

been successful in school. They have participated in community activities. They are ready to be part of America's future, I can tell.

One young woman got up there and told the story of how she came to California with her parents under similar circumstances. She now is completing her Ph.D. in biochemistry at Cornell University. She wants to go into cancer research. Is America better if we force her to leave this country at this point? She doesn't think so. She thinks she can make this a better nation and better world if she can stay in America.

The folks who are so dead set against immigration ought to just pause for a moment and meet the people we are talking about, the people who are coming into this country, taking the jobs which Americans don't want to take, doing things which Americans aspire to but don't achieve, and many other aspects of our life that are really enriched by their presence.

So I would urge my colleagues to support us in this bipartisan effort for this bill. But I would also urge them to step back and make it clear, the "replacement theory" is an insane approach to America. It ignores our history; it ignores our future; and it ignores the reality of our economy today.

#### E-CIGARETTES

Mr. President, my family, like many families in America, has been touched by tobacco-related disease and death. My father died of lung cancer when I was 14 years old—he was 53. Two packs of Camels a day, he got lung cancer and died at that age. I still remember it to this day, even though it happened over 60 years ago. I am not alone in that. There are so many families that can tell that story, sadly.

And because of it, I have really focused on stopping Big Tobacco from addicting more and more Americans and sentencing them to death, in many instances, because of their deadly products.

Over the years, I have had some success. It was over 25 years ago that I banned smoking on airplanes. Senator Frank Lautenberg picked up the bill over here on the Senate side, carried it successfully, and it was signed into law.

It changed—we didn't realize it at the time, it just changed America's attitude toward smoking. It was, indeed, a tipping point. But I have been watching Big Tobacco ever since. Their approach to building their market is very basic. They have to lure children into the addiction. Kids that are not mature enough to say no pick up the addiction of smoking and end up carrying it to their graves, if they are not careful.

And so we have, over the years, put warnings on cigarette packages, raised the price beyond the reach of children, and done everything that we could.

Well, these Big Tobacco interests are not discouraged. They found a new product that is wildly popular among

young people that creates a similar addiction. It's called e-cigarettes or vaping. Ask any of your kids in high school, ask the teachers in the schools and the principals, what is going on with vaping in your schools today? You will find it's wildly popular, and kids are taking it up. And many of them switch from the vaping products to tobacco products and, ultimately, at the expense of their health.

That is what has happened. So we basically said to the Food and Drug Administration: You have a responsibility to regulate this. They can't put their products on the shelves without you taking a look at it.

Well, let me tell you the story of what has happened. These companies have flooded the market with addictive vaping devices, companies like JUUL, which is partially owned by the tobacco companies, and they promoted their products to children.

For years, none of these devices were legally authorized, and, yet, they have poisoned the developing brains and bodies of our kids. Who was supposed to be the cop on the beat? The Food and Drug Administration in Washington, but they were nowhere to be found. After years and years of the FDA failing to regulate e-cigarettes—listen to this—a Federal district court stepped in and mandated that the Food and Drug Administration fulfill its statutory public health duty.

On Friday, the Food and Drug Administration submitted an update on its Agency's long overdue review of e-cigarette applications.

Listen to this. In it, the Food and Drug Administration admitted it will not finish reviewing e-cigarettes until July 2023, nearly two years past the Court's deadline of last September. This is a stunning disclosure.

This means that JUUL and other e-cigarettes that kids get hooked on in the nicotine contained in the product and which have not received an authorization from the FDA may continue to be sold with impunity for more than a year. Imagine the thousands of students who will become addicted to these products while the FDA dawdles.

What is most incredible to me is that this outcome is not inevitable. In fact, if it wanted to, the Food and Drug Administration, before the end of business today, could remove these products by regulation from the shelves of America.

That is right: Addictive e-cigarettes like JUUL are only on store shelves because the FDA has given tobacco companies a free pass to sell their vaping products.

This is just wrong. This is exactly the opposite of the intent of the law. With this decision, the FDA is complicit in endangering the health of America's kids. That is a powerful statement, but I stand by it.

