

He openly, brazenly and I believe very, very deliberately sought to undermine the stated purpose, intent, effect, and spirit of 10 U.S.C. 1093. He chose to do that.

What is sad in this day and age, when the government is as big as ours, a government that unwisely gives as much deference as it does to the executive branch—not just to the President himself but those who serve him in various capacities in executive branch Agencies and Departments. In this day and age, it is almost analogous to the expression that “possession is nine-tenths of the law.” As long as he remains in charge of the Department of Defense, he can say up is down and is surrounded by people who literally salute him every day and people who follow those orders. Unless or until Congress does something about it, he may get away with openly flouting the law.

(Ms. CANTWELL assumed the Chair.) That doesn't mean that nobody in the Senate can have anything to say about it, and it certainly does not entitle the Secretary of Defense or the President of the United States to have every Member of the U.S. Senate agree to continue to reward them with continued deference and a grant of expedited consideration of all military promotions, whether flag officers or otherwise. This is not something they are entitled to. It is something that Senators freely choose to give or to withhold. Here, he has chosen to withhold it.

The beginning of the end of his speech says:

I urge Senate Republicans to do what they know is right.

On that point, I agree, and we will.

The PRESIDING OFFICER. The Senator from Vermont.

VERMONT FLOODING

Mr. WELCH. Madam President, I would like to address the Senate and describe the situation in Vermont.

On July 10, we had a catastrophic flood that affected parts of the entire State. What I would like to speak about today are a couple of things: one, where Vermont stands in the recovery and, two, to describe specifically damages to our agriculture community and our farming community.

Before I do start, I want to express my gratitude to the Biden administration, to the FEMA folks who visited, to the Secretary of Transportation, who visited, and to the staff at FEMA, who have been working tirelessly to help Vermonters go through the very difficult process.

There are folks who have lost their homes or suffered significant damage to their homes, folks who have lost their businesses. We saw, when I was here originally, a photograph of Montpelier, where the entire downtown district was flooded, and the individuals in the farming community who have seen all of their work and all of their crops destroyed.

Senator SANDERS and Congresswoman BALINT and I are working as closely as we possibly can with Governor Scott, whose administration is totally dedicated to trying to help Vermonters recover. What did happen in Vermont affected homes, it affected infrastructure, it affected businesses, but it also affected the farming communities.

Earlier this week, Governor Scott and I visited the farm of Paul Mazza in Essex Junction. Paul has been farming for about 40 years, since he was 11 years old. The farmland that we see here along the river—as you can see, it has risen up so that it covers much of the acreage. The acreage included raspberries, blueberries, blackberries—crops for which neighbors and Vermonters from all around look forward to coming to the Mazza farm and self-harvesting.

As Paul Mazza said to Governor Scott and to me, “The people of Essex and the people of Vermont need my farm, and my farm needs the people of Vermont.”

A custom in Vermont was for folks, with their families, to go to the Mazza farm and do their own picking.

He has about 40 acres that are dedicated to those extraordinary crops, and they have been destroyed. We walked that farm and saw the devastation. When the flooded waters rose up above the crops and then receded, it left a residue which destroyed them. He also has almost 300 acres of corn, feed corn, and about 250 acres of that were destroyed as well.

What we understand is that about 100,000 acres of forest and cropland have been affected by the flood. About 10,000 of those acres are in direct agricultural activity.

As for the vegetable crops from our small farmers, whose work is only paid for at the end of the season when they harvest and sell those crops, those crops are destroyed. So, with many of our smaller vegetable farmers, who are so important to community life and so important to getting good, nutritious food, those crops have been destroyed.

The question is whether those farmers are going to be able to get back in business, and we are going to need to be able to help them if that is going to happen.

I have a couple of things I would like to say. One is to Vermonters and to Vermont farmers: Report. Report. Report.

In order for us here in Washington to be able to make the case for the aid that we need and you need, we have to document what the damages are. Some folks in Vermont are hesitant to make that report, thinking they might affect their neighbor's ability to get aid. That is not the case. We need to document how much loss has been suffered by every Vermonter.

