particular because they have lower wage rates. Well, this is being addressed very directly in a way that it has never been addressed in any previous agreement.

Democrats have been talking about this for years. They should hail this as a great breakthrough and allow the NAFTA agreement to end and the USMCA to take its place because this is better.

Voting for USMCA will also help to level the playing field on labor costs between the United States and Mexico because this new agreement requires that USMCA-compliant autos and auto parts have a higher percentage of U.S. and American content.

Under the NAFTA agreement, that requirement for content is 62.5 percent. So if you want a car within the NAFTA agreement that gets the advantages of NAFTA and that gets to come into the United States at a lower tariff from Canada or Mexico, 62.5 percent of it has to be from NAFTA countries. Under USMCA, we raised that 62.5 percent up to 75 percent. This means more autos and more auto parts are going to be made here in the United States and you have fewer imports and fewer jobs in other countries, like China or Japan or Germany. So this is good for us.

By the way, that 75 percent is the highest content requirement of any trade agreement we have. That is in USMCA.

All of these things are going to ensure that we have more manufacturing jobs in Ohio and across the country.

Frankly, the Trump administration, and particularly U.S. Trade Representative Bob Lighthizer, has listened to Democrats' concerns—listened very carefully—and then incorporated these concerns into this agreement.

Some of the concerns have also been raised by Republicans over the years, but, frankly, when I was U.S. Trade Representative, it was Democrats who mostly raised these concerns about the labor standards being enforceable and ensuring that you had something like the minimum wage that is now in this agreement.

These are provisions that Democrats have demanded for years. Yet now we can't get a vote. They will not even let it be voted on. How does that make sense? How do you explain it? I don't believe any Democrat thinks the status quo, NAFTA, is better than the USMCA. If they do, I would challenge them to explain to the American people why they think the status quo, NAFTA, is better than USMCA.

Blocking this trade agreement hurts so many sectors of our economy, as I have talked about. It hurts our auto industry and the hard-working men and women who are on the assembly lines. It hurts our farmers. They aren't going to be able to gain new access to markets in Canada and Mexico. That is why nearly 1,000 farm groups from our country have now come out strongly to support USMCA. Blocking USMCA means blocking our farmers out of these markets.

With all of these new requirements and all of these new improvements, it should be clear to everyone that this is not an effort to rebrand NAFTA. This is new. It is different. It is not your father's Oldsmobile. They are big and meaningful changes that will benefit all of us.

In short, USMCA is good for jobs. It is good for small businesses. It is good for our farmers. It is good for workers, and it is good for the economy.

This is a rare opportunity, my colleagues, to do something that is good for America and to do it in a bipartisan way. It can have such a positive impact at a time when our country needs to have us come together and do something that is good for everybody.

To Speaker PELOSI and the House Democrats: The ball is in your court. We realize that. Under the rules up here in Congress as to how you deal with trade agreements, this has to start in the House of Representatives. If it were to come to the floor here in the Senate, I believe it would pass and pass with a good bipartisan margin because it just makes so much sense. But it has to go through the House first.

If that agreement did come to the House floor, I believe logic would prevail, and it would pass there, as well, because I believe Members would say: Here is my choice, and it is a binary choice: Do I go with the status quo,

NAFTA, that I have been complaining about for years, or do I go with the new and improved USMCA? I think that is a pretty easy vote for a lot of Members who look at this objectively and with the interests of their constituents in mind.

A vote for USMCA, quite simply, is a vote for improved market access, more U.S. manufacturing, and a more level playing field for American workers, farmers, and service providers.

A vote against USMCA and blocking it from coming to the floor is a vote to keep NAFTA. It is as simple as that. A vote against USMCA is a vote for the status quo, which is NAFTA.

Supporting NAFTA today means supporting unenforceable labor and environmental standards, nonexistent digital economy provisions, and outdated rules of origin provisions that allow more automobiles and auto parts to be manufactured overseas rather than in America. We have a chance to fix all of this by passing USMCA.

I am confident that this new agreement will pass if we can get it up for a vote because the American people will demand it. There is plenty of time for politics between now and the 2020 election. Right now, let's focus on what is best for the American people. Let's work together and put them first, and, by doing so, let's pass USMCA.

I yield back my time.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Utah.

#### NOMINATION OF DAVID B. BARLOW

Mr. LEE. Mr. President, I come to the floor today to discuss my friend, my former colleague, and soon-to-be confirmed Federal District Judge David Barlow.

Last night, the Senate voted to invoke cloture as to Mr. Barlow's nomination. We will be voting later today to confirm him. Based on the support we have, I expect the vote to be overwhelming, and with really good reason.

David Barlow is someone I have known for a long time. He is someone I have known, in fact, for more than 30 years.

David Barlow and I first met when we were both in high school. Oddly enough, we met in Washington, DC, while we were both participating in an event known as American Legion Boys Nation. We had both attended Boys State in our respective States—I in Utah and he in Idaho—and we were both selected to go to Boys Nation to represent our respective Boys States.

Shortly after we convened as Boys Nation senators, David Barlow was elected to be the President pro temp of the Boys Nation senate. As a result, when we visited the White House a few days later, it was David Barlow who got to stand right next to Ronald Reagan as he greeted us in the Rose Garden and addressed Boys Nation.

David Barlow was someone who seemed to have been born for public service, and he was born for public service for all of the right reasons, in all of the right ways. He had a certain

enthusiasm about the workings of government—not in a partisan way, not in a self-interested way but in a way that was infectious and made all around him want to build a better country, want to find common ground, and want to come to know more about our country's rich histories and tradition.

Mr. Barlow and I became reacquainted about a year after we first met, when we first enrolled as freshmen students at Brigham Young University in the fall of 1989. David Barlow was there on a full academic scholarship and did not disappoint with his academic performance. As I recall, he graduated with a 4.0 grade point average from Brigham Young University with highest honors. Here again, David was smart but in a way that didn't make other people feel less smart. He made other people feel smart and eager to learn more, eager to be more enthusiastic about the academic process. He isn't someone who would have ever talked to other people about his outstanding grades or about his wonderful accomplishments.

A few years later, we both graduated from BYU. He graduated in 1995 from Brigham Young University and enrolled at Yale Law School, where he received his jurist doctorate degree in 1998.

After he graduated, David Barlow started his legal career as an associate at the law firm then known as Lord, Bissell & Brook in the firm's Chicago office. Just a couple of years later, David joined Sidley and Austin LLP as an associate in the firm's Chicago office. He later became a partner starting, I believe, in 2006, and he remained a partner at Sidley up until 2010.

During much of that time, I was an associate at Sidley and Austin in the firm's Washington, DC, office. I got to know David again through this process, this time as a lawyer, as a professional. Although we worked in different offices, as part of the same firm, we knew the same people.

The network of lawyers with whom I worked quickly identified David Barlow as one of the lawyers in the firm who could be trusted with everything, one of the lawyers in the firm who, even as a young associate, could be given any task, and any lawyer giving him that responsibility could do so with the full assurance that the client would be well served, that no ball would be dropped, and that every stone would be turned over in an effort to properly handle the case.

Mr. Barlow worked on a wide variety of litigation matters, including complex civil litigation, class actions, and products liability cases. He also handled a number of domestic violence cases on a pro bono basis.

Among many of his clients, David Barlow became known as Dr. Barlow. It was a name assigned to him by some of his clients when he was working on some liability cases involving the medical field. He became so immersed in the subject matter of the litigation