The law is very clear, no tobacco product is supposed to be on store shelves unless its manufacturer proves to the FDA, prior to marketing, that it is appropriate for public health.

How in the world could you prove that a vaping cigarette, e-cigarette, is in some way appropriate for the protection of public health? It is just the opposite, and we all know it.

So today I am beginning by calling on the FDA to immediately halt its enforcement discretion and remove all unauthorized e-cigarettes from the market. Don't allow JUUL and the other tobacco companies one more day of addicting our children. Stop cowering before Big Tobacco's highly paid lawyers.

We have seen too many years of delay by the FDA to the point where the Court had to order them to finally exercise their obligations under the law, and we have seen too many kids hooked on e-cigarettes. If the Food and Drug Administration needs more time to review applications, protect our kids, and clear the market of big tobacco's poison while you are doing it—nothing less than the health and well-being of our children is on the line.

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. THUNE. 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.

#### AGRICULTURE

Mr. THUNE. Mr. President, farming and ranching are industries that are particularly subject to the whims of the weather. Just one storm can wipe out an entire herd or crop, sometimes in a matter of minutes.

Last Thursday, several storms struck eastern South Dakota and farmers were hit hard. Fortunately, it was too early in the season to wipe out any crops, but farmers lost essential equipment and resources, feed, grain bins, outbuildings, and more.

My office will be doing everything it can to make sure those affected get the assistance they need to recover, and I know many are already planning to rebuild. Whether it is a natural disaster or an ordinary day, farmers and ranchers are always at the top of my mind here in the Senate. Agriculture is the lifeblood of our South Dakota economy, and I am committed to doing everything I can to ensure that our farmers and ranchers have the resources they need to help feed our country.

I am fortunate enough to be a longtime member of the Senate Agriculture Committee, which gives me an important platform in which to address the needs of South Dakota ag producers. Right now, a big focus of mine is the 2023 farm bill.

I have already held the first of a series of roundtables to hear from South Dakota farmers and ranchers about what they need out of the 2023 farm bill. And I have introduced the first of what will be a number of proposals

that I hope to get included in next year's legislation.

My Conservation Reserve Program Improvement Act, which I introduced in March, would make CRP grazing a more attractive option by providing cost-share payments for all CRP practices for the establishment of grazing infrastructure, including fencing and water distribution.

It would also increase the annual payment limit for CRP, which hasn't been changed since 1985, to help account for inflation and the increase in land value.

I am also working with colleagues from agriculture States on legislation based on my conversations with South Dakota farmers and ranchers. In fact, last week I joined Senator KLOBUCHAR to introduce the Agriculture Innovation Act.

Currently, the U.S. Department of Agriculture collects reams of data on conservation practices. The problem is that a lot of this data is often not analyzed and presented in a way that would be useful for farmers and ranchers.

The legislation Senator KLOBUCHAR and I have introduced would provide for better processing and development of the data that the USDA collects so that farmers and ranchers can evaluate the impact of conservation and other production practices on things like soil health, crop yields, and profitability.

Our bill would make it easier for farmers and ranchers to decide what conservation practices to adopt by, among other things, helping producers identify the ways adopting conservation practices can improve their bottom line.

And Senator KLOBUCHAR and I will be working to get this legislation included in the 2023 farm bill. In addition to farm bill priorities, I have been spending a lot of time focused on agriculture and trade. Our nation's farmers and ranchers already send their products around the globe. But with Russia's war in Ukraine and its devastating impact on Ukrainian agriculture, American ag producers are facing an added responsibility when it comes to feeding the world.

Unfortunately, for some time now I have been hearing reports of ocean carriers refusing to transport American agricultural products. This would be a difficult situation at any time as export markets around the world are critically important to American producers, but it is particularly painful at a time when inflation is soaring and the supply chain is under significant strain and when there is an increased need to get American agricultural products abroad—thanks to the war in Ukraine. And that is why I introduced legislation, the Ocean Shipping Reform Act, to address these kinds of shipping problems and create a more level playing field for American agricultural producers.