So, please, especially our farmers but our homeowners and our businesses, report. Call 211, and let us know what the damage is where you live. It could be

anything from driveway damage to Paul Mazza's crop damage of a couple hundred acres.

Second, Senator SANDERS and I will be asking at some point, when we know what that damage is, for the assistance of our colleagues to help out Vermonters who have been the victims of this natural disaster, this catastrophic flood, that occurred 17 days ago.

Before I finish, I want to express the inspiring response that Vermonters have had.

You know, we are 17 days into this, and immediately after the flood, there was an outpouring of support from volunteers—other Vermonters—to come to help businesses that were flooded, to help homeowners who were flooded, and even to help our farmers.

People are going back to their lives, but Vermonters still want to help. Some of the stories so inspired me, and I will give one.

In Marshfield, there is an owner of a general store, Michelle Eddleman McCormick. She thought she was running a country store. Well, on the day of the storm, in Marshfield, it was absolutely devastated. She took in three dozen people who stayed in her store, and she sheltered them. I just can't believe the generosity of this person to fellow Vermonters in need—taking three dozen people in, sleeping on the floor, and doing whatever they could to get through the night and the next day. The damage was enormous. Marshfield, where the country store is, lost three bridges, and a fourth was severely damaged.

In the small town of Johnson, a sewer main was taken out when the line attached to the bottom of a bridge was ripped away by a car that was floating down the river. The wastewater treatment facility in Johnson was totally destroyed. It suffered 8 feet of water in the plant itself. Across Vermont, we lost 33 wastewater treatment plants.

In the small town of Cabot—famous for its Cabot/Agri-Mark cheese—every single road was damaged, and people were stranded within the community because you couldn't get out, and you couldn't get in.

In Cambridge and Jeffersonville, these small towns were completely cut off during the flood. A senior low-income housing project was lost to the flood.

So we are now in that stage where the initial trauma of that flood on July 10 is behind us, but there is very hard work that is required to try to get that business back on its feet or for that homeowner to find shelter, for that farmer—Paul Mazza and his daughter, Katie, and the folks who worked so hard on the Mazza farm—they have to do the day by day, step-by-step recovery because we want folks to be back in their homes; we want folks to be back on their farms; and we want folks to be back in their businesses.

Vermonters are going to do everything they possibly can. The Governor's response and the legislative response is important, and there is public and private activity that is going on to help Vermonters get back on their feet, but we in the Federal Government have to do our part.

Vermonters have always, always been there to help other parts of our country that have suffered natural disasters, which is through no fault of anyone's, but for the folks who are on the receiving end—in this case a flood, in another case a hurricane, in another case a wildfire—we have to help each other, and Vermonters have always helped others.

My hope—and I am confident on the basis of the very supportive comments that my colleagues have made to Senator SANDERS and to me—is that we will get the help that we need for Vermonters. I am inspired by how Vermonters have helped each other, and my hope is that we will help them get back, fully recovered as soon as possible.

I yield the floor.

(Mr. COONS assumed the Chair.)

(Mr. WELCH assumed the Chair.)

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

FEND OFF FENTANYL ACT

Ms. CANTWELL. Mr. President, I rise tonight to speak about important legislation that was included in the National Defense Authorization Act tonight and something that will help us fight the scourge of illicit fentanyl in the United States of America.

An urgent public health crisis is gripping our State and many other parts of the United States. I want to thank my colleagues Senator SCOTT from South Carolina and Senator BROWN from Ohio for their leadership on the bipartisan legislation known as the FEND Act that was included in tonight's legislation.

The fentanyl crisis is having a direct and dire impact on families in the State of Washington and all throughout the United States. In the past 12 months, more than 65,000 Americans have died by overdosing on synthetic opioids like fentanyl. That is why it is so important that, tonight, included in this legislation is the FEND Act, and that is part of a response that we need to have to take this national crisis seriously.

This legislation declares the international trafficking of fentanyl, and its precursors needed to make it, a national emergency. This gives the President and us the focus that we need to fight, as it says in the legislation, "an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States."

Mr. President, a crisis of this magnitude demands a robust Federal response, and that is why this legislation provides the President with new tools to stop the illicit fentanyl flooding our

borders and those who are trying to transport it into our country.

