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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Father, we come to You, the source of our hope and strength. We have recently celebrated America's independence, but each new day seems to bring reminders of how our Nation and world are buffeted by winds of instability and danger. We continue to be reminded that freedom is not free.

As our lawmakers seek to pay the price for freedom in unstable times, may they not forget that You are not intimidated by any of the divisive and evil forces we face. May our Senators remember that their best blessings come from You, the One who has been our help in ages past and remains our hope for years to come. Give them the wisdom to find creative solutions to the many problems we face, trusting You to direct their steps.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S. 3110

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 3110) to provide for reforms of the administration of the outer Continental Shelf of the United States, to provide for the development of geothermal, solar, and wind energy on public land, and for other purposes.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

LEGISLATION BEFORE THE SENATE

Mr. MCCONNELL. Mr. President, last week's passage of responsible, bipartisan legislation on Puerto Rico shows what is possible when we keep our focus on serious solutions. That is where we should keep our focus again during the coming work period.

We knew that doing nothing was not an option on Puerto Rico. So Senators of both parties worked to pass responsible legislation to help the Puerto Rican people and prevent a taxpayer bailout.

We also knew that doing nothing was not an option on Zika, yet Democrats blocked over a billion dollars in new funding for women's health and pregnant mothers, as well as record funding levels for veterans. As I have said before, the Senate will revisit this important issue over the current work period.

We will give Democrats another opportunity to end their filibuster of funding that is critical to controlling Zika and supporting our veterans. We will also address other important issues.

Senators will have the opportunity to support proposals designed to help keep Americans safer in their communities, to help strengthen our military, and to help prevent families from unnecessarily paying more for the food they purchase.

Let me remind colleagues of the four bills on which I filed cloture just before the Fourth of July State work period: the Stop Dangerous Sanctuary Cities Act, Kate's Law, the biotechnology labeling compromise, and the Defense appropriations bill. I will have more to say about each of those measures in just a moment.

First, we will consider Senator TOOMEY's Stop Dangerous Sanctuary Cities Act and, then, Kate's Law from Senator CRUZ. Senator TOOMEY's Stop Dangerous Sanctuary Cities Act aims to deter extreme and unfair so-called sanctuary city policies in the first place. Senator CRUZ's Kate's Law will help protect the public even when cities insist on maintaining these dangerous policies.

Senator TOOMEY's bill would support jurisdictions that cooperate with Federal law enforcement officials and redirects funds to them from those places that refuse to do so. It would also support law enforcement officers who put their lives on the line every single day, protecting them from having to live in constant fear of being sued for simply doing their job.

It is no wonder that this bill has such broad support from the law enforcement community, including the Federal Law Enforcement Officers Association, the National Sheriffs' Association, and the National Association of Police Organizations. Senator TOOMEY's bill, in conjunction with Senator CRUZ's bill, aims to prevent more families from experiencing the heartache that Kate Steinle's family has been forced to endure.

It has been a year since Kate was tragically murdered in San Francisco by a convicted felon who had been deported five times. What makes this tragedy even more heartbreaking is

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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that it could have been prevented, but San Francisco had an extreme so-called sanctuary city policy of not complying with Federal immigration laws—apparently, even when it came to detaining dangerous criminals residing in our country illegally.

In this case, the city's irresponsible policy helped lead to a young woman senselessly losing her life at the hands of a felon who should have never been on the streets to begin with. Senator CRUZ's bill is about getting dangerous criminals off our streets and keeping our communities safer. It will prevent individuals who have been convicted of coming here illegally and who have been convicted of committing serious criminal offenses from harming more innocent victims such as Kate Steinle.

We are a nation of immigrants. We all appreciate the many contributions that immigrants have made to our country over the years. Americans from both parties know it would be incredibly dishonest to pretend this bill is aimed at law-abiding citizens who enrich our country, rather than those at whom it is really aimed—those who come to this country illegally and have criminal convictions. Americans from both parties also understand that extreme sanctuary city policies can inflict incredible pain on innocent victims and their families.

President Obama's own Secretary of the Department of Homeland Security has called sanctuary city policies not acceptable and counterproductive to public safety. We took up similar measures last year, and it was unfortunate to see them blocked. Let's work together now to make the right choice and advance these measures to prevent more tragedies like Kate's and support local law enforcement officials who put their lives on the line for us every day.

After the Senate considers these bills, we will move to a bipartisan compromise recently announced by the top Republican and the top Democrat on the Agriculture Committee. This bill would protect middle-class families from unnecessary and unfair higher food prices that could result from a patchwork of State food labeling laws, and it would ensure access to more information about the food they purchase, as well.

While the bill before us may not be perfect, it is the product of diligent work from both sides, which, in fact, worked very hard to reach an agreement. It is a commonsense measure based on science, which has not shown health, safety, or nutritional risks associated with bioengineered products.

Senator ROBERTS, the chairman of the Agriculture Committee, said this bipartisan bill recognizes the 30-plus years of proven safety of biotechnology while ensuring consumer access to more information about their food. The ranking member of the Agriculture Committee, a Democrat, calls it ''a win for consumers and families.'' With cooperation from across the aisle, we will pass it.

I also filed cloture to begin debate on the fiscal year 2017 Defense appropriations bill, which funds the training, equipping, and readiness of our Armed Forces. This bill provides the men and women who protect us with the resources they need to execute their missions, and it provides our military with the tools it needs to prepare and modernize the force, which is critical at a time of numerous threats to our Nation.

Senators from both sides have already passed a bill to authorize funds for national defense priorities. Now it is time for Senators for both sides to pass this bill that will actually appropriate those funds.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

ZIKA VIRUS FUNDING

Mr. REID. Mr. President, I am sure the American public recognizes that we are returning from another vacation—a break, as they are called—without a serious proposal to address Zika.

Zika is a threat. It is a scourge. In less than 10 days, the Senate will adjourn for its longest break in many decades. Sadly, though, Republicans are no closer to getting serious about Zika. The Senate will vote again on their cynical conference report, which I will describe in some detail in a minute. It is full of partisan provisions designed to inject politics into a public health emergency.

This bad legislation will never pass and will never get a Presidential signature. We should be working for a bipartisan solution, but my friend the Republican leader said we are going to vote on this again. Vote on this again—that is too bad.

It is not a surprise that the party of Donald Trump and MITCH MCCONNELL refuses to responsibly address the threat posed by Zika. It is a virus like we have never seen before. Mosquitoes have caused problems for many, many generations but never, ever, birth defects.

Democrats have spent more than 4 months sounding the alarm on Zika and have called on Republicans to join us to fund a responsible response to this threat. It was looming, and now it is here. But Republicans have refused to make Zika a priority.

It hasn't always been this way. In the not-too-distant past, Republicans worked with us on crises and disasters. The last three public health emergencies—Ebola, H1N1 flu, avian flu—had much higher pricetags, yet responses to each passed Congress in a very short period of time.

It has been 130 days since President Obama requested $1.9 billion for public health officials to protect the American people against Zika. This isn't some figure he came up with out of the air. He was told this by the Centers for Disease Control, the National Institutes of Health, and other public health officials.

Republicans have simply ignored this emergency. It is an emergency. So why is the party of Trump and MCCONNELL treating Zika differently than they treated every other modern public health emergency?

Well, maybe it could be that it is uniquely devastating on women. I would hate to think this is the case, but you can't ignore the facts when women face the greatest risk—terrible risks. Everyone now knows these mosquitoes are ravaging thousands and thousands of people, and tens of thousands of women have this virus. We don't yet know how many will give birth to these deformed babies.

Suddenly, Republican men suddenly feel they know best about women's health. This isn't new. They have always done that. You see on TV that the people who are the most pro-life are men, not women.

Every day new reports emerge of Americans being affected with Zika. Right now we know at least of about 550 women who have this infection. It has been proven in labs. As I have indicated, millions more are threatened, and women in States with large Latina populations are at the greatest risk.

Zika has been linked to many health problems but notably a terrible birth defect called microcephaly, which happens when an expectant mother contracts Zika. Already, seven babies in the United States have been born with birth defects caused by Zika. Most of them haven't survived.

We have all seen the images of these babies with their small skulls, most of them caved in. It is heartbreaking, but we should do something to stop it.

Still, the Republican leader is wasting time with failed votes on really unserious legislation. This sort of reckless partisanship—no matter the cost to women and families—is exactly the sort of behavior that led to the rise of Donald Trump, the sort of legislation you would expect from Trump and MCCONNELL's new Republican Party.

To get the votes of the loudest, most bizarre members of the tea party, Republicans are pushing one of the most irresponsible pieces of legislation we have ever seen in Congress, ever. Not surprisingly, Republicans returned to their obsession with defunding Planned Parenthood. This isn't new. This is the old playbook: Let's defund Planned Parenthood; let's go out and get some phony pictures of what they are doing—which have all been proven to be false. But let's do something to go after Planned Parenthood—led by, of course, men, with rare exception.

The Republican bill would restrict funding for Planned Parenthood and other family planning clinics. These are the very places that provide birth control to women in Zika-affected areas. Planned Parenthood has provided many women a place to go to get

their health care. This is beyond hypocrisy. Republicans are expecting women to magically stop the spread of Zika and prevent their babies from developing birth defects, all while denying them access to family planning services.

But Republicans don't stop there. Their bill would also hurt veterans by slashing the Senate's level of funding to the VA by $500 billion. What was that money to be used for? Processing claims of veterans. They wiped that out. It would roll back environmental protections, and the clincher, as we all know, is they would allow the Confederate flag to fly over cemeteries. These provisions are as unacceptable as they are partisan. That is why Senate Democrats rejected the outrageous Republican bill and will do so again.

The Zika threat is growing, but that hasn't changed the Republicans' vacation plans. They need time to unify around Donald Trump in Cleveland but no time for American women. For today's Trump and McConnell Republicans, a public health crisis that is disproportionately dangerous to women isn't worth serious, bipartisan action. Add to that fact that Zika is affecting women by the tens of thousands in Central and South America and the picture becomes even clearer: The anti-immigrant party of Trump and McConnell would rather be on vacation than lift a finger to help.

The National Institutes of Health and the Centers for Disease Control are warning that vaccine research and other efforts to protect Americans from Zika is likely to stop without immediate action from Congress.

A poll released last week by the Kaiser Foundation found 72 percent of Americans want the government to spend more to fight Zika—not less, more. We need to act, and we need to act now.

It is obvious that picking a fight over women's health is more important to Republicans than a bipartisan response to stop the spread of this dreaded virus. Democrats have called on Republicans to work with us to get something done. A 7-week vacation should be delayed. There is no excuse for inaction and partisanship. We cannot afford to waste another day, a week, another month—we have already wasted 4 months—for Republicans to help stop the spread of this emergency. Let us get to work and do it now.

IMMIGRATION LEGISLATION

Mr. REID. Finally, on another subject, Mr. President, Senate Republicans today will promote Donald Trump's anti-immigrant rhetoric with action. This afternoon, the Senate will vote to consider a pair of bills proposed by the junior Senators from Pennsylvania and Texas. These bills follow Trump's lead in demonizing and criminalizing immigrant Latino families.

Senator TOOMEY's bill will undermine the ability of local law enforcement to police their own communities and to ensure public safety. It would deny millions of dollars of critical community and economic development funding to cities and States that refuse to target immigrant families. Senator TOOMEY's legislation would simply create more problems. It wouldn't solve anything. Not surprisingly, it is opposed by mayors, domestic violence groups, Latino and civil rights groups, and labor organizations.

Senator CRUZ's bill is no better. It would enact unnecessary mandatory minimum sentences and would cost billions and billions of new dollars, increasing the prison population and siphoning funding from State and local law enforcement. Worst of all, this sort of partisan, piecemeal approach undermines bipartisan efforts to enact badly needed reforms in our criminal justice system.

One desk over from me is DICK DURBIN, the assistant Democratic leader. He has worked for years on doing something about the criminal justice system. He has been joined by a bipartisan group of people to get something done, but, again, the Republican leader is too interested in doing things that mean nothing than doing something that means something.

By pursuing legislation targeting so-called sanctuary cities, Republicans are legislating Donald Trump's vision that immigrants and Latinos are criminals and threats to the public. Republicans want red meat going into the convention and desperately want to pivot from the epidemic of gun violence plaguing our nation and the epidemic of Zika, but Americans deserve a real solution to our broken immigration system, not political games and dog-whistle politics.

If Senator MCCONNELL wants to bring this legislation forward, we are going to take a serious look at it. Maybe getting on the bill might be the right thing to do. If we get on that, and the Republican leader said he wants a robust amendment process, well, we will be happy to give him one. We will have a number of amendments on guns, we will have a number of amendments on Zika, and we will do something about comprehensive immigration reform. So we are going to take a look at that. We may just get on that bill and find out if we are going to have this robust amendment process, but let's address comprehensive immigration reform, guns, Zika, and other issues. We are happy to do that. This may be an opportunity for us to move forward on those issues.

Will the Chair announce what the Senate is going to do the rest of the day.

RESERVATION OF LEADER TIME

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

STOP DANGEROUS SANCTUARY CITIES ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3100, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 531, S. 3100, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

The PRESIDING OFFICER. The assistant Democratic leader.

LEGISLATION BEFORE THE SENATE

Mr. DURBIN. Mr. President, I see my colleagues from Kansas and Michigan on the floor, and I know they are here to speak on the GMO issue. I will make a brief statement and cut short what I planned on saying so they can take the floor on this important and pending issue.

The Senate Republican leader came to the floor this morning and congratulated the Senate on the fact we passed, on a bipartisan basis, the Puerto Rico legislation necessary to deal with the financial disaster they face. We did that last week, truly in a bipartisan way. The Republican leader said this morning we need to keep our focus on serious issues, but then he comes to us with four bills that he requests we take up during the abbreviated session we have this week and next week, and among those four bills are two he acknowledges are clearly only introduced for the political impact, for the message, they might deliver.

One bill that is being promoted by the junior Senator from Pennsylvania is a bill relating to sanctuary cities. This measure was largely considered and voted on only 8 months ago and defeated in the Senate. Why are we bringing it back today? Well, there has been some candor on the Republican side. The Senator who is offering this measure is up for reelection. He believes this is an important ''message amendment'' that he needs to take back to his home State of Pennsylvania, and he wants to make sure the Senate takes up this measure before the Republican convention, which starts up in a couple weeks. This is a political tactic that is sadly going to eat up the time of the Senate with the same ultimate result. Senator TOOMEY's sanctuary bill will not pass, but it gives him something to talk about when he goes home and perhaps something to give a speech about at the Republican convention.

Going back to the Senate Republican leader's suggestion that we ought to be focusing in a bipartisan way on serious issues, the first suggestion out of the box on a message amendment is clearly being done for political purposes only. The second measure is one that is brought to the floor at the request of Senator TED CRUZ, the junior Senator from Texas. This will bring us back to some debate over immigration, again,

on what is known as Kate's Law and the suggestion by Senator CRUZ that we create a new mandatory minimum criminal sentence.

On its face, this measure is unacceptable and unaffordable. It would criminalize, with mandatory minimum sentencing, conduct that would affect thousands of people who have crossed over the border into the United States undocumented. Of course, the Senator from Texas wants this message amendment during this abbreviated short session before the Republican convention, which I assume he will be speaking to, in order to make his political point.

So here we are with the Republican leader first congratulating us on being bipartisan on serious issues and then turning around and two of the four things he suggests we do these 2 weeks have no chance to pass. One at least has been voted on within the last 8 months on the floor of the Senate, and they have acknowledged they are only offering these amendments to give the Senators who are making the requests a chance to make some political hay in the weeks and days before the Republican convention in Cleveland.

Why? Because the ''presumptive,'' as they call him, Republican nominee for President wants to focus on immigration. As a consequence, those who are lining up behind him, like the junior Senator from Pennsylvania, want to have some arguing points to make to support Donald Trump's candidacy and his position on immigration.

It is a sad reality that 3 years ago, on the floor of the Senate, we actually did something constructive on the issue of immigration. With the votes of 14 Republicans joining the Democrats, we passed bipartisan, comprehensive immigration reform. Sadly, that measure died in the House when they wouldn't even consider that bill or any bill on the issue. We had a constructive alternative, and it passed here in a bipartisan fashion on a serious issue. Yet, since then, the Republicans have stonewalled and stopped every effort to constructively deal with immigration.

The two measures before us, by Senators from Pennsylvania and Texas, should be taken for what they are. They are political posturing before the Republican National Convention. They are efforts so these two Senators will have something to talk about or brag about at the Cleveland convention, but they do not take us to the serious issues we still face; issues such as the GMO compromise, an important issue because of measures taken by some States; issues such as funding for Zika, a measure which passed the Senate 89 to 1 in a strong bipartisan vote and then went over to the House and languished in a conference committee and finally was reported out with no Democratic signatories to the conference report. That measure has been defeated once, and the Senate Republican leader said we will just go call the same measure again, with obviously the same outcome.

We still have questions on funding on Zika, questions about funding on opioid abuse. These are serious measures that should be taken up rather than these so-called message amendments being offered by the other side.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I understand I have 10 minutes reserved, and I ask unanimous consent for 1 additional minute, if I do not finish. I am to be followed by my distinguished ranking member, Senator STABENOW.

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

AGRICULTURE BIOTECHNOLOGY

Mr. ROBERTS. Mr. President, I come to the floor to talk about a topic and a bipartisan bill that will affect what consumers pay for their food, the grave threats of worldwide malnutrition and hunger, and the future of every farmer, every grower, and the future of every rancher in America. That topic is agriculture biotechnology.

We have all heard about our growing global population, currently at 7 billion and estimated to reach over 9.6 billion in the next few decades. Tonight, 1 in 9 people—that is roughly 800 million people—worldwide will go to bed hungry. Around the world, impoverished regions are facing increased challenges in feeding their people. Show me a nation that cannot feed itself, and I will show you a nation in chaos. Goodness knows, we have had enough of that.

We have seen too many examples in recent years where shortfalls in grain and other food items or increases in prices at the consumer level have helped to trigger outbreaks of civil unrest and protests in places such as the Middle East and Africa. In light of these global security threats, today's farmers are being asked to produce more safe and affordable food to meet the demands at home and around the globe. At the same time, farmers are facing increased challenges to their production, including limited land and water resources, uncertain weather, to be sure, and pest and disease issues. However, over the past 20 years, agriculture biotechnology has become an invaluable tool in ensuring the success of the American farmer in meeting the challenge of increasing yield in a more efficient, safe, and responsible manner.

For years now, the United States has proven that American agriculture plays a pivotal role in addressing food shortfalls around the world. We must continue to consider new and innovative ways to get ahead of the growing population and production challenges. In addressing these issues, we must continue to be guided by the best available science, research, and innovation.

If my colleagues have heard any of my previous remarks on this topic, they have heard me say time and again that biotechnology products are safe. My colleagues don't have to take my word for it. The Agriculture Committee held a hearing late last year where all three agencies in charge of reviewing biotechnology testified before our members. Over and over again, the EPA, the FDA, and the USDA told us that these products are safe—that they are safe for the environment, safe for other plants, and certainly safe for our food supply. Since that hearing, the U.S. Government reinforced their decisions on the safety of these products.

Last November, the FDA took several steps, based on sound science, regarding food that is produced from biotech plants, including issuing final guidance for manufacturers who wish to voluntarily label their products as containing ingredients from biotech or exclusively nonbiotech plants. More importantly, the Food and Drug Administration denied a petition that would have required the mandatory on-package labeling of biotech foods. The FDA maintained that evidence was not provided for the agency to put such a requirement in place because there is no health safety or nutritional difference between biotech crops and their nonbiotech varieties.

A recent report from the National Academy of Sciences ''found no substantiated evidence of a difference in risks to human health between current commercially available genetically engineered crops and conventionally bred crops.''

Just last week, 110 Nobel laureates sent an open letter to the leaders of Greenpeace, the United Nations, and all governments around the world in support of agriculture biotechnology, and particularly in support of golden rice. Golden rice has the potential—has had the potential and has the potential—to reduce or eliminate much of the death and disease caused by a vitamin A deficiency, particularly among the poorest people in Africa and Southeast Asia. These world-renowned scientists noted that ''scientific and regulatory agencies around the world have repeatedly and consistently found crops and foods improved through biotechnology to be as safe as, if not safer, than those derived from any other method of production.''

Furthermore, the laureates said:

> There has never been a single confirmed case of a negative health outcome for humans or animals from their consumption. Their environmental impacts have been shown repeatedly to be less damaging to the environment, and a boon to global biodiversity.

There has been a lot of discussion about agriculture biotechnology lately, and that is a good thing. We should be talking about our food. We should be talking about our farmers and producers, and we should be talking to consumers. It is important to have an honest discussion and an open exchange of dialogue. After all, that is what we do in the Senate—discuss difficult issues, craft solutions, and finally vote in the best interests of our constituents.

The difficult issue for us to address is what to do about the patchwork of biotechnology labeling laws that soon will

wreak havoc on the flow of interstate commerce of agriculture and food products in every supermarket and every grocery store up and down every Main Street. That is what this discussion should be about. It is not about safety or health or nutrition; it is all about marketing. If we don't act today, what we will face is a handful of States that have chosen to enact labeling requirements on information that has nothing to do with health, safety, or nutrition.

Unfortunately, the impact of those State decisions will be felt across the country and around the globe. Those decisions impact the farmers who would be pressured to grow less efficient crops so manufacturers could avoid these demonizing labels. Those labeling laws will impact distributors who have to spend more money to sort different labels for different States. Those labeling laws will ultimately impact consumers, who will suffer from much higher priced food. When onpackage labels force manufacturers to reformulate food products, our farmers will have limited biotechnology options available. This will result in less food available to the many mouths in our troubled and hungry world.

It is not manufacturers who pay the ultimate price; it is the consumer—at home and around the globe—who will bear this burden, unless we act today.

I am proud of the critical role the Department of Agriculture has played and will continue to play in combating global hunger. Farmers and ranchers in Kansas, Michigan, and all across this country have been and are committed to continue to doing their part. And those of us who represent them in the U.S. Senate should do our part to stand up in defense of sound science and innovation. We should stand up to ensure that our farmers and ranchers have access to agriculture biotechnology and other tools to address these global challenges.

The proposal put forth by my distinguished ranking member Senator STABENOW and me provides that defense of our food system and our farmers and ranchers, while at the same time providing a reasonable solution to consumer demand for more information. That is what the bill does.

Our amendment strikes a careful balance. It certainly is not perfect from my perspective. It is not the best possible bill, but it is the best bill possible under these difficult circumstances we find ourselves in today. That is why, I say to my colleagues, it is supported by a broad coalition of well over 1,000 food and agriculture industries, and that sets a record in the Senate Agriculture Committee. They include the American Farm Bureau Federation, Grocery Manufacturers Association, and the U.S. Chamber of Commerce, just to name a few.

I urge my colleagues to not merely support cloture on a bill this afternoon but to support your broad range of constituents who benefit from its passage.

Passing this bill benefits farmers and ranchers by providing a mechanism for disclosure that educates rather than denigrates their technology.

Passing this bill benefits manufacturers by providing a single national standard by which to be held accountable, rather than an unworkable system of many more State standards.

Finally, passing this bill benefits consumers by greatly increasing the amount of food information at their fingertips but does so in a way that provides cost-effective options to avoid devastating increases in the price of food.

Passing this bill is the responsible thing to do. It is time for us to act. I urge my colleagues to join us in doing just that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first I wish to thank the chairman of the Agriculture, Nutrition, and Forestry Committee. We had some tough negotiations on this issue, and I think we have come to a place that makes sense for farmers and the food industry, as well as consumers. So I wish to thank Senator ROBERTS. We worked together on a bipartisan basis on issue after issue after issue coming before the committee, and I am sure we will continue to do that. I don't think we have an economy unless somebody makes something and grows something. That is how we have an economy. And we worked very hard to come to a spot where we can actually get things done because that is what people expect us to do. It is great to talk, but people want us to actually solve problems and get things done.

So today I rise to discuss an important bipartisan agreement—a hard-fought, tough negotiated agreement that the Senate will soon vote on regarding the issue of GMO labeling. This bill is frankly very different from what passed the House of Representatives about a year ago, I think now, and from what we voted on in March. I thank Senator ROBERTS and his staff for working in a bipartisan way to get us to the spot where we are now.

As everyone knows, I have opposed voluntary labeling at every turn. I don't think it is right to preempt States from having labeling laws and replace it with something that is voluntary. There needs to be a mandatory system, which is what this bill does.

I worked to keep what was done by activists known as the DARK Act from becoming law three different times here in the U.S. Senate. Throughout this process, I worked to ensure that any agreement would first recognize the scientific consensus that biotechnology is safe; second, to ensure that consumers have the right to know what is in their food; and third, to prevent a confusing patchwork of 50 different labeling requirements in 50 different States. And while this issue stirs strong emotions in all scientific debate—I certainly understand that—the fact is, this bill achieves all of those goals. For the first time ever, we will ensure we have a mandatory national labeling system for GMOs.

Unfortunately, in many ways this debate has served as a proxy fight about whether biotechnology has a role in our food system and in agriculture as a whole. I think that is really fundamentally what the debate is about under this whole issue.

When we wrote the farm bill back in 2013, I made it a top priority to support all parts of agriculture. It was very important to me to say that consumers need choices and that we need to support every part of agriculture, and that is what we did in a very robust way. We made important investments and reforms that helped our traditional growers—conventional growers—and we made significant investments in organics, in local food systems, small farms, and farmers' markets in a way we have not done before as a country. We did this because we recognized that it takes all forms of agriculture to ensure we continue leading the world with the safest, most affordable food supply.

That is why, when I hear friends who oppose this bill denying the overwhelming body of science that says biotechnology poses no human health or safety risks while believing the very same National Academy of Sciences that tells us that climate change is real, I have to shake my head. I believe in science; that is why I know climate change is real. I believe in science; that is why the same people—the National Academy of Sciences and over 100 Nobel laureates last week—and when the FDA tells us that biotechnology is safe for human consumption and that there is no material difference between GMO and non-GMO ingredients, I believe science.

In fact, as was indicated earlier, over 100 Nobel laureates signed a letter to Greenpeace last week asking them to end their opposition to GMOs over a strain of rice that will reduce vitamin A deficiencies that cause blindness and death in children in the developing world. I stand with the scientific evidence from leading health organizations like the American Medical Association, the National Academy of Sciences, the FDA, and the World Health Organization, which all say that GMOs are safe for consumption. I find it ironic that those who challenge this science have latched onto comments from the FDA—an agency that has found no scientific evidence that biotechnology threatens human safety—as some type of credible challenge to this agreement.

In talking about comments from the FDA, I find it interesting that they omit the first paragraph, which was, by the way, that they don't believe from a health risk safety standpoint that GMOs should be labeled and which is why they have consistently said no to labeling and would, not surprisingly, interpret a biotechnology definition in the narrowest way because they don't believe that GMOs should be labeled.

So I stand before colleagues and this Chamber today to say enough is enough. I have been through enough of these debates in the past to know that sometimes, no matter the amount of reason or logic, someone is not going to change their position. I understand that. But I remember Senator Daniel Patrick Moynihan of New York, who used to say that everyone is entitled to their own opinion but not their own facts. So in that spirit, let's talk about the facts.

For the first time, consumers in all 50 States will have a mandatory national GMO label on their food. Right now, if we do nothing, those who get labeling are Vermont and potentially a couple of other States in the Northeast. When we vote, if we vote yes, everyone will have the opportunity to get more information about their food as it relates to GMOs. While many want to hold up the Vermont law, the fact is that law ensures that a little more than 626,000 people have information about their food. There are nearly 16 times more people in Michigan, and they deserve the right to know as well. That is why this mandatory national labeling system is so important.

Let's talk about what we are saying—not in a voluntary way as passed the House but requiring one of three choices—three well-regulated ways for companies to disclose information. Some have already chosen what they are going to do and have said: We're going to continue to do on-pack words, like Vermont. There are significant companies that have said: We want certainty. We want this law passed, but this is what we are doing.

We also give a choice of an on-pack symbol, and this is not the specific, but it is the idea of what it would be. We have some major retailers in this country who have said: Regardless of what happens, we are only going to get products on our shelves if they have the first—which is words—or a symbol. So the marketplace is definitely going to drive where this goes, and consumers will continue to drive it.

But we also know that an electronic label makes sense if it is regulated in a specific way to make sure that consumers can have access. We also know there are those who want very much to make sure they not only share information that there are GMO ingredients but also important things, such as the National Academy of Sciences saying they are safe for human consumption. So there is some context around this. It is not scare tactics; it is fact based.

Let me also say that we know consumers want other kinds of information than just whether or not there are genetically modified ingredients in their food. The No. 1 issue I am told consumers ask about is food allergies. We know others are concerned about antibiotics in meat. There are a whole range of issues people care about. For me and the world of smartphones and electronics, going forward, it makes sense from a consumer standpoint to have a universally accepted platform where you not only get information about GMOs but whether you should be concerned about your food allergies and what is, in fact, in the ingredients. Right now I have friends who have to go to a book in the back of a store to figure out what is going on in terms of food ingredients. Having something that is accessible to all of us who are using these phones would make sense, and that is what we are talking about.

So we have three different options, and the companies or stores, if they put them in, will drive what the options are.

Let me debunk a little bit of this whole question on allowing an electronic label. First of all, Nielsen tells us that 82 percent of American households right now own a smartphone. It is so interesting to me that the people expressing outrage about technology are using their smartphones in order to tweet that or are going to Facebook and other social media—a socially accepted way for us to be communicating together. So 82 percent of American households own a smartphone, and we are told by Nielsen that very quickly will become 90 percent.

For someone who doesn't have a smartphone—or maybe they are in an area where there is concern about broadband, which concerns me, in some rural areas—we make sure that before this is implemented, the USDA has to survey areas where this is a problem and make sure there is more accessibility with additional scanners in the store and additional opportunities for people to be able to get the information and to be able to use this if they don't have a smartphone. They might want to be able to put the can up to a scanner. That is another option as well.

Let me also say that more and more, using smartphones and electric labels is very much a part of our lives. We have those doing it for food information right now. You can scan to get a price right now on a can. We have all kinds of apps on our phone, from paying bills, to going through the airport, to connecting with friends. This is very much about the future and how we are going to find out all kinds of information. So it is not unreasonable that, in order to help consumers get information not just on GMOs but on food allergies and other kinds of important issues, we would look at electronic labels in a way to do that. This is an idea that came from the Secretary of Agriculture looking at all of the different requests to their Department for information.

I appreciate some of the concerns about the electronic label, but this is not about hiding information because we will be working to make sure there is accessibility in the store for that information. And going forward, we have virtually everyone at some point using their smartphone to communicate—to do business, to do banking, to communicate with friends, and so on. I think this will become less and less of an issue as we go forward.

Let me also say one more time that one of three things must be done. Major companies have already said that while they want the certainty of a national law so they can plan—and we don't see disruptions for our farmers and for our grocery store owners and others—they will simply do on-pack words or an on-pack symbol. But there are three choices available. You must do one of those in order to make information available, and I fully expect that consumers will engage with companies to advocate as to which one of those they want to see happen.

Let me talk about something else that has not been focused on enough. We have been talking about how to label, which is only one piece of it. Another piece of this is the fact that the bill in front of us ensures that around 25,000 more products will be labeled than are labeled in Vermont or any of the other States we are talking about. Around 25,000 more products will be labeled, and consumers will have the opportunity to know what is in those products. This has really been glossed over, and I think that is very unfortunate. Right now, in Vermont, anything with meat, eggs, cheese, dairy—including broth or anything that has any bit of meat in it—is automatically exempt. This agreement gives consumers information about 25,000 more products that contain meat when the product also contains GMO ingredients. So 25,000 more products—that is good for consumers and families who want to know.

To be clear, this bill has the same tough standards as the European Union and many other countries when it comes to livestock. However, unlike Vermont, this bill doesn't provide the full exemption for a GMO food product just because it contains a trace of meat as an ingredient. What does that mean? In Vermont, you walk in—if it is a cheese pizza, it is labeled; a cheese pepperoni pizza is not labeled, even though it has GMO ingredients. In Vermont, vegetable soup is labeled; vegetable beef soup is exempt, even though it has GMO ingredients. In Vermont, a fettuccine alfredo—I'm getting hungry for lunch—fettuccine alfredo is labeled; fettuccine alfredo with chicken and broccoli is exempt, even though it has GMO ingredients. Now, somebody tell me why that makes any sense from a consumer standpoint. We fix that in this bill.

The next thing we focus on is making sure that we maintain and strengthen the organic label, something not done in other versions of the bill. As we know, organics have always been non-GMO. Those families who wish not to buy products with GMOs—those who have wanted to buy products with no GMOs—will always have that option. But for many consumers it is a bit unclear. People question: Well, does ''organic'' mean the same thing as ''non-GMO''? To make it clear, among a number of changes we are making to

strengthen and protect the organic label, this agreement ensures that organic producers can now display a non-GMO label in addition to the USDA organic seal. This is also important information not in any other bill and important information to give consumers choices about the food they eat.

Let's talk now for a moment about the definitions that have been talked a lot about in terms of biotechnology. First of all, let me say it is the USDA, not the FDA, that is the sole agency that will implement this mandatory national labeling system. They are the ones given the authority to label everything that contains GMOs on the grocery shelf, and that is what this label and definition does. While we saw a lot of fervor last week about comments from the FDA, it does not change the fact that USDA will implement this mandatory national labeling system—not the FDA, which doesn't believe it should be labeled and has the most conservative view on what a biotech definition is.

As I said before, it is rather ironic that labeling advocates who clung to these statements when the FDA sent out a memorandum of technical assistance have missed or refused to also indicate that the FDA has repeatedly denied petitions to label GMOs. That is why this is going through the USDA from an information and marketing standpoint and not the FDA—because there is not scientific evidence to put it into the FDA as a health risk.

Furthermore, we have heard from many opponents who say the definition in this agreement does not match any other international definition of ''biotechnology.'' The fact is, the definition of ''biotechnology'' varies greatly among the 64 countries with mandatory labeling laws. Our definition is in line with many of those countries and even has the potential to cover more foods. For example, the European Union's definition of ''biotechnology,'' which applies to food produced in 27 countries, clearly does not include gene editing or other new technologies. This agreement we will be voting on provides authority to the USDA to label those things. Japan only requires labels on 8 crops—33 specific food products—and exempts refined sugar. Our bill provides authority to the USDA to label refined sugars and other processed products.

When people point to international laws, let's really look at the details of those laws before we start holding those laws as the gold standard for GMO labeling laws.

I reflect on the statement from Senator Moynihan. Everyone is entitled to his or her opinion but not his or her own facts.

This bill creates the first-ever mandatory national GMO labeling requirement. We cover 25,000 more foods than are labeled in Vermont or the other States.

We protect and strengthen the organic label, which is non-GMO and makes it a clear choice for consumers.

We preserve and protect critical State and Federal consumer laws. That is where this will be enforced. One of the major areas of negotiations was to make sure that while there was a preemption of the capacity to label, it did not bleed over into the capacity to enforce fraud or inaccuracy or other issues that relate to labeling. We have been very clear—the enforcement will come from Federal and State consumer protection laws.

Finally, we are preventing a patchwork of 50 State labeling laws that—as in every other area of international commerce—we as a country have said does not make sense.

So we can nitpick this agreement around the edges. Certainly, in any negotiation, there are always things you would like to see in an agreement that are not there. Certainly, in any bipartisan agreement, that is going to be the case. But this bill moves us forward with a commonsense approach that for the first time guarantees consumers who want to know if their food includes GMOs the ability to know, while at the same time creating certainty for our food producers, our farmers, our manufacturers, and our grocers.

I urge colleagues to come together to look at the facts, to look at the science, and to support this bipartisan agreement. We have an opportunity to really get something done—not just talk but to actually get something done that is positive. I hope we will do that.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Illinois.

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

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

REMEMBERING ABNER J. MIKVA

Mr. DURBIN. Madam President, Monday, the Fourth of July, was the 240th anniversary of the creation of the United States of America. It was a day on which we celebrated this great Nation. We celebrated our great leaders, but in Illinois we lost one of our best in the passing of Abner Mikva on the Fourth of July.

Abner Mikva was a friend. In addition to that, he was an extraordinary individual. His record of public service is unmatched. I can't think of anyone off the top of my head who did so many distinguished things in the legislative branch of our Federal Government, serving in the House of Representatives; serving on the U.S. Circuit Court for the District of Columbia in the judicial branch; and serving as general counsel to President William Clinton in the White House in the executive branch. Abner Mikva combined them all.

The highlights of his life are an amazing story of a young man going through law school who decided in 1948 that he wanted to get involved in politics. Judge Mikva got his start when he walked into the 8th Ward headquarters in the city of Chicago in 1948—back in the day when the Democratic organization of Chicago was a powerful operation. Here he was, a young man, a young law student who was inspired by the candidacies of Adlai Stevenson for Governor of Illinois and Paul Douglas for the U.S. Senate, and he wanted to do his part.

What transpired when he made that effort has become legend in Chicago.

Abner Mikva showed up. A ward committeeman saw him at the door and said: What can I do for you?

He said: Well, I am looking to volunteer.

The ward committeeman said to Ab Mikva: Who sent you?

Abner Mikva said: Nobody sent me.

The ward committeeman said: We don't want nobody nobody sent.

He then said to him: Are you looking for a job?

Abner Mikva said: No, I am not really looking for a job.

The ward committeeman said: We don't want nobody who ain't looking for a job.

The ward committeeman then said: Where are you from, kid?

He said: I go to the University of Chicago.

The ward committeeman made it clear: We don't want nobody from the University of Chicago.

That was Abner Mikva's introduction into politics. You would think he would have been discouraged by that, but he was not. He went on to graduate from the University of Chicago Law School, to clerk for a U.S. Supreme Court Justice, and then to practice law in the city.

In the 1950s, he decided to run for the Illinois House of Representatives. He ran against the same political organization that turned away his efforts to be a volunteer, and he won. He came to Springfield, IL—my hometown and the capital of our State—to the Illinois House, and found some kindred spirits. One of them, Paul Simon, who eventually served here in the U.S. Senate, was Abner Mikva's closest friend in the Illinois House of Representatives. State representative Tony Scariano was another independent who had come to the Illinois House to try to make a difference. The three of them roomed together—Mikva, Jewish religion; Paul Simon, Lutheran; and Tony Scariano, Catholic. They called their gang the Kosher Nostra, and they set out to try to change the government of Illinois. But even more than their contributions legislatively, politically they created a force in Illinois—both downstate and in Chicago, which made a big difference in the history of our State.

Abner Mikva went on to be elected to the U.S. House of Representatives, where he served with distinction until he was appointed to the district court for the District of Columbia. He had a tough congressional district. He started off on the South Side of Chicago, around Hyde Park. Eventually, when he saw the demographics changing, he

picked up and literally moved north to the Evanston area, which was the base for his political operations in the new congressional district. He moved his entire operation up north and inspired the kind of followership and devotion that politicians dream of. If you were part of the Mikva organization in his district, you took it personally. I can recall people saying with a straight face that they were part of the Mikva operation but decided to move out of his district. When they broke the news to the coordinator, of course, the coordinator insisted that before they could move, they had to find someone to replace them as precinct volunteers to help Ab Mikva get reelected to the U.S. House of Representatives, which he did sporadically. He lost a couple of times, but he won as well. The time came when he was appointed to the Circuit Court of Appeals for the District of Columbia, the second highest court in the land, where he wrote many important decisions relative to the basic rights of people under the Constitution.

He was my friend. I was introduced to him by Paul Simon, my predecessor here in the Senate. I think of the two of them as my North Star, when it comes to issues of integrity, independence, and progressive values. I was lucky to know Ab Mikva throughout my congressional career in the House and Senate and to have Loretta join me when we had dinner with Ab and his wife Zoe in Chicago several times over the last several years after his retirement.

Ab Mikva received the Presidential Medal of Freedom from President Barack Obama, and one of the reasons was that they were close personal friends. It was Ab Mikva to whom Barack Obama went when he was interested in a career in politics, and Mikva counseled him in terms of what he needed to do. He suggested that he should listen more carefully to African-American ministers so he could put a little more life and emotion into his speaking style. Obviously, President Obama took that lesson to heart. It was Abner Mikva who stood by Obama in his early days, running for the U.S. Senate and then running for the Presidency. He was always his right-hand man, willing to offer advice and connect him with the right people on the political scene. Their friendship endured until Ab's passing just a couple of days ago. I know the President feels, as I do, that we have lost a great friend and a great supporter in what he was able to achieve.

He also had a friendly and happy way about him. He enjoyed life. He used to engage in poker games that included Supreme Court Justices and Federal judges, some of whom will surprise you. William Rehnquist would play poker with Ab Mikva. Those were two men from opposite ends of the political spectrum, and they still had a chance to get together and to get to know one another.

He left an enduring mark on America's legal system. There were so many people who started off as clerks for Abner Mikva and turned out to be amazing contributors to the American political scene. One of his former clerks sits on the U.S. Supreme Court. Elena Kagan was a clerk for Judge Mikva and then went on to the highest Court in the land. That gives you an indication of the quality of the people who worked with and for him. His law clerks went on to serve Justices William Brennan, Thurgood Marshall, Harry Blackmun, and Lewis Powell.

The New York Times once branded Abner Mikva as ''the Zelig of the American legal scene.'' One brilliant young lawyer actually turned down a Mikva clerkship, and that was Barack Obama, who did find another way to contribute to this Nation.

In 1997, Judge Mikva and his wife Zoe founded the Mikva Challenge, a program I have become acquainted with and worked with over the years. Abner Mikva and Zoe tried to engage young people in politics, and they did it on a bipartisan basis. If a young person wanted to volunteer for the Republican Party, they would find a way for that person to become a part of the campaign and work in an office so they could see firsthand what politics and government was all about, and, of course, they would provide similar volunteers for the Democratic candidates. These young people would see their lives transformed and changed by this Mikva Challenge. I have met them, and many times I wondered what their future might hold, but knowing full well that some of them would be in public service, much as Abner Mikva was during his life.

Just a couple of months ago, there was a special luncheon to celebrate Abner's contributions to public service and the Mikva Challenge. At the time they made the decision—and I hope they carried it through—to make this a permanently funded foundation-supported effort that will survive Abner and Zoe and will live on for many decades to come.

Some years ago, Judge Mikva told a reporter that it was important for a society to have heroes. He said:

> You have to have live heroes. . . . It is not enough to be exposed to George Washington in grade school or Abraham Lincoln in high school. You have to have somebody who you can identify with in the here and now, who makes the institutions we are trying to preserve worthwhile.

I am very proud to join the Alliance for Justice and many other groups that have stood up and acknowledged the amazing contributions that have been made by Abner Mikva and Zoe during the course of Abner's life. I am particularly honored to have counted him as a friend. He would call and give me words of encouragement so many times when we were going through some tough decisionmaking. I can't tell you how much it meant to hear from him personally and to know he approved of what I was doing. He was always, as I said, my North Star and hero in political life. With his old buddy, Paul Simon, his old roommate in the Illinois House, they probably inspired this Senator as much as any two people who have been living during my tenure in public service.

I stand today in tribute to a great man and a great American. Abner Mikva of Illinois made this a better country and Illinois a better State.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

REMEMBERING ELIE WIESEL

Mr. CRUZ. Madam President:

I remember: it happened yesterday, or eternities ago. A young Jewish boy discovered the Kingdom of Night. I remember his bewilderment, I remember his anguish. It all happened so fast. The ghetto. The deportation. The sealed cattle car. The fiery altar upon which the history of our people and the future of mankind were meant to be sacrificed.

I remember he asked his father: ''Can this be true? This is the twentieth century, not the Middle Ages. Who would allow such crimes to be committed? How could the world remain silent?''

And now the boy is turning to me. ''Tell me,'' he asks, ''what have you done with my future, what have you done with your life?'' And I tell him that I have tried. That I have tried to keep memory alive, that I have tried to fight those who would forget. Because if we forget, we are guilty, we are accomplices.

And then I explained to him how naive we were, that the world did know and remain silent. And that is why I swore never to be silent whenever, wherever human beings endure suffering and humiliation. We must take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormenter, never the tormented. Sometimes we must interfere. When human lives are endangered, when human dignity is in jeopardy, national borders and sensitivities become irrelevant. Wherever men and women are persecuted because of their race, religion, or political views, that place must—at that moment—become the center of the universe.

Elie Wiesel spoke these words as he accepted the Nobel Peace Prize in 1986. He was a living testimony to the vow ''Never forget.'' Although he endured the unspeakable darkness of Auschwitz and Buchenwald, his defiant light burned ever brighter as he dedicated his immense talents to providing a voice for not only the Jewish victims of the Holocaust but also for the voiceless, the condemned, and the forsaken around the globe. Elie tirelessly reminded the world that the savage horror of the Third Reich was not an aberration in the past that was defeated in World War II. He knew that the potential for such genocidal evil remains with us in the present, and he warned that we must always be on guard against it. Now, that little boy who was always with him must always be with us.

I was blessed to know Elie and his incomparable wife Mary personally. They have been powerful and fearless voices for justice no matter the cost. It is humbling to encounter the true greatness that is embodied by Elie and Mary.

When Israel's Prime Minister Benjamin Netanyahu addressed a joint session of Congress, it was one of the

great privileges of my life to host Elie Wiesel and join him on a panel, together discussing the profound threat imposed by a nuclear Iran.

A nuclear Iran, I believe, is the single greatest national security threat facing America. Elie shared that view. ''Never again'' is a critically important phrase. After the victory of World War II, it might seem like a comforting affirmation of fact that humanity had evolved and a horror like the Holocaust could never happen again, but ''never again'' is something more. Elie Wiesel was a living testimony to the fact that ''never again'' is a sacred vow. It is a promise that we will not take this for granted, but we will be ceaselessly vigilant because we know that while the evil of anti-Semitism was defeated once in World War II, it was not eradicated. To assume in our sophisticated modern age that we somehow transcended evil would be a tragic mistake.

We have seen the face of evil this year in the savage ISIS terrorists who are targeting Jews, Christians, and Muslims—murdering regardless of faith. We see it even more clearly in the Islamic Republic of Iran, which is seeking the world's deadliest weapons and the means to deliver them to make good on the many threats to annihilate not only the nation of Israel but the entire free world. These are not empty words uttered by an ayatollah without consequence. They are not simply words to placate a domestic political audience. These are articles of faith with the Iranian leadership, and they have backed them up with 35 years of violent hostility towards Israel and the United States.

Last year, the world marked the 75th anniversary of the liberation of Auschwitz, and we remembered the unspeakable atrocities of the death camps. We cannot afford a nuclear Auschwitz. We all know that Iran's terrorist proxies—Hamas, Hezbollah, and the Palestinian Islamic Jihad—have engaged in vicious terror attacks against our Nation, and already too many of our citizens have been killed and maimed. We know that the danger posed by Iran is not a thing of the past. Their intention is to use these weapons of destruction.

This threat should not be a partisan issue. This threat should unite us because that is the only way we will be able to defeat this threat, and defeat it we must because Iran's threat is not only to wipe us off the map but to erase us from the historical record all together. Think about that for a moment. The stated objective of the Ayatollah Khamenei is a world without even the memory of the United States of America, the Great Satan, as they call us—or even a memory of Israel, the Little Satan, as they call Israel.

Together we can stop that threat, just as we did in World War II. Together we can stand up and repudiate this catastrophic Iranian nuclear deal that sends billions of dollars to Islamic terrorists committed to our murder. Together we can look evil in the eye and call it by its name, and we can do what we must to ensure that the vow of ''never again'' is fulfilled.

Elie Wiesel left an extraordinary legacy. His memory is a blessing, an inspiration, but it is also a challenge to keep his legacy burning in our hearts. Our prayers go out to Marion and to all of Elie's loved ones. May he rest in peace, but may every one of us rise to answer the call to truth and justice that Elie Wiesel championed each and every day.

KATE'S LAW

Madam President, there is a second topic I wish to address on the floor today.

Last week, as many of us were looking forward to Independence Day and vacations with our family, fireworks, hot dogs by the grill, another family was mourning a loss—the loss of a daughter, the loss of a life, and a loss that should never have occurred. Last Friday was the 1-year anniversary of the senseless killing of a vivacious 32-year-old young woman, Kate Steinle. She was shot as she was walking arm in arm with her dad on a San Francisco pier. After the bullet tore through her, she collapsed to the ground, crying out, ''Dad, help me. Help me.'' She died 2 hours later.

As the father of two daughters, I cannot imagine the anguish and the heartbreak that was going through Mr. Steinle as he held his dying daughter.

Her murderer was an illegal alien, and he wasn't just any illegal alien. He was one who had already been deported five times. On top of that, he had a long rap sheet that included up to seven felonies. What was he doing on that San Francisco pier? He should never have been there, and if he were not there, Kate Steinle would be alive today.

Just a few months before killing Kate, this illegal alien was released from the custody of the San Francisco sheriff's office, even though Immigration and Customs Enforcement, the Federal agency responsible for deporting illegal aliens, had requested he remain in custody. The Federal Government said: Keep this criminal illegal alien in custody. And the San Francisco sheriff said: No, we will release him to the public. The San Francisco sheriff's office refused to honor that request because of a so-called sanctuary city policy that prohibits the San Francisco sheriff's deputies from cooperating with Federal immigration enforcement officers. Local cities are putting in place policies that prohibit local law enforcement from working to keep our country safe.

The sad truth is, Kate should be alive today, but she isn't because the Federal Government failed her. It has failed to secure the border. It has failed to faithfully and vigorously enforce the immigration laws that are on the books. It has failed to strengthen those laws to deter illegal aliens like Kate's killer from coming back over and over and over again. It has failed to enforce the law against sanctuary jurisdictions—which now number in the hundreds all across America—that aid and abet illegal aliens evading deportation.

The President of the United States is the officer charged by the Constitution with the sole responsibility to faithfully execute the law. When his administration tolerates and encourages lawlessness, is it any surprise that terrible things happen? We must put an end to this administration's lax enforcement of our immigration laws, which threatens the safety and security of the American people, and we should begin by putting a stop to sanctuary cities, which this administration has been unwilling to do on its own. A real President, faithful to the Constitution, would end sanctuary cities by cutting off money to any jurisdiction openly defying Federal immigration law.

That is why I am a proud cosponsor of Senator PAT TOOMEY's Stop Sanctuary Cities Act, which would withhold Federal grant money from cities that refuse to cooperate with Federal immigration enforcement officers. Cities that flout Federal law should not be rewarded with Federal taxpayer dollars.

We must also address the persistent problem of aliens like Kate's killer who illegally reenter this country after deportation. That is why I introduced, exactly 1 year ago, an earlier version of Kate's Law. Unfortunately, no action was taken on that bill until it was incorporated into Senator VITTER's Stop Sanctuary Policies Act. Senate Democrats voted in virtual lockstep to defeat the bill. Last fall, I went again to the Senate floor and asked for unanimous consent to pass Kate's Law as a stand-alone bill, but the senior Senator from California—the very State where Kate's senseless murder occurred—stood on this floor and objected.

Today, I thank the Senate majority leader, MITCH MCCONNELL, for scheduling a vote on Kate's Law and a separate vote on stopping sanctuary cities, for giving this body another chance to address the problem and to listen to the people. The time for politics is over. We should come together and protect the American people. It is a time to confront the sobering issue of illegal aliens, many of whom have serious criminal backgrounds and yet are allowed to illegally reenter this country with impunity.

Kate's Law would do three things. First, it would increase the maximum criminal penalty for illegal entry from 2 to 5 years. Second, it would create a new penalty for up to 10 years in prison for any person who has been denied admission and deported three or more times and illegally enters the country. Finally, and most importantly, it would create a 5-year mandatory minimum sentence for anyone convicted of illegal reentry who, like Kate's killer, had an aggravated felony prior to deportation or had been convicted of illegal reentry twice before. This class of illegal aliens has a special disregard and disdain for our Nation's laws. Violent criminals keep coming in over and

over and over again, and all too often these illegal aliens have criminal records that go back years or even decades.

For example, in 2012, just over one-quarter of the illegal aliens apprehended by the Border Patrol had prior deportation orders. That is an astounding 99,420 illegal aliens. In fiscal year 2015, of the illegal reentry offenders who were actually convicted—that is 15,715 offenders—the majority had extensive or recent criminal histories. At least one-third had a prior aggravated felony conviction, but even though the majority of offenders had criminal records, the average prison sentence was just 16 months, down from an average of 22 months in 2008. In fact, more than one-quarter of illegal reentry offenders received a sentence below the guidelines range because the government sponsored the low sentence.

Clearly, we are failing to adequately deter deported illegal aliens from illegally reentering the country, especially those with violent criminal records. That is why we need to pass Kate's Law. We must increase the risk and the penalties for those who would contemplate illegally returning to the United States to commit acts of murder.

I thank all the leaders in this body. I thank leaders like Bill O'Reilly for shining a light on this vital issue. This vote ought to be an easy decision. Just ask yourself this: With whom do I stand?

I hope my colleagues, Democrats and Republicans, will choose to stand with the American people, the people we should be protecting, rather than convicted felons like Kate Steinle's killer.

It is worth noting the city of San Francisco—bright blue Democratic San Francisco—voted out the sheriff after the murder of Kate Steinle. All Americans, regardless of being a Democrat, Republican, Libertarian, Independent—all Americans deserve to be protected, and we need a government that stops allowing violent illegal aliens to prey on the innocents.

If our Democratic colleagues make the choice to put politics over protecting innocent Americans by refusing to enforce our immigration laws, the consequences of that are a mess. Doing so is quite literally playing with people's lives. This isn't hyperbole. Unfortunately, it is a fact.

Tragically, Kate's death was not just an isolated occurrence, as much as we all wish that were the case. Just last week, an illegal alien killed three innocent people and wounded a fourth outside a blueberry farm in Oregon. According to ICE officials, the illegal alien had been deported from the United States an astounding six times since 2003.

Enough is enough. Stop letting in violent criminal illegal aliens who are murdering innocent Americans. This should bring us all together. How many more of these terrible acts must we endure until Congress acts? What does it take to break the partisan gridlock and actually come together and protect the American people? The votes this afternoon will help answer that question. I very much hope we will not wait one day longer.

I urge my colleagues to stand together united against lawlessness, to stand against dangerous criminal illegal aliens who flout our laws, and I urge each of us to hear the words of Kate Steinle, ''Help me, dad. Help me, dad.'' That was a cry that went not just to a grieving father, but it is a cry that should pierce each and every one of us and move this body out of slumber and into action, to help and stand with the American people.

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. TESTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. TESTER. Madam President, before we start, do I need unanimous consent to speak for 15 or 20 minutes?

The PRESIDING OFFICER. The Senator is free to speak.

Mr. TESTER. I thank the Presiding Officer.

GMO LABELING BILL

Madam President, I come to the floor today to speak out against the GMO labeling bill we will be considering a little bit later this week or next week and to raise concerns for the millions of American families who want to know and who have the right to know exactly what is in their food. I have come to the floor before to endorse GMO labeling legislation and to oppose efforts to keep folks in the dark when it comes to what they feed their families.

This is an issue that impacts each and every one of us. Every day, there is nothing more important than choosing the food we eat. Food provides us with nutrition and energy. Good food helps our kids grow strong and helps us remain healthy as we get older.

I strongly believe that when folks decide what food to purchase, they do so and should do so with all the information available to them. Unfortunately, Members of this body want to keep folks in the dark. They don't want consumers to know exactly what is in the food they are eating.

This fight is nothing new. In 2013, I was on the floor fighting against a piece of legislation called the Monsanto Protection Act, which gave blanket immunity to major seed companies whose products had been or could be a target of litigation. Earlier this year, I was in this Chamber to fight against the DARK Act, which trampled on the rights of States and consumers alike at the request of the food industry.

Once again, the Senate GMO labeling bill provides major food corporations with an out where they can hide behind a complex QR code to prevent folks from knowing if their food contains genetically modified organisms. It brings into question the very question of bioengineering, and it raises concerns about the growing influence agribusiness has on this body.

The bill before us raises all these major concerns and many more. Besides keeping folks in the dark and besides telling States they cannot write their own consumer information laws, this bill gives the U.S. Department of Agriculture complete authority to unilaterally interpret and implement the controversial provisions of this bill.

To make things worse, this is not a collaborative bill. This bill provides corporate agribusiness with handout after handout, but it really doesn't do a thing for family farm producers and the small mom-and-pop shops, the operations that are the backbone of our farming economy. Quite frankly, it undermines the work of organic producers, and it ignores the folks who purchase organic products. To me, it is clear that this is a one-sided bill—a bill that benefits multinational corporations at the expense of family farmers and ranchers.

To be more specific, I want to talk about four major problems I have with this bill.

First, this bill mandates that companies that use genetically engineered ingredients disclose that information on the packaging. On the surface, this looks like a step forward, but as we dig a little deeper, the bill allows companies to meet this mandate in three ways: a written label on a package, which would be fine; a symbol created by the USDA, which could also be fine; but then we have this—a QR barcode that folks have to scan using their smartphones to figure out whether there are genetically modified ingredients in the food they are going to buy. Yes, this bill allows companies to meet the disclosure requirement with this—a QR barcode. If you can tell me what that says by looking at it, you are a much smarter man than I.

The bill before us today specifically mandates that the words next to the QR code say ''Scan here for more food information.'' Those are the words in the bill. So if folks want to know if their cereal contains commodities that originated in a lab, rather than read it on a package clear as a bell, rather than read the words on a package, they will first have to know that the QR code will provide them with information about whether that product contains GMOs and not just more marketing information or a coupon. They would have to know that the phrase ''more food information'' means information about GMOs—maybe, maybe not. Then they would scan that code into their phones. Hopefully they will have cell service in that grocery store, but what happens if they don't? That is not transparency. That is not the consumer's right to know. They could not tell.

If they somehow know what the phrase ''more food information'' means and they are fortunate enough to have Wi-Fi in their grocery store, they will be directed to a Web site, and then maybe they can learn about what is really in the food, potentially genetically engineered products, although it is not clear what else they will have to read about or where that information will be hidden within that Web site.

Other companies—maybe those that aren't as big as the big international agribusinesses—will be allowed to hide that important information behind an 800 number. A mom or dad who wants to know what is in their child's soup or bread will have to call many different 800 numbers in the aisles of the grocery store or scan many of these QR codes. Anybody who has ever gone to a grocery store with a small child in tow knows that is not going to happen. Quite frankly, it is probably not even going to happen if you don't have a small child in tow. Between these ridiculous QR codes and the 1–800 numbers, mom or dad could easily end up standing in a grocery store for hours scanning each individual product with a smartphone or dialing an international call center just to find out basic information about what they are going to eat.

This is completely ridiculous, a nightmare for consumers, and an illusion of transparency. What if companies were allowed to use QR codes instead of basic nutritional information? What if you had to scan a barcode to find out how much fat is in a bag of chips, how much protein is in a can of beans, or how much vitamin C is in a jug of orange juice, and the only clue you had was ''Scan here for more information''?

It is interesting. When I go to a store and buy orange juice, I buy orange juice that is not made from concentrate. That is my choice. I can read it right on the package. I have to tell you, I don't know if that orange juice is any better than stuff that is made from concentrate, but it is written on the package, so I can determine what orange juice I want to buy.

So if you don't want to buy food or if you want to buy food with GMOs in it, you get to scan this little doodad up here, this QR code, and then maybe, if you hit the right Web page, you can find out what is in the food. We did this as a Senate. We did this to allow people to know what is in their food, and we actually think this is an effective method to let people know what is in their food. How would folks in Congress react if lobbyists and dark-money campaigns began pushing to get all nutrition labels off our foods, the same way this bill hides origins of our food? I can tell you there would be a ton of folks here on the floor. They would be raising big hell, rather than just a handful who really aren't afraid of Monsanto or the other massive food corporations.

Hiding massive information behind barcodes and 800 numbers is totally unacceptable. The Senate should not be in the business of hiding information from consumers.

When I grew up, I was told the consumer is always right. We should be empowering those consumers, those American consumers, with more information about the food they purchase, not with less. Don't take it from me—9 out of 10 consumers say they want labeling required for genetically engineered foods. What is the problem with that? It is already done in 64 countries.

When you bring up the issue of consumer rights, of the ability of individuals to have some idea where their food comes from, you are told that GMOs are perfectly safe, but that response completely misses the point and insults every single person who has ever asked about the source of their food.

What this is really about is consumers' right to know—not with a Mickey Mouse QR code, not with a different 800 number on every package of food you pick up, but with simple words that say that product contains GMO or it doesn't. That will allow the consumer to make his choices. That will allow mothers and fathers around this country to be empowered, not to be controlled.

Sixty-four countries, including places you would never ever think of as having transparency—places such as Russia, China, Saudi Arabia—require GMO labeling.

If this bill passes, we are going to say—and it had 68 votes the last time it came to the floor—that we have GMO labeling. That is a joke. We have a Mickey Mouse GMO labeling law.

So why is the United States the only developed country in the world that doesn't require an easy-to-read GMO label on its food or an easy symbol that signifies it? There is a one-word answer: money. Here is an example. In 2012, California's Proposition 37 would have required GMO labeling. Opponents of that labeling bill spent $45 million to defeat that proposition. Supporters of that labeling bill spent about $7 million. In fact, Monsanto alone spent $8 million. They outspent the supporters alone. That was in 2012.

In 2013, Washington State had an initiative called 522 that required GMO labeling. More than $20 million was spent in opposition. About $7 million was spent in support of the campaign, with $1.6 million coming from Washington residents.

These campaigns and lobbying organizations have spent nearly one-half billion dollars to prevent commonsense labeling standards, and we have caved to that. If these companies are proud of GMO products, they should label them and make it a marketing tool. Instead, they are spending hundreds of millions of dollars to defeat commonsense measures that 90 percent of the public of this country supports because they are afraid the word ''GMO'' would hurt their billion-dollar profits.

I am not asking for a skull and crossbones on the package. This isn't about the safety or health of these products. It is about transparency. It is about the public's right to know. It is about putting families ahead of corporations. It is about valuing the consumer's right to know over lobbyists in their slick suits and their influence here. They are denying consumers an easy-to-read national GMO label standard. Why? They are denying folks the transparency they need to make the best decisions for their families. It makes no sense to me.

The second issue I have with this bill is the way it changes the definition of GMOs in a way that will not be good for consumers. To me, it is pretty simple. If a crop is found to develop in nature, then God had his hand in making it. Products that have been genetically modified or engineered in a lab, well, those products are made by man. They are genetically engineered. In this bill, the definition of GMO is very different. This definition is very dangerous, and it will be a major mistake if it becomes a new national standard.

As the bill currently reads, the term ''bioengineering'' requires food to contain genetic material that has been modified by rDNA techniques, and for which the modification could not otherwise happen through conventional breeding or be found in nature.

That sounds harmless enough, but there are some huge problems with this definition. First, rDNA techniques are not the only way we modify plants and animals. Scientists can use cell fusion, macroinjection, gene deletion, gene editing, and that is just what has been invented today. Tomorrow there will be other things they can do to manipulate the genes.

The problem is, the definition requires the food product to contain genetic material that has been modified by rDNA. That is it. There are a handful of products that are so refined, the final product would not be listed as GMO, even when the original plant is GMO—soybean oil, high-fructose corn syrup, to give an example.

So as not to get in the weeds too far, organics certify a process. They certify the process a plant goes through. If you don't have water-soluble fertilizers, if you don't spray it with herbicides, and you have a soil-building program and good crop rotation and all those kinds of things, you can get certified as being organic. That would mean, the way I read this—and I am not a lawyer, but I will bet you we will find out in courts because we will have a lot of lawyers with smiles on their faces if we get this passed—you could take GMO corn, for example, raise it under organic standards, because the oil does not show it is modified rDNA, and it could be organic. That means Roundup Ready soybeans, corn, could ultimately be excluded from labeling of the GMO QR code.

Folks will be purchasing products they think are GMO-free, when nothing could be further than the truth. I am not talking about obscure products. I

am talking about very common ingredients. This is a huge loophole and one that was created on purpose. And why? Because if you control the food supply, you control the people.

In this country right now, we have very limited competition in the marketplace. When you sell your grain or your cattle, it doesn't matter. There is not much competition out there because there are just a few major multinational agribusiness companies that are your market. So that is controlled. You buy inputs for your crops—fertilizers, sprays—there are just a few companies. There is no competition in that. They haven't had control of the seed until recently, and now they are getting control of it in a big way.

The farmer always had control of his own seed. He was always able to keep his own seed and use it the next year—not anymore. This bill will promote that going into the future, and we ask why people are leaving rural America. We ask why towns are drying up. We ask why farms are going away. All we have to do is look at this body and you can answer those questions.

The GMO labeling bill—this GMO labeling bill—will exclude some of the most prevalent GMO products in our marketplaces. Do you think that was done by accident? I think not.

The second part of the definition refers to modifications that can be found in nature—extremely vague, and it also threatens transparency. But you know what. There are some natural gene modifications that happen in bacteria—not plants, not animals, in bacteria. Under this definition, that provides another unnecessary loophole that will impact consumers because it says it is OK if it is found in nature.

So we have a QR code and we have a really bad definition. By the way, they could have used the other definition—the one that is standard across the world. They chose not to. They put this definition in and said: Oh, the good thing about this is, it only applies to this bill. So it is OK. Don't worry about it.

The third problem I have with this bill is, it gives the USDA incredible rulemaking power. It allows them to determine what percentage of GMO ingredients would be on the label. It gives the Department the power to establish a national standard with that information. If that isn't enough, the USDA then will design all forms of food disclosure, whether it is text, symbol, or electronic digital link. The Department also must provide alternative labeling options for small packages. Finally, the agency must consider establishing consistency between the labeling standard in this bill and the Organic Food Productions Act of 1990.

Now, why in the heck would that be in there? For the very same reason I talked about earlier. You could literally have a GMO plant be raised under organic conditions, and because of this bill, it could be certified organic.

All of this power we just talked about would be given to unelected bureaucrats in an office building here in Washington, DC—quite a large office building. They are going to make the decisions, and we in production agriculture are going to have to live with it.

The last point I want to make is how this bill is going to negatively impact the organic industry. I know folks have come to the floor to talk about how it is going to be great for organics. The truth is, the organic industry is one of the bright spots in agriculture, quite frankly. For the last 30 years, it has grown between 10 and 30 percent a year. As a matter of fact, it grew 11 percent last year, with $43 billion in sales. That isn't much in terms of the overall food system, but to organics it has moved quite impressively along.

So I would ask: What good does this bill do for organics? I will tell you what it does. It states that products not required to label GMOs don't automatically qualify for non-GMO status. Why not? I mean, that is kind of a given. It also states that organic certification is a means of verifying non-GMO claims in the marketplace.

Look, I have been through organic certifications. This farm is organic. I have been through organic certifications now for 30 years next year, and I can tell you one of the first questions the inspector asks when he comes on the farm is this: Where did you get your seed and is it GMO? Because GMOs are flatly—flatly—forbidden in the organic system.

So what they are saying is what we already have; that organic certification is a means of verifying non-GMO claims. The fact is, if I used GMO plants, I would not be organic and neither would anybody else in production agriculture who uses GMO plants. So that is a biggie—gives us what we already have.

It clarifies that the narrow definition of GMOs and biotechnology in this bill—remember that definition we had up a minute ago—is only applicable to labeling—only applicable to this bill—and not other relevant regulations, like the organic rule, which is what we already have.

This bill falls drastically short. I know there are trade organizations, such as the Organic Trade Association, and I know there are big companies out there that have said: This is perfect. Go ahead and move forward. I am telling you they haven't read the bill. They haven't looked at the requirements. They haven't looked at hiding behind a QR code. They haven't looked at the definition and what its real impact could be. They haven't looked at giving the USDA incredible latitude. Then, when it is all done, we have to live with it.

In the end, the result will be that this country will have a different production system, I believe. I hope this has positive impacts on production agriculture. As I look at legislation we pass around here, I ask myself: Is this going to help revitalize rural America or is this going to continue the relocation of people and smalltown America going away?

I have said many times on this floor, this is a great country, and one of the reasons it is great is because we have had a great public education system and we have had family farm agriculture. I believe, if we lose either one of those, this country will change and it will change for the worse. I think this piece of legislation is not a step in the right direction for family farm agriculture.

Look, this is a picture of my farm. My grandfather came to this area from the Red River Valley in 1910. When he came out, the place didn't look like this. It was grass. In fact, this wasn't his homestead. He traded my great uncle a team of horses for this place. There wasn't anything there. There used to be an old house that sat here, the homestead shack. It was a pretty nice old house. That is what he built first.

Then, after he patented in 1915, he built this barn in 1916. Now, you have to remember, back then they had nails and hammers. That is it. They didn't have any pneumatics or hydraulics. He and his neighbors got together and built that barn in 1916. It was colder than old Billy out, but they had to have that barn because that barn was where they had their animals. It was farmed with horses then. Unfortunately, 2 years after he built it, a tornado came through, a cyclone, and flattened it. He built it again in 1919. He rebuilt the doggone thing. He just got out there, didn't have anything but a bunch of grass, and put all this money—and that is a pretty good-sized barn. By the way, that blew down so he rebuilt it.

Then, in 1920, they had a drought and he had to move back to North Dakota because they were starving to death. My mom was born back in North Dakota that year, in 1920, and then they moved back a couple years later. They survived the Dirty Thirties. My folks took over in the early 1940s. Dad built that butcher shop. That is where this happened. We put up the shop here, which is equivalent to this. This is where we take care of our equipment now.

This farm today is 1,800 acres. It was 1,200 acres for a good many years. We were able to add another 600 acres to it 20 years ago. This farm is about one-third the size of the average farm in Eastern Montana and has supported two families for its entire life, with the exception of the first 20 years and with the exception of when my mom passed in 2009. My dad passed 5 years earlier.

It is a great place. It is part of who I am. It is bills like this—not the Dirty Thirties, not the Great Depression, not the attack on Pearl Harbor, not the mass exodus of the 1980s—that will remove my family from this farm after over 100 years.

So when we take up pieces of legislation like this and they are not good pieces of legislation—and we all think this is a great country. It is a great country. We just celebrated our 240th anniversary. When we take up pieces of legislation like this and say ''It will be all right; things will get better,'' guess what. Things don't get better. And things aren't getting better in rural America. The reason is that we are getting swallowed up by agribusiness. We don't make a move anymore without agribusiness. Let me give an example. Take your product to the marketplace; you have a couple of people who will bid on it. Go buy your inputs; you have a couple people who will buy it. It will not be long, folks, before we will be paying taxes on the land, and we will be providing the labor, and the profits will go to the big guys—the guys who can never get enough. This bill will help facilitate that happening.

I fully anticipate that, come Monday or whenever we vote on this, there will be enough votes to pass this because a lot of the folks have read the propaganda put out that you have to have this kind of stuff to feed the world. That may be true. I have never thought that, but it may be true. But the truth is, shouldn't the consumer at least know what is on the food they are eating? Shouldn't they at least have a clue? Shouldn't they at least be given that right in the greatest country in the world? Shouldn't we have more transparency than Russia, not less?

We will see what happens on Monday or whenever we vote on the GMO bill. I do appreciate Senator STABENOW's work on this bill. Unfortunately, it falls woefully short on what we need in this country as far as transparency on food.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I am here to talk about the sanctuary cities legislation and the GMO labeling issue, which Senator TESTER was so eloquent about. If ever there should be a leader on this Senate floor telling us the truth about the GMO labeling bill, it is he because he deals with this. As he explained, he has worked the family farm for a long time—and his family, for generations. Unfortunately, at this point, it is big agribusiness that is influencing this. I am more hopeful than he is that we can stop the bill.

But let me talk about the fact that we have an immigration crisis in this Nation. Part of it is because we turned away from a very important bill, a bipartisan bill, in 2013 that was comprehensive immigration reform—bipartisan, passed by a huge number of Senators, and it died in the Republican House. That is No. 1. No. 2, we have the Supreme Court that is deadlocked on the immigration issue, and Senators on the other side of the aisle will not even bring up President Obama's Supreme Court nominee for a hearing. They will not do their job. So the House Republicans killed immigration reform that was comprehensive back in 2013, and the Senate Republicans are deadlocking the Supreme Court for partisan purposes. It is a nightmare that can be rectified only in this election that is coming up.

Today we are going to be facing a vote on sanctuary cities legislation instead of taking another vote on the comprehensive immigration bill, which would have added 20,000 more Border Patrol agents, increased surveillance, and hired additional prosecutors and judges to boost prosecutions of illegal border crossings. The measure would have made clear that serious or violent felons will never, ever get a pathway to citizenship or even legal status. That bill would have brought families out of the shadows, taking away the fear of deportation, or being separated from loved ones, or parents being sent back, leaving kids who were born here alone. Sanctuary cities are important because it leads to cooperation with the local police, and it leads to reporting crimes in the communities.

The fact is, the sanctuary cities bill before us will increase crime and make our communities less safe. It would undermine the trust that has been developed between police and immigrant communities, setting back efforts to protect victims and put criminals behind bars.

Let us be clear. The sanctuary cities bill of Senator TOOMEY—for some crazy reason—cuts Community Development Block Grant funding, which can be used by the police to buy equipment, rehab a police station, fund special anti-crime initiatives. Why would anyone ever get rid of funding for our law enforcement when they are under siege? The bill also cuts Economic Development Administration grants, which foster job creation and attract private investment.

I know this sanctuary cities bill is another piece of political garbage. I want to be clear because, at the end of the day, it will increase crime in our communities. I was a county supervisor. I served proudly, and I know how important local grants are to the local economy. So to punish communities by taking these funds away because they don't decide that Uncle Sam has a right to tell them what to do is the dumbest idea ever. Let's make communities safer by passing real immigration reform—comprehensive reform—and defeat these misguided bills that are coming before us.

GMO LABELING BILL

Speaking of misguided bills, I want to talk about another one, and that is the Roberts bill on labeling genetically modified organisms—or, should I say, not labeling genetically modified organisms, because the definition of GMO is so narrow that most of the products that really are engineered will not have to have the label.

If ever there were a bill that proves that leaders are out of touch, that leaders are elitist, it is this bill. People want information—information that is given in 64 nations, simple information. You go to the grocery store, and you see on a label whether the product you are buying is genetically modified. That is pretty straightforward. Don't create some definition that essentially exempts most of the products. What a scam on the American people, and what a scam to say: By the way, for some of the products that will still be labeled, you may have to use your smartphone or a Web site to find out what is in the product.

Call me old-fashioned, but I believe that if two-thirds of the world's population—64 countries—have this information, I want my constituents to have the information. Why should a Russian have this information and an American not? Why should a Chinese person have this information and an American not? Why should someone in New Zealand have this information and an American not? Why should a Japanese person have this information and an American not? Why should 64 nations give their people this simple information, and we can't do it here? Why are we punishing our people, giving them less information? Do we feel we are so smart and smug that we can keep this information from our people? I don't understand it. This bill should be rejected.

Is this an issue people care about? Yes. Ninety percent of Americans want to know if the food they buy has been genetically engineered. What this bill gives them is confusing at best and no information at worst. Let me be specific because I don't want someone to say: Oh, Senator BOXER is upset, but she hasn't given us the details.

Bear with me. Here are the details.

First, the bill's definition of genetically engineered, or GE food, as it is known—genetically engineered—is extremely narrow. The Food and Drug Administration, the FDA, says that many common foods made with genetically engineered corn syrup, sugar, and soybean oil would not be labeled under this bill. For example, products that many of us have right now in our kitchen—such as yogurt, salad dressings, cereal, ketchup, ice cream, pink lemonade, and even cough syrups—would not be required to have a label even though they are derived from genetically modified organisms.

It is important to know if your food is made with GMOs. I will tell you why. Many of us don't know yet if GMOs are fine. Let's say we think they are fine. We still need to know if they are in our food, No. 1, because it is our right to know but, secondly, because GMO crops are heavily sprayed with pesticides.

Let me repeat that. You may think GMOs are fine, and they may be fine. The jury is out. But we know GMO crops are heavily sprayed with pesticide. So if I have a little baby and I don't want to expose my baby to pesticides—if it is a GMO product, you know it has been sprayed heavily. According to USGS, the U.S. Geological

Survey, growers sprayed 280 million pounds of Roundup in 2012—a pound of herbicide for every single person in our country, a pound of pesticide sprayed for every single person in our country. GMO foods are heavily sprayed. I want to know when I go to the store—because sometimes I do shop for my grandkids—if it is a GMO product because, guess what, then I know it has been sprayed with pesticides.

Now I want to take us to the label. Let's set aside the narrow definition. Let's look at what somebody has to go through under the Roberts bill to find out if there are GMOs.

Here is a picture. This is a dad in his supermarket with his kids. One is in the basket with the products, and one is a toddler walking alongside—a pretty common sight. What would it be like for this dad with his two kids to get the information he wants under this bill? He is searching the shelves for items on his grocery list. We know what that is like. You have the two kids here, one in the basket, one over here. You have your list in front of you. He picks up a product, and he looks for a label to learn whether the food has been genetically engineered. Under this bill, the chances are overwhelming that there will not be a simple label on it, but there may be a phone number, a Web site, or a QR code. It is not clearly defined in this bill. But what it means is that this dad would have to stop shopping for every item on his list. He would have to pull out his phone to make a call or type in a long Web site or scan a QR code just to find out if the product he wants to buy is genetically engineered. Let's say he has 50 products in his basket—50. Does he have to make 50 phone calls? Can you imagine looking up 50 Web sites, scanning 50 different QR codes with a confusing cell phone app? You can't imagine it because it isn't going to happen because by that time these kids have melted down and so has dad, and he says: I can't. I give up. I give up. He is not going to make 50 phone calls. And even if he owns a smartphone—which, by the way, many Americans still do not—he may not really know exactly how to work it.

According to Pew Research, only 30 percent of Americans over 65 own a smart phone and just half of the people living in a rural area own one. Just because someone owns a smart phone, that doesn't mean they know how to use it.

Why are we putting Americans through hoops like this just to find out what they are feeding their families? Why? I will tell you why: Big Agriculture, special interests, campaign donations. We will be able to prove it.

Seventy groups are against this horrible legislation: Center for Food Safety, Empire State Consumer Project, Family Farm Defenders, Farm Aid, Food Alliance, Label GMOs, Maine Organic Farmers, Midwest Organic and Sustainable Education Service, Northeast Organic Farming, Our Family Farms, Rural Advancement Foundation International, Sierra Club, Slow Food USA, Sunnyside CSA, and Public Interest Research Group. It goes on and on. Believe me, my colleagues, you are going to hear from these people over the next several days until we vote on this.

Why are my friends in this body so afraid of letting consumers know what is in their food? Because they are doing the bidding of the big agricultural companies, and that is what I believe. It is my opinion. Why on Earth would we stop people in this country from getting the same information the people of Russia get, the people of Japan get, the people in the EU get, the people in Australia get, and the people in New Zealand get? Why would you do that? Don't you believe in the consumer's right to know? This bill should be entitled ''the consumer's right not to know''—not to know. That is what this bill is.

We know the people of this Nation are smart. They will use this information if we only give it to them in the best way they can. Some will decide they don't want GMOs. Some will decide they do. If the price is better and they don't have a problem, it is fine. Let the people decide. It is like the dolphin-safe label I created in the 1990s. The tuna fishermen were killing tens of thousands of dolphins a year because they were using purse seine nets. The dolphins were swimming over the tuna, and tens of thousands of dolphins a year were dying. The people wrote to me and said: Senator, is there a way you can help? I said: Yes, let's put a label on and say which tuna companies are fishing dolphin-safe, and let the consumer decide.

We have saved hundreds of thousands of dolphins over the years, but some people still will buy the other kind of tuna. That is their choice. All I am saying is to treat people with respect. Don't be an elitist. Don't keep information from them. Don't make them jump through hoops. I will tell you the truth. This is the biggest issue in this election. The government elite is telling people what they can know and what they can't know and is making them go through hoops and making them use a smart phone and defining GMO in such a way that many products aren't covered.

What a sick bill that is. If you don't want to have this done by the States, why don't you come to the table and negotiate in good faith? The FDA currently labels more than 3,000 ingredients. They require the labeling of more than 3,000 ingredients, additives, and processes. Millions of Americans have filed comments with the FDA urging the agency to label GE foods so they can have this information at their fingertips.

Ninety percent of the people want a simple label. What you are giving them in this so-called compromise is the narrowest definition of what is a genetically modified food so that most of that food is never going labeled. By the way, it could even be labeled organic, which is a travesty. You have 70 organizations, and counting, against it. Ninety percent of the people want a simple bill. But, oh, no, the elitists in this Chamber know better. Oh, they know better.

They took a simple concept—labeling just like we did on the tuna can—and they turned it into a nightmare for the consumer. The consumer will never find out. This dad will never know because while he has his kids there and his grocery list, he has to be looking at every single item that is in his cart, every single product, and most of them will not have a simple label. A lot of them are GMO, and they are not labeled. It seems to me that it is an embarrassment that we would even bring this bill up. I will do everything in my power to stop this bill.

I would rather do nothing than this sham of a bill that does the bidding of the special, powerful interests and says to the American people: You know what, sorry, folks, we don't really trust you with this information because we don't really know what you are going to do with it.

It is too bad that you don't know what they are going to do with it. You have no right as a Senator to determine what the American people will do with information. If it is a national security issue, of course, that is different. We know about that. If it is a consumer's right to know what is in their food, don't talk about how great this bill is because it is the opposite. It is completely the opposite of what it says. It is not truly a labeling bill. It is a phony sham, and I hope we defeat it whenever we get to it.

I yield the floor.

Mr. GRASSLEY. Madam President, almost 1 year ago to the day, a young woman was walking arm in arm with her father along a pier in San Francisco. She had hopes and dreams and a bright future ahead, but her life was cut short when she was tragically shot, dying in her father's arms. Her name was Kate Steinle.

The suspected killer, who was illegally in the country and deported five times prior to that day, was released into the community by a sanctuary jurisdiction that did not honor a detainer issued by Immigration and Customs Enforcement. The suspect in Kate's death admitted that he chose to be in San Francisco because of its sanctuary policies.

Unfortunately, nothing has changed in the last year. Sanctuary cities, including San Francisco, continue to harbor people in the country illegally.

Since Kate was killed, there has been a long list of tragedies, tragedies that could have been avoided—some that could have been avoided if sanctuary policies were not in place, some that could have been avoided if we had a more secure border and beefed-up penalties for those who enter the country illegally time and again. Allow me to

mention a few of the cases I have been following.

In July, Marilyn Pharis was brutally raped, tortured, and murdered in her home in Santa Maria, CA, by an illegal immigrant who was released from custody because the county sheriff does not honor ICE detainers.

In July, Margaret Kostelnik was killed by an illegal immigrant who also allegedly attempted to rape a 14-year-old girl and shoot a woman in a nearby park. The suspect was released because ICE refused to issue a detainer and take custody of the suspect.

In July, a 2-year-old girl was brutally beaten by an illegal immigrant in San Luis Obispo County, CA. He was released from local custody despite an immigration detainer and extensive criminal history and is still at large.

In September, 17-year-old Danny Centeno-Miranda from Loudoun County, VA, was allegedly murdered by his peers—people in the country illegally who also had ties to the MS–13 gang—while walking near his school bus stop.

In November, Frederick County Deputy Sheriff Greg Morton was attacked by an MS–13 gang member who was in the country illegally.

In January, my constituent, Sarah Root, was rear-ended and killed by a man in the country illegally who was street-racing and had a blood-alcohol level four times the legal limit. Sarah had graduated from college with perfect grades that very day. ICE refused to issue a detainer, and the suspect was released. He is still at large.

In February, Chelsea Hogue and Meghan Lake were hit by a drunk driver, leaving one injured and the other in a coma. The driver was in the country illegally and had previously been removed from the country five times.

In February, Stacey Aguilar was allegedly shot by a man who was in the country illegally. The suspect had also been previously convicted of a DUI.

Last month, five people were trapped by a fire and killed in a Los Angeles apartment building. The man who allegedly started the fire was in the country illegally and had been previously arrested for domestic violence and several drug charges. The man was known to immigration authorities, but he wasn't a priority for removal and was allowed to walk free. The fire killed Jerry Dean Clemons, Mary Ann Davis, Joseph William Proenneke, and Tierra Sue-Meschelle Stansberry—all my constituents from Ottumwa, IA.

When will this end? We can do something today by voting to proceed to S. 3100 and S. 2193.

Sanctuary policies and practices have allowed thousands of dangerous criminals to be released back into the community, and the effects have been disastrous. Even the Secretary of Homeland Security acknowledges that sanctuary cities are ''counterproductive to public safety.'' He has said these policies were ''unacceptable.'' Just last week, before the Senate Judiciary Committee, the Secretary said he wanted to see more cooperation from various counties and cities in working with immigration enforcement authorities. He said he has not been successful with Philadelphia and Cook County, IL. And we know that nothing has changed in San Francisco where Kate Steinle was killed.

The Stop Dangerous Sanctuary Cities Act, authored by Senator TOOMEY, addresses the problem of sanctuary jurisdictions in a common sense and balanced way. There seems to be consensus that sanctuary jurisdictions should be held accountable, so we do that with the power of the purse. This bill limits the availability of certain Federal dollars to cities and States that have sanctuary policies or practices.

The Toomey bill also provides protection for law enforcement officers who do want to cooperate and comply with detainer requests. It would address the liability issue created by recent court decisions by providing liability protection to local law enforcement who honor ICE detainers. Major law enforcement groups support this measure because it reduces the liability of officers who want to do their job and comply with immigration detainers.

Today, we will also vote on Kate's law, a bill honoring Kate Steinle and many others who have been killed or injured by people who have repeatedly flouted our immigration laws. Kate's law addresses criminals attempting to reenter the United States, many times after we have expended the resources to remove them. The bill creates a mandatory minimum sentence of 5 years for any alien who has been deported and illegally reenters the United States who is also an aggravated felon or has been twice convicted of illegal reentry. This is necessary to take certain individuals off our streets who are dangerous to our communities and have no respect for our laws.

This bill has broad support by law enforcement groups. It also has the support of groups that want enforcement of our immigration laws. And it has the support of the Remembrance Project, a group devoted to honoring and remembering Americans who have been killed by illegal aliens.

I would also mention that we could have the opportunity to vote on Sarah's law if we get on either one of these bills today. Sarah's law, which was introduced by Senators ERNST, SASSE, FISCHER, and myself last week, is a measure that would honor Sarah Root of Iowa. Sarah Root was a bright, talented, energetic young woman whose life was taken far too early by someone in the country illegally. ICE refused to issue a detainer on the drunk driver, and he was released from custody. Sarah Root's family is left wondering if they will ever have justice for their daughter's death.

Sarah's Law would amend the mandatory detention provisions of the Immigration and Nationality Act to require the Federal Government to take custody of anyone who entered the country illegally, violated the terms of their immigration status, or had their visa revoked and is thereafter charged with a crime resulting in the death or serious bodily injury of another person. The legislation also requires ICE to make reasonable efforts to identify and provide relevant information to the crime victims or their families. It is important that Americans have access to information about those who have killed or seriously harmed their loved ones.

Sarah's opportunity to make a mark on the world was cut short in part because of the reckless enforcement priorities of the Obama administration. By refusing to take custody of illegal criminal immigrants who pose a clear threat to safety, the Obama administration is putting Iowans at risk. It is time for this administration to rethink its policies and start enforcing the law.

Today we have the opportunity to vote to proceed to two bills to help protect Americans from criminal immigrants. For too long, we have sat by while sanctuary jurisdictions release dangerous criminals into the community to harm our citizens. It is time we work toward protecting our communities, rather than continuing to put them in danger. And, it is time that we institute real consequences for people who illegally enter the United States time and again.

Mr. LEAHY. Madam President, just over 3 years ago, the Senate overwhelmingly passed comprehensive, bipartisan immigration reform. That bill secured the border. It provided an earned path to citizenship that would bring millions out of the shadows and reformed and modernized our legal immigration system. It represented the Senate at its finest. It was a serious effort to solve a serious problem.

The two bills the Senate will turn to shortly stand in stark contrast. It appears that Republican leadership prefers instead an approach that is inspired by Donald Trump and the anti-immigrant rhetoric that is fueling his campaign. These efforts, embodied in the Toomey and Cruz bills, would take our immigration system in the opposite direction and pit local law enforcement and communities against each other, pushing hard-working immigrants back into the shadows. What a difference a change in leadership makes.

There are few topics more fundamental to our national identity than immigration. A consistent thread through our history is the arrival of new people to this country seeking a better life. Immigration has been an ongoing source of renewal for America—a renewal of our spirit, our creativity, and our economic strength.

The Senate reaffirmed its commitment to these ideals when we approved S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act 3 years ago. That legislation was supported by 68 Senators

from both parties. It was a remarkable, bipartisan effort that was the subject of an extensive amendment process in the Senate Judiciary Committee. It was an example of all that we can accomplish when we actually focus on the hard job of legislating.

The bills we begin considering today could not be more different. They are not bipartisan. They do not reflect a desire to meaningfully improve what we all agree is a broken immigration system. Instead, these bills scapegoat an entire population for the crimes of a few.

Those who support these bills point to a tragedy that captured our attention last summer. Any time an innocent person is killed, we have an obligation to understand what happened and try to prevent similar tragedies in the future. We all feel that way about the senseless and terribly cruel death of Kate Steinle. Her death was avoidable. Our system failed, period. And it is heart-wrenching that such a beautiful, young life was taken by a man who should never have been free on our streets.

We are motivated to do something in the wake of her death, just as we are motivated to act in the wake of the senseless killings of 49 innocent people at an LGBT nightclub in Orlando, FL—or nine men and women attending a bible study class at the historic Mother Emanuel African Methodist Episcopal Church in Charleston, SC—or the nine innocent people brutally murdered at an Oregon community college. These are moments that demand leadership. We should roll up our sleeves and address the problems that led us here, not seek bumper-sticker solutions that simply divide us further.

Not only does the rhetoric around the Toomey and Cruz bills unfairly paint immigrants and Latinos as criminals and threats to the public, they actually risk making us less safe. Senator TOOMEY's bill would require State and local law enforcement to become immigration agents and, in doing so, would undermine basic community policing principles. It would undermine the trust and cooperation between police officers and immigrant communities that is necessary to encourage victims and witnesses to step forward and report the crime that impacts us all. It would weaken law enforcement's ability to apprehend those who prey on the public. And the draconian penalties in this bill will hurt our communities, which rely on Community Development Block Grants to fund crime prevention programs, provide housing for low-income families, support economic development and infrastructure projects, and rebuild communities devastated by natural disasters. Not surprisingly, it is opposed by mayors, domestic violence groups, Latino and civil rights groups, and labor organizations.

Senator CRUZ's bill is also dangerous. By creating two new mandatory minimums that will cost us billions of dollars to enforce, the bill diverts valuable resources away from efforts that actually keep us safe, like supporting State and local law enforcement and victim services, and does nothing to fix the broken immigration system we have today. The penalties imposed in Senator CRUZ's bill would not have prevented Kate Steinle's murder. The man who murdered Kate served over 5 years for three separate illegal reentry violations and served a total of 16 years in prison. Judges already have the authority to impose long prison sentences, and this case proves they actually do.

It is troubling that the majority leader is seeking a vote on this punitive, partisan bill, instead of working to pass the meaningful criminal justice reform legislation that has strong bipartisan support. It is yet another example of his willingness to put politics above real solutions.

The problems plaguing our immigration system demand that we respond thoughtfully and responsibly. We can do better. We owe it to the American public to do better. I urge Senators to vote against cloture on these partisan bills that will not make us safer.

Mr. MCCAIN. Madam President, today the Senate is voting to achieve cloture on two bills that would improve the safety of our citizens and help ensure that foreign criminals convicted of a crime in the United States are no longer able to freely remain in our country.

This issue was brought to the Nation's attention with the tragic murder of Kate Steinle, who was shot and killed by Francisco Lopez-Sanchez as she walked along a San Francisco waterfront pier.

To be clear, this type of case is rare, but we should provide little lenience to convicted, repeat offenders that should not even be in the country.

This is not a debate about immigration reform. Francisco Lopez-Sanchez is not a representative of the immigrant community. He is a criminal and someone that should have been removed from the country when in the custody of the San Francisco's sheriff's department. For those that wish to defend this man or the policies that allowed him to stay here, I would recommend looking clearly at his criminal history and interactions with law enforcement while in the United States.

February 2, 1993: Lopez-Sanchez is convicted of felony heroin possession in Washington State criminal court and sentenced to 21 days in jail.

May 12, 1993: Lopez-Sanchez is convicted of felony narcotics manufacturing in Washington and sentenced to 9 months in jail.

November 2, 1993: Lopez-Sanchez is convicted of felony heroin possession in Pierce County, WA, and sentenced to 4 months in jail.

June 9, 1994: Lopez-Sanchez is convicted of misdemeanor imitation controlled substance in Multnomah, OR, and ordered to pay a fine.

June 10, 1994: Lopez-Sanchez is arrested by Immigration and Naturalization Service, INS, and convicted of a controlled substance violation and an aggravated felony. A Federal immigration judge orders him deported on June 20, and he is removed to Mexico.

July 14, 1994: Lopez-Sanchez illegally reenters the U.S. after his first deportation and falls into the hands of Arizona State authorities. His probation is revoked, and he is sentenced to 93 days in jail.

July 11, 1996: Lopez-Sanchez is arrested in Washington and convicted of felony heroin possession. He is sentenced to 12 months, plus 1 day in prison.

March 12, 1997: INS arrests Lopez-Sanchez on an order to show cause and charges him as a deportable alien because of his illegal reentry and his aggravated felony conviction. He is deported back to Mexico for the second time on April 4, 1997.

July 22, 1997: Lopez-Sanchez is arrested in Arizona for his first known act of violence on an assault and threatening/intimidation charge.

January 13, 1998: Lopez-Sanchez is arrested by U.S. Border Patrol agents. Two days later, an immigration judge orders him removed, and he is deported for the third time on February 2 of that year.

February 8, 1998: Lopez-Sanchez illegally reenters the U.S. 6 days after his previous deportation, but is apprehended by U.S. Border Patrol.

September 3, 1998: He is convicted of felony reentry in U.S. District Court and sentenced to 63 months in prison.

February 20, 2003: Seemingly at the end of his prison sentence, the U.S. Bureau of Prisons hands Lopez-Sanchez over to INS. He is deported again to Mexico on March 6.

July 4, 2003: Lopez-Sanchez again illegally reenters the U.S. and is apprehended by U.S. Border Patrol, this time in Texas.

November 7, 2003: Lopez-Sanchez is convicted of two Federal charges: reentry after removal and violation of a supervised Federal release. He is sentenced to 51 months and 21 months for the charges, respectively.

June 29, 2009: After a lengthy prison sentence, the U.S. Bureau of Prisons hands Lopez-Sanchez over to ICE. He is immediately deported to Mexico.

September 20, 2009: Lopez-Sanchez again reenters the U.S. illegally. This time, he is arrested by U.S. Customs and Border Protection agents in Eagle Pass, TX.

October 14, 2009: A U.S. attorney for the Western District of Texas files for a reindictment of Lopez-Sanchez for illegal reentry after removal. He is charged in September 2010 for violating Federal probation.

May 12, 2011: Lopez-Sanchez is sentenced to 46 months in prison and 36 months of supervised release for illegal reentry and probation violations. Two months later, ICE places a detainer request with the Bureau of Prisons upon

his release from prison. In October 2013, ICE's Southern California Security Communities Support Center places a similar detainer request with the Bureau of Prisons.

March 26, 2015: After serving his sentence in Federal prison in Victorville, CA, Lopez-Sanchez is released and handed over directly to the San Francisco sheriff's department, which had a warrant out for felony sale of marijuana. The next day, ICE received an automatic electronic notification that Lopez-Sanchez had been placed into the custody of the San Francisco sheriff's department. ICE then placed a detainer request with the sheriff to be notified prior to Lopez-Sanchez's release.

April 15, 2015: The San Francisco sheriff's department releases Lopez-Sanchez from its custody without notifying ICE.

July 1, 2015: Lopez-Sanchez allegedly shoots Steinle on San Francisco's Pier 14 as she is walking with her father and a friend. Steinle dies. Lopez-Sanchez is arrested soon after.

As you can see, Lopez-Sanchez was apprehended and deported five times by Customs and Border Protection. The system failed Kate Steinle when San Francisco, a sanctuary city that refuses to cooperate with ICE, decided to release a convicted felon rather than contact DHS to have him deported to Mexico.

The bills we are voting on today would help prevent a similar tragedy from happening again. S. 2193 will provide a 5-year mandatory minimum sentence for any illegal immigrant who reenters the United States after having been convicted of an aggravated felony or after having been twice convicted of illegally reentering the United States. S. 3100 will withhold certain Federal funds from cities with sanctuary policies in an effort to convince these cities to allow their law enforcement to cooperate with Federal immigration officials.

I urge my colleagues to vote for cloture on these two bills to prevent a further tragedy like that suffered by the Steinle family.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. Madam President, I ask unanimous consent to speak for as much time as I may consume.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FORMER SECRETARY CLINTON'S USE OF UNSECURED EMAIL SERVERS

Mr. SASSE. Madam President, yesterday, James Comey, the FBI Director, announced that his agency will not recommend that the Department of Justice bring Federal criminal charges against former Secretary of State Hillary Clinton regarding her use of a set of off-the-books, undisclosed, unsecured email servers, not only for her own personal correspondence but also for her official duties, including highly sensitive material related to foreign intelligence and related to terrorist targeting.

Director Comey's rationale for systematically and devastatingly recounting Secretary Clinton's many violations of the law and yet recommending against a prosecution is being hotly debated both outside and inside the FBI, as it should be.

I rise in this body today, as a matter of oversight, to speak to a slightly different matter than the prosecutorial discretion and decision. The debate about why the crimes are not being prosecuted in this case should not blind us to a broader, debasing problem in our civic life today. Simply put, lying matters. Public trust matters. Integrity matters. And woe to us as a nation if we decide to pretend this isn't so. This issue is not about political points or about Presidential politics. It is about whether the people can trust their representatives, those of us who are supposed to be serving them in government for a limited time.

I am going to read today a series of direct quotes from Secretary Clinton regarding this investigation, and then I will also read a series of direct quotes from Director Comey's statement yesterday, as well as from the State Department's official inspector general report on this issue. I will not provide a running commentary. I will, instead, simply recount the words and the assertions of Secretary Clinton, and I will hold them up to the light of what the FBI and the State Department investigations have found. Sadly, this will be damning enough.

When the story broke about the Secretary's use of a personal email account and set of undisclosed servers, she called a press conference at the United Nations on March 10 last year, and she emphatically and without qualification declared this:

> I did not email any classified material to anyone on my email. There is no classified material.

Period, full stop.

Yesterday, Director Comey said: That is not true.

> 110 e-mails in 52 e-mail chains have been determined by the owning agency to contain classified information at the time they were sent or received. Eight of those chains contained information that was Top Secret at the time they were sent; 36 chains contained Secret information.

Later, Secretary Clinton adjusted her defense to say: ''I did not send nor receive information that was marked classified at the time that it was sent or received.''

Yesterday, Director Comey directly addressed and directly dismissed this defense, noting that while only a small number of the emails containing classified information bore the markings indicating the presence of classified information, ''even if information is not marked 'classified' in an e-mail, participants who know—or should know—that the subject matter is classified are still obligated to protect it.''

Throughout this controversy, Secretary Clinton has maintained: ''I [have] fully complied with every rule I was governed by.''

She said: I have fully complied with every rule I was governed by.

The inspector general of her own State Department has concluded exactly the opposite.

> Sending emails from a personal account to other employees at their Department Accounts is not an appropriate method of preserving any such emails that would constitute a Federal record. Therefore, Secretary Clinton should have preserved any Federal records she created and received on her personal account by printing and filing those records with the related files in the office of the Secretary. At a minimum, Secretary Clinton should have surrendered all emails dealing with Department business before leaving government service and, because she did not do so, she did not comply with the Department's policies that were implemented in accordance with the Federal Records Act.

Regarding those subsequently surrendered emails, Mrs. Clinton has said:

> After I left office, the State Department asked former secretaries of state for our assistance in providing copies of work-related emails from our personal accounts. I responded right away and provided all my emails that could have possibly been work-related.

Yesterday, Director Comey explicitly rejected this claim, noting not only that several thousand emails were missing but, also, that some of the emails she withheld were in fact classified.

Director Comey said:

> The FBI also discovered several thousand work-related e-mails that were not in the group of 30,000 that were [initially] returned by Secretary Clinton to [the] State [Department] in 2014. . . . With respect to the thousands of emails we found that were not among those produced to [the] State [Department], agencies have concluded that three of those were [also] classified at the time they were sent or received, one at the Secret level.

Lest we be confused, here is Director Comey's summary of the situation:

> Any reasonable person in Secretary Clinton's position, or in the position of those government employees with whom she was corresponding about these [classified] matters, should have known that an unclassified system was no place for that conversation.

We could go on. There is more about the foreign adversaries—on which all of us in this body get our classified briefs—that we know were and are today trying to hack sensitive U.S. Government classified material. What I have presented here is not an opinion. This is not political talking point or spin. All we have done here is to recount some of the specific defenses, claims, and excuses Secretary Clinton has offered regarding her use of a set of unsecured, undisclosed off-the-books email servers and then contrasted those claims with how both the FBI's and the State Department's inspectors general have proved those claims to be clearly and knowingly false.

If any of Secretary Clinton's defenders in this body would like to come to the floor to dispute any of the FBI's assertions, I would welcome that conversation.

These are serious matters, and they deserve our serious attention. As elected officials, we have been entrusted for a time with the security of the Nation and with the trust of the people. Quite apart from the specific questions and debates about whether Secretary Clinton is going to be convicted for her crimes, we must grapple with the reality that the public trust, the rule of law, and the security of our Nation have been badly injured by her actions.

In the coming months, the next time that a career military or intelligence officer leaks an important secret that is a legally defined classified matter that relates to the security of our Nation and the security of our Nation's spies, who are putting their lives at risk today to defend our freedoms, one of two things is going to happen: Either that individual will not be held accountable because yesterday the decision was made to set a new, lower standard about our Nation's security secrets, and we will therefore become weaker, or, in the alternative, the decision will be made to hold that person accountable, either by prosecution or by firing. In that moment, that individual and his or her peers and his or her family will rightly ask this question: Why is the standard different for me than for the politically powerful? Why is the standard different for me, a career intelligence officer or a career soldier, than for the former Secretary of State? This question is about the rise of a two-tiered system of justice, one for the common man and one for the ruling political elites. If we in this body allow such a two-tiered system to solidify, we will fail in our duties, both to safeguard the Nation and for the people to believe in representative government and in equality before the law.

This stuff matters. Lying matters. The dumbing down and the debasing of expectations about public trust matter. Honor matters, and woe to us as a nation if we decide to forget this obvious truth of republican government.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:47 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. FISCHER).

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Brian R. Martinotti, of New Jersey, to be United States District Judge for the District of New Jersey.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

The Senator from Pennsylvania.

Mr. TOOMEY. Thank you, Madam President.

SANCTUARY CITIES LEGISLATION

I rise to address the legislation we are going to be voting on later this afternoon, two procedural votes to take up legislation. Both bills were inspired by a horrendous event that occurred almost exactly 1 year ago. On July 1, 2015, a 32-year-old woman named Kate Steinle was walking on a pier in San Francisco with her dad, and out of nowhere comes a man who starts firing his weapon at her, shoots her, and within moments Kate Steinle bled to death in her father's arms.

As appalling as that murder was, one of the particularly galling things about it is that the shooter should never have been on the pier that day. The shooter had been convicted of seven felonies and had been deported from America five times because he was here illegally. Even more maddening is that just a few months earlier, San Francisco law enforcement officials had him in their custody. They had him, and the Department of Homeland Security, discovering that fact, put out a request that said: Hold on to this guy. Detain him until we can get one of our guys there to take him into custody because we want to get him out of this country. He is dangerous; we know he is.

What did the San Francisco law enforcement folks do? They said: Sorry, we can't help you. They released him onto the streets of San Francisco, from which he later shot and killed a perfectly innocent young woman.

Why in the world would the San Francisco law enforcement folks release a seven-time convicted felon, five-time deported person who was known to be dangerous, in the face of a request from the Department of Homeland Security? Why would they release such a person? Because San Francisco is a sanctuary city, which means it is the legal policy of the city of San Francisco to refuse to provide any information or to cooperate with a request to detain anyone when the Department of Homeland Security is requesting such cooperation with respect to someone who is here illegally. This is madness. It is unbelievable that we have municipalities that are willfully releasing dangerous people into our communities.

Let me point out that the terribly tragic case of Kate Steinle is not a unique case. According to the Department of Homeland Security in an analysis looking at an 8-month period in 2014—the most recent period for which we have data—sanctuary cities across America released 18,000 individuals and 1,800 of them were later arrested for criminal acts. That is what is happening across America, including in the great city of Philadelphia in my home State of Pennsylvania, which has become a sanctuary city.

Today we are going to vote on two different bills. We are going to take a procedural vote which will determine whether we can proceed to two bills inspired by this terrible tragedy. First is my legislation called the Stop Dangerous Sanctuary Cities Act, S. 3100. I am grateful for my cosponsors, Senators INHOFE, VITTER, COTTON, JOHNSON, CRUZ, and WICKER. Let me explain how this is structured.

There is a court ruling that has caused a number of municipalities that would rather not be sanctuary cities to believe they need to become sanctuary cities. The ruling is from the Third Circuit Court of Appeals, which has jurisdiction over my State of Pennsylvania, and also a Federal district court in Oregon. They have held that if the Department of Homeland Security makes a mistake—let's say it is the wrong John Doe—and they ask a police department somewhere to hold that person, if it turns out they are holding him wrongly, according to these court decisions, the local police department can be held liable even though they were just acting in good faith at the request of the Department of Homeland Security.

Well, that doesn't make any sense, and it is easily corrected. My bill will correct it. What my bill says is that if a person is wrongly held in such a circumstance where the local police are complying in good faith with a request from the Department of Homeland Security, if that happens, the individual wrongly held can still sue, they can still go to court, but they wouldn't go to court against the local police or local municipality, they would take their case against the Department of Homeland Security, where it belongs. After all, it was the error of the Department of Homeland Security that caused the person to be wrongly held. So that solves the problem of a municipality being concerned about a liability that would attach to their doing the right thing.

Given that solution, which is in our legislation, if we pass this and make this law, then there is no excuse whatsoever for any municipality willfully refusing to cooperate with Federal immigration and law enforcement officials.

The second part of my legislation says that if a community nevertheless—despite a lack of legal justification—chooses to be a dangerous sanctuary city, well, then, they are going to lose some Federal funds—specifically, community development block grant funds, which cities get from the Federal Government. They love to spent it on all kinds of things.

The fact is, sanctuary cities impose costs on the rest of us—security costs, costs to the risks we take, the unspeakable costs the Steinle family incurred—so I think it is entirely reasonable that we withhold this funding as a way to hopefully induce these cities to do the right thing.

I say there are two pieces of legislation we will be taking procedural votes

on today. The other is Kate's Law. I commend Senator CRUZ for introducing this legislation. As I pointed out, Kate Steinle's killer had been convicted of seven felonies and deported five times. How many times is this going to happen? What Kate's Law simply says is that there will be a mandatory 5-year prison sentence for someone who illegally reenters the United States after having already been convicted of an aggravated felony and after having been convicted of at least two previous offenses of illegal reentry. If that gets confusing, the bottom line is that they have come into the country four times illegally and have been convicted of an aggravated felony. At some point, they need to go to jail, and that is what Kate's Law does.

Let me get back to my legislation because there is a mistaken impression and I want to set the record straight. Some have argued that if my legislation were passed, if we passed legislation to correct the legal problem and then withhold funding from cities that become sanctuary cities, that might discourage victims of crime and witnesses to crime from coming forward if they are here illegally because they will have a fear of being deported.

Let's be very clear. Our legislation explicitly states that a locality and municipality will not be labeled a ''sanctuary jurisdiction''—so they would not be at risk for losing any Federal funds—if their policy is that when a person comes forward as a victim or a witness to a crime, local law enforcement does not share information with DHS and does not comply with a Department of Homeland Security request for a retainer. In other words, there is a big carve-out. There is an exception. There is a carve-out for people who are victims of crime or witnesses of crime, so we don't discourage people from coming forward. I think it makes perfect sense.

Some have also argued erroneously that my bill creates a mandate for local law enforcement to take on the Federal immigration duties—duties that are a part of the Federal Government. The fact is, that is a misreading of the legislation. Our legislation does not require local law enforcement to do anything. It doesn't even require that local law enforcement comply with any requests from the Department of Homeland Security. What it says is that you will be defined as a sanctuary city if you have local legislation that forbids cooperation. That is what it says. So the police can make their best judgment and can cooperate with the administration when they see fit without being in violation of their own laws. Our legislation does not at all impede the enforcement of criminal law, and it does not impose any burdens.

There are four law enforcement groups that have endorsed my bill: the Federal Law Enforcement Officers Association, the National Sheriffs' Association, the National Association of Police Organizations, and the International Union of Police Associations, which is an AFL–CIO entity. The reality is that the vast majority of local law enforcement wants to cooperate with the Federal Department of Homeland Security folks, immigration officials, and law enforcement people because they are all about keeping our communities safer and they don't want to release someone onto the streets who is likely to be a criminal or even a terrorist.

Let me stress that support for my legislation is bipartisan, and opposition to the kind of sanctuary city policy that we have in Philadelphia is bipartisan. Ed Rendell is the former mayor of Philadelphia, the former Governor of Pennsylvania, and the former chairman of the Democratic National Committee, and he has criticized the policy Philadelphia has put in place. Mayor Nutter—the recently outgoing mayor—reversed the sanctuary city policy that they used to have in place because he realized it is a bad policy for keeping Philadelphians and Pennsylvanians safe. The Obama administration asked the Secretary of the Department of Homeland Security, Jeh Johnson, to travel to Philadelphia personally, and he pleaded with Mayor Kenney, the mayor of Philadelphia, to at least make some narrow exceptions to the sanctuary city policy precisely so that when we have suspected terrorists in the custody of local police departments and the Department of Homeland Security discovers this, they will get some cooperation so we can take custody of these people.

This, to me, is just common sense. It is not principally about immigration; it is almost entirely about security and keeping dangerous people off our streets.

The vote today is not a final disposition of the legislation; it is a vote on whether we can even take it up and begin a debate.

I don't know how anyone could defend the proposition that we shouldn't even consider this legislation. If someone wants to oppose it, by all means. But the vote we are going to have today is a procedural vote on whether we proceed to this legislation and just begin this discussion. For me, it shouldn't be a question at all. For the safety of the American people, we ought to proceed with this legislation. In my view, the life of Kate Steinle matters.

I hope my colleagues will vote to enable us to proceed, and let's have a vigorous debate about the merits of this, about whether we ought to tolerate sanctuary cities that knowingly and willfully refuse to cooperate with Federal immigration and law enforcement officials. Let's have the discussion, by all means, but let's start by getting on the bill so we can attempt to find a consensus and resolution to this.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Madam President, I rise today in support of the confirmation of Judge Brian R. Martinotti to be a U.S. district court judge for the U.S. District Court for the District of New Jersey. I am very proud to support his nomination and grateful that my senior Senator ROBERT MENENDEZ is here as well.

Judge Martinotti is an outstanding public servant who has honorably served the people of New Jersey in both private practice and public service for decades. I am grateful that Judge Martinotti is finally getting the confirmation vote he deserves more than a year after his nomination. I thank Senator MENENDEZ for his support of this nomination throughout this long process.

During my first year within the Senate, I had the honor to recommend Judge Martinotti to President Obama. He is a talented jurist, he has an impressive legal background, and he is more than qualified to be a Federal judge.

As a judge in the New Jersey Superior Court, Judge Martinotti is a well-known and highly regarded leader in the New Jersey legal community. As a State superior court judge, he served 14 years and has judicial experience, having presided over 90 cases that have gone to judgment. He previously served as a public defender, a prosecutor, a tax attorney, and even city council member, the same position where I began my political career. He served as a legal counsel for the Italian American Police Society and has worked in private practice for 15 years.

Judge Martinotti has litigated both criminal and civil cases, which I am confident will make him a well-balanced jurist. Judge Martinotti possesses a sharp legal mind, a breadth of experience, solid judicial temperament, and he is prepared to do the work of a Federal jurist.

The American Bar Association Standing Committee on the Federal Judiciary rated Judge Martinotti unanimously ''well qualified,'' giving him their highest possible rating.

Last October, the Judiciary Committee voted unanimously in support of Judge Martinotti's nomination. I am confident this well-qualified nominee will serve honorably on the Federal bench.

While I am pleased Senate leadership has finally scheduled this vote, this body still has work to do when it comes to confirming more well-qualified judicial nominees. Currently, our Federal courts have 83 Federal vacancies nationwide, 30 of which have been deemed judicial emergencies. Despite the number of vacancies, the pace of judicial confirmations has been historically slow. Last year, the Senate confirmed only 11 judicial nominees, matching the record for confirming the fewest number of judicial nominees in more than half a century. Now, more than 17 months into this Congress, there have only been 20 judges who have been confirmed. Yet, with a Democratic majority during the last 2

years of the Bush administration, the Senate confirmed 68 judges.

I fear the Senate's slow pace of confirming judges will harm the judicial branch and make it harder for Americans to achieve simple justice in federal courts.

Even after today's vote, we still have 2 of the 17 judicial seats vacant in the District of New Jersey and 24 judicial nominees pending on the Senate floor. We have to do better.

We do not yet have an agreement to vote on the nomination of Judge Julien Neals, whose nomination has now been pending before the Senate for 18 months.

His nomination has the support of both myself and Senator MENENDEZ and was unanimously passed out of the Judiciary Committee last November. It is time that Judge Neals' nomination receive a full Senate vote. Our Federal justice system cannot function as intended when critical posts are left vacant for months on end. It hurts our economy, our civil rights, and the overall principles of justice in our country.

I urge our leadership to act to address the judicial vacancy crisis. I also urge my fellow Senators to vote to confirm Judge Martinotti as U.S. district judge for the Federal district court of New Jersey. Thank you, Madam President.

The PRESIDING OFFICER. The senior Senator from New Jersey.

Mr. MENENDEZ. Madam President, I am pleased to be joining my colleague from New Jersey Senator BOOKER in his recommendation to the President of Judge Martinotti and today on the floor in support of his confirmation. It was one of Senator BOOKER's first opportunities to recommend to the President an exemplary recommendation that again I was very pleased to support.

I rise to express to all of my colleagues my wholehearted, enthusiastic support of Brian Martinotti's nomination and his confirmation by the Senate to the U.S. District Court for the District of New Jersey. In his life and in his career, he has shown himself to be a judge with the necessary wisdom, experience, and judicial temperament the district court requires.

For well over a decade, he has been a superior court judge in Bergen County, NJ, which—for my colleagues who may not be familiar with the State—is a densely populated county, with all the inherent needs for someone such as Judge Martinotti, who has repeatedly shown the intellect, the judicial temperament, and the observance of precedent—which I know is very important to many of my colleagues—that it takes to make a fair judgment based on the law.

Beyond his glowing record in the family division and now in the civil division, where he is handling a diverse caseload from complex mass tort litigation to environmental lawsuits, housing issues, and countless other areas, the fact is, he is exceptionally well regarded by those who have appeared before him on both sides of the table, the defense and the prosecution tables. That says more about the man than any list of cases he has heard.

He has a wealth of knowledge from private practice, and that will help him as he deals with the practitioners who will be before him. He has a wealth of experience in mediation before the Bergen County Superior Court, in the New Jersey State Board of Mediation, American Arbitration Association, National Arbitration and Mediation, and as a court-approved mediator.

His experience is impeccable, going back to his time as a judicial law secretary for the Honorable Roger M. Kahn and when he was a student at Fordham University and Seton Hall University School of Law in Newark.

He has been a leader in New Jersey, the very definition of a pillar of the community, serving as a member of the Bergen County Law and Public Safety Institute, Palisades Medical Center, the March of Dimes, the Bergen County Community College Foundation, the Italian American Police Society of New Jersey, not to mention the many honors and awards he has received from countless community organizations.

Given his experience, his temperament, his proven abilities, and personally knowing the kind of man he is, it is no wonder his name is before the U.S. Senate today. Indeed, the American Bar Association Standing Committee on the Federal Judiciary unanimously rated him ''well qualified'' to serve on the bench. That is the bar association's highest rating.

As I have traveled the globe as a senior member of the Senate Foreign Relations Committee, I can tell you that when we talk about American exceptionalism, one of the elements of American exceptionalism is the rule of law. As part of that rule of law, it is the judicial functions that take place—where any citizen can expect to walk into a courtroom in the Nation, find themselves before a judge who is enormously well qualified, and who can have a fair day as it relates to the issues they are litigating before that court. That is an essential part of American exceptionalism.

Judge Martinotti, upon confirmation, will only enhance that American exceptionalism, far beyond even where it is today.

I urge my colleagues to join us and unanimously confirm this eminently qualified nominee to the U.S. District Court for the District of New Jersey.

With that, I yield the floor.

Mr. LEAHY. Madam President, this week we mark the signing of the Declaration of Independence and celebrate the values upon which this Nation was founded. Back in Vermont, we celebrated on July 4 with parades and fireworks displays, as did millions of Americans around the country. It is important, however, not only to celebrate our values on July 4, but also to live by them year-round. This means that we should embrace those public servants who, while working hard to build better lives for themselves and their families, enrich our communities and contribute so much to our Nation.

We see the true meaning of patriotism in those hard-working Americans who ask what they can do for their country and pursue public service. Chief Judge Merrick Garland, who has served for nearly two decades as a Federal judge on the DC Circuit Court of Appeals, is a perfect example. Chief Judge Garland also served for several years in the Justice Department, where he was charged with leading the Federal response to the deadliest act of domestic terrorism in our history. This is a person who makes us all proud to be Americans, but instead of honoring Chief Judge Garland's service, Senate Republicans have undertaken an unrelenting campaign of partisan obstruction against his nomination to the Supreme Court.

Recently, Reid Hoffman, the Silicon Valley entrepreneur and founder of LinkedIn, penned an op-ed criticizing the Senate Republican blockade of Chief Judge Garland's nomination:

''Effectively, [Majority Leader McConnell] and his allies are in the midst of a year-long strike.

''Imagine if entire departments at Fortune 500 companies announced they were going to stop performing key functions of their job for a year or more, with no possibility of moving forward until a new CEO took over. Investors would start dumping their stock. Customers would seek out alternatives. Competitors would make these companies pay for such dysfunctional gridlock. Eventually executives and employees would be fired.

''In Silicon Valley, such behavior would be corporate suicide.''

I could not agree more. We cannot allow Senate Republicans to unilaterally decide to refuse to do its job, and essentially create ''dysfunctional gridlock.'' I ask unanimous consent that a copy of the article be printed in the RECORD at the conclusion of my remarks.

Instead of scheduling a hearing for an impeccably qualified nominee, Republicans are holding Chief Judge Garland's nomination hostage in their hopes that the Republican Party's presumptive Presidential nominee will be elected and make a different nomination. This is the same candidate who has displayed a stunning misunderstanding of the role of the judiciary and who accused a sitting Federal judge of bias simply because of his heritage. While some Senate Republicans have rightly condemned those racist attacks on Judge Gonzalo Curiel, they are still standing by the man who launched those racist attacks.

As former U.S. Attorney Steven Dettelbach in Ohio put it in a recent op-ed, ''if country really does come before party, how can anyone who calls himself an American leader still support this man who openly berates public servants based on their race?'' I ask unanimous consent that a copy of the

article be printed in the RECORD at the conclusion of my remarks.

Senate Republicans' partisan refusal to do their jobs extends to the lower courts as well. In the 19 months that Senate Republicans have had a majority, they have allowed just 21 votes on judicial nominations. As a result, Federal judicial vacancies have skyrocketed. This is not how the Senate should operate, and the American people deserve better. When Democrats controlled the Senate during the last 2 years of President George W. Bush's administration, we worked hard to confirm judicial nominees with bipartisan support. During those 2 years, we confirmed 68 of President Bush's judicial nominees and reduced the number of judicial vacancies to 34. We even held hearings and confirmation votes into late September of the election year, because filling vacancies with qualified nominees with bipartisan support is more important than scoring partisan points. Senate Republicans have not shared that priority, or else they would never have allowed judicial vacancies to nearly double from 43 to 83 since they have controlled the Senate, leaving two dozen judicial nominations pending on the Senate floor.

The nominee the Senate will finally vote on today, Brian Martinotti, was nominated over a year ago to fill a vacancy on the U.S. District Court for the District of New Jersey. Judge Martinotti has been awaiting a floor vote for over 250 days, even though his nomination was reported by voice vote by the Judiciary Committee last October. Since 2002, Judge Martinotti has served as a judge on the Superior Court of New Jersey. Prior to that, he spent 15 years in private practice. Judge Martinotti has also served as a public defender, as a prosecutor, and as a municipal tax attorney. The ABA Standing Committee on the Federal Judiciary unanimously rated Martinotti ''Well Qualified'' to serve on the district court, its highest rating. He has the support of his home State Senators, Mr. MENENDEZ and Mr. BOOKER. I support his nomination.

Even after today's vote, there will still be 24 judicial nominations languishing on the Senate floor. One of them was reported at the same time as Judge Martinotti and has also been awaiting a vote for over 8 months. We still do not have an agreement to vote on the nomination of Edward Stanton to the Western District of Tennessee. In 2010, the Senate voted unanimously to confirm Mr. Stanton as the U.S. attorney for that district. His current nomination is supported by his two Republican home State Senators, and he was unanimously voice voted out of the Judiciary Committee. I hope the Republican Senators from Tennessee will be able to persuade the majority leader to schedule a vote for Mr. Stanton's nomination before we leave for the 7-week recess he has scheduled.

It is the Senate's duty to ensure that our independent judiciary can function. Senate Republicans must be responsible and act on Chief Judge Garland's nomination, as well as the 24 judicial nominations that are languishing on the Senate floor.

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

[From Medium.com, June 29, 2016]

OBSTRUCTIONISM IS TERRIBLE GOVERNANCE

(By Reid Hoffman)

As an entrepreneur and investor, I prioritize construction and collaboration. Whether it's a five-person start-up or a global giant, the companies that are most productive are the ones whose employees operate with a shared sense of purpose and a clear set of policies for responding to changing conditions and new opportunities.

That's why I'm so appalled by what's happening in the Senate this year, and how starkly it illustrates the differences between Silicon Valley and Washington, DC.

Just hours after Supreme Court Justice Antonin Scalia unexpectedly died in February, Senate Majority Leader Mitch McConnell told the American people not to expect a replacement any time soon. The vacancy created by Justice Scalia's passing, McConnell insisted, ''should not be filled until we have a new president.''

Since then, Leader McConnell's position has remained unchanged—he won't even meet with any nominee until January 2017. Effectively, he and his allies are in the midst of a year-long strike.

Imagine if entire departments at Fortune 500 companies announced they were going to stop performing key functions of their job for a year or more, with no possibility of moving forward until a new CEO took over. Investors would start dumping their stock. Customers would seek out alternatives. Competitors would make these companies pay for such dysfunctional gridlock. Eventually executives and employees would be fired.

In Silicon Valley, such behavior would be corporate suicide. In Washington, DC, it's business as usual.

So Mitch McConnell's strike goes on and on—he refuses to even meet with any nominee until a new president takes office. Other senators like Richard Burr (R–NC), Sen. Chuck Grassley (R–IA), and Rob Portman (R–OH) have followed McConnell's lead, either refusing to even informally meet with Judge Garland, or meeting but still reflexively insisting that a formal Senate hearing is not an option.

But the Constitution does not give the job of nominating and appointing Supreme Court Justices to the next President—it gives it to the current one.

Respecting the Constitution's authority and the obligations of his job, President Obama nominated a potential replacement for Justice Scalia, Judge Merrick Garland, on March 16. To date, only two Republican senators—Senator Mark Kirk (R–IL) and Susan Collins (R–ME)—have resisted peer pressure and publicly stated that Judge Garland should be given a formal hearing. The rest are joining McConnell in his strike.

In a 2013 op-ed, New York Times columnist Thomas L. Friedman explored the difference between Silicon Valley's conception of collaboration and Washington, DC's. In the nation's capital, Friedman observed, collaboration ''is an act of treason—something you do when you cross over and vote with the other party.'' In Silicon Valley, companies that are ''trying to kill each other in one market [are] working together in another—to better serve customers.''

As Friedman went on to explain, Silicon Valley's version of collaboration doesn't mean groupthink or lockstep consensus. Vital organizations and industries cultivate diverse and competitive viewpoints, because it's this very ''clash of ideas'' that tends to produce innovation and adaptation.

But Silicon Valley situates its clash of ideas within a larger framework of cooperation and compromise, under the premise that what's good for the ecosystem as a whole will also benefit individual players, even if they sometimes have competing interests.

What's striking about McConnell's stance is how vividly it illustrates DC's preference for reflexive obstruction over the kind of collaboration and consensus-building that characterizes healthy and productive organizations.

It's not as if the Constitution doesn't give senators like McConnell broad room in which to operate in dissenting fashion. Specifically, Article II, Section 2 of the Constitution invests the President with the power to make appointments ''by and with the advice and consent of the Senate.''

This language clearly gives the Senate a confirming but open-ended role. It doesn't instruct the Senate to hold hearing within a specific number of days, for example. It doesn't even explicitly mandate that the Senate must hold formal hearings or meet with a nominee.

The Constitution simply directs the Senate to advise the President in his effort to nominate and appoint nominees. But how can the Senate credibly and effectively fulfill this obligation without making any effort to gather information about nominees and deliberate on their qualifications?

In keeping the language so broad in this instance, the Constitution effectively places the Senate in far more than a rubber-stamping role. As Barack Obama himself suggested in 2006, when he was still a senator, the Senate arguably has the authority to examine a nominee's ''philosophy, ideology, and record,'' not just his general character.

What Article II, Section 2 ultimately does, in other words, is set the stage for clashes of ideas, albeit within a larger framework of collaboration and consensus. Importantly, the Constitution advises the Senate to work ''with'' the President, not ''against'' him or in opposition to him.

And it presumes that the Senate will indeed be working.

Still, instead of holding hearings in which to assess Judge Garland's suitability for the Court, McConnell and his colleagues are doing nothing.

If their obstructionism goes unchecked, it will continue harming American citizens in very tangible ways. Having only eight Justices on the bench increases the possibility of a deadlock.

When cases end in deadlock, nothing gets decided. Resources are expended, and the American public is left hanging until the Court can hear the case again or consider another case with similar issues.

This has happened twice already—last week when the Court deadlocked on an immigration reform case, and in March, in a case regarding whether individuals should be required to guarantee their spouses' loans. Traditionally, laws regarding this practice have differed in various parts of the country, creating confusion for small business owners and their spouses about what their obligations are. Unfortunately, this confusion and lack of clarity will persist indefinitely because of the Court's deadlock.

What would happen if President Obama told Congress not to bother passing any more bills this year, because he had decided he would automatically veto any of them that made it to his desk? How many private sector organizations would tolerate personnel who refuse to perform key job responsibilities until the current boss is replaced by someone new?

According to Gallup, 84 percent of Americans disapprove of the way Congress is doing its job. Or perhaps more accurately, not doing its job.

Indeed, from 1900 through 1980, it took the Senate a median of 17 days after nomination to confirm or reject a Supreme Court nominee.

Like today's senators, those senators took an oath to support the Constitution and ''faithfully discharge the duties of [their] office.''

Now, however, scorched-earth partisanship has thoroughly compromised Congress's ability to operate functionally. More than 100 days have passed since President Obama nominated Judge Garland—and there aren't even any plans to begin hearings yet.

No wonder so many Americans believe our government is severely broken.

If we truly want to make Congress a collaborative enterprise that efficiently works in the interests of the American people, the American people must apply pressure directly to senators like McConnell, Burr, and Portman.

While some people might insist that these senators are simply fighting partisanship with partisanship, blocking a nominee that a Democrat president is trying to force upon American voters without their say, that's a false equivalency.

President Obama is a democratically elected official, faithfully discharging the duties of his office. In democracies, we aren't always governed by the people or the parties that we voted for. But when officials are elected, we must respect their authority, as long as they're exercising that authority within the bounds of whatever regulatory frameworks are in place to guide them. (In this case, it's the Constitution.)

Every American citizen should understand this. And our elected officials shouldn't just understand this—they should be setting an example that all Americans can follow. Instead, McConnell and his colleagues are doing the opposite.

Ultimately, they're not telling President Obama that they don't think his nominee is a good one. They're saying that they refuse to acknowledge President Obama's legitimacy as an elected official.

This kind of partisanship is endemic in Washington, DC now. But this latest behavior is such an egregious example of Congressional dysfunction that Senator McConnell and his colleagues must be held accountable.

That's why I have signed this Change.org petition urging McConnell to give Judge Garland a hearing, and why I strongly encourage others to join me.

Our elected officials must understand that we, the American people, expect them to perform the duties of their office, even when that means working with other elected officials from different parties.

They must understand that we're fed up with business as usual in Washington, DC. They must understand that we want leaders who look for opportunities to collaborate and work together productively, instead of pursuing obstructionism that serves political parties rather than citizens.

So let Mitch McConnell know that it's time to quit abdicating around. Tell him to do his job and schedule a hearing for Judge Merrick Garland now.

IS TRUMP'S ATTACK ON JUDGE RACIST? IF IT QUACKS LIKE A DUCK . . .

(By Steven Dettelbach)

Judge Gonzalo Curiel, the latest victim of Donald Trump's racist attacks, is not allowed to defend himself under the judicial rules. So I will defend him.

I will defend him as a fellow, former federal prosecutor. I will defend him because I am the husband of an immigrant from Mexico and the father of our two children. And I will defend him as an American, because what Donald Trump is doing is decidedly un-American.

Curiel is a respected jurist. Before becoming a judge, he made a name for almost two decades as a federal prosecutor, investigating and prosecuting Mexican drug cartels. As a former U.S. attorney and career prosecutor myself, I know firsthand that these cases are some of the most difficult and dangerous in our criminal justice system. That work earned Curiel death threats from those same Mexican cartels he fought, threats that did not deter him from protecting this nation for a moment.

Unlike Trump, Curiel comes from Midwestern working-class roots. He was born just hours to the west of here—a place Trump will visit to become the GOP nominee—in Indiana. His parents came to this country and became citizens. His father worked in the steel mills, just like those who built our community, to help put his son through both Indiana University and law school. He was first appointed to the bench in California by another immigrant, Republican Gov. Arnold Schwarzenegger, and then elevated to the federal bench by President Obama after unanimous U.S. Senate confirmation. Curiel's life is a true American success story.

None of this matters to Trump, though. All that matters to Trump are that: 1) Trump thinks he is losing in the Trump University lawsuit before Curiel and 2) the judge's parents came to this country from Mexico, which is of course the only reason he can possibly be losing the lawsuit. Apparently, when things don't go Trump's way, he plays the race card.

In truth, Trump can't hold a candle to Curiel. Unlike Trump, Curiel has done more than talk about protecting our borders. He spent two decades on the border, fighting dangerous drug cartels. Unlike Trump, Curiel was not born as heir to a real estate empire. He earned all he has achieved through hard work and merit.

I am a lawyer. I know that it can be frustrating when a case does not go your way. But Trump's response to losing in that case is to play the race card. That temperament is not only unpresidential, it is dangerous.

Those supporting Trump need to re-evaluate whether lending their own credibility to his racist rants is still tenable. If country really does come before party, how can anyone who calls himself an American leader still support this man who openly berates public servants based on their race?

As a U.S. attorney, I saw the way career law enforcement like Gonzalo Curiel worked to protect us. As a parent, I tell my children that all citizens in this nation must be judged based on what they accomplish, not how they look or where their parents were born. That is America.

Trump evidently understands neither of these basic points. Trump and his supporters say they value plain talk. Well, here is some: Ignoring a person's record and judging him based on ethnic heritage is the definition of racism. Trump did just that. What does that make him?

Quack.

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

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

Under the previous order, the question is, Will the Senate advise and consent to the Martinotti nomination?

Mr. THUNE. 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 senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Utah (Mr. LEE).

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) is necessarily absent.

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

The result was announced—yeas 92, nays 5, as follows:

[Rollcall Vote No. 118 Ex.]

YEAS—92

Alexander	Flake	Murray
Ayotte	Franken	Nelson
Baldwin	Gardner	Paul
Barrasso	Gillibrand	Perdue
Bennet	Grassley	Peters
Blumenthal	Hatch	Portman
Booker	Heinrich	Reed
Boozman	Heitkamp	Reid
Boxer	Heller	Roberts
Burr	Hirono	Rounds
Cantwell	Hoeven	Rubio
Capito	Inhofe	Sanders
Cardin	Isakson	Schatz
Carper	Johnson	Schumer
Casey	Kaine	Scott
Cassidy	King	Sessions
Coats	Kirk	Shaheen
Cochran	Klobuchar	Shelby
Collins	Lankford	Stabenow
Coons	Leahy	Tester
Corker	Manchin	Thune
Cornyn	Markey	Tillis
Cotton	McCain	Toomey
Cruz	McCaskill	Udall
Daines	McConnell	Vitter
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Enzi	Mikulski	Whitehouse
Ernst	Moran	Wicker
Feinstein	Murkowski	Wyden
Fischer	Murphy	

NAYS—5

Blunt	Risch	Sullivan
Crapo	Sasse	

NOT VOTING—3

Brown	Graham	Lee

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.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order the Senate will now resume legislative session.

STOP DANGEROUS SANCTUARY CITIES ACT—MOTION TO PROCEED—Continued

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 motion to proceed to Calendar No. 531, S. 3100, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

Mitch McConnell, Tom Cotton, Shelley Moore Capito, Mike Crapo, Thad Cochran, Jerry Moran, John Thune, John Hoeven, David Perdue, Orrin G. Hatch, Daniel Coats, Pat Roberts, John Barrasso, Bill Cassidy, Patrick J. Toomey, John Boozman, John Cornyn.

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 motion to proceed to S. 3100, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Utah (Mr. LEE).

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) is necessarily absent.

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

The yeas and nays resulted—yeas 53, nays 44, as follows:

[Rollcall Vote No. 119 Leg.]

YEAS—53

Alexander	Enzi	Paul
Ayotte	Ernst	Perdue
Barrasso	Fischer	Portman
Blunt	Flake	Risch
Boozman	Gardner	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Rubio
Cassidy	Heller	Sasse
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Collins	Isakson	Shelby
Corker	Johnson	Sullivan
Cornyn	Lankford	Thune
Cotton	Manchin	Tillis
Crapo	McCain	Toomey
Cruz	McConnell	Vitter
Daines	Moran	Wicker
Donnelly	Murkowski	

NAYS—44

Baldwin	Gillibrand	Mikulski
Bennet	Heinrich	Murphy
Blumenthal	Heitkamp	Murray
Booker	Hirono	Nelson
Boxer	Kaine	Peters
Cantwell	King	Reed
Cardin	Kirk	Reid
Carper	Klobuchar	Sanders
Casey	Leahy	Schatz
Coons	Markey	Schumer
Durbin	McCaskill	Shaheen
Feinstein	Menendez	Stabenow
Franken	Merkley	Tester
Udall	Warner	Whitehouse
Warren	Wyden	

NOT VOTING—3

Brown	Graham	Lee

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 44.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

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 bill 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 motion to proceed to Calendar No. 276, S. 2193, a bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes.

Mitch McConnell, David Perdue, Pat Roberts, John Thune, Dan Sullivan, Roy Blunt, Chuck Grassley, Thom Tillis, Steve Daines, Jeff Sessions, John Barrasso, John Boozman, Richard Burr, Mike Lee, Tim Scott, Deb Fischer, Joni Ernst.

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 motion to proceed to S. 2193, a bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Utah (Mr. LEE).

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) is necessarily absent.

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

The yeas and nays resulted—yeas 55, nays 42, as follows:

[Rollcall Vote No. 120 Leg.]

YEAS—55

Alexander	Donnelly	McCain
Ayotte	Enzi	McConnell
Barrasso	Ernst	Moran
Blunt	Fischer	Murkowski
Boozman	Flake	Paul
Burr	Gardner	Perdue
Capito	Grassley	Portman
Cassidy	Hatch	Risch
Coats	Heitkamp	Roberts
Cochran	Heller	Rounds
Collins	Hoeven	Rubio
Corker	Inhofe	Sasse
Cornyn	Isakson	Scott
Cotton	Johnson	Sessions
Crapo	Kirk	Shelby
Cruz	Lankford	Sullivan
Daines	Manchin	Thune
Tillis	Toomey	Vitter
Wicker		

NAYS—42

Baldwin	Heinrich	Peters
Bennet	Hirono	Reed
Blumenthal	Kaine	Reid
Booker	King	Sanders
Boxer	Klobuchar	Schatz
Cantwell	Leahy	Schumer
Cardin	Markey	Shaheen
Carper	McCaskill	Stabenow
Casey	Menendez	Tester
Coons	Merkley	Udall
Durbin	Mikulski	Warner
Feinstein	Murphy	Warren
Franken	Murray	Whitehouse
Gillibrand	Nelson	Wyden

NOT VOTING—3

Brown	Graham	Lee

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 42.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Democratic leader.

Mr. REID. Mr. President, it is my understanding that the next matter we will move to is the GMO cloture vote; is that right?

The PRESIDING OFFICER. The next vote is the motion to invoke cloture with regard to S. 764; that is correct.

Mr. REID. I am going to take some of my leader time now. It is the only time in order.

The PRESIDING OFFICER. Without objection.

GMO BILL

Mr. REID. Mr. President, the Senate is about to hold a cloture vote on GMOs. This legislation—I personally need the conversations that are going to take place if cloture is not invoked on this matter. I will be voting no on cloture for that reason. I think it is wrong, and all I have to do is parrot what my friend the Republican leader said numerous times a year and a half ago and many years before that. He said that it is not fair to get on an important piece of legislation and not have an opportunity to offer amendments. That is true, but in addition to that, my friend the Republican leader said that we were going to have a new sheriff in town. He was going to make sure any matter that came before this body had a full hearing in our committees. On GMOs, that is not the case. Certainly there have been none on this bill.

In addition to that, we should have an amendment process. My friend the Republican leader said there would be a robust amendment process when he took over. If this is robust, it is a sad day in the world.

This is wrong. It is unacceptable to push through this important legislation with no debate, no amendments, and without a hearing in the committee. We owe it as a body for the American people to give this legislation proper consideration. Democrats and Republicans alike should be concerned about this. We must not stand for the Republican leader jamming this bill through the Senate, and that is

what is happening. I listened and I need to listen to the debate on this legislation, and other Senators feel the same way. Members need to state their opinions and offer amendments.

The Republican leader repeatedly promised—I repeat, repeatedly promised—regular order and an open amendment process. I can't get away from the fact that he promised a robust committee process. He trumpeted the importance of committees. Once again he has failed to live up to the promise of what he would do. I assume he is not living up to his own standards.

I am going to vote no on cloture, and I encourage my colleagues to do the same. I invite my Republican colleagues to do the same. That is what they asked us to do, and I am asking them to do that. It is simply too important to just push this through. Senator MCCONNELL should respect his colleagues, Democrats and Republicans, and the importance of this legislation by allowing regular order to take place. Until that happens, I will oppose cloture on this measure.

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 bill 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 motion to concur in the House amendment with an amendment to S. 764, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

Mitch McConnell, Mike Crapo, John Thune, Richard Burr, James M. Inhofe, Pat Roberts, Lamar Alexander, John Barrasso, Thad Cochran, Deb Fischer, Shelley Moore Capito, John Boozman, Thom Tillis, David Perdue, Jerry Moran, John Hoeven, Roger F. Wicker.

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 motion to concur in the House amendment with an amendment to S. 764 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the gallery.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Utah (Mr. LEE).

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) is necessarily absent.

The yeas and nays resulted—yeas 65, nays 32, as follows:

[Rollcall Vote No. 121 Leg.]

YEAS—65

Alexander	Enzi	McConnell
Ayotte	Ernst	Menendez
Baldwin	Feinstein	Moran
Barrasso	Fischer	Perdue
Bennet	Flake	Peters
Blunt	Franken	Portman
Boozman	Gardner	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Carper	Heitkamp	Rubio
Casey	Heller	Scott
Cassidy	Hoeven	Sessions
Coats	Inhofe	Shaheen
Cochran	Isakson	Shelby
Coons	Johnson	Stabenow
Corker	Kaine	Thune
Cornyn	Kirk	Tillis
Cotton	Klobuchar	Toomey
Crapo	Lankford	Vitter
Cruz	Manchin	Warner
Daines	McCain	Wicker
Donnelly	McCaskill	

NAYS—32

Blumenthal	Leahy	Sanders
Booker	Markey	Sasse
Boxer	Merkley	Schatz
Cantwell	Mikulski	Schumer
Cardin	Murkowski	Sullivan
Collins	Murphy	Tester
Durbin	Murray	Udall
Gillibrand	Nelson	Warren
Heinrich	Paul	Whitehouse
Hirono	Reed	Wyden
King	Reid	

NOT VOTING—3

Brown	Graham	Lee

The PRESIDING OFFICER (Mr. GARDNER). On this vote, the yeas are 65, the nays are 32.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany S. 764, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

Pending:

McConnell motion to concur in the House amendment to the bill, with McConnell (for Roberts) amendment No. 4935, in the nature of a substitute.

McConnell amendment No. 4936 (to amendment No. 4935), to change the enactment date.

McConnell motion to refer the House message to accompany the bill to the Committee on Agriculture, Nutrition, and Forestry, with instructions, McConnell amendment No. 4937, in the nature of a substitute.

McConnell amendment No. 4938 (to (the instructions) amendment No. 4937), to change the enactment date.

McConnell amendment No. 4939 (to amendment No. 4938), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Texas.

FORMER SECRETARY CLINTON'S USE OF AN UNSECURED EMAIL SERVER

Mr. CORNYN. Mr. President, some have taken yesterday's announcement by FBI Director Comey as vindicating Secretary Clinton for her use of a private, unsecured email server. But that would be exactly the wrong conclusion to draw. While the FBI did not recommend that the former Secretary of State be indicted, the concerns I have previously raised time and again have only been reaffirmed by the facts uncovered by Director Comey and the FBI's investigation.

It is now clear beyond a reasonable doubt that Secretary Clinton behaved with extreme carelessness in her handling of classified information and that she and her staff lied to the American people and, at the same time, put our Nation at risk.

First, Director Comey said unequivocally that Secretary Clinton and her team were ''extremely careless in their handling of very sensitive, highly classified information.'' He went so far as to describe specific email chains that were classified at the Top Secret/Special Access Program level at the time they were sent and received—in other words, at the highest classification level in the intelligence community.

Remember, Secretary Clinton said that she never sent emails that contained classified information. Well, that proved to be false as well. The FBI Director made clear none of those emails should have been on an unclassified server—period—and that Secretary Clinton and her staff should have known better.

Director Comey noted that Secretary Clinton's actions were ''particularly concerning'' because these highly classified emails were housed on a server that didn't have full-time security staff like those at other departments and agencies of the Federal Government.

It is pretty clear that Secretary Clinton thought she could do anything she wanted, even if it meant sending classified information over her personal, unsecured home server. It should shock every American that America's top diplomat—someone who had access to our country's most sensitive information—acted with such carelessness in an above-the-law sort of manner.

Unfortunately, our threshold for being shocked at revelations like this has gotten unacceptably high. I saw a poll reported recently that 81 percent of the respondents in that poll believed Washington is corrupt. Public confidence is at an alltime low, and we ask ourselves how that could be. Well, unfortunately, it is the sort of activity we have seen coming from Secretary Clinton and her misrepresentations and—frankly, there is no way to sugarcoat it—her lies to the American people—lies that were revealed in plain contrast yesterday by Director Comey's announcement.

Secondly, we know the FBI found that Secretary Clinton behaved at odds with the story she has been telling the American people, as I said a moment ago. To be blunt, yesterday's announcement proved that she has not been telling the American people the truth for a long, long time now. When news of her private server first broke, Secretary Clinton said:

I did not e-mail any classified material to anyone on my e-mail. There is no classified material.

Yesterday, Director Comey made clear that wasn't true—not by a long

shot. In fact, he said more than 100 emails on her server were classified, and, as I mentioned, that includes some of the highest levels of classification. We are talking not just about some abstraction here. We are talking about people gaining intelligence—some in highly dangerous circumstances—who have been exposed to our Nation's adversaries because of the recklessness or extreme carelessness of Secretary Clinton and her staff.

Another example: Secretary Clinton also maintained that she gave the State Department quick access to all of her work-related emails. Again, according to Director Comey, that wasn't true either. He said the FBI discovered several thousand work-related emails that Secretary Clinton didn't turn in to the State Department 2 years ago.

From the beginning, Secretary Clinton and her staff have done their dead-level best to play down her misconduct, even if that meant lying to the American people. To make matters even worse, Director Comey confirmed that Secretary Clinton's actions put our national security and those who are on the frontlines protecting our national security in jeopardy. The FBI Director said that hostile actors had access to the email accounts of those people with whom Secretary Clinton regularly communicated with from her personal account.

We know she used her personal email—in the words of the FBI Director—''extensively'' while outside of the continental United States, including in nations of our adversaries. The FBI's conclusion is that it is possible that hostile actors gained access to her personal email account, which, as I said a moment ago, included information classified at the highest levels recognized by our government.

My point is that this is not a trivial matter. Remember that several months ago, Secretary Gates—former Secretary of Defense and head of the CIA, serving both in the George W. Bush and the Obama administrations—said he thought the odds were pretty high that the Russians, Chinese, and Iranians had compromised Clinton's server—again, all the time while she is conducting official business as Secretary of State for the U.S. Government.

It was also reported last fall that Russian-linked hackers tried to hack into Secretary Clinton's emails on at least five occasions. It is hard to know, much less estimate, the potential damage done to our Nation's security as a result of this extreme carelessness demonstrated by Secretary Clinton and her staff. In reality, it is impossible for us to know for sure. But what is clear is that Secretary Clinton acted recklessly and repeatedly lied to the American people, and I should point out that she didn't do so for any particularly good reason. None of the explanations Secretary Clinton has offered, convenience and the like, have held up to even the slightest scrutiny. Her intent was obvious, though. It was to avoid the accountability that she feared would come from public recognition of her official conduct. So she wanted to do it in secret, away from the prying eyes of government watchdogs and the American people.

The FBI may not have found evidence of criminal intent, but there is no doubt about her intent to evade the laws of the United States—not just criminal laws that Director Comey talked about but things like the Freedom of Information laws, which make sure the American people have access to the information that their government uses to make decisions on their behalf. These are important pieces of legislation that are designed to give the American people the opportunity to know what they have a right to know so they can hold their elected officials accountable.

In the end, this isn't just a case of some political novice who doesn't understand the risks involved or someone who doesn't really understand the protocols required of a high-level government employee. This is a case of someone who, as Director Comey pointed out, should have known better.

I know Secretary Clinton likes to talk about her long experience in politics as the spouse of a President of the United States when she served as First Lady, as a United States Senator, and then as Secretary of State. But all of this experience, as Director Comey said, should have taught her better than she apparently learned.

The bottom line is that Secretary Clinton actively sought out ways to hide her actions as much as possible, and in doing so, she put our country at risk. For a Secretary of State to conduct official business—including transmitting and receiving information that is classified at the highest levels known by our intelligence community—on a private, unsecured server when sensitive national defense information would likely pass through is not just a lapse of judgment; it is a conscious decision to put the American people in harm's way.

As Director Comey noted, in similar circumstances, people who engage in what Secretary Clinton did are ''often subject to security or administrative sanctions''; that is, they are held accountable, if not criminally, in some other way. He said that obviously is not within the purview of the FBI. But he said that other people, even if they aren't indicted, will be subjected to security or administrative sanctions.

Secretary Clinton evidently will not be prosecuted criminally, but she should be held accountable. From the beginning, I have had concerns about what Secretary Clinton did and whether this investigation would be free of politics. However one feels about the latter, it is clear that Secretary Clinton's actions were egregious and that there is good reason why the American people simply don't trust her and why she should be held accountable.

In closing, I would just say that we know there was an extensive investigation conducted by the FBI, and we know that Director Comey said that no reasonable prosecutor would seek an indictment and prosecute Secretary Clinton for her actions. That being the case, I would join my colleagues—Senator GRASSLEY, chairman of the Senate Judiciary Committee, and others—who have called for the public release of the FBI's investigation so we can know the whole story. That would also include the transcript from the 3½ hour interview that Secretary Clinton gave to the FBI, I believe just last Saturday. That way, the American people can have access to all the information.

What I suspect it would reveal—because it is a crime to lie to an FBI agent, I suspect Secretary Clinton, perhaps for the first time, in her interview with the FBI told the FBI the truth. If I were her lawyer, I certainly would advise her: No matter what happens, you had better tell the truth in that FBI interview because the coverup is something you can be indicted for as well.

So I suspect what happened is that, in that FBI interview, she did tell the FBI the truth. That is where Director Comey got so much of his information, which he then used to dismantle brick by brick the public narrative that Secretary Clinton has been spinning to the American people for the last couple of years.

If transparency and accountability are important, as Director Comey said yesterday, you would think that Secretary Clinton would want to put this behind her by also supporting the public release of this investigation, as well as the transcript of her interview with the FBI. I will be listening very carefully to see whether she joins us in making this request. But under the circumstances, where she no longer has any credible fear of indictment or prosecution, she owes to the public—and we owe to the public—that the entire evidence be presented to them in an open and transparent way. That is why the FBI should release this information, particularly the transcript of this interview she gave to FBI agents for 3½ hours at the FBI's headquarters downtown. Then, and only then, will the American people be able to render a well-informed and an adequate judgment on her actions taken as a whole because right now there appear to be nothing but good reasons why, in poll after poll after poll, people say they just don't trust her.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I rise today to address the bill before us, a bill that presents itself as a labeling bill but which is deeply defective, with three major loopholes that mean this labeling bill will not label GMO products, and I am going to lay out those challenges.

First, I want to be clear that this is about American citizens' right to know what is in their food. We have all kinds of consumer laws about rights to know,

but maybe there is nothing as personal as what you put in your mouth or what you feed your family. That is why emotions run so deep. Citizens have a right to make up their own mind.

We talk a lot about the vision of our country being a ''we the people'' democracy, and certainly it was Jefferson who said ''the mother principle'' of our Republic is that we can call ourselves a Republic only to the degree that the decisions reflect the will of the people, and that will happen only if the people have an equal voice.

In this case, we have a powerful enterprise—a company named Monsanto—that has come to this Chamber with a goal, which is to take away the right of consumers across this Nation and take away the right of citizens across this Nation to know what is in their food.

I am specifically referring to the Monsanto DARK Act. Why is it called the DARK Act? It is called the DARK Act because it is an acronym: Deny Americans the Right to Know. But it also very much represents the difference between an enlightenment that comes from information and knowledge, and a darkness that comes from suppressing information.

James Madison, our country's fourth President and Father of the Constitution, once wrote:

> Knowledge will forever govern ignorance: And a people who mean to be their own Governors, must arm themselves with the power which knowledge gives.

That is what this debate is about—whether citizens can arm themselves with the knowledge, arm themselves with the power that knowledge gives. And this act before us, the Monsanto DARK Act, says: No, we are not going to allow citizens to acquire in a simple way the information about whether the product they are considering buying has genetically modified ingredients.

There is something particularly disheartening about that, and that is that this is one of the few issues in the country about which you can ask Republicans, you can ask Democrats, you can ask Independents, and they all have the same answer. Basically, nine out of ten Americans, regardless of party, want a simple indication on the package: Does this container include GMO ingredients? That is all—a simple, consumer-friendly right to know, and this bill is all about taking that away.

Let me turn to the three big loopholes in this bill.

Monsanto loophole No. 1: A definition that exempts the three major GMO products in America. Isn't it ironic to have a bill where the definition of GMO has been crafted in a fashion never seen anywhere else on this planet, is not in use by any of the 64 countries around the world that have a labeling law, and it just happens to be crafted to exclude the three major Monsanto GMO products? What are those products?

The first is GMO corn when it becomes high-fructose corn syrup. Well, it is GMO corn, but under the definition of high-fructose corn syrup from GMO corn, it is suddenly not GMO.

Let's talk about soybeans. When Monsanto GMO soybeans become soybean oil, they magically are no longer GMO under the definition in this bill.

Let's talk about sugar beets. Monsanto GMO sugar beets—when the sugar is produced and goes into products, it is suddenly, magically not GMO sugar.

Isn't it a coincidence that this definition is not found anywhere else in the world? This bill happens to exclude the three biggest products produced by Monsanto. Well, it is no coincidence. They are determined to make sure they are not covered. High-fructose corn syrup, sugar from GMO sugar beets, oil from GMO soybeans—none of those are covered.

This has been an issue of some debate because folks have said: Well, the plain language in the bill might be overruled and modified by the U.S. Department of Agriculture when they do rules. Of course, a rule that contravenes the plain language of the bill would in fact not stand. It wouldn't be authorized. So what does the plain language of the bill say? It says: ''The term 'bioengineering,' and any similar term, as determined by the Secretary, with respect to a food, refers to a food . . . that contains genetic material that has been modified.''

That was the magic language not found anywhere in the world—''contains genetic material that has been modified''—because when you make high-fructose corn syrup, when you make sugar from sugar beets, when you make soy oil from soybeans, that information is stripped out. That is what magically transformed a GMO ingredient to a non-GMO ingredient.

They have a second loophole, and that loophole says ''for which the modification could not otherwise be obtained through conventional breeding.'' Well, the ''could'' factor here certainly raises all kinds of questions. In theory, is it possible to obtain through natural selection what we obtain through genetic engineering? Well, then suddenly it is not genetic engineering. We haven't been able to find out exactly which crop they are trying to protect, wave that magic wand, and convert a GMO crop into a non-GMO crop, but certainly it is there for a specific purpose.

What does this mean? This means that if you look around the world and you examine the labeling laws from the European Union or Brazil or China, corn oil, soybean oil, sugar from sugar beets—all of those, if they come from a GMO form, GMO soybean, or GMO sugar beets, they are all covered. They are all covered everywhere in the world except, magically, in this bill.

We have consulted many experts. The language of the bill is very clear, but many experts have weighed in and they say things like this:

> This definition leaves out a large number of foods derived from GMOs such as corn and soy oil, sugar beet sugar. That is because, although these products are derived from or are GMOs, the level of DNA in the products is very low and is generally not sufficient to be detected in DNA-based assays.

That is the basic bottom line. That is loophole No. 1.

Let's turn to Monsanto loophole No. 2. What this loophole is, is this law doesn't actually require a label that says there are GMO ingredients. It provides a couple of options, voluntary. Those options already exist in law so that is not giving anything we don't currently have. Under this law, a manufacturer is allowed to put in a phrase and say this product is partially derived from GMO ingredients or partially made from GMO ingredients. They can do that right now. It also says the USDA will develop a symbol, and that symbol can be put on a package to indicate it has GMO ingredients. Somebody can voluntarily put on a symbol right now. If you don't voluntarily do those things that actually disclose it has GMO ingredients, this is the default.

We see here this barcode. It is also referred to as a quick response code. It says: Scan this for more information. Scan me. Of course, package after package across America already has barcodes. Package after package already has quick response codes, as these are referred to, these square computer codes—scan me for more information. It doesn't say there are GMO ingredients in this package. It doesn't say: Scan here for more information on the GMO ingredients in this food. No, just scan me.

Certainly, this defies the ability of anyone to look at that and say whether there are GMO ingredients. All it does is take you to a Web site. How do you get to that Web site? You have to have a smartphone. You have to have a digital plan you pay for. You have to have wireless coverage at the point that you are there. You have to scan it and go to a Web site to find out—the Web site, by the way, will be written by the company that makes the food so it is not going to be easy to find that information.

The bill says it will be in the first page of the Web site. There could be a lot of information on that Web page and always in a different format. This is not a label. This is an obstacle course. It is an obstacle course that causes you to spend your own money and your digital time.

If I want to compare five different products and see if they have a GMO ingredient and I have five versions of canned carrots, I can pick up that can, and if there is a symbol or a phrase that says ''partially produced with genetically modified ingredients,'' I can pick that up, turn it over, and in 1 second I get the answer. In 1 second, I can get the answer about the number of calories. In 1 second, I can get the answer of whether it contains peanuts. In 1 second, I can get the answer on how much sugar it has. I can compare these

five products in 5 seconds, which one—oh, here is the one I want. I want one that does have GMO. I want one that doesn't have GMO. That is a GMO label.

This is an obstacle course. This provides no details unless you go through a convoluted system that takes up a lot of time. If I want to compare those five products, I would have to stand in the aisle of the grocery store for 30 minutes trying to go to different Web sites, hoping there was wireless coverage. Quite frankly, that whole process, no one would do that. That is exactly why Monsanto wants this code because no one will use it. They don't know they should use it for GMO ingredients because it doesn't say it, and they know it will take so much time that no busy person or not-so-busy person would see that as a significant way to obtain the data desired.

Let's say I am going shopping for 20 items. If each of those items required comparing five products, if it was a 1-second label, it would take up to 50 seconds of my time shopping for 20 products—or 100 seconds of my time, excuse me. In this case, if it took half an hour per product, it would be 10 hours standing in the grocery store, on just 20 items, trying to figure out which variety does not contain GMOs. That obstacle course, combined with the definition that excludes Monsanto products, comprises Monsanto loophole No. 1 and Monsanto loophole No. 2.

There is a third loophole in this bill. Wouldn't it be wonderful, Monsanto says, to have a bill with no enforcement in it. When we look at other labeling laws, there is always enforcement. You violate this, there is a $1,000 fine. You violate it again, there is a $1,000 fine or something of that nature. This is the type of provision we had in our COOL Act. What was COOL? C-O-O-L—Country of Origin Labeling, the COOL Act. That was something that required labeling to say that meat—specifically, pork and beef—whether it had been grown and processed in the United States of America. If I, as a patriotic American, wanted to support American farmers, American ranchers, I could do so because the meat had a label.

What was the consequence of failing to provide that label? There was a fine. This bill does not have a USDA fine. This bill does not have any enforcement. It is very clear. They cannot recall any product. They cannot ban a product going to market. The only consequence in this bill is the Secretary could have the possibility of doing an audit of a company that had been the subject of complaints and could disclose the results of an audit. In a press release, he could say: We have done an audit of this company and they are not following the law. That is the consequence—a public announcement. Well, hardly anything this compelling—it just invites people to ignore this law.

At every level, Monsanto has undermined this being a legitimate labeling law—a definition that excludes the big Monsanto products, an obstacle course instead of a label, and no enforcement. This bill says we oppose the bill because it is actually a nonlabeling bill under the guise of a mandatory labeling bill. That sums it up. It pretends to be a labeling bill, but it is not. This is a letter signed by 76 pro-organic organizations and farmer groups.

I had to do this very quickly. There has been no hearing on this bill. For this unique, never-in-the-world definition that exempts the Monsanto products, there has never been a hearing. What kind of deliberative body is the U.S. Senate when it is afraid to hold a hearing because people might point out that a very powerful special interest, Monsanto, had written a definition that excludes their own products?

Apparently, Senators are quaking in their boots for fear the public might find out they just voted on a bill with a definition that excludes Monsanto products so they didn't want to risk a hearing that would make that clear.

I am so appreciative of these groups. While you can't make out this print, it gives you a sense of what type of groups we are talking about from across the country—the Center for Food Safety, Food & Water Watch, Biosafety, the Cedar Circle Farm, Central Park West, Food Democracy, Farm Aid, Family Farm Defenders, Good Earth Natural Foods, on and on—because these groups believe citizens have a right to know what is in their food.

Some folks have said: Well, they don't deserve to have that right because this food is not going to do them any harm. Boy, isn't that Big Brother talking once again. The powerful Federal Government is going to make up your mind for you and not going to allow you to have that power that comes from knowledge.

As I noted earlier, James Madison wrote: ''Knowledge will forever govern ignorance: And a people who mean to be their own Governors, must arm themselves with the power which knowledge gives.''

Big Brother says we don't want the people to have the power of knowledge; we don't let them make their own decision. Why is it so many people feel so powerfully about this issue? First, various groups have determined a major genetic modification that makes crops glyphosate-resistant, weed killer-resistant is a health issue. Why is it a health issue? Because glyphosate is a probable human carcinogen.

That is something citizens have a right to be concerned about, the possibility of cancer. In areas where glyphosate is sprayed on crops, it has shown up even in samples of rainfall, and it has shown up in the urine of people who live in that area. Do people have the right to be concerned about the fact that a weed killer is being sprayed, and it is ending up in their urine? Yes, I think they do. They have the right to be concerned about that.

Do they have a right to be concerned about the impact when this massive amount of weed killer flows off the farms and into our streams and rivers because that weed killer proceeds to kill organisms in the rivers, in the streams, altering the biology of the stream? Yes, they have a right to be worried about that.

Do they have a right to be concerned when the huge application of glyphosate is producing superweeds; that is, weeds growing near the fields that are exposed so often that mutations that make them naturally resistant proceed to produce weeds that are resistant to glyphosate, meaning you have to put even more weed killer on the crops.

Do they have a right to be concerned when there is a genetic modification called Bt corn that actually causes pesticide to grow inside the cells of the corn plant? What is the impact of that on human health? We don't yet know. Yet that particular genetic modification that causes pesticide to be growing inside the cells of the plant is covering more than 90 percent of the corn grown in America. That is a legitimate concern.

Do the citizens have a right to be concerned when they discover the insects a pesticide is designed to kill are evolving and becoming superpests and are becoming immune to that pesticide; meaning, not only is there pesticide growing in the cell of the plant, but now the farmer has applied pesticide to the field as well, which was the whole goal of ignoring that in the first place—that you wouldn't have to do that.

They have a right to be concerned. They have a right to educate themselves. They have a right to make their own decision. This is a Big Brother bill if there ever was one, saying, for those who supported cloture on this bill: This bill says citizens do not have the right to know. We are going to have a label that actually doesn't label. We are going to have a label that is an obstacle course. We are going to have a definition that excludes a commonly understood definition of what GMO crops are, and we are going to have no enforcement.

This is not good work. This is not a deliberative Senate. Let's send this bill to committee and have a complete hearing on the deficiencies I am talking about. Let's invite Monsanto to come and testify. Let's invite the many scientists who weighed in about the fact that this exempts the primary GMO products in America. Let them come and speak. Let all of us get educated, not have this rammed through the Senate at the very last moment.

There are individuals here who said: Wait. Time is urgent because we can't have 50 different State labeling standards. We only have one State that has a labeling standard, and that is Vermont. There is no real concern that we have two conflicting standards because we only have one standard. Could

there be more than one standard down the road? Yes, that is a possibility, but that is down the road. That doesn't require us to act today.

There are folks who say: Well, the Vermont law goes into effect July 1 so we have to act now to prevent the Vermont law from going into effect. The Vermont law has a 6-month grace period. It doesn't go into effect until January 1 of 2017. We have lots of time to hold hearings. We have lots of time to embrace knowledge rather than to convey and enforce ignorance, lots of time. So these arguments that are made about the urgency are phony arguments. They are made to take and enable a powerful special interest to push through a bill that 90 percent of Americans disagree with, to do it essentially in the dark of the night by not having hearings, not on the House side, not on the Senate side, not having a full debate on this floor. No, instead we are using an instrument that is a modification of a House bill that is a modification of a Senate bill because procedurally it makes it easier to ram this bill through without due consideration. That is wrong.

What I am asking for is a simple opportunity to have a series of reasonable amendments voted on, on the floor of this Senate. Let's actually embrace the Senate as a deliberative body. There is an amendment that would fix the definition. That is the amendment by Senator TESTER from Montana. That amendment would simply say: The derivatives of GMO crops are GMO ingredients. Soybean oil from GMO soybean is a GMO ingredient.

Many proponents of the bill said they think that is what is going to happen with the regulation down the road. If you believe that is what will happen, then join us. Let's correct the definition right now. Why have law cases? Why go into our July break having passed something with a definition that we don't have a consensus on what it means?

I know what the plain language says. I know what it exempts as GMO crops, but some say: Well, maybe not, maybe there is something that the USDA can do to change that, and they will be covered. The USDA was asked that question, and they wouldn't answer it directly. They sent back this very convoluted legal language that said: Foods that might or might not have GMO or non-GMO ingredients might possibly be covered, of course, based on what other ingredients are in the food.

Would the soybean oil from a GMO soybean be considered a GMO ingredient? That is the question. The USDA needs to answer that yes or no instead of this long, convoluted, lengthy dodging that occurred because they were afraid to answer the question. That is knowledge we could use on the floor of the Senate. Would high-fructose corn syrup from GMO corn be considered a GMO ingredient? The USDA wouldn't answer those questions directly, but lots of other folks did. The FDA, or the Food and Drug Administration, answered the question in technical guidance. They said: Absolutely they wouldn't be covered. All kinds of other experts weighed in and said: Absolutely they wouldn't be covered. Maybe that is the type of information that we should have from a hearing on this bill.

How about voting on a simple amendment that clears up this confusion and clearly uses a definition, not one written by and for exempting three major GMO Monsanto crops. We need a straightforward definition that is used elsewhere and covers all of the products that are ordinarily considered a GMO. That is not too much to ask. Let's have a debate on that amendment. We should vote on whether we are going to have a clear definition in this bill.

Let's vote on changing the QR code. The QR code has a phrase in it that says: ''Scan here for more food information.'' What if this simply said: Scan here for information on GMO ingredients? Now we have a GMO label. Now it would be truthful and authentic to say that this bill is going to require a GMO label simply by saying: ''Scan here for GMO ingredients in this product.'' Let's have an amendment that changes that language. I have such an amendment, and I would like to see us have a vote on it. To the proponents who are saying this is a GMO labeling bill, this would actually make it a GMO labeling bill.

I know the two Senators from Vermont each have an amendment they would like to have considered, one of which would take the Vermont standard and make it the national standard, thereby making one single national standard, and another would grandfather Vermont in and say: Let's not roll over the top of Vermont. Maybe there are a couple of other Senators who have things that will improve this legislation. How about an amendment that would actually put in the same authority to levy fines that we have on the country-of-origin labeling law. I have that amendment. What about a vote on that amendment? These should be things that we can come together on.

If you truly want to have a national labeling standard, you want a definition that has integrity and is consistent with what is commonly understood to be a GMO. You want to have a label that indicates there are GMO ingredients inside because that is authenticity. You want to have the ability to have the U.S. Department of Agriculture levy a fine if people disobey the law so that it actually has some teeth in it and some compelling force. That is what I am asking for. Let's have a vote on several basic amendments rather than blindly embracing ignorance and denying Americans the right to know.

I thank the Presiding Officer.

Mr. President, parliamentary inquiry: Do I need to make any specific request to reserve the remainder of my 1 hour?

The PRESIDING OFFICER (Mr. FLAKE). No, the hour remains.

Mr. MERKLEY. I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from West Virginia.

MILCON-VA AND ZIKA VIRUS FUNDING BILL

Mrs. CAPITO. Mr. President, I rise today to emphasize the importance of the MILCON-VA and Zika conference bill. As a member of the conference committee that crafted this report and a member of the subcommittee that drafted the Military Construction and Veterans Affairs appropriations bill, I cannot overstate the significance of this legislation.

Sadly, we have watched the Senate Democrats play politics with critical funding for our military, our veterans, and funding to combat Zika. In my view, this stunt—and I call it a stunt because that is what it is—is both dangerous and disheartening. It is an insult to the men and women who sacrifice so much to keep us safe. It is a reckless game to play with our veterans and public health across this country.

The conference report includes record-level funding for America's veterans. It fully funds the VA's request for veterans' medical services and provides an overall increase of nearly 9 percent for our veterans programs. It includes measures for the Department of Veterans Affairs to improve access and efficiency for military services. We certainly know we have a long way to go before we get satisfaction there. We have a long way to go to reduce the backlogs in claims processing, strengthen our whistleblower protections, and improve information technology in medical research.

The drug epidemic plaguing our Nation has unfortunately hit our veterans community particularly hard, especially in my home State of West Virginia. The overdose rate in my State is more than twice the national average. With almost 40 percent of our State's veterans using the VA health care system, it is vital that we strengthen the VA's ability to help treat opioid addiction.

Whether our veterans are recovering from injuries obtained during their service or tending to their daily health needs, this bill provides funding to give veterans a new lease on life. This includes supporting the VA's Opioid Safety Initiative—something I have been very involved with—which improves pain care for those who have a higher risk of opioid-related overdoses. It also encourages the VA to continually expand treatment services and better monitor our at-risk veterans.

Another thing we can do for our veterans is ensure they have ample employment opportunities as they transition into civilian life—another problem we have identified. In West Virginia, where the majority of our veterans live in rural areas—and as many of you know, almost the whole State is

rural—the unemployment rate is almost 2 percent higher than the overall national average.

I recently witnessed something that was great to see: an innovative agritherapy program that helps our veterans cope with PTSD. It has also helped to arm our veterans with skills they can use to start a business. I met several veterans who were suffering from PTSD who have embarked on an agritherapy program using bees and beekeeping. At Geezer Ridge Farm in Hedgesville—yes, it is Geezer Ridge—I saw veterans use beekeeping to overcome PTSD. To date, the program has helped create 150 new veteran-owned farms.

The benefits of agritherapy have been acknowledged by publications such as Psychology Today and Newsweek. However, we need research to further explore the benefits of this type of treatment. That is why I offered a provision in this bill calling for a pilot program at the VA to better understand agritherapy, and I am excited about what we learned.

While I was out there, I met a veteran who was suffering from PTSD and who was seeing a therapist once a week because he was having such difficulty coping at the VA, and he got interested in beekeeping. He began to grow a business, to learn about bees, pollen and honey, the queen bee, and all those kinds of things. He said that now he only sees a therapist every other month. He has such relief, and it gives him such a positive outlook for his future, just by having this type of therapy available to him.

This bill also prioritizes a full range of programs to ensure that we honor our commitment to our men and women in uniform and that we deliver the services our veterans have dutifully earned.

Let's talk for a moment about a growing public health threat facing us, and that is the Zika virus. We have all heard about it, and we have seen pictures of children who were born from mothers who were infected by Zika. It is very disheartening, sad, and difficult to see and to think about those young families starting out.

This conference report includes $1.1 billion to tackle Zika. With every conversation I have and every statistic and article I have read, I grow more concerned. I think everybody does. I spoke to a group of young students just the other day. Young students are tuning in to this difficult problem.

After hearing testimony before the Appropriations Committee and meeting with the CDC Director, I understand the immediate need to provide funds for research, prevention, and treatment. We are all vulnerable to what the CDC Director told me is an unprecedented threat.

We must act to protect ourselves and prevent the spread of this deadly virus. We must do it smartly, efficiently, and without wasting our taxpayers' dollars. This conference report that is stalled, that is stuck in this stunt, does just that. It takes the necessary and responsible actions to protect Americans from an outbreak.

The $1.1 billion allocated in this conference report is the same amount the Democrats supported just last month when an amendment addressing Zika funding passed out of the Senate. It doesn't make sense. Their reasoning for opposing this funding lacks merit. The conference report does not prohibit access to any health service. In fact, it provides the same access to health services that was in the President's request. The conference report even expands access to services by boosting funding for our community health centers, public health departments, and hospitals in areas most directly affected by Zika. The safety and health of Americans should be our No. 1 priority. Sadly, the other side has chosen to prioritize politics over the American people.

We will have another opportunity to vote on this conference report, and I am hopeful that my Democratic colleagues will do the right thing. Rather than blocking critical funding for veterans and the Zika response, we need to join together to send this conference report to the President's desk as soon as possible.

Thank you.

The PRESIDING OFFICER. The Senator from South Dakota.

FIGHTING TERRORISM

Mr. THUNE. Mr. President, last week terrorists wearing suicide vests entered the Istanbul airport and opened fire on travelers before detonating their vests. Forty-five people were killed and more than 200 were injured. While no group has yet claimed responsibility, Turkish officials believe that ISIS was behind the attack.

The list of ISIS-related terrorist attacks in the United States and against our allies is steadily growing: Paris, San Bernardino, Brussels, Orlando, and Istanbul. Then, of course, there is the constant barrage of attacks in the Middle East, such as last week's deadly attack in Baghdad that resulted in the death of 250 people.

So far the attacks in the United States have been inspired by—rather than carried out by—ISIS, but that could change at any moment. In the wake of the Istanbul attacks, CIA Director John Brennan stated he would be ''surprised'' if ISIS isn't planning a similar attack in the United States.

Given the terrorist violence in recent months, it is no surprise that a recent FOX News poll found that an overwhelming majority of Americans, 84 percent, think that ''most Americans today are feeling more nervous than confident about stopping terrorist attacks.''

Unfortunately, they have reason to be nervous because under President Obama we are not doing what we need to be doing to stop ISIS. For proof of that, we have President Obama's own CIA chief, who has made it clear that the measures the administration has taken to stop ISIS have failed to reduce the group's ability to carry out attacks.

Testifying before Congress 3 weeks ago, Director Brennan stated: ''Unfortunately, despite all our progress against ISIL on the battlefield and in the financial realm, our efforts have not reduced the group's terrorism capability and global reach.''

Let me repeat that: '' . . . our efforts have not reduced the group's terrorism capability and global reach,'' said CIA Director Brennan.

That is a pretty serious indictment of the Obama administration's ISIS strategy or the lack thereof. If our efforts have not reduced ISIS's terrorism capability and global reach, then our efforts are failing and we need a new plan, but that is something that President Obama seems unlikely to produce. Despite a halfhearted campaign against ISIS, the President has never laid out a comprehensive strategy to defeat the terrorist group. As a result, ISIS's terrorism capability and global reach are thriving.

Keeping Americans safe from ISIS requires a comprehensive approach. It requires not just containing but decisively defeating ISIS abroad. It requires controlling our borders and strengthening our immigration system. It requires us to give law enforcement and intelligence agencies the tools and funding they need to monitor threats abroad and here at home. It requires us to secure the homeland by addressing security weaknesses that would give terrorists an opening to attack. Unfortunately, President Obama has failed to adequately address these priorities, and at this late date, the President is unlikely to change his approach.

The Republican-led Senate cannot force the President to take the threat posed by ISIS seriously, but we are committed to doing everything we can to increase our Nation's security. A key part of defeating ISIS abroad is making sure the men and women of our military have the equipment, the training, and the resources they need to win battles.

This month, the Senate will take up the annual appropriations bill to fund our troops. This year's bill focuses on eliminating wasteful spending and redirecting those funds to modernize our military and increase troop pay. It rejects President Obama's plan to close Guantanamo Bay and bring suspected terrorists to our shores, and it funds our efforts to defeat ISIS abroad.

The bill received unanimous bipartisan support in the Appropriations Committee. I am hoping the outcome will be the same on the Senate floor.

Last year, the Democrats chose to play politics with this appropriations bill and voted to block essential funding for our troops no fewer than three times, even though they had no real objections to the actual substance of the bill.

Playing politics with funding for our troops is never acceptable, but it is

particularly unacceptable at a time when our Nation is facing so many threats to our security. I hope this time around Senate Democrats will work with us to quickly pass this legislation.

In addition to funding our military, another key aspect to protecting our Nation from terrorist threats is controlling our borders. We have to know who is coming into our country so that we can keep out terrorists and anyone else who wants to harm us. If criminals and suspected terrorists do make it across our borders, we need to apprehend them immediately.

One thing we can do right now to improve our ability to keep criminals and suspected terrorists off our streets is to eliminate so-called sanctuary cities. Right now, more than 300 cities across the United States have policies in place that discourage local law enforcement from cooperating with immigration officials. That means that when a Homeland Security official asks local authorities to detain a dangerous felon or suspected terrorist until Federal authorities can come collect the individual, these jurisdictions may refuse to help. Sanctuary city policies have resulted in the release of thousands of criminals who could otherwise have been picked up by the Department of Homeland Security and deported.

Senator TOOMEY has offered a bill to discourage these policies by withholding certain Federal funds from jurisdictions that refuse to help Federal officials keep dangerous individuals off the streets. I have to say that I am deeply disappointed that this afternoon the Senate Democrats chose to block this important legislation. By opposing this bill, Democrats are complicit in making it easier for felons and suspected terrorists to threaten our communities.

Giving our intelligence and law enforcement agencies the tools they need to track terrorists is one of the most important ways we can prevent future attacks.

In June, the Senate took up an amendment to give the FBI authority to obtain records of suspected terrorists' electronic transactions, such as what Web sites they visited and how long they spent on those sites. The FBI has stated that obtaining this authority is one of its top legislative priorities.

The agency already has authority to obtain similar telephone and financial records, but what the FBI Director described as ''essentially a typo in the law'' has so far prevented the FBI from easily obtaining the same records for Web sites. Fixing this intelligence gap would significantly improve the FBI's ability to track suspected terrorists and to prevent attacks. Unfortunately, again, the majority of Senate Democrats inexplicably voted against this amendment, which I hope will be reconsidered in the Senate in the near future.

On top of that, Democrats are threatening to block this year's Commerce-Justice-Science appropriations bill, which provides funding that the FBI and other key law enforcement agencies need to operate.

When the President's CIA Director testified before Congress in June, he told Members: ''I have never seen a time when our country faced such a wide variety of threats to our national security.''

Given these threats, and especially given the recent ISIS-inspired attack on our own soil, it is both puzzling and deeply troubling that Democrats would block the FBI's No. 1 priority and then play politics with the funding that will help the agency track suspected terrorists in our country.

As I mentioned above, the final essential element to protecting Americans from terrorist attacks is addressing our vulnerabilities here at home. The recent terrorist attacks in Istanbul and Brussels highlighted vulnerabilities at airports we need to address to prevent similar attacks in the United States.

This afternoon, the House and Senate announced they had reached agreement on a final version of aviation legislation. In addition to aviation safety measures and new consumer protections—such as guaranteed refunds of baggage fees for lost or seriously delayed luggage—this legislation provides one of the largest, most comprehensive airport security packages in years.

This legislation improves vetting of airport employees to address the insider terrorist threat, the risk that an airport employee would give a terrorist access to secure areas of an airport. It includes provisions to get more Americans enrolled in Precheck to reduce the size of crowds waiting in unsecured areas of our airports, and it contains measures to add more K–9 and other security personnel at airports so we are better able to deter attacks. In addition, the bill requires the TSA to look at ways to improve security checkpoints to make the passenger screening process more efficient and effective.

I look forward to sending this legislation to the President by July 15. As the President's own CIA Director made clear, President Obama's halfhearted approach to countering ISIS has failed to reduce the threat this terrorist organization poses.

While I would like to think the President will develop a greater seriousness about ISIS in the last 6 months of his Presidency, I am not holding out a lot of hope. But whatever the President does or fails to do, Republicans in the Senate will continue to do everything we can to protect our country and to keep Americans safe from terrorist attacks.

I hope that Democrats in Congress will join us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

ALZHEIMER'S CAREGIVER SUPPORT ACT

Ms. KLOBUCHAR. Mr. President, today I rise with my colleague from Maine, Senator SUSAN COLLINS, to bring attention to the millions of Americans living with Alzheimer's disease and related dementias and the loving caregivers who take care of them.

One in three seniors who die each year has Alzheimer's or related dementia. The cost is incredible. In 2016, we will spend $236 billion caring for individuals with Alzheimer's. By 2050, these costs will reach $1.1 trillion.

The one thing we know is we are seeing more and more people with Alzheimer's. We are working diligently—all of our doctors and medical professionals—for a cure, but we know that, in the meantime, we will have many family members involved in taking care of them.

Senator COLLINS and I have introduced the Alzheimer's Caregiver Support Act, which authorizes grants to public and nonprofit organizations to expand training and support services for families and caregivers of patients with Alzheimer's disease or related dementias. We think that these sisters and brothers, sons and daughters, and husbands and wives who are doing this caregiving all want to have the best quality of life possible for their loved one who has this devastating disease—and they want to be trained. If they don't have that ability to learn what tools they can use when someone around them just starts forgetting what they said 10 minutes before, they need to learn how to take care of them, and many of them want to do that. Our bill simply gives them the tools to do that.

I thank Senator COLLINS for her longtime leadership.

I thank Senator CARPER, who moved the schedule around a bit so we could talk about this important bill.

I know Senator COLLINS wishes to speak about this as well.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, before I speak, I also extend my appreciation to the Senator from Delaware.

I rise today with my friend and colleague from Minnesota, Senator KLOBUCHAR, to briefly talk about the bill that we have introduced, the Alzheimer's Caregiver Support Act, which would provide training and support services for the families and caregivers of people living with Alzheimer's and other dementias.

As many caregivers can attest, Alzheimer's is a devastating disease that exacts a tremendous personal and economic toll on individuals, families, and our health care system. For example, it is our Nation's most costly disease. It is one that affects more than 5.4 million Americans, including 37,000 Mainers living with Alzheimer's today. That number is soaring as our older population grows older and lives longer.

Last year and this year, we have done a good job in increasing the investment

in biomedical research that someday will lead to effective treatments, a means of prevention, or even a cure for Alzheimer's. But often forgotten when we discuss this disease are the caregivers. There are many families across this Nation who know all too well the compassion, commitment, and endurance it takes to be a caregiver of a loved one with Alzheimer's disease.

When I was in Maine recently, I saw an 89-year-old woman taking care of her 90-year-old husband with Alzheimer's. I met a woman in her fifties who, with her sisters, was juggling care of their mother along with demanding work schedules. I discussed with an elderly husband his own health problems as he tries to cope with taking care of his wife's dementia. Most important, these caregivers allow many with Alzheimer's to remain in the safety and the comfort of their own homes.

Last year, caregivers of people living with Alzheimer's shouldered $10.2 billion in health care costs related to the physical and emotional effects of caregiving. And that is why the bill Senator KLOBUCHAR and I have introduced is so important. It would help us do more to care for our caregivers. It would award grants to public and nonprofit organizations like Area Agencies on Aging and senior centers to expand training and support services for caregivers of people living with Alzheimer's.

Mr. President, it has been estimated that nearly one out of two of the baby boomer generation—our generation—reaching 85 will develop Alzheimer's if we are not successful with biomedical research. As a result, chances are that members of our generation will either be spending their golden years with Alzheimer's or caring for someone who has it. It is therefore imperative that we give our family caregivers the support they need to provide high-quality care.

Our legislation has been endorsed by the Alzheimer's Association, the Alzheimer's Foundation of America, and UsAgainstAlzheimer's. I urge all our colleagues to support it.

Mr. President, to reiterate I rise today to speak in support of the Alzheimer's Caregiver Support Act that I have been pleased to join my friend and colleague from Minnesota, Senator KLOBUCHAR, in introducing. Our bill would provide training and support services for the families and caregivers of people living with Alzheimer's disease or related dementias. As many caregivers can attest, Alzheimer's is a devastating disease that exacts a tremendous personal and economic toll on individuals, families, and our health care system.

It is our Nation's most costly disease. Approximately 5.4 million Americans are living with Alzheimer's disease today, including 37,000 in Maine, and that number is soaring as our overall population grows older and lives longer. If current trends continue, Alzheimer's disease could affect as many as 16 million Americans by 2050.

There are many families across our Nation who know all too well the compassion, commitment, and endurance that it takes to be a caregiver of a loved one with Alzheimer's disease. Our caregivers devote enormous time and attention, and they frequently must make many personal and financial sacrifices to ensure that their loved ones have the care they need day in and day out. When I was in Maine recently, I saw an 89-year old woman taking care of her 90-year old husband with Alzheimer's; a woman in her, fifties who with her sisters was juggling care of their mother with their work schedules; and an elderly husband trying to cope with his own health problems as well as his wife's dementia. Most important, however, these caregivers enable many with Alzheimer's to remain in the safety and comfort of their own homes.

According to the Alzheimer's Association, nearly 16 million unpaid caregivers provided 18 billion hours of care valued at more than $221 billion in 2015. These caregivers provide tremendous value, but they also face many challenges. Many are employed and struggle to balance their work and caregiving responsibilities. They may also be putting their own health at risk, since caregivers experience high levels of stress and have a greater incidence of chronic conditions like heart disease, cancer, and depression. Last year, caregivers of people living with Alzheimer's or related dementias shouldered $10.2 billion in health care costs related to the physical and emotional effects of caregiving.

The bipartisan legislation we introduced on the last day of June—which was Alzheimer's and Brain Awareness month—would help us do more to care for our caregivers. It would award grants to public and nonprofit organizations, like Area Agencies on Aging and senior centers, to expand training and support services for the families and caregivers of people living with Alzheimer's disease.

The bill would require these organizations to provide public outreach on the services they offer, and ensure that services are provided in a culturally appropriate manner. It would also require the Secretary of Health and Human Services to coordinate with the Office of Women's Health and Office of Minority Health to ensure that women, minorities, and medically underserved communities benefit from the program.

It has been estimated that nearly one in two of the baby boomers reaching 85 will develop Alzheimer's. As a result, chances are that members of the baby boom generation will either be spending their golden years with Alzheimer's or caring for someone who has it. It is imperative that we give our family caregivers the support they need to provide high quality care to their loved ones. Our legislation has been endorsed by the Alzheimer's Association, Alzheimer's Foundation of America, and UsAgainstAlzheimer's, and I urge all of our colleagues to support it.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, before they leave the floor, I want to say a special thanks to Senators KLOBUCHAR and COLLINS for their leadership on this issue. This is one that hits close to home for me and my sister and my family. Our mother had Alzheimer's disease, dementia, and her mother and grandmother. So this is one I care a lot about, and I applaud their efforts to work together on a hugely important issue on a personal level as well as a financial one.

For a long time, I thought Medicaid was a health care program for mostly moms and kids. As it turns out, most of the money we spend in Medicaid is to enable elderly people, many with dementia, Alzheimer's disease, to stay in nursing homes. The lion's share of the money is actually for seniors, many of them with dementia and Alzheimer's disease. So there is a fiscal component and a personal human component.

I thank the Senators for this. I have written down the information about their bill, and I will be researching it through the night to see if I can join them as a cosponsor. I thank them both, and I really appreciate what they are doing.

ISIS

Mr. President, just before Senators COLLINS and KLOBUCHAR took to the floor, one of our colleagues—one of my three favorite Republican colleagues—spoke about ISIS and suggested that we are not doing too well in the battle against ISIS.

I have a friend, and when you ask him how he is doing, he says: Compared to what? I want to compare now with where we were with ISIS about 2 years ago.

Two years ago, ISIS was on the march. They were almost knocking on the door of Baghdad. They stormed through Syria, through much of Iraq, headed toward Baghdad, and were stopped almost on the outskirts of Baghdad. The question was, Can anybody stop them?

The United States, under the leadership of our President, and other countries said: Let's put together the kind of coalition that George Herbert Walker Bush put together when the Iraqis invaded Kuwait many years ago.

Some of us may recall that under the leadership of former President Bush, we put together a coalition of I think more than 40 nations. Everybody in the coalition brought something to the fight. Among other things, we brought some airpower and some troops on the ground. Other countries, like the Japanese, didn't send any military forces, but they provided money to help support the fight. We had Sunni nations, we had Shia nations, and we had nations from NATO. It was a very broad coalition, and we were ultimately very successful in pushing Saddam Hussein and the Iraqis out of Kuwait and enabling the Kuwaitis—even today—to live as a free people.

So when we hear people talk about how things are going with respect to ISIS, let me say this: Compared to what? Compared to 2 years ago, a heck of a lot better—a whole lot better.

You may remember that 2 years ago, ISIS had the Iraqis on the run. The Iraqi soldiers were running away, leaving all kinds of equipment behind for the ISIS folks to take over. ISIS came in and took control of the oilfields and took over banks and looted them.

Two years ago, they were attracting 2,000 fighters per month from around the world. Every month, 2,000 fighters were going to Iraq and Syria to fight with ISIS. How about last month? Two hundred.

Two years ago, the ISIS folks were attracting 10 Americans per month to the fight in Iraq and Syria—10 Americans per month 2 years ago. Last month? One American.

The land mass that the ISIS folks took over to create their caliphate was about half of Iraq—not that much, not half of Iraq, but they had taken over large parts of Iraq. Today, with the alliance, we have retaken I think at least half of that. With American airpower and American intelligence, with some support on the ground—but mostly Iraqis and Kurds and other components of our coalition have enabled the Iraqis to retake what we call the Sunni Triangle, which includes Ramadi, Tikrit, and Fallujah. That is the triangle in western Baghdad where a whole lot of the Sunnis live. And a lot of the boots on the ground were not ours. The boots on the ground were those of the Iraqi Army, which is starting to show a sense of cohesiveness and a sense of fight we didn't see 2 years ago.

Up in the northern part of Iraq, there is a big city called Mosul which is being surrounded by forces of the alliance that include not so much U.S. troops on the ground—we have some support troops on the ground. We certainly have airpower there. We are providing a fair amount of help in intelligence, and we will have elements of the Kurds, their forces, the Iraqi Army, and some other forces, too, surrounding Mosul. My hope and expectation—we are not going to rush into it—is that we are getting ready to gradually go into that city, try to do it in a way the civilians there do not get killed unnecessarily. It is something we are going to do right, and I think ultimately we will be successful.

If you go almost due west from Mosul toward Syria, you come to a big city called Raqqah, and that is essentially the capital—almost like the spiritual capital of the caliphate the ISIS folks are trying to establish. Raqqah is now being approached from the southwest by Syrian Army forces, some Russian airpower, and for us from the northeast—not American ground forces but Kurds and others and US airpower. It is almost like a pincer move, if you will. Two forces that are not ours but seen as allies—one led by the United States and the other by the Russians—are moving in against a common target, and that is Raqqah.

So how are we doing? Compared to what? Compared to 2 years ago, we are doing a heck of a lot better. And it is not just the United States. We don't want to have boots on the ground, but there are a lot of ways we can help. As it turns out, there are a lot of other nations in our coalition that are helping as well.

So far in this fight in the last 18 months or so, we have killed I think over 25,000 ISIS fighters. We have taken out roughly 120 key ISIS leaders. We have reduced the funds of ISIS by at least a third. I am told that we have cut in half the amount of money they are getting from oil reserves, from oil wells and so forth that they had taken over.

It is not time to spike the football, but I think anybody who wanted to be evenhanded in terms of making progress toward degrading and destroying ISIS would say it is not time to spike the football but it is time to inflate the football.

We are on the march. We are on the march—and not just us but a lot of others. We have two carriers groups, one in the Mediterranean and another in the Persian Gulf. I understand that F–16s and F–18s are flying off those aircraft in support of these operations. We have B–52s still flying. They are operating out of Qatar. We have A–10s operating out of someplace. We have to operate flights, I believe, out of Iraq and maybe even out of Turkey, maybe even out of Jordan—not necessarily all—maybe even out of Kuwait. So there are a lot of assets involved—a lot of their assets involved—and I think to good effect.

I am a retired Navy captain. I served three tours in Southeast Asia during the Vietnam war. I am not a hero like JOHN MCCAIN and some of our other colleagues, but I know a little bit about doing military operations with units of other branches of the service or even in the Navy—naval air, working with submarines, working with service ships. It is difficult and complicated. Try to do that with other countries speaking different languages and having different kinds of military traditions and operating norms, and it is not easy to put together a 16-nation alliance and be an effective fighting machine all at once. But we are getting there. We are getting there. We are making progress, and I am encouraged.

But I would say, if I could add one more thing—and then I want to talk about what I really wanted to talk about, Mr. President—there is a fellow named Peter Bergen who is one of the foremost experts in the country and in the world maybe on jihadi terrorism. He points out that if you go back to the number of Americans who have been killed since 9/11 by jihadi terrorists in our country, they have all been killed by American citizens or people who are legally residing in this country.

Part of what we need to do is to make sure folks in this country don't get further radicalized. I think one of the best ways to make sure they are not going to get radicalized is to not have one of our candidates for President saying we ought to throw all the Muslims out of this country, send them all home. If that doesn't play into the hands of ISIS, I don't know what does. That is not the way to make sure we reduce the threat of jihadism in this country; it actually incentivizes and is like putting gasoline on the fire.

What the administration, what the Department of Homeland Security is trying to do, and what I am trying to do in our Committee on Homeland Security is to make sure we reach out to the Muslim community not with a fist and saying ''You are out of here,'' but in the spirit of partnership. They do not want their young people to be radicalized and go around killing people. That is not what they want. We need to work with people of faith, people in the Muslim community, with families, and with nonprofit organizations and others to make sure it is clear that we see them as an important part of our country. We are not interested in throwing them out of this country. There are a lot of them making great contributions to this country. We want them to work with us and we want to be a partner with them to reduce the incidence of terrorism by Muslims and, frankly, any other faith that might be radicalized here.

That isn't why I came to the floor, Mr. President, but I was inspired by one of my colleagues whom I greatly admire.

FEDERAL RECORDS ACT

What I want to talk about, Mr. President, is something that, when you mention it, people really light up. It really excites them; and that is the Federal Records Act. It will likely lead the news tonight on all the networks. It is actually topical and I think important. Maybe when I finish, folks—the pages who are sitting here dutifully listening to my remarks—will say: That wasn't so bad. That was pretty interesting.

So here we go.

Mr. President, I rise this evening to address the importance of the Federal Records Act and the recent attention that has been given to the Federal Government's recordkeeping practices during investigations into former Secretary of State Hillary Clinton's use of a personal email server.

Yesterday, as we all know, FBI Director James Comey announced that the FBI had completed its investigation into Secretary Clinton's use of a personal email server. After an independent and professional review that lasted months, the FBI recommended to the Justice Department that based on the facts, charges are not appropriate and that ''no reasonable prosecutor'' would pursue a case.

In addition, the State Department's inspector general recently concluded

its review of the recordkeeping practices of several former Secretaries of State, including those of Secretary Clinton.

While these investigations have been the subject of much discussion in the media and here in the Senate, I just want to put into context the findings and their relation to Federal recordkeeping.

The truth is, for decades, and across Republican and Democratic administrations, the Federal Government has done an abysmal job when it comes to preserving electronic records. When Congress passed the Federal Records Act over 60 years ago, the goal was to help preserve our Nation's history and to ensure that Americans have access to public records. As we know, a lot has changed in our country since that time due to the evolution of information technology. Today, billions of documents that shape the decisions our government makes are never written down with pen and paper. Instead, these records are created digitally. They are not stored in a filing cabinet, they are not stored in a library or an archive somewhere but in computers and in bytes of data.

Because of a slow response to technological change and a lack of management attention, agencies have struggled to manage an increasing volume of electronic records and in particular email. In fact, the National Archives and Records Administration, the agency charged with preserving our Nation's records, reported that 80 percent—think about this, 80 percent—of agencies are at an elevated risk for the improper management of electronic records. As the inspector general's recent report showed, the State Department is no exception to this governmentwide problem.

The report found systemic weaknesses at the State Department, which has not done a good job for years now when it comes to overseeing recordkeeping policies and ensuring that employees not just understand what the rules are but actually follow those policies. The report of the inspector general and the report of the FBI also found that several former Secretaries of State, or their senior advisers, used personal emails to conduct official business. Notably, Secretary Kerry is the first Secretary of State—I believe in the history of our country—to use a state.gov email address, the very first one.

The fact that recordkeeping has not been a priority at the State Department does not come as a surprise, I am sure. In a previous report, the inspector general of the State Department found that of the roughly 1 billion State Department emails sent in 1 year alone, 2011, only .0001 percent of them were saved in an electronic records management system. Think about that. How many is that? That means 1 out of every roughly 16,000 was saved, if you are keeping score.

To this day, it remains the policy of the State Department that in most cases, each employee must manually choose which emails are work-related and should be archived and then they print out and file them in hard-copy form. Imagine that. We can do better and frankly we must.

Fortunately, better laws have helped spur action and push the agencies to catch up with the changing technologies. In 2014, Congress took long-overdue steps to modernize the laws that govern our Federal recordkeeping requirements. We did so by adopting amendments to the Federal Records Act that were authored by our House colleague ELIJAH CUMMINGS and approved unanimously both by the House of Representatives, where he serves, and right here in the United States Senate. Today, employees at executive agencies may no longer conduct official business over personal emails without ensuring that any records they create in their personal accounts are properly archived in an official electronic messaging account within 20 days. Had these commonsense measures been in place or required when Secretary Clinton and her predecessors were in office, the practices identified in the inspector general's report would not have persisted over many years and multiple administrations, Democratic and Republican. Secretary Clinton, her team, and her predecessors would have gotten better guidance from Congress on how the Federal Records Act applies to technology that did not exist when the law was first passed over 60 years ago.

Let's move forward. Moving forward, it is important we continue to implement the 2014 reforms of the Federal Records Act and improve recordkeeping practices throughout the Federal Government in order to tackle these longstanding weaknesses. While doing so, it is also imperative for us to keep pace as communications technologies continue to evolve. While it is not quick or glamorous work, Congress should support broad deployment of the National Archives' new record management approach called Capstone. Capstone helps agencies automatically preserve the email records of its senior officials.

Now, I understand Secretary Clinton is running for President, and some of our friends in Congress have chosen to single her out on these issues I think largely for that reason—because she is a candidate—but it is important to point out that in past statements, Secretary Clinton has repeatedly taken responsibility for her mistakes. She has also taken steps to satisfy her obligations under the Federal Records Act. The inspector general and the National Archives and Records Administration have also acknowledged she mitigated any problems stemming from her past email practices by providing 55,000 pages of work-related emails to the State Department in December of 2014.

The vast majority of these emails has now been released publicly through the Freedom of Information Act. This is an unprecedented level of transparency. Never before have so many emails from a former Cabinet Secretary been made public—never. I would encourage the American people to read them. What they will show is, among other things, someone working late at night, working on weekends, working on holidays to help protect American interests. The more you read, the more you will understand her service as Secretary of State. She called a dozen foreign leaders on Thanksgiving in 2009. What were the rest of us doing that day? She discussed the nuclear arms treaty with the Russian Ambassador on Christmas Eve. What are most of us doing on Christmas Eve? She responded quickly to humanitarian crises like the earthquake in Haiti.

Finally, I should point out that the issue of poor recordkeeping practices and personal email use are not unique to this administration or to the executive branch. Many in Congress were upset when poor recordkeeping practices of President George W. Bush's administration resulted in the loss of White House documents and records. I remember that. At times, Members of Congress have also used personal email to conduct official business, including some who are criticizing Secretary Clinton today, despite it being discouraged.

Now that the FBI has concluded its review, I think it is time to move on. Instead of focusing on emails, the American people expect us in Congress to fix problems, not to use our time and resources to score political points. As I often say, we lead by our example. It is not do as I say, but do as I do. All of us should keep this in mind and focus on fixing real problems like the American people sent us to do.

Before I yield, I was privileged to spend some time, as the Presiding Officer knows, as Governor of my State for 8 years. After I was elected Governor, but before I became Governor, all of us who were newly elected and our spouses were invited to new Governors school for new Governors and spouses hosted by the National Governors Association. That would have been in November of 1993. The new Governors school, for new Governors and spouses, was hosted by the NGA, the chairman of the National Governors Association, and by the other Governors and their spouses within the NGA. They were our faculty, and the rest of us who were newbies, newly elected, we were the students. We were the ones there to learn. We spent 3 days with veteran Governors and spouses, and those of us who were newly elected learned a lot from the folks who had been in those chairs for a while as Governors and spouses. One of the best lessons I learned during new Governors school that year in November of 1992, as a Governor-elect to Delaware, was this—and I don't recall whether it was a Republican or Democratic Governor at the time, but he said: When you make

a mistake, don't make it a 1-day problem, a 1-week problem, a 1-month problem, or a 1-year problem. When you make a mistake, admit it. That is what he said. When you make a mistake, admit it. When you make a mistake, apologize. Take the blame. When you have made a mistake, fix it, and then move on. I think that is pretty good advice. It helped me a whole lot as Governor and has helped me in the United States Senate, in my work in Washington with our Presiding Officer on a number of issues.

The other thing I want to say a word about is James Comey. I have been privileged to know him for a number of years, when he was nominated by our President to head up the FBI and today as he has served in this capacity for a number of years. We are lucky. I don't know if he is a Democrat, Republican, or Independent, but I know he is a great leader. He is about as straight an arrow as they come. He works hard—very hard—and provides enlightened leadership, principled leadership, for the men and women of the FBI. I want to publicly thank him for taking on a tough job and doing it well.

I hope we will take the time to sift through what he and the FBI have found, but in the end, one of the things they found is that after all these months and the time and effort that has gone into reviewing the email records and practices of Secretary Clinton—which she says she regrets. She has apologized for doing it. She said if she had to do it all over, she certainly wouldn't do it again, even though it wasn't in contravention of the laws we had of email recordkeeping at the time. We changed the law in 2014. She has taken the blame. At some point in time—we do have some big problems we face, big challenges we face, and we need to get to work on those as well.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

STANDARDS FOR PROTECTING CLASSIFIED INFORMATION

Mr. SASSE. Mr. President, I sprinted to the floor when I saw the Senator from Delaware speaking. I have high regard for the Senator from Delaware. I think he is a man of integrity who has served his country well, both in the Navy and in this body. I have traveled with the man. We have explored the Texas-Mexico border before. I think very highly of him.

I wanted to come to the floor and ask, in light of the comments he just made about Secretary Clinton, if he has any view about what should happen the next time, when a career intelligence or military officer leaks classified information. I am curious as to what should happen next. And I welcome a conversation with any of the defenders of the Secretary of State who want to come to the floor and engage in this issue.

As I see it, one of two things happens the next time a classified document is leaked in our intelligence community. Either we are going to not prosecute or not pursue the individual who leaks a document that compromises national security and compromises potentially the life of one of the spies who is out there serving in defense of freedom—and we are potentially not going to pursue or prosecute that individual because yesterday a decision was made inside the executive branch of the United States Government to lower the standards that govern how we protect classified information in this country.

That will be a sad day because it will mean we are a weaker nation because we decided to lower those standards, not in this body, not by debate, not by passing a law, but a decision will have been made to lower the standards by which the U.S. national security secrets are protected. Or conversely, a decision will have been made to prosecute and pursue that individual for having leaked secrets, at which point that individual, his or her spouse and their family and his or her peers are going to ask the question, which is, Why is there a different standard for me, the career military officer or the career intelligence officer, than there is for the politically connected in this country?

As I see it, we are in danger of doing one of two things: We are either going to make the United States less secure by lowering the standards that are written in statute about how we govern classified information in this country, or we are going to create a two-tier system of justice by which the powerful and the politically connected are held to a different bar than the people who serve us in the military and the intelligence community.

Again, I have great respect for the senior Senator from Delaware, but I listened to his comments. I was in a different meeting, and I saw that he was speaking. I unmuted my TV and listened to his comments, and I would welcome him to come back to the floor and engage me and explain which way he thinks we should go next because one of those two things is going to happen the next time a classified document is leaked. Either we are going to not pursue that person and we are going to have lowered the standards for protecting our Nation's secrets, or we are going to pursue that person, which means they will be held to a different standard, a higher standard, than the Secretary of State. I don't understand that. I don't understand why anybody in this body would think either of those two outcomes is a good thing.

We do many, many things around here. A small subset of them are really important. Lots of them aren't very important. This is a critically important matter. This body and this Congress exist for the purpose of fulfilling our article I obligations under the Constitution. The American system of government is about limited government because we know, as Madison said, that we need government in the world because men aren't angels, and we need divided government; we need checks and balances in our government. We need three branches of government because those of us who govern are not angels.

We distinguish in our Constitution between a legislative, executive, and a judicial branch, and this body—the legislative branch—is supposed to be the body that passes the laws because the people are supposed to be in charge, and they can hire and fire those of us who serve here. Laws should be made in this body, not in the executive branch. The executive branch's obligations are to faithfully execute the laws that are passed in this body.

If we are going to change the standards by which our Nation's secrets are protected, by which classified information is governed, we should do that in a deliberative process here. We should pass a law in the House and in the Senate so that if the voters—if the 320 million Americans, the ''we the people'' who are supposed to be in charge, disagree about the decisions that are made in this body, they are supposed to be able to fire us.

The people of America don't have any way to fire somebody inside an executive branch agency. Deliberation about the laws and the standards that govern our national security should be done here, and the laws should be made here.

For those who want to defend Secretary Clinton, I am very curious if they would explain to us which way they want it to go the next time a classified secret is leaked because either we are going to have standards or we are not going to have standards. If we are not going to have standards, that is going to make our Nation weaker. If we are going to have standards, they should apply equally to everyone because we believe in equality under the law in this country.

Mr. President, 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. RUBIO. 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. RUBIO. I ask unanimous consent that I be allowed to speak as in morning business.

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

CENTRAL EVERGLADES PLANNING PROJECT

Mr. RUBIO. Mr. President, as you and others are well aware, Florida is often associated with its crystal blue waters, sport and commercial fishing,

and pristine vacation destinations. This summer, a thick and putrid algal bloom known as the blue-green algae is threatening all of that and much more along large stretches of the St. Lucie River and the Indian River Lagoon.

On Friday, I visited the area, and I can tell you this is an economic disaster in addition to an ecological crisis. I met many of the people whose lives have been thrown into turmoil. The algae has forced the closure of several beaches. Even this morning we were hearing reports of a surf camp where kids go out and learn how to surf and paddle board and so forth. They sign up in the summer to do this, and they are having parents canceling, and in some cases having to cancel themselves because of this.

There were beaches closed during the Fourth of July, which is the peak season for many of these resorts, hotels, and local businesses. That is why I say they have been thrown into turmoil. Beyond that, this algae bloom is killing fish and oysters. It is hurting tourism. It is harming local businesses. It is sinking property values.

Imagine if you just bought a home on the water there—the values are largely tied to access to water and the boat dock—and now you step outside, and sitting right there on your porch, basically, there is a thick green slime that some have compared to guacamole sitting on the surface of the ocean. You can imagine what that is doing to property values. Parents, of course, are viewing all of this and are concerned for the health of their children. There are a number of things we can do to address this immediately, and I have been working to make these things happen.

First of all, let me describe how this is happening. This is happening because nutrient-rich water—water that has things in it like fertilizer—is running into Lake Okeechobee, which is at the center of the State. It is the largest inland body of water in the State. Historically, the water that sat in Lake Okeechobee would run southward into the Everglades. With development, canal systems, and so forth, that all stopped.

Now this water is held back by a dike, which is put in place to prevent flooding. When the waters need to be released, they are released east and west. These waters are already rich in nutrients in Lake Okeechobee, and then they are released into the estuaries and canals, which also have nutrients in them because of runoff from faulty and old septic tanks. When these things reach the ocean, when they reach the estuaries, when they reach the lagoon or the lake or the river and they get into this heat, the result is what we are seeing now.

Last week I wrote the Army Corps of Engineers, and I urged them to stop the discharges from Lake Okeechobee until the balance and health of the ecosystem in the area can recover. By the way, these discharges have been ongoing since January of this year, which has lowered salinity levels, and it caused the algae to bloom. I also invited the Assistant Secretary of the Army Corps to visit the area so they can witness the conditions firsthand.

I was pleased that after my request the Army Corps announced it would decrease the discharges but, of course, much more needs to be done. My office has also been working with the Small Business Administration for months now on the harmful impact of these discharges. In April, we were able to ensure disaster loans were made available to businesses suffering from the discharges. Just yesterday, we were able to confirm that the disaster loans will apply to those currently affected by the current algal blooms.

Perhaps the most important long-term solution that we can put in place is for the Senate and the House to pass and the President to sign the authorization for the Central Everglades Planning Project. The Central Everglades Planning Project will divert these harmful discharges away from the coastlines and send more water south through the Everglades.

This is a project I had hoped would have been authorized in the last water resources bill in 2014, but delays by the administration in releasing the final Chiefs report prevented that from happening in 2014. Thanks to the leadership of Chairman INHOFE, the Central Everglades Planning Project is included in the EPW committee-reported Water Resources Development Act of 2016.

Last week, I joined 29 of my colleagues in urging our leaders to bring this important bill before the full Senate. I plan to continue this support, and I hope we are able to get the Central Everglades Planning Project signed into law as soon as possible.

Finally, we also need to know the long-term health risks posed by this algal bloom. I mentioned a moment ago that many parents are concerned about the safety of their kids as they play outside this summer. Let me tell you why they are concerned. The algae I saw lining the shores and in the coves and inlets will literally make you sick. There are already people complaining of headaches, rashes, and respiratory issues.

At Central Marine in Stuart, you could not stand outside near the water and breathe the air without literally feeling sick. The smell is indescribable. The best thing I can use to describe it is if you opened up a septic tank or opened sewage in a third world country—that is how nasty this stuff is.

By the way, when it dies, it turns this dark green-blue color, and then it becomes even more toxic. No one knows how to remove it. No one knows what is going to happen to it after it dies, except it is going to sit there. That is why we have been in contact with the Centers for Disease Control and Prevention, which has been working with State officials, and I requested that they keep me informed and that they remain vigilant in their efforts to assist those impacted by the algae.

This is truly a crisis for the State of Florida, but we are fortunate that Florida is well equipped to handle this issue. I have spoken to the Governor and to key officials on the ground about this. This should continue to be a joint effort by the Federal and State governments. Should the government decide this warrants a Federal disaster declaration, I will urge the President to approve it. That means that more resources could flow to those who have been negatively impacted by this, especially small businesses that have seen themselves in the peak season truly hurt by this event.

In the meantime, Florida continues to face this serious problem, and unfortunately there simply is no silver bullet. Its effects will linger for quite some time. For people who are suffering through this right now, that is not a promising thing for me to say. If that were my house facing this algae, if that were my business wiped out with the cancelations, I would be angry too.

It is important to remember this is not just an ecological crisis; it is a tragedy for the people on the Treasure Coast who have had to watch this algae threaten their communities and their livelihoods. This is a heated issue, as you can imagine, because we are talking about people's homes. We are talking about a way of life. Many people came up to me and said they grew up in the area, they remember the days where their whole summers were spent near that water, and now they can't even go in it. When we see a place as naturally beautiful as the Treasure Coast looking and smelling like an open sewer, you have a visceral and angry reaction to it. I know that I did.

Sadly, whenever there are emotional and heated issues like these, people on both sides are willing to exploit them. Anyone who tells you they have the silver bullet answer to this problem is simply not telling the truth. They are lying. I have talked to experts, dozens of them. I visited with people across the spectrum on this issue, and the reality is that solving this issue will take time, persistence, and a number of things. There is no single thing we can do. There are a number of things, and they all have to happen in order for this to get better.

These problems have existed for decades. This didn't happen overnight. This isn't something that started 2 weeks ago. This has been going on for decades. I have now been a Senator for a little less than 6 years, and in my time here, we have made steady progress on this issue. But it is not coming as fast as I would like, and it is not coming as fast as the people of the Treasure Coast need. The worst thing we could do right now is to divert critical resources from a plan that will work, from a plan designed by scientists, from a plan designed by experts that will work, but we have to put that plan in place.

That is why I once again urge my colleagues to move forward on the Central Everglades Planning Project. It will allow us to begin the process of authorizing these important projects that will not only retain more water but will result in cleaner water going into Lake Okeechobee, cleaner water flowing out of Lake Okeechobee, and cleaner water moving south into the Everglades, the way it should be flowing and not east and west into these impacted communities.

I am calling the Presiding Officer's attention to this because, as I have detailed, this is far from being merely a State issue. We do have our work cut out for us on the Federal level to help get this solved, but I am committed to this task. I ask my colleagues for their assistance so we can ensure that 5 and 10 years from now we are not still here talking about this happening all over again.

With that, 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. WHITEHOUSE. 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. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes, although I don't think I will use it all.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here for the 143rd time now to urge Congress to wake up to the damage that carbon pollution is inflicting on our atmosphere and oceans and to make a record for when people look back at this time and at this place and wonder why Congress was so unresponsive in the face of all of the information.

What are we up against that has prevented progress? What we are up against is a many-tentacled, industry-controlled apparatus that is deliberately polluting our discourse in this Nation with phony climate denial. That apparatus runs in parallel with a multi-hundred million dollar electioneering effort that tells politicians: If you don't buy what the apparatus is selling, you will be in political peril.

As we look at the apparatus that is propagating this phony climate denial, there is a growing body of scholarship that helps us that is examining this apparatus, how it is funded, how it communicates, and how it propagates the denial message. It includes work by Harvard University's Naomi Oreskes, Michigan State's Aaron McCright, Oklahoma State's Riley Dunlap, Yale's Justin Farrell, and Drexel University's Robert Brulle, but it is not just them. There are a lot of academic folk working on this to the point where there are now more than 100 peer-reviewed scientific articles examining this climate denial apparatus itself. These scientists are doing serious and groundbreaking work.

Dr. Brulle, for instance, has just been named the 2016 recipient of the American Sociological Association's Frederick Buttel Distinguished Contribution Award, the highest honor in American environmental sociology. Dr. Brulle has also won, along with Professor Dunlap, the American Sociological Association's Allan Schnaiberg Outstanding Publication Award for their book ''Climate Change and Society.'' The work of all of these academic researchers maps out an intricate, interconnected propaganda web which encompasses over 100 organizations, including trade associations, conservative so-called think tanks, foundations, public relations firms, and plain old phony-baloney polluter front groups. A complex flow of cash, now often hidden by donors' trusts and other such identity-laundering operations, support this apparatus. The apparatus is, in the words of Professor Farrell, ''overtly producing and promoting skepticism and doubt about scientific consensus on climate change.''

The climate denial apparatus illuminated by their scholarship is part of the untold story behind our obstructed American climate change politics.

This apparatus is huge. Phony-baloney front organizations are set up by the score to obscure industry's hand. Phony messaging is honed by public relations experts to sow doubt about the real scientific consensus. Stables of payrolled scientists are trotted out on call to perform. Professor Brulle likens it to a stage production.

> Like a play on Broadway, the countermovement has stars in the spotlight—often prominent contrarian scientists or conservative politicians—but behind the stars is an organizational structure of directors, script writers, and producers, in the form of conservative foundations. If you want to understand what is driving this movement, you have to look at what is going on behind the scenes.

The whole apparatus is designed to be big and sophisticated enough that when you see its many parts, you can be fooled into thinking it is not all the same animal, but it is, just like the mythological Hydra—many heads, same beast.

The apparatus is huge because it has a lot to protect. The International Monetary Fund has pegged what it calls the effective subsidy to the fossil fuel industry every year in the United States alone at nearly $700 billion. That is a lot to protect.

Here is one other measure. The Center for American Progress has tallied the carbon dioxide emissions from the power producers involved in the lawsuit to block implementation of President Obama's Clean Power Plan, either directly or through their trade groups. It turns out they have a lot of pollution to protect. The companies affiliated with that lawsuit were responsible for nearly 1.2 billion tons of carbon pollution in 2013. That is one-fifth of the entire carbon output in our entire country, and 1.2 billion tons makes these polluters, if they were their own country, the sixth biggest CO_2 emitter in the world—more than Germany or Canada. Using the Office of Management and Budget's social cost of carbon, that is a polluter cost to the rest of us of $50 billion every year. When this crowd comes to the court, they come with very dirty hands and for very high stakes.

Not only is this apparatus huge, it is also complex. It is organized into multiple levels. Rich Fink is the former President of the Charles G. Koch Charitable Foundation. He has outlined the model they use called the ''Structure of Social Change'' to structure what he called ''the distinct roles of universities, think tanks, and activist groups in the transformation of ideas into action.''

As a Koch-funded grantmaker out to pollute the public mind, the Koch Foundation realized that multiple levels were necessary for successful propaganda production. They went at it this way: The ''intellectual raw materials'' were to be produced by scholars funded at universities, giving the product some academic credibility. I think at this point, Koch funding reaches into as many as 300 college campuses to create this so-called intellectual raw material. Then think tanks and policy institutions mold these ideas and market them as ''needed solutions for real-world problems.'' I guess they are using the technique of ''think tank as disguised political weapon'' described by Jane Mayer in her terrific book ''Dark Money.''

Then comes what we would call ''astroturf''—citizen implementation groups ''build diverse coalitions of individual citizens and special interest groups needed to press for the implementation of policy change'' at the ground level. So the apparatus is organized not unlike a company would set up manufacturing, marketing, and sales.

Mr. President, I ask unanimous consent to have printed in the RECORD Mr. Fink's ''The Structure of Social Change.''

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

[From libertyguide.com, Oct. 18, 2012]

THE STRUCTURE OF SOCIAL CHANGE

(By Rich Fink, President, Charles G. Koch Charitable Foundation)

WHY PUBLIC POLICY?

Universities, think tanks, and citizen activist groups all present competing claims for being the best place to invest resources. As grant-makers, we hear the pros and cons of the different kinds of institutions seeking funding.

The universities claim to be the real source of change. They give birth to the big ideas that provide the intellectual framework for social transformation. While this is true, critics contend that investing in universities produces no tangible results for many years or even decades. Also, since

many academics tend to talk mostly to their colleagues in the specialized languages of their respective disciplines, their research, even if relevant, usually needs to be adapted before it is useful in solving practical problems.

The think tanks and policy development organizations argue that they are most worthy of support because they work on real-world policy issues, not abstract concepts. They communicate not just among themselves, but are an immediate source of policy ideas for the White House, Congress, and the media. They claim to set the action agenda that leaders in government follow. Critics observe, however, that there is a surfeit of well-funded think tanks, producing more position papers and books than anyone could ever possibly read. Also, many policy proposals, written by ''wonks'' with little experience outside the policy arena, lack realistic implementation or transition plans. And all too often, think tanks gauge their success in terms of public relations victories measured in inches of press coverage, rather than more meaningful and concrete accomplishments.

Citizen activist or implementation groups claim to merit support because they are the most effective at really accomplishing things. They are fighting in the trenches, and this is where the war is either won or lost. They directly produce results by rallying support for policy change. Without them, the work of the universities and policy institutes would always remain just so many words on paper, instead of leading to real changes in people's lives.

Others point out, however, that their commitment to action comes at a price. Because activist groups are remote from the universities and their framework of ideas, they often lose sight of the big picture. Their necessary association with diverse coalitions and politicians may make them too willing to compromise to achieve narrow goals.

Many of the arguments advanced for and against investing at the various levels are valid. Each type of institute at each stage has its strengths and weaknesses. But more importantly, we see that institutions at all stages are crucial to success. While they may compete with one another for funding and often belittle each other's roles, we view them as complementary institutions, each critical for social transformation.

HAYEK'S MODEL OF PRODUCTION

Our understanding of how these institutions ''fit together'' is derived from a model put forward by the Nobel laureate economist Friedrich Hayek.

Hayek's model illustrates how a market economy is organized, and has proven useful to students of economics for decades. While Hayek's analysis is complicated, even a modified, simplistic version can yield useful insights.

Hayek described the ''structure of production'' as the means by which a greater output of ''consumer goods'' is generated through savings that are invested in the development of ''producer goods''—goods not produced for final consumption.

The classic example in economics is how a stranded Robinson Crusoe is at first compelled to fish and hunt with his hands. He only transcends subsistence when he hoards enough food to sustain himself while he fashions a fishing net, a spear, or some other producer good that increases his production of consumer goods. This enhanced production allows even greater savings, hence greater investment and development of more complex and indirect production technologies.

In a developed economy, the ''structure of production'' becomes quite complicated, involving the discovery of knowledge and integration of diverse businesses whose success and sustainability depend on the value they add to the ultimate consumer. Hayek's model explains how investments in an integrated structure of production yield greater productivity over less developed or less integrated economies.

By analogy, the model can illustrate how investment in the structure of production of ideas can yield greater social and economic progress when the structure is well-developed and well-integrated. For simplicity's sake, I am using a snapshot of a developed economy, as Hayek did in parts of Prices and Production, and I am aggregating a complex set of businesses into three broad categories or stages of production. The higher stages represent investments and businesses involved in the enhanced production of some basic inputs we will call ''raw materials.'' The middle stages of production are involved in converting these raw materials into various types of products that add more value than these raw materials have if sold directly to consumers. In this model, the later stages of production are involved in the packaging, transformation, and distribution of the output of the middle stages to the ultimate consumers.

Hayek's theory of the structure of production can also help us understand how ideas are transformed into action in our society. Instead of the transformation of natural resources to intermediate goods to products that add value to consumers, the model, which I call the Structure of Social Change, deals with the discovery, adaptation, and implementation of ideas into change that increases the well-being of citizens. Although the model helps to explain many forms of social change, I will focus here on the type I know best—change that results from the formation of public policy.

APPLYING HAYEK'S MODEL

When we apply this model to the realm of ideas and social change, at the higher stages we have the investment in the intellectual raw materials, that is, the exploration and production of abstract concepts and theories. In the public policy arena, these still come primarily (though not exclusively) from the research done by scholars at our universities. At the higher stages in the Structure of Social Change model, ideas are often unintelligible to the layperson and seemingly unrelated to real-world problems. To have consequences, ideas need to be transformed into a more practical or useable form.

In the middle stages, ideas are applied to a relevant context and molded into needed solutions for real-world problems. This is the work of the think tanks and policy institutions. Without these organizations, theory or abstract thought would have less value and less impact on our society.

But while the think tanks excel at developing new policy and articulating its benefits, they are less able to implement change. Citizen activist or implementation groups are needed in the final stage to take the policy ideas from the think tanks and translate them into proposals that citizens can understand and act upon. These groups are also able to build diverse coalitions of individual citizens and special interest groups needed to press for the implementation of policy change.

We at the Koch Foundation find that the Structure of Social Change model helps us to understand the distinct roles of universities, think tanks, and activist groups in the transformation of ideas into action. We invite you to consider whether Hayek's model, on which ours is based, is useful in your philanthropy. Though I have confined my examples to the realm of public policy, the model clearly has much broader social relevance.

Mr. WHITEHOUSE. Mr. President, investigative books, journalists' reporting, and academic studies repeatedly compare the climate denial effort to the fraud scheme that was run by the tobacco industry to disguise the harms of smoking. When I was a U.S. attorney, the Justice Department pursued and ultimately won a civil lawsuit against tobacco companies for that fraud. When I was here in the Senate, I wrote an opinion piece about a possible DOJ investigation into the fossil fuel industry fraud on climate change. This gave me a new appreciation of the apparatus in action. In response came an eruption of dozens of rightwing editorials, most of which interestingly were virtually identical, with common misstatements of law and common omissions of facts. The eruption recurred some months later in response to me asking Attorney General Lynch about such an investigation when she was before us during a hearing of the Judiciary Committee.

Virtually every author or outlet in these eruptions was a persistent climate denier. Common markers in the published pieces seemed to point to a central script. When multiple authors all say something that is true, that is not necessarily noteworthy, but when multiple authors are all repeating the same falsehoods, that is a telling fingerprint. I happened to notice this because unlike most people, I get my news clips so I saw all these articles as they emerged in this eruption that took place. The articles regularly confused civil law with criminal law, suggesting that I wanted to ''slap the cuffs'' on people or ''prosecute'' people when the tobacco case was a civil case, and in a civil case there are no handcuffs. The articles almost always overlooked the fact that the government won the tobacco fraud lawsuit and won it big. The pieces usually said my target was something other than the big industry protagonist. My targets were described as ''climate dissidents'' or ''independent thought'' or ''scientists'' and ''the scientific method'' or even just ''people who just disagree with me.'' Nothing like that transpired in the tobacco fraud case, obviously.

Time and time again, the articles wrongly asserted that any investigation into potential fraud by this climate denial apparatus would be a violation of the First Amendment. This was a particularly telling marker because it is actually settled law—including from the tobacco case itself—that fraud is not protected under the First Amendment. So the legal arguments were utterly false, but nevertheless the apparatus was prolific. They cranked out over 100 articles in all in those two eruptions.

Now the State attorneys general who have stepped up to investigate whether the fossil fuel industry and its front groups engaged in a fraud have faced a similar backlash. First came the editorial barrage, often from the same outlets and authors as mine and usually with the same false arguments.

Then, Republicans on the U.S. House Science, Space, and Technology Committee sent the attorneys general letters with a barrage of demands to discourage and disrupt their inquiries. A group of Republican State attorneys general even issued a letter decrying the efforts of their investigating colleagues. All of them insisted the First Amendment should prevent any investigation.

In one ironic example, the Koch-backed front group Americans for Prosperity rode to the rescue of the Koch-backed Competitive Enterprise Institute, one of the climate denial mouthpieces under investigation. The Koch-backed front group Americans for Prosperity announced it was joining a coalition of 47 other groups to support what it called ''a fight for free speech,'' but according to realkochfacts.org, 43 of the 47 groups in that so-called coalition also have ties to the Kochs, and 28 of them are directly funded by the Kochs and their family foundations. Welcome to the apparatus.

The Koch brothers' puppet groups claim to stand united against what Americans for Prosperity described as ''an affront to the First Amendment rights of all Americans,'' but scroll back, and the tobacco companies and their front groups and Republican allies made exactly the same argument against the Department of Justice's civil racketeering lawsuit—the one the Department of Justice won.

Big Tobacco's appeal in court argued that, quoting the appeal, ''the First Amendment would not permit Congress to enact a law that so criminalized one side of an ongoing legislative and public debate because the industry's opinions differed from the government or 'consensus' view.''

How did they do? They lost. They lost because the case was about fraud, not differences of opinion. Courts can tell the difference between fraud and differences of opinion. They do it all the time. Fraud has specific legal requirements. The courts in the tobacco case held firmly that the Constitution holds no protection for fraud—zero—and the tobacco industry had to stop the fraud. Now the fossil fuel industry says it is different from the tobacco industry while it uses the very same argument as the tobacco schemers.

To really appreciate how bogus the First Amendment argument is, think through what it would mean if fraudulent corporate speech were protected by the First Amendment. Out would go State and Federal laws protecting us from deceitful misrepresentations about products. Consumer protection offices around the country would shrivel or shut their doors, and it would be open season on the American consumer. That is a dark world to envision, but it is the world that results if corporate lies about the safety of their products or industrial processes are placed beyond the reach of the law. I say lies because you have to be lying for it to be fraud.

This begs the question of whether there is really a difference of opinion about climate change among scientists. Last week, 31 leading national scientific organizations, including the American Association for the Advancement of Science, the American Meteorological Society, the American Geophysical Union, and 28 others sent Members of Congress a no-nonsense message that human-caused climate change is real, that it poses serious risks to society, and that we need to substantially reduce greenhouse gas emissions. They told us this:

Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research concludes that the greenhouse gases emitted by human activities are the primary driver. This conclusion is based on multiple independent lines of evidence and the vast body of peer-reviewed science.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from the 39 scientific organizations.

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

JUNE 28, 2016.

DEAR MEMBERS OF CONGRESS: We, as leaders of major scientific organizations, write to remind you of the consensus scientific view of climate change.

Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research concludes that the greenhouse gases emitted by human activities are the primary driver. This conclusion is based on multiple independent lines of evidence and the vast body of peer-reviewed science.

There is strong evidence that ongoing climate change is having broad negative impacts on society, including the global economy, natural resources, and human health. For the United States, climate change impacts include greater threats of extreme weather events, sea level rise, and increased risk of regional water scarcity, heat waves, wildfires, and the disturbance of biological systems. The severity of climate change impacts is increasing and is expected to increase substantially in the coming decades.

To reduce the risk of the most severe impacts of climate change, greenhouse gas emissions must be substantially reduced. In addition, adaptation is necessary to address unavoidable consequences for human health and safety, food security, water availability, and national security, among others.

We, in the scientific community, are prepared to work with you on the scientific issues important to your deliberations as you seek to address the challenges of our changing climate.

American Association for the Advancement of Science
American Chemical Society
American Geophysical Union
American Institute of Biological Sciences
American Meteorological Society
American Public Health Association
American Society of Agronomy
American Society of Ichthyologists and Herpetologists
American Society of Naturalists
American Society of Plant Biologists
American Statistical Association
Association for the Sciences of Limnology and Oceanography
Association for Tropical Biology and Conservation
Association of Ecosystem Research Centers
BioQUEST Curriculum Consortium
Botanical Society of America
Consortium for Ocean Leadership
Crop Science Society of America
Ecological Society of America
Entomological Society of America
Geological Society of America
National Association of Marine Laboratories
Natural Science Collections Alliance
Organization of Biological Field Stations
Society for Industrial and Applied Mathematics
Society for Mathematical Biology
Society for the Study of Amphibians and Reptiles
Society of Nematologists
Society of Systematic Biologists
Soil Science Society of America
University Corporation for Atmospheric Research

Mr. WHITEHOUSE. That letter is the voice of fact, of scientific analysis, and of reason.

Up against it is the apparatus. The apparatus has the money. The apparatus has the slick messaging. The apparatus has the political clout. It has that parallel election spending muscle, it has the lobbying armada, and it has that array of outlets willing to print falsehoods about climate change and, for that matter, about fraud and the First Amendment.

The scientists? Well, they have the expertise, the knowledge, and the facts. Whose side we choose to take says a lot about who we are.

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

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

MORNING BUSINESS

Mr. TILLIS. 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.

MILCON-VA AND ZIKA VIRUS FUNDING BILL

Mr. TESTER. Mr. President, it is the end of June and mosquitos are everywhere. That means the danger of the Zika virus is increasing. All but five States have at least one reported case of the Zika virus. Just today, a baby was born in the United States with microcephaly because of the Zika virus. This is a serious crisis that requires serious action.

That is why I was so disappointed to see the majority insert language that would limit access to contraception, a key component of a strategy to fight Zika, but this bill denies women the ability to get birth control services

from their doctors or from primary care clinics. Limiting access to contraception while fighting a disease we know can be transmitted sexually is ridiculous, counterintuitive, and downright dangerous. This approach unnecessarily endangers women across the country.

Why on Earth would the Republicans—with a public health crisis looming—insert a provision that is not only bad policy, but that they knew Democrats could not support? One reason: politics.

Turning emergency research funding into a political football is irresponsible, and I cannot support it. Women, men, and children need to be protected against Zika, and this bill undermines those efforts. As mosquito season continues and the danger of Zika increases, we need serious legislation that addresses this public health crisis, not partisan gamesmanship.

But Zika funding is not the only place this bill falls short. This conference report cuts $500 million from the bipartisan Senate VA Appropriations bill.

The Senate bill cleared the Senate 89–8, a truly bipartisan bill. In the U.S. Senate, I imagine we couldn't even get 89 people to agree on what color the sky is, much less an appropriations bill, but here, we have one.

The Democratic conferees went to conference with open ears and an open mind. Things started off okay, but Republican leadership inserted themselves into the process, and it quickly became clear that they had no interest in crafting a bipartisan deal. Getting a deal requires two parties to at least talk to each other.

But once leadership got involved, Republicans did not even return our phone calls after last weekend. This conference report was negotiated in private with only Republican Members in the room.

They took the chainsaw to the Senate's bipartisan proposal that would have given the VA the resources it needs to give our vets the care they have earned.

The conference report before the Senate would put the VA $653 million below what the VA says it needs to get the job done.

Veterans across the country and in my home State of Montana are waiting for action, and these harmful cuts will leave the VA with just enough to try and address veterans' needs. And let's be clear, ''just enough'' isn't good enough for our veterans.

This bill cuts money out of medical service accounts. These are the very accounts that are used to pay doctors, nurses, and for medical equipment.

Making it harder for the VA to administer care is irresponsible, and this bill would leave VA medical centers scrambling to provide services for thousands of veterans.

Compared to what the Senate passed—with 89 votes earlier this year—this bill cuts $250 million for facility maintenance of VA hospitals and clinics.

I have toured these clinics. In Missoula, MT, we have a VA clinic that is far over capacity. Patients are forced to double and triple-up in rooms, ruining any semblance of patient privacy. Doctors and nurses are forced to have conversations that should be confidential in front of other patients.

Sixty percent of VHA facilities are more than 50 years old, and they have over $10 billion in code deficiencies.

Our veterans deserve better than being treated in third-rate facilities.

This type of cut is exactly the partisan game playing that shows this bill was never meant as a compromise, but rather it is just a catalyst for cuts to make the VA less effective.

These cuts aren't designed to improve care; they are designed to balance the budget on the backs of our veterans.

If Republicans had come to the table willing to play ball, we could swallow these cuts if real improvements were made to how the VA is run, but these cuts will only compound the problems at the VA and are unacceptable without genuine reform.

This was not how a conference should operate; not a single vote was ever taken by the conferees on VA related items. They were simply shoved into the bill.

The unfortunate byproduct of this partisanship was that a bipartisan approach to VA funding and policy priorities was abandoned at the end and left VA short of what I believe to be responsible funding levels.

I invite my Republican colleagues in the House—and one in particular in the Senate—to look at the Veterans First Act, that cleared committee unanimously, that takes a real shot at reforming the VA, and is a good example of what bipartisan compromise can look like.

The VA is struggling, and cutting costs and not addressing real issues across the VA is not what our veterans deserve. I cannot support this bill because it does not support our veterans.

We have 3 months before the next fiscal year begins—3 months before the VA runs out of money.

I am ready to work with folks on both sides to see if we can agree on a plan that gives our veterans more than ''good enough.'' We have done it once this year, and we can do it again, but we need to get moving.

GREEN CLIMATE FUND

Mrs. CAPITO. Mr. President, on June 29, 2016, the Senate Appropriations Committee marked up S. 3117, the Department of State, Foreign Operations, and Related Programs Appropriation Act, 2017. During the mark-up, the Senator from Oregon offered an amendment to strike language that would have prohibited the Department of State from expending funds appropriated by the bill to make a Federal Government contribution to the Green Climate Fund. The Appropriations Committee adopted Senator MERKLEY's amendment by voice vote.

The committee's voice vote did not afford me the opportunity to record my opposition to Senator MERKLEY's amendment in the committee record. I oppose the Merkley amendment and any transfer of funding to the Green Climate Fund.

As Deputy Secretary of State Heather Higginbottom testified to the Senate Foreign Relations Committee in March, Congress did not authorize the Green Climate Fund. Congress also failed to appropriate any funding for the Green Climate Fund in fiscal year 2016. In March 2016, the Department of State transferred $500 million from the Economic Support Fund to the Green Climate Fund, despite the lack of any authorization or appropriation from Congress.

This $500 million transfer represents 26 percent of all appropriations to the Economic Support Fund—intended to promote economic and political stability around the globe—at a time when combating the Zika virus, addressing the threat of international terrorism, and dealing with the risks posed by Russian aggression in Eastern Europe all would have been better uses of State Department funds.

For these reasons, I oppose Senator MERKLEY's amendment to S. 3117.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0N–16. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described

in the Section 36(b)(1) AECA certification 15–53 of 04 August 2015.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 0N–16

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(A), AECA)

(i) Purchaser: Government of Japan.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 15–53; Date: 04 August 2015; Military Department: Navy.

(iii) Description: On 04 August 2015, Congress was notified by Congressional Notification Transmittal Number 15–53, of the possible sale under Section 36(b)(1) of the Arms Export Control Act of the Navy's proposed Letter(s) of Offer and Acceptance of the Government of Japan of two (2) ship sets of the MK 7 AEGIS Weapon System, AN/SQQ–89A (v) 15J Underwater Weapon System (UWS), and Cooperative Engagement Capability (CEC). The total value of this sale is $1.5 billion. Major Defense Equipment (MDE) constitutes $360 million of this sale.

This transmittal reports the addition of three (3) Cooperative Engagement Capability (CEC) units as MDE. The correct quantity of CEC units was not listed in the original transmittal. Increasing the quantity of CEC units will not result in a net increase in the value of MDE originally notified. The total case value will remain $1.5 billion.

(iv) Significance: This report is being provided because three (3) CEC sets were not enumerated as Major Defense Equipment in the original notification. The total quantity being considered for purchase is five (5) sets consisting of two (2) ship sets and three (3) shore sets. This equipment is required for testing, calibration, and support of the two (2) new AEGIS DDGs being added to Japan's fleet. This will afford more flexibility and capability to counter regional threats and continue to enhance stability in the region.

(v) Justification: The ACS/IUWS/CEC support ship construction for a new ship class of DDGs based upon a modified Atago-class hull (Ship Class not yet named) and a new propulsion system. This modernization effort will increase the size of Japan's BMD-capable fleet to eight vessels and enhance its Navy's ability to defend Japan and the Western Pacific from regional ballistic missile threats.

(vi) Date Report Delivered to Congress: July 1, 2016.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0P–16. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 15–35 of 01 June 2015.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 0P–16

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(A), AECA)

(i) Purchaser: Government of Japan.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 15–35; Date: 01 June 2015; Military Department: Navy.

(iii) Description: On 01 June 2015, Congress was notified by Congressional Notification Transmittal Number 15–35, of the possible sale under Section 36(b)(1) of the Arms Export Control Act of four (4) E–2D Advanced Hawkeye (AHE) Airborne Early Warning and Control (AEW&C) aircraft, ten (10) T56–A–427A engines (8 installed and 2 spares), eight (8) Multifunction Information Distribution System Low Volume Terminals (MIDS–LVT), four (4) APY–9 Radars, four (4) AN/AYK–27 Integrated Navigation Channels and Display Systems, ten (10) LN–251 Embedded Global Positioning Systems/Inertial Navigation Systems (EGIs) with embedded airborne Selective Availability Anti-Spoofing Module (SAASM) Receiver (ASR), and six (6) AN/ALQ–217 Electronic Support Measures, modifications, spare and repair parts, support equipment, publications and technical documentation, personnel training and training equipment, ferry services, aerial refueling support, U.S. Government and contractor logistics, engineering, and technical support services, and other related elements of logistics and program support. The value of Major Defense Equipment (MDE) on the case was $361 million. The total case value was $1.5 billion.

This transmittal reports the inclusion of one (1) E–2D Weapon Systems Trainer. While the value of the trainer was included in the original notification, it was not identified as MDE at that time. The cost of the trainer is $50,904,612. The value of MDE on the notification is therefore revised to $412 million. The total estimated value remains $1.5 billion.

(iv) Significance: This notification is being provided as the E–2D Weapon Systems Trainer was not enumerated as Major Defense Equipment in the original notification. This equipment provides the Japan Air Self Defense Force with the capability to train Weapon System Officers on the mission systems of the E–2D in a simulated environment.

(v) Justification: (U) This proposed sale will contribute to the foreign policy and national security of the United States. Japan is one of the major political and economic powers in East Asia and the Western Pacific and a key partner of the United States in ensuring peace and stability in that region. It is vital to the U.S. national interest to assist Japan in developing and maintaining a strong and ready self-defense capability. This proposed sale is consistent with U.S. foreign policy and national security objectives and the 1960 Treaty of Mutual Cooperation and Security.

(vi) Date Report Delivered to Congress: July 1, 2016.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act, as amended, we are forwarding'Transmittal No. 0R–16. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 16–26 of 24 March 2016.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosure.

TRANSMITTAL NO. 0R–16

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(A), AECA)

(i) Purchaser: United Kingdom (UK).

(ii) Sec. 36(b)(1), AECA Transmittal No.: 16–26; Date: March 24, 2016; Military Department: U.S. Navy.

(iii) Description: On March 24, 2016, Congress was notified, by Congressional certification transmittal number 16–26, of the possible sale under Section 36(b)(1) of the Arms Export Control Act of nine (9) P–8A Patrol Aircraft, which includes: Tactical Open Mission Software (TOMS), Elector-Optical (EO) and Infrared (IR) MX–20HD, AN/AAQ–2(V)1 Acoustic System, AN/APY–10 Radar and ALQ–240 Electronic Support Measures (ESM). Also included were twelve (12) Multifunctional Information Distribution System (MIDS) Joint Tactical Radio Systems (JTRS), twelve (12) Guardian Laser Transmitter Assemblies (GLTA) for AN/AAQ–24(V)N, twelve (12) Systems Processors for AN/AAQ–24(V)N, twelve (12) Missile Weapons Sensors for the AN/AAR–54 (for AN/AAQ–24(V)N) and nine (9) LN–251 with Embedded Global Positioning Systems/Inertial Navigations System (EGis). The total estimated major defense equipment (MDE) cost is $1.8 billion. The total estimated program cost is $3.2 billion.

This transmittal reports the addition of: Two (2) Multifunctional Information Distribution System (MIDS) Joint Tactical Radio Systems (JTRS), sixty (60) Missile Weapons Sensors for the AN/AAR–54 (as part of the AN/AAQ–24(V)N), and eleven (11) LN–25ls with Embedded Global Positioning Systems/Inertial Navigations Systems (EGis). There is no increase in the total MDE cost or total estimated program cost.

(iv) Significance: The original notification incorrectly identified the number of units required to support the UK P–8A program. Fourteen (14) MIDS JTRS units are required to ensure adequate spares. Seventy-two (72) missile warning sensors are required as each of the twelve (12) AAQ–24(V)N systems consist of six (6) sensors. A total of twenty (20) EGis are required, as each complete system includes two (2) EGis for a total of eighteen (18); also now inCluded is a full total system spare set of two (2) additional EGis.

(v) Justification: This proposed sale will allow the UK to reestablish its Maritime Surveillance Aircraft (MSA) capability that it divested when it cancelled the Nimrod MRA4 Maritime Patrol Aircraft (MPA) program.

The corrected number of units of equipment are required to support the UK P–8A program.

(vi) Date Report Delivered to Congress: July 1, 2016.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–33, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Republic of Korea for defense articles and services estimated to cost $65 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN Director.

Enclosures.

POLICY JUSTIFICATION

Republic of Korea—SM–2 Block IIIB Standard Missiles and Containers

The Republic of Korea has requested a possible sale of:

Major Defense Equipment (MOE):

Seventeen (17) SM–2 Block IIIB Standard Missiles.

Seventeen (17) SM–2 Missile Containers.

Non-MDE:

This request also includes the following Non-MDE: personnel training and training equipment, publications and technical data, U.S. Government and contractor technical assistance, and other related logistics support.

The total estimated value ofMDE is $60 million. The total overall estimated value is $65 million.

The Republic of Korea (ROK) is one of the major political and economic powers in East Asia and the Western Pacific and a key partner of the United States in ensuring peace and stability in that region. It is vita] to U.S. national interests to assist our Korean ally in developing and maintain a strong and ready self-defense capability.

The ROK Navy (ROKN) intends to use the SM–2 Block IIIB Standard missiles to supplement its existing SM–2 Block IIIA/IIIB inventory. The proposed sale will provide a defensive capability while enhancing interoperability with U.S. and other allied forces. The Republic of Korea will have no difficulty absorbing these additional missiles into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be the Raytheon Electronic Systems Company in Tucson, Arizona. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the Republic of Korea. However, U.S. Government or contractor personnel in-country visits will be required on a temporary basis in conjunction with program technical oversight and support requirements.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16–33

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The SM–2 Block IIIB Standard Missile consists of a Guidance Unit, Dual Thrust Rocket Motor, Steering Control Unit, and Telemeter with omni-directional antenna. The proposed sale will result in the transfer of sensitive technology and information as well as classified and unclassified defense equipment and technical data. The hardware and installed software is classified SECRET. Training documentation is classified CONFIDENTIAL. Shipboard operational/tactical employment is generally CONFIDENTIAL, but includes some SECRET data. The all-up round Standard missiles are classified CONFIDENTIAL. Certain operating frequencies and performance characteristics are classified SECRET.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be-used to develop countermeasures which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that the Republic of Korea can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Republic of Korea.

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER
Chairman, Committee on Foreign Relations, U.S. Senate Washington, DC.

DEAR MR. CHAIRMAN. Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–39, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Chile for defense articles and services estimated to cost $140.1 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JENNIFER ZAKRISKI,
(For J.W. Rixey, Vice Admiral, USN, Director).

Enclosures.

TRANSMITTAL NO. 16–39

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Chile.

(ii) Total Estimated Value:

Major Defense Equipment* $73.2 million.

Other $66.9 million.

Total $140.1 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Thirty-thirty (33) Evolved Seasparrow Missiles (ESSMs).

Six (6) Evolved Seasparrow Telemetry Missiles.

Three (3) MK41 Vertical Launching Systems (VLS), tactical version, baseline VII.

Non-MDE: This request also includes the following Non-MDE: Five (5) ESSM Shipping Containers, Five (5) MK–73 Continuous Wave illumination Transmitters, Ten (10) MK25 Quad Pack Containers, One (1) Inertial Missile Initializer Power Supply (IMIPS), canisters, spare and repair parts, support and test equipment, publications and technical documentation, personnel training, U.S. Government and contractor engineering, technical and logistics support services, technical assistance, installation and integration oversight support, logistics, program management, packaging and transportation.

(iv) Military Dcpm1ment: Navy.

(v) Prior Related Cases, if any: CI–P–AFO, P&A data.

(vi) Sales Commission. Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached.

(viii) Date Report Delivered to Congress: July 1, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Chile—Evolved Seasparrow Missiles (ESSMs)

The Government of Chile has requested a possible sale of:

Major Defense Equipment (MDE):

Thirty-three (33) Evolved Seasparrow Missiles (ESSMs).

Six (6) Evolved Seasparrow Telemetry Missiles.

Three (3) MK 41 Vertical Launching Systems (VLS), tactical version, baseline VII.

Non-MDE: This request also includes the following Non-MDE: Ten (10) MK25 Quad Pack Canisters; Five (5) ESSM Shipping Containers; Five (5) MK–73 Continuous Wave Illumination Transmitters, One (1) Inertial Missile Initializer Power Supply (IMIPS); spare and repair parts, support and test equipment, publications and technical documentation, personnel training, U.S. Government and contractor engineering, technical and logistics support services, technical assistance, installation and integration oversight support, logistics, program management, packaging and transportation.

The total estimated value of MDE is $73.2 million. The total overall estimated value is $140.1 million.

This proposed sale will contribute to the foreign policy and national security of the United States by increasing Chile's ability to contribute to regional security and promoting interoperability with the U.S. forces. The sale will provide upgraded air defense capabilities on Chile's type 23 frigates. The proposed sale improves Chile's capability to deter regional threats and strengthen its homeland defense. Chile will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractors will be Raytheon Missile Systems, Tucson, Arizona, BAE Systems, Aberdeen, South Dakota, and Lockheed Martin, Bethesda, MD. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Chile.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16–39

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The sale of Evolved Seasparrow missiles (ESSM) under this proposed FMS case will result in the transfer of classified missile equipment to Chile. Both classified and unclassified defense equipment and technical data will be transferred. The missile includes the guidance section, warhead section, transition section, propulsion section, control section and Thrust Vector Control (TVC), of which the guidance section and transition section are classified CONFIDENTIAL. Standard missile documentation to be provided under this FMS case will include:

a. Parametric documents classified CONFIDENTIAL.

b. Missile Handling/Maintenance Procedures.

c. General Performance Data classified CONFIDENTIAL

d. Firing Guidance classified CONFIDENTIAL.

e. Dynamics Information classified CONFIDENTIAL.

2. The MK 41 Vertical Launching Systems (VLS) is a fixed, vertical, multi-missile launching system with the capability to store and launch multiple missile variants depending on the warfighting mission. MK 41 VLS is a modular, below-deck configuration with each module consisting of 8 missile cells with an associated gas management and deluge system. The highest classification of the hardware to be exported is UNCLASSIFIED. The highest classification of the technical documentation to be exported is UNCLASSIFIED. The highest classification of software to be exported is CONFIDENTIAL.

3. The proposed sale of ESSM under this FMS case will result in the transfer of sensitive technological information and or restricted information contained in the missile guidance section. Certain operating frequencies and performance characteristics are classified SECRET because they could be used to develop tactics and/or countermeasures to reduce or defeat missile effectiveness.

4. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, primarily performance characteristics, engagement algorithms, and transmitter specific frequencies, the information could be used to develop countermeasures that might reduce weapon system effectiveness.

5. A determination has been made that the recipient country can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

6. All defense articles and services listed in this transmittal have been authorized for release and export to Chile.

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–40, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Israel for defense articles and services estimated to cost $300 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JENNIFER ZAKRISKI,
(For J.W. Rixey, Vice Admiral, USN Director).

Enclosures.

TRANSMITTAL NO. 16–40

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Israel.

(ii) Total Estimated Value:

Major Defense Equipment *—$55 million.

Other—$245 million.

Total—$300 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Twelve (12) T–700 GE 401C engines (ten (10) installed and two (2) spares)

Non-MDE:

This request also includes the following non MDE items: eight (8) AN/APN–194(V) Radar Altimeters, eight (8) AN/APN–217A Doppler Radar Navigation Sets, eight (8) AN/ARN–151 (V)2 Global Positioning Systems, eight (8) AN/APX–100(V) Identification Friend or Foe (IFF) Transponder Sets, eight (8) OA–8697 A/ARD Direction Finding Groups, eight (8) AN/ARN–118(V) NAV Receivers, eight (8) AN/ARN–146 On Top Position Indicators, sixteen (16) 1P–1544A/ASQ–200 Horizontal Situation Video Displays (HSVD), eight (8) AN/ARC–174A (V)2 HF Radios, sixteen (16) AN/ARC182(V) UHF/UHF Radios, eight (8) PIN 70600–81010–011 Communication System Controllers, eight (8) GAU–16 50 Caliber Machine Guns, eight (8) M–60D/M–240 Machine Guns, eight (8) Internal Auxiliary Fuel Tanks, sixteen (16) External Auxiliary Fuel Tanks, and eight (8) C–11822/AWQ Controllers, Armament System. Also included are spares and repair parts, support and test equipment, communication equipment, ferry support, publications and technical documentation, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support.

(iv) Military Department: Navy.

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee. etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached.

(vii) Date Report Delivered to Congress: July 5, 2016.

*as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Israel—Excess SH–60F Sea-Hawk Helicopter equipment and support

The Government of Israel has requested to procure twelve (12) T–700 GE 401C engines (ten (10) installed and two (2) spares), eight (8) AN/APN–194(V) Radar Altimeters; eight (8) AN/APN–217A Doppler Radar Navigation Sets; eight (8) AN/ARN–151 (V)2 Global Positioning Systems; eight (8) AN/APX–100(V) Identification Friend or Foe (IFF) Transponder Sets; eight (8) OA–8697 A/ARD Direction Finding Groups; eight (8) AN/ARN–118(V) NAV Receivers; eight (8) AN/ARN–146 On Top Position Indicators; sixteen (16) IP–1544A/ASQ–200 Horizontal Situation Video Displays (HSVD); eight (8) AN/ARC–174A (V)2 HF Radios; sixteen (16) AN/ARC182(V) UHF/UHF Radios; eight (8) PIN 70600–81010–011 Communication System Controllers; eight (8) GAU–16 50 Caliber Machine Guns; eight (8) M–60D/M–240 Machine Guns; eight (8) Internal Auxiliary Fuel Tanks; sixteen (16) External Auxiliary Fuel Tanks; and eight (8) C–11822/AWQ Controllers, Armament System. Also included are spares and repair parts, support and test equipment, communication equipment, ferry support, publications and technical documentation, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support. The estimated cost is $300 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a strategic regional partner, which has been, and continues to be, an important force for political stability and economic progress in the Middle East.

Israel has been approved to receive eight (8) SH–60F Sea Hawk Helicopters via the Excess Defense Articles (EDA) Program under a separate notification. That separate notification included only the SH–60 airframes, thus this transmittal includes all the major components and customer-unique requirements requested to supplement the EDA grant transfer.

Israel has purchased four new frigates to secure the Leviathan Natural Gas Field. The SH–60F helicopters will be used onboard these new frigates to patrol and protect these gas fields as well as other areas under threat.

The proposed sale will improve Israel's capability to meet current and future threats. The SH–60F Sea-Hawk Helicopters along with the parts, systems, and support enumerated in this notification will provide the capability to perform troop/transport deployment, communications relay, gunfire support, and search and rescue. Secondary missions include vertical replenishment, combat search and rescue, and humanitarian missions. Israel will use the enhanced capability as a deterrent to regional threats and to strengthen its homeland defense. Israel will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors will be Science and Engineering Services, LLC, Huntsville, Alabama, and General Electric (GE) of Lynn, Massachusetts. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of additional U.S. Government and/or contractor representatives to Israel.

TRANSMITTAL NO. 16–40

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The U.S. Navy primarily employed the SH–60F as an aircraft carrier based anti-submarine warfare aircraft and a search and rescue support aircraft during carrier flight operations. Unless otherwise noted below, SH–60F hardware and support equipment, test equipment and maintenance spares are UNCLASSIFIED.

2. Global Positioning System (GPS)/Precise Positioning Service (PPS)/Selective Availability Anti-spoofing Module (SAASM). The GPS/PPS/SAASM provides a Space-based Global Navigation Satellite System (GNSS) that provides reliable location and time information in all weather at all times and anywhere on or near the Earth when the signal is unobstructed line of site to four or more GPS satellites.

3. The AN/ARC–182–electronic counter-countermeasures (ECCM) Radio is a combined Very High Frequency (VHF)/Ultra High Frequency (UHF) military communications system designed for all types of fixed-wing aircraft and helicopters. Small and light enough to be especially attractive for installation in the lighter aircraft classes, it covers the frequency bands from 30 to 88 MHz in FM, 116 to 156 MHz in AM, 156 to 174 MHz in FM and for the UHF band 225 to 400 MHz in both AM and FM modes. Additionally, a receiver-only facility covering the band 108 to 116 MHz is provided for navigation purposes. Channel spacing throughout the range is at 25 KHz intervals.

4. The AN/ARC–174A (V)2 HF Radio provides capability to transmit and receive on Upper Sideband (USB), Lower Sideband (LSB), and Amplitude Modulation (AM).

5. A determination has been made that Government of Israel can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

6. All defense articles and services listed in this transmittal have been authorized for release and export to Israel.

NATIONAL CONSTITUTION WEEK

Mr. SESSIONS. Mr. President, today I wish to recognize the week of September 17, 2016, as National Constitution Week.

In September of 1787, our Founding Fathers signed the most influential document in American history, the U.S. Constitution. Constitution Week was first observed in 1956 with the purpose of celebrating this historic document and recognizing the Constitution

as the basis for America's great heritage and the foundation for our way of life. In addition, this week is observed to emphasize the responsibilities of citizens for protecting and defending the Constitution and encouraging the study of the historical events which led to the framing of the Constitution.

The students at Olive J. Dodge Elementary in Mobile, AL, taught by Janet Leffard, annually ring bells during Constitution Week to recognize the importance of this document to our country. I would like to follow their example honoring Constitution Week and its significance.

The U.S. Constitution established America's national government and fundamental laws, while also guaranteeing certain rights for its citizens. Out entire structure of government is directed by this brilliant charter. Though we are a relatively new nation, our Constitution is the longest existing constitution in the world. It has provided us security, prosperity, stability, and freedom—qualities of life few other people in the world possess.

Please join me in recognizing the week of September 17 as Constitution Week, the anniversary of the day the framers signed this great document.

I thank the Chair.

100TH ANNIVERSARY OF THE NATIONAL PARK SERVICE

Mr. ENZI. Mr. President, today I wish to commemorate the 100th anniversary of the National Park Service.

On August 25, 1916, President Woodrow Wilson signed a bill creating the National Park Service to oversee the country's parks and monuments. Since then, the National Park Service has been asked to serve generations of visitors by helping to provide a gateway to the wonders of our nation. Our children and grandchildren have had the opportunity to experience things that cannot be fully appreciated by pictures in a book or lessons in a classroom. May that gateway remain open for the next 100 years and beyond.

Now, this is something we should all celebrate, but it is especially important to me because Wyoming is home to some of the best National Park Service areas in this country, including the very first national park.

Yellowstone National Park was named our first national park in 1872, well before the existence of the National Park Service. It was ''set apart as a public park or pleasuring ground for the benefit and enjoyment of the people'' for good reason. Every elementary school student learns about Old Faithful, the geyser that erupts about 17 times a day at Yellowstone, but Yellowstone is also home to more than 60 different mammals, more than 300 different birds, more than 15 species of fish, and 10 species of reptiles and amphibians.

Of course, Yellowstone isn't Wyoming's only national park. My home State is also home to Grand Teton National Park, which was established in 1929. In addition to boasting one of the most recognizable mountain ranges in the world, this park is home to the famous Snake River.

I also mentioned that the National Park Service helps to oversee national monuments. That includes the country's first national monument, which is also in Wyoming. Devils Tower was declared the first national monument in 1906 and is one of the most unique formations in the world. It is a great place for hiking, climbing, or just taking in the views.

Wyoming is also home to Fossil Butte National Monument, which contains one of the largest deposits of freshwater fish fossils in the world. At this monument, you can see fossils of everything from perch to stingrays.

I would be remiss if I did not mention Fort Laramie National Historic Site in Wyoming. Fort Laramie was established as a fur trading fort in 1834 and became an Army post in 1849. The fort was the site of many important treaty negotiations and became a part of the National Park System in 1938.

My home State also has the Bighorn Canyon National Recreation Area. There are about 28 miles of trails, boating opportunities, and historic ranches at this national park area, which was established in 1966.

These are just a few of the 412 areas managed by the National Park System, but I think they are some of the best. Wyoming is proud of its national park areas, and we are proud to celebrate the National Park Service's centennial.

I want close by acknowledging the hard work of the men and women who have maintained these special places of discovery and learning in Wyoming and across our Nation. Thank you to the over 20,000 men and women of the National Park Service who go to work each day as caretakers, craftsmen, and teachers to make America's national parks second-to-none.

Thank you.

RECOGNIZING JOHNS HOPKINS AND THE CHILDREN'S MIRACLE NETWORK

Ms. MIKULSKI. Mr. President, today I recognize the incredible work of the Children's Miracle Network. Through their efforts to raise money for children's hospitals across the United States, countless children and families have had access to lifesaving health services.

One of these children is Zannah Simons of Baltimore, MD. As a newborn, Zannah was diagnosed with a prenatal heart defect and a hypoplastic right heart. One day, Zannah was taken to the hospital in cardiac arrest and diagnosed with a rare bacterial infection. She was placed on a life support machine that took over the function of her heart and lungs and was given 24 to 48 hours to live.

However, Zannah survived, and that hospital visit marked the beginning of several serious medical procedures, including two open heart surgeries to repair her heart. Doctors also recommended that Zannah's parents be screened to ensure that Zannah's heart defects weren't genetic. As a result of the screenings, it was discovered that Zannah's mother had hypoplastic left heart syndrome.

Zannah is now a healthy and active 4-year-old who loves to dance and sing. Stories like Zannah's highlight the importance of medical institutions like Johns Hopkins, where she received care, as well as the Children's Miracle Network who helped make this access to care possible.

Because of medical research, lives like Zannah's are saved and improved. Chronic diseases are better managed. We are better able to detect diseases at their earliest and most treatable stages and people survive conditions that were once considered fatal. These improvements did not just happen overnight; they happened because we invested needed resources and because we supported our Nation's brilliant medical workforce. We must continue to do so.

Medical research is an investment that helps Americans to live longer and with better quality of life. We must not abandon our commitment to developing new techniques and technologies for curing and preventing illness.

Since 1983, the Children's Miracle Network has raised $5 billion and distributed it to 170 children's hospitals. The hospitals use these donations for uncompensated care, family lodging, and travel expenses and research. In the case of Zannah, these donations helped fund the medical equipment that ultimately saved her life.

The funds that hospitals receive from the Children's Miracle Network provides a safety net to families under incredible stress.

Johns Hopkins Children's Center and the Children's Miracle Network played a role in saving Zannah's life, as well as diagnosing her mother's heart issue. This would not have been possible were it not for advances in medical research and the support that the Children's Miracle Network provides. Every minute, 62 children enter a Children's Miracle Network hospital. Unfortunately, some children are not as lucky as Zannah. Let's continue to support medical research and family safety net programs so that all children have the opportunity to live a full and healthy life.

RECOGNIZING THE CRUISE TRAVEL INDUSTRY

Mr. BOOKER. Mr. President, today I wish to acknowledge the creativity and professionalism of the men and women of the cruise travel industry. Up until the early 1800s, cruise ships were primarily concerned with transporting mail and cargo. It wasn't until 1818 that the first cruise ship company to transport passengers began regular

service from the United States to Europe. Since then, cruising has become one of the most popular and unique methods of traveling enjoyed by my constituents and individuals and families across the country.

The cruise ship industry would not have taken off if it weren't for the diligent men and women who undergo a series of training programs and professional development to become cruise travel professionals.

In 2014, the cruise industry generated approximately 375,000 American jobs and generated $46 billion in gross output of spending on both crew members and passengers. In New Jersey alone, the cruise industry has generated over 7,500 jobs and $451 million in income.

Traveling by cruise has changed the way Americans vacation. Cruising offers unique amenities, activities for families, entertainment, fine dining, and experiences before the destination is even reached. This summer, as American families hopefully enjoy more leisure time, let's thank and acknowledge the workers in the travel and tourism industry, including cruise travel professionals who contribute to this country's economy.

200TH ANNIVERSARY OF THE TOWN OF MOSCOW, MAINE

Ms. COLLINS. Mr. President, today I wish to commemorate the 200th anniversary of the town of Moscow, ME. Lying at the foothills of Maine's Western Mountains and on the banks of the mighty Kennebec River, Moscow was built with a spirit of determination and resilience that still guides the community today. This bicentennial is a time to celebrate the generations of hard-working and caring people who have made it such a wonderful place to live, work, and raise families.

Moscow is a small town with a big history. In the fall of 1775, Colonel Benedict Arnold—before he became a traitor—led the newly formed Continental Army through the region on the ill-fated but valiant attempt to capture Quebec. While the first major military initiative of the Revolutionary War failed, it demonstrated the American resolve that would eventually bring independence. One of the oldest graves in Moscow's Union Cemetery is that of Joseph Kirk, one of the regiment's men, and Baker Cemetery is the final resting place of David Decker, a member of the Boston Tea Party.

After independence was won, settlement began when two great patriots—the financier William Bingham and General Henry Knox—joined together in the famous Bingham Purchase, the acquisition of 2 million acres of Maine wilderness. Shortly afterward, the first sawmill was built, the timber industry thrived, and the population boomed.

When the town was officially incorporated on January 30, 1816, the citizens chose the name of their new community with care, finally selecting Moscow to honor the people of the Russian city who repelled Napoleon's invasion in 1812 with great courage and sacrifice.

The first settlers were drawn by fertile soil, vast forests, and fast-moving waters, which they turned into productive farms and busy mills. The wealth produced by the land and, by hard work and determination, was invested in schools and churches to create a true community.

The industriousness of Moscow is demonstrated by two remarkable feats of engineering. In 1904, construction began on the Gulf Stream Trestle across Austin Stream to extend the Somerset Railroad in order to grow the logging and outdoor recreation industries. Seven hundred feet long and 125 feet high, the trestle was one of the largest structures to span a river in New England.

Although the trestle has been removed, the Wyman Dam remains one of the town's most outstanding features, supplying power to a large part of central Maine. Replacing a natural course of rapids 140 feet high on the Kennebec River, the construction of the dam began in 1928, and the dam was in operation just 2 years later. This massive project required a labor force of 2,400 workers, whose families had to be housed, so a settlement of nearly 300 homes was built, along with a school for the children. In addition to electricity, the project created beautiful Wyman Lake, one of Maine's largest lakes and a favorite recreation destination.

Moscow has always been a town of involved citizens, working hard and working together. The planning and volunteerism that have gone into this yearlong bicentennial celebration confirm that this spirit grows only stronger. Thanks to those who came before, Moscow has a wonderful history. Thanks to those who are there today, it has a bright future.

100TH ANNIVERSARY OF THE YORK FIRE DEPARTMENT IN YORK, MAINE

Ms. COLLINS. Mr. President, today I wish to recognize the 100th anniversary of the founding of the York Fire Department in the town of York, ME. It is an honor to congratulate the dedicated firefighters, past and present, for their skill and courage in protecting their community.

The York Fire Department was established in the aftermath of a disastrous fire at a seaside resort hotel on January 26, 1916. At that time, the only fire protection in the town was headquartered at York Beach, some 3 miles away. Although the York Beach firefighters responded valiantly, the distance, winter conditions, and inadequate equipment prevented them from saving the large wooden structure.

A town with two distinct and distant residential and commercial districts clearly needed two fire departments, so immediately after the resort fire, the York Village and Corner Ever-Ready Volunteer Fire Company was organized, with Bert Newick as the first chief. Enthusiasm for this new endeavor was so high that one writer observed that ''it seemed as though three-quarters of the town's eligible young men were becoming volunteer firefighters.''

Enthusiasm remains just as high today. York Fire Department firefighters are true volunteers, receiving no compensation for their rigorous training and dangerous duties. In addition to advanced training in firefighting and hazardous materials response, the majority of York's volunteers have EMT or paramedic certification. The department has only three paid positions to ensure that the fire station is staffed around the clock.

The people of York are grateful for these efforts and have supported funding for many improvements to equipment and facilities through the years. Individual citizens have stepped forward to provide such vital equipment as the department's first two-way radios in 1954 and its first fire/rescue boat in 2004.

A special project of the York Fire Department Auxiliary, the Southern Maine Advanced Rehab Team, consists of people who want to help out but are unable to serve as firefighters. Their SMART truck provides drinking water, coffee, food, communications, and portable radio battery charging at fire scenes, as well as misting fans to cool the firefighters. These volunteers are invaluable at any fire scene and often respond to fires in neighboring towns.

Firefighters from throughout Maine will join in the centennial observance this September when the Maine State Federation of Firefighters holds its 53rd annual convention in York. The convention will coincide with the 15th anniversary of the 9/11 attacks and will commemorate all firefighters who have lost their lives while saving the lives of others. Among those memorialized will be Lt. Wayne Fuller who was killed while responding to a fire in 1974, the only York firefighter to fall in the line of duty.

America's firefighters play a vital role in the security of our Nation and the safety of our people. Whether it is in response to a terrorist attack, a natural disaster, or a fire, Americans rely on our firefighters, and our firefighters always answer the call. The firefighters of York, ME, are a shining example of that commitment, and I join the people of their town in saluting them for a century of service.

REMEMBERING MARGARET SCHLICKMAN

Mr. KIRK. Mr. President, today I honor the life of Margaret Schlickman, who passed away on July 1, 2016, at the age of 86. Margaret was a 50-year resident of Arlington Heights, IL, and was a mother, grandmother, dedicated congressional staffer, community leader, and a passionate advocate for the homeless.

Margaret was born in Rockford, IL, but later moved to Arlington Heights, and during her time there, she was an active member of St. James Catholic Church. Through the church's outreach, she witnessed the area's migrant farmworkers' housing plight and became a member of the inaugural Village Housing Commission in 1979. She continued in that post through 2006. Locally, she was known as the ''housing leader of Arlington Heights,'' and she spent much of her time volunteering with Public Action to Deliver Shelter, PADS, in Illinois, a provider of shelter and support services for the homeless.

In 1978, Margaret joined the staff of U.S. Senator Charles Percy, and in 1980, she began working for newly elected Congressman John Porter. She retired from Congressman Porter's office in 1996 as the supervisor of constituent services. I first met Margaret while we were both working for Congressman Porter. She taught all who worked with her the important commitment to constituent services and lived by the premise that the constituent was always right unless proven wrong. Congressman Porter was known during his time in office for his excellent constituent service; much of this is due to the hard work and dedication of Margaret, as well as the training she provided to the staffers who worked with her. She was a dedicated public servant, and no one epitomized being a congressional staffer in the way Margaret Schlickman did.

Margaret continued to be active in the community after she retired from Congressman Porter's office, including in politics. When I decided to run for Congress, Margaret helped my campaign from the start, being an early supporter of my first congressional race. I remember fondly meeting in her kitchen in Arlington Heights at the start of my 2000 campaign, and she remained a true ally and friend throughout my time in office.

Margaret Schlickman will be missed by her family, her community, and by me. Her legacy of service to others is one which we all should strive to meet.

REMEMBERING RON MILLER

Mr. BOOZMAN. Mr. President, today I wish to recognize the life of Ron Miller for his dedication to our country and his fierce advocacy on behalf of the veteran community.

Mr. Miller was born January 20, 1938, in West Ridge, AR. He graduated from Mississippi County High School in 1955. He was enrolled in ROTC at Arkansas State College and continued in the program after fulfilling a 2-year requirement. He was one of 11 cadets at the school chosen to get their private flying license through an Army training program. After graduating in 1959, he was commissioned a second lieutenant in the U.S. Army.

He used the skills he learned at the Jonesboro Airport as the foundation for becoming an accomplished military pilot during his three tours in Vietnam flying a Huey helicopter gunship.

Ron's helicopter was under constant hostile fire. He described his responsibility to the Jonesboro Sun as supporting ''the insurgence of troops, taking them out if they got injured in a battle with the enemy on the ground. It was what I trained to do, and we did it to the best part of our ability because it meant the survival of our troops on the ground. That's why we did it.''

Among his military decorations are two Distinguished Flying Crosses and two Bronze Stars.

After retiring from the military in 1980, Mr. Miller lived in Atlanta, GA. He became inspired to find a way for him and fellow Vietnam veterans to attend the dedication of the Vietnam Veterans Memorial in Washington, DC. Ron accomplished this by leasing a plane from Delta Airlines and flying nearly 300 Vietnam veterans to Washington to attend the dedication ceremony.

His leadership gained the attention of President Ronald Reagan who appointed him executive director of the Georgia Vietnam Veterans Leadership Program, GVVLP, a State program that helped more than 3,000 veterans find full-time employment. Under Ron's leadership, the organization received numerous accolades and was recognized by President George H.W. Bush, who presented Ron and the GVVLP with his prestigious Thousand Points of Light award for their service to veterans and their families.

Ron brought the Vietnam war to the silver screen as the associate producer of ''Beyond Courage—Surviving Vietnam as POW,'' served as master of ceremonies for the world premiere of the Golden Globe winning HBO movie, ''Path to War,'' and wrote a book about his service ''Vietnam Special Flight, Inc.''

Mr. Miller served as the national veteran adviser for the National League of POW-MIA Families of Southwest Asia. He also had the opportunity to visit the recovery headquarters in Hawaii and Vietnam.

He returned to northeast Arkansas in 2004 and continued his commitment to veterans. He established a scholarship for Arkansas State University cadets and volunteered at the Beck PRIDE Center, among other services to our veterans. He was inducted into the Arkansas Military Veterans' Hall of Fame in 2012. He spent his life showing the remarkable difference that one man can make.

After a lifetime dedication to his country and his fellow veterans, Ron passed away on June 28, 2016, in Jonesboro, AR.

Ron was a true American hero, not only for his heroic military service, but for the way he lived his life. He was a great example for myself and countless others. I offer my prayers and sincere condolences to his loved ones on their loss.

ADDITIONAL STATEMENTS

TRIBUTE TO ASHLEY CLARK

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Ashley Clark for her hard work as an intern in my Cheyenne office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Ashley is a native of Gillette, and a graduate of Campbell County High School. She is a senior at the University of Wyoming, where she is studying kinesiology and health promotion. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Ashley for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO JOSH DILLINGER

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Josh Dillinger for his hard work as an intern in the Senate Committee on Indian Affairs. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Josh is a native of Buffalo and a graduate of Buffalo High School. He currently attends the Colorado Mesa University, where he studies K–12 art education. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Josh for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO NICK DILLINGER

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Nick Dillinger for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Nick is a native of Gillette and a graduate of Campbell County High School. He recently graduated from UC Berkeley, where he studied the globalization of energy. He will be attending law school this fall. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Nick for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO AARON EGER

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Aaron Eger for his hard work as an intern in my Casper office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Aaron is a sophomore at Casper College, where he is studying international studies. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Aaron for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO CHASE GOODNIGHT

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Chase Goodnight for his hard work as an intern in the Senate Committee on Indian Affairs. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Chase is a native of Oklahoma and a graduate of the University of Oklahoma. He currently attends the University of Oklahoma College of Law. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Chase for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO COLTON McCABE

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Colton McCabe for his hard work as an intern in my Cheyenne office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Colton is a graduate of Howard Payne University, where he studied political science. He recently completed his first year of school at the University of Wyoming School of Law. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Colton for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO CHASSIDY MENARD

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Chassidy Menard for her hard work as an intern in my Sheridan office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Chassidy is a native of Lafayette, LA. She is a junior at Wyoming Catholic College, where she studies liberal arts. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Chassidy for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO TIFFANY MORTIMORE

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Tiffany Mortimore for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Tiffany is a native of Thermopolis and a graduate of Hot Springs County High School. She is currently studying business administration at Laramie County Community College. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Tiffany for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO ASHLEE PATRICELLI

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Ashlee Patricelli for her hard work as an intern in my Casper office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Ashlee lives in Casper, where she is currently studying business administration at Casper College. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Ashlee for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO TANNER PETERSEN

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Tanner Petersen for her hard work as an intern in my Rock Springs office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Tanner is a native of Ferron, UT. She is a sophomore at Western Wyoming Community College, where she is currently studying political science and communications. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Tanner for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO ASHLEY SAULCY

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Ashley Saulcy for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Ashley is a native of Casper and a graduate of Kelly Walsh High School. She recently graduated from the University of Wyoming, where she received a bachelor's degree in international relations. She will attend graduate school at Syracuse University this fall. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Ashley for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO EMILY SPIEGELBERG

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Emily Spiegelberg for her hard work as an intern in the Republican policy committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Emily is a native of Sheridan and a graduate of Sheridan High School. She is currently a sophomore at the University of Wyoming, where she is majoring in kinesiology. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Emily for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO JENIELLE STOUT

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Jenielle Stout for her hard work as an intern in the Republican Policy Committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Jenielle is a native of Casper and a graduate of Natrona County High School. She is currently a sophomore at the University of Colorado at Colorado Springs, where she is majoring in mechanical engineering. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Jenielle for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO DR. TERRY TODD AND DR. MARK DeHART

● Mr. CRAPO. Mr. President, along with my colleague Senator JIM RISCH, I wish to honor Dr. Terry Todd and Dr. Mark DeHart, researchers at the Idaho National Laboratory, INL. The American Nuclear Society, ANS, recently recognized both as Fellows, which is the highest honor ANS bestows on an individual. These two world-class researchers are being recognized for their outstanding leadership, professional accomplishments, and service to the profession.

Dr. Terry Todd is the INL Fuel Cycle Science & Technology Director and an INL Laboratory Fellow. Terry's primary focus is directing research and development of advanced technologies for spent nuclear fuel recycling and other chemical separation applications. Dr. Todd holds bachelor's and master's degrees in chemical engineering from Montana State University and a Ph.D. in radiochemical engineering from Khlopin Radium Institute in St. Petersburg, Russia. Terry has 33 years of experience in chemical separation technologies involving spent nuclear fuel and radioactive waste, holds 23 U.S. patents and 6 Russian patents, and has published more than 180 journal articles, reports, and conference proceedings.

Dr. Mark DeHart is a distinguished R&D nuclear engineer in the INL's Reactor Physics Analysis and Design Department, and he also serves as deputy director for Reactor Physics Modeling and Simulation. Mark is the principal investigator and research director for development and validation of a modeling and simulation capability for the Transient Reactor Test Facility, TREAT, under the U.S. Department of Energy Nuclear Energy Advanced Modeling and Simulation program, NEAMS. Dr. DeHart came to the INL in 2010 from Oak Ridge National Laboratory, and he has extensive experience in reactor physics, criticality safety, depletion and spent fuel characterization, cross-section processing, and computer code verification and validation. Mark holds bachelor's, master's, and Ph.D. degrees in nuclear engineering from Texas A&M University and is the current chair of the Idaho Section of the ANS. Dr. DeHart has more than 100 publications in journals, conference proceedings, and national laboratory reports related to computational methods and other fields.

Congratulating Dr. Terry Todd and Dr. Mark DeHart for receiving this prestigious recognition is a great honor and a reminder of the many talented Idahoans working at the INL. The men and women who do exceptional research, development, and testing at the Idaho National Laboratory are greatly deserving of recognition. Thank you, Terry and Mark, for your hard work, and congratulations on your many accomplishments.●

TRIBUTE TO JOHN L. MARTIN

● Mrs. FEINSTEIN. Mr. President, today I wish to express my thanks and appreciation to John L. Martin for the excellent job he has done as director of San Francisco International Airport. After more than 30 years of public service, Mr. Martin will be retiring this summer.

John has served as airport director since November 1995 and has been with the airport since 1981. He was the founding president of the California Airports Council, a statewide consortium of 30 commercial airports that was formed in December 2009, and serves on the executive committee of the Bay Area Council, as well as the board of directors of San Francisco Travel. John also served as a past member of the board of directors and vice president of the Airports Council International-Pacific Region and was a former board member of ACI-North America.

During his tenure at SFO, the airport has undergone a truly impressive series of expansions and improvements. John oversaw one of the largest public works projects in the country at the time: the $2.4 billion SFO Master Plan, which included the construction of the new international terminal, a BART station linking the airport to the Bay Area, and the AirTrain light-rail system connecting all terminals.

Other more recent SFO accomplishments include a new terminal 2—the first and only LEED Gold terminal in the United States—and the completion of a new Federal Aviation Administration Air Traffic Control tower that was completely designed and built by airport staff.

Under his leadership, the airport is currently undertaking a $4.3 billion 10-year capital improvement plan, including a new four-star on-airport hotel, the redevelopment of terminal 1 and terminal 3, as well as an extension of the AirTrain system to the long-term parking garage. By the time the capital project is complete in 2023, it is anticipated that it will have created more than 36,000 jobs over the 10-year period.

John exemplifies excellence in public service. Under his guidance, San Francisco International Airport has truly flourished. I thank him for his tireless efforts on behalf of the city and county of San Francisco and the Bay Area region.

Again, I congratulate John Martin on a job well done and wish him a long and healthy retirement.●

TRIBUTE TO TRENTON ALENIK

● Mr. HELLER. Mr. President, today I wish to congratulate an extremely talented athlete and dedicated mentor, Trenton Alenik, who has gone above and beyond in his endeavors to help Nevada's youth. Recently, Mr. Alenik was recognized for his work by the U.S. Tennis Association with the Sandy Tueller Service Award. It gives me great pleasure to recognize him for this much-deserved accolade.

Mr. Alenik first became interested in the Marty Hennessy Inspiring Children Foundation as a teenager when he began volunteering for the organization to earn his tennis scholarship. During this time, he became increasingly involved with the foundation by organizing events and trips and mentoring children. After a successful collegiate tennis career at Villanova University, he returned to Las Vegas to once again be involved with the foundation. Since that time, Mr. Alenik has climbed the ladder and now leads the organization as executive director. In this role, he spearheads development of various educational programs, leadership programs, and organizes trips to help provide students the opportunity for higher education. I am grateful to have someone of such dedication working on behalf of Nevada's youth. The great State of Nevada is fortunate to have Mr. Alenik leading the way at this important foundation.

The Marty Hennessy Inspiring Children Foundation was initially created to motivate children through mentoring, education, tennis, and helping

support those children who lacked the finances and resources to participate in sports tournaments. The foundation now aids nearly 500 students and has grown to help support students in their ambitions to attend a college or university. The organization provides numerous programs to students, including SAT preparatory classes, tutoring, career-focused programs, athletic programs, and leadership programs. Those working at this organization, including Mr. Alenik, stand as role models in helping our community. Mr. Alenik should be commended for the time and effort he has put forth to accomplish the mission of this fine organization.

Today I ask my colleagues and all Nevadans to join me in congratulating Mr. Alenik on receiving this prestigious award and in thanking him for all of his hard work. I am honored to call him a fellow Nevadan, and I wish him the best of luck as he continues in his endeavors with the Marty Hennessy Inspiring Children Foundation.●

TRIBUTE TO MARI KAY BICKETT

● Mr. HELLER. Mr. President, today I wish to congratulate Mari Kay Bickett on her retirement after serving as chief executive officer of the National Council of Juvenile and Family Court Judges, NCJFCJ, for over 5 years. It gives me great pleasure to recognize her years of hard work and commitment to making this organization the best it can be.

Prior to her work with the NCJFCJ, Ms. Bickett served as academic director for the National Judicial College in Reno, in addition to practicing law in northern Nevada. She also served as a judge pro tem in the Reno Municipal Courts, on the Continuing Legal Education Committee of the State Bar of Nevada, and as president of the Northern Nevada Women Lawyers Association. She later served as the chief executive officer of the Texas Center for the Judiciary, which specializes in judicial education and training for trial and appellate judges.

Ms. Bickett joined the NCJFCJ as chief executive officer in April 2011 to help families throughout Nevada and across the Nation. The council's mission is to support judges throughout the United States who are working to improve the outcomes for children, families, and victims of domestic violence. The NCJFCJ works to do this by providing education, technical assistance, and research to courts. Annually, the council aids nearly 300,000 professionals in the juvenile and family justice system. Under Ms. Bickett's leadership, NCJFCJ secured 23 grant awards, a record-setting total for the council, which provided more than $11.3 million in funding and created an economic impact of $16 million in the great State of Nevada.

Ms. Bickett also served as a liaison on the Federal level, working with policymakers to help push legislation for survivors of child sex trafficking, domestic abuse, maltreatment, and neglect. She truly served as a staunch supporter of those in need, and her dedication with the NCJFCJ will be sorely missed. I am thankful to have had her working on behalf of Nevadans for over half a decade.

I ask my colleagues and all Nevadans to join me in thanking Ms. Bickett for her dedication to helping children and families throughout Nevada and across the Nation. She exemplifies the highest standards of leadership and service and should be proud of her long and meaningful career. I am proud to call her a fellow Nevadan and wish her well in all of her future endeavors.●

TRIBUTE TO MICHAEL REESE

● Mr. VITTER. Mr. President, today I wish to honor Michael Reese, chairman of Fort Polk Progress, who received the 2016 National Community Leadership Award from the Association of Defense Communities.

Originally from Leesville, LA, Reese attended Leesville High School and later graduated at the University of Louisiana at Monroe. In 2006, he was one of the founders of Fort Polk Progress, a regional organization that supports Fort Polk and the Joint Readiness Training Center. With his roots in the Fort Polk area, Reese set out to ensure that military families would be heard in decisions taking place at the fort. Through his hard work over the years, Michael has fought to support the needs of the base, while also addressing the needs of the community. In recent years, he worked with national leaders to obtain a new elementary school for Fort Polk that will serve more than 800 students and will open later in this year. Also, Michael helped ensure quality healthcare remains available on base with his work to help save the hospital from being downgraded to a clinic.

Michael Reese's dedication to military families and his public service are seen in the day-to-day work he performs for his community. In addition to serving as the CEO of American Moving and Storage, Inc., he serves as a member of the Leesville Lions Club, the Association of Defense Communities, Association of the United States Army, Vernon Chamber of Commerce, Central Louisiana Chamber of Commerce, Beauregard Chamber of Commerce, and Southwest Louisiana Economic Development Alliance. In addition, he serves on the board of directors of Merchants and Farmers Bank, the board of trustees of the Rapides Foundation, and the board of the Central Louisiana Economic Development Alliance, and he is a charter member of the Louisiana Military Affairs Council.

With his unique leadership skills, he continues to keep quality of life issues a top priority on base, including his continued work to ensure that our local military men and women and their families get the quality health care they deserve. Michael Reese has clearly earned the honor of the National Community Leadership Award from the Association of Defense Communities, and I thank him for his dedicated service to Fort Polk, its military and civilian employees, and to the State of Louisiana.●

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on June 30, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. HARRIS) has signed the following enrolled bill:

S. 2328. An act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bill was signed on June 30, 2016, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

MESSAGE FROM THE HOUSE

At 12:45 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1838. An act to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, and for other purposes.

H.R. 2273. An act to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskadee Project to enable the use of the active capacity of the Fontenelle Reservoir.

H.R. 3079. An act to take certain Federal land located in Tuolumne County, California, into trust for the benefit of the Tuolumne Band of Me-Wuk Indians, and for other purposes.

H.R. 3844. An act to establish the Bureau of Land Management Foundation to encourage, obtain, and use gifts, devises, and bequests for projects for the benefit of, or in connection with, activities and services of the Bureau of Land Management, and for other purposes.

H.R. 4538. An act to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

H.R. 4539. An act to establish the 400 Years of African-American History Commission, and for other purposes.

H.R. 4582. An act to exclude striped bass from the anadromous fish doubling requirement in section 3406(b)(1) of the Central Valley Project Improvement Act, and for other purposes.

H.R. 4685. An act to take certain Federal lands located in Tulare County, California, into trust for the benefit of the Tule River Indian Tribe, and for other purposes.

H.R. 4854. An act to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company.

H.R. 4855. An act to amend provisions in the securities laws relating to regulation

crowdfunding to raise the dollar amount limit and to clarify certain requirements and exclusions for funding portals established by such Act.

H.R. 4875. An act to establish the United States Semiquincentennial Commission, and for other purposes.

H.R. 5210. An act to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

H.R. 5244. An act to provide for the establishment of a national memorial and national monument to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, and for other purposes.

The message further announced that the House agreed to the amendment of the Senate to the text of the bill (H.R. 3766) to direct the President to establish guidelines for United States foreign development and economic assistance and programs, and for other purposes, and that the House agreed to the amendment of the Senate to the title of the aforementioned bill.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1838. An act to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3844. An act to establish the Bureau of Land Management Foundation to encourage, obtain, and use gifts, devises, and bequests for projects for the benefit of, or in connection with, activities and services of the Bureau of Land Management, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4539. An act to establish the 400 Years of African