My bipartisan legislation would give the Federal Maritime Commission in-

creased authority to respond to unfair ocean carrier practices, whether that involves a refusal to carry certain cargo, like agricultural commodities, or discriminating against certain commodities for export.

It would also provide the FMC with tools to more quickly resolve attention and demurrage disputes, which would bring greater efficiency and transparency to a process that leaves many shippers frustrated, especially agriculture producers and other small businesses.

I was very pleased that the Senate passed my bill at the end of March, and I am working with my colleagues in the House of Representatives to advance this legislation so we can get it to the President's desk.

I also recently led a letter with 23 of my Senate Republican colleagues to the U.S. Trade Representative and the Secretary of Agriculture, urging them to prioritize increased access to foreign markets for American producers, including—and especially—American ag producers.

Unfortunately, the Biden administration has not made market access commitments a priority in its trade agenda, including the proposed Indo-Pacific economic framework. And the administration has failed to pursue any ambitious market-opening initiatives or comprehensive trade agreements.

Trade has played a large part in America's economic success for decades, and it is critical for American ag producers who depend on exporting their products. It is unacceptable that the administration has dropped the ball in pursuing increased market access for American producers.

I am also less than impressed by the President's failure to put forward a confirmable nominee for the post of Chief Agricultural Negotiator at the Office of the U.S. Trade Representative.

And while the President has finally put forward a nominee for Under Secretary for Trade and Foreign Agricultural Affairs at the Department of Agriculture, it has taken him far too long to fill this position, which plays a critical role in advocating for American producers when it comes to world trade.

I pressed the U.S. Trade Representative on the administration's failure to prioritize a meaningful trade and agricultural agenda during a recent Finance Committee hearing, and I will continue to maintain pressure on the administration to expand export opportunities for our Nation's workers, farmers, ranchers, and businesses.

Our Nation depends on our farmers and ranchers, and I am profoundly grateful for all the determined men and women who have chosen and passed on this way of life. I am honored to represent South Dakota's farmers and ranchers here in the Senate, and I will continue to do everything I can to ensure that they have all the resources they need to continue to feed our Nation and the world.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

GUN VIOLENCE

MR. MURPHY. Mr. President, the conventional wisdom is that one of the adaptations that helped humans separate ourselves from all other species is this—the opposable thumb. The theory goes that the transformation of the thumb, able to operate by itself independently from the rest of our fingers, allowed humans to be able to manipulate objects with a level of precision and dexterity that was previously unseen in the animal kingdom, and this newly nimble hand allowed humans to, for instance, more easily catch fish and open fruit, pull out the seeds, this newfound bounty of fats and proteins. It vaulted the human brain into developmental overdrive.

But about 10 years ago, biologist David Carrier, a longtime student of the evolution of the human hand, proposed a different theory. What if the primary utility of the opposable thumb was not to do this, but instead this. The ability to tuck your thumb into the middle of your four fingers immediately gave humans a more effective fighting tool—important, since we lacked tusks or fangs or claws like other animals.

Maybe the development that mattered most to human development was the one that allowed us to become more effective fighters not just with predators but with ourselves because from the beginning, as a species, humans have been drawn to violence. In fact, there are few species, few mammals, that are more violent than humans.

There is a really interesting study of intraspecies violence, meaning when you conduct a violent act against another member of your species, and these researchers looked at over 1,000 mammals.

What is interesting is that 60 percent of mammals actually have zero intraspecies violence—bats and whales, they never attack each other. That tells you something, in and of itself; that it is not endemic to mammals to be violent.

But what the data showed is that right at the top of that list of those 1,000 species, when it came to the rates of intraspecies violence—humans.

Biologists trace our violence back to our earliest days. Without those tusks or fangs, humans could really only survive by grouping ourselves tightly together. We were quickly rewarded socially and materially for joining up in groups.

But with resources scarce in the early human world to survive, you had to find a group, and then you had to defend it—defend it against other humans who were competing with you for those same resources.

Intertribal violence was epidemic in this world in the early days of humans. In the bronze age, estimates suggest that one out of every three humans