First, the new tools in this legislation are sanctions targeting transnational criminal organizations and foreigners engaged in international fentanyl trafficking. The bill specifically calls out eight known cartels in Mexico, which means that Treasury can investigate suspicious activities involved here and declare sanctions. It recognizes that these traffickers, once identified, can have sanctions imposed and can have forfeiture of their property.

Recognizing that fentanyl production is not simply these entities but also diverse networks of players, this legislation helps us go after those. Sanctions will enable the U.S. Government to try to disrupt the flow of this product: the distributors, the brokers, the wholesalers, the retailers, the sellers of precursors—anyone who is involved in trafficking these deadly pills can now be targeted.

Second, the Senate-passed legislation goes after financial institutions that participate in fentanyl-related money laundering. Once caught, property forfeited by international fentanyl traffickers can be used by the Department of Justice and State and local law enforcements to help participate in additional investigations, and this legislation also empowers Treasury to use special measures to pursue fentanyl-related and other types of drug laundering activity. For example, a foreign financial institution engaged in fentanyl-related money laundering, it can impose restrictions on those banks and U.S. banks doing business with those foreign entities.

So the bottom line is there are new tools. Once this legislation makes it to the President's desk and through the finish of our colleagues working together on a final House and Senate NDAA package, it will give the U.S. Government Agencies more tools to disrupt the illicit fentanyl trafficking and the supply chains that exist internationally.

Severely penalizing those engaged in fentanyl trafficking is just one step. According to the Centers for Disease Control and Prevention, my State, Washington, experienced the single highest increase among U.S. States in reported drug overdoses last year—an increase of more than 21 percent.

Hundreds of traumatized families that will never be the same, thousands of first responders struggling to cope with this daily tragedy that they respond to—the statistics are stunning, but they are also just very tragic. Sometimes it is hard to even listen to the stories, but I have been going around my State listening to people affected by this crisis and talking to those in my State about the opportunities to do something—the heart-wrenching stories of individuals who have been impacted by this: a mother whose son went off to college and just simply didn't come home; a beloved

brother who fought addiction for years and who got help to kick heroin, got sober, and got his life back but then, sadly, succumbed to fentanyl; a woman struggling with addiction who realized she needed help but then couldn't find a bed available for detox, only to hear, time and time again, that such a bed did not exist; a young man who took a single pill he thought was Percocet who died from an illicit counterfeit pill laced with fentanyl.

That is why we need legislation. In addition to the FEND Off Fentanyl Act, we need to do more with just the supply. In the Tri-Cities, a police officer told me that their local task force has already seized over 200,000 fentanyl pills this year. Statewide, we have already surpassed the number of fentanyl seizures in all of last year. Law enforcement in Washington has already seized more than 1.6 million fentanyl pills this year compared to a total of 1.3 million in all of last year.

So the U.S. Drug Enforcement Agency has seized over 379 million deadly doses of fentanyl. That was last year. That is more than enough supply in the United States. We need to do something now to also aid in the stopping and obstruction to make sure that we are preventing this from happening in the rest of the United States and to stop it in my State of Washington.

I plan to work with TSA and DEA to make sure that we strengthen the laws that allow for the investigation of fentanyl distribution at our airports, to make sure that we are tracking the supply and investigating and giving our law enforcement any tool that they can use to help stop the movement of this product.

I am also grateful that our colleagues tonight acted in a bipartisan way, and I hope they will act in a bipartisan way in the future. There are other things that we need to do to stop the cycle of addiction.

As one doctor told me: We could have access to recovery be as easy as access to the drug, but it is not.

We have heard from people all over the State—from our firefighters, from our police officers, from our courts, to our healthcare treatment centers—and we have seen unbelievable pilot programs that are being used to try to tackle this problem. We have seen fire stations use new equipment and first responders so they can quickly get to the scene and have the tools in place.

We have heard from our State and from our healthcare officials like Dr. Banta-Green from the University of Washington, who has helped to understand and pioneer a program so that people can just walk into a facility that is community-based and get access to care and treatment immediately. So no more trying to respond every day of where to go or having a first responder having to go back to the same place, but giving people a place that they can go.

I hope our colleagues will look at some of these innovative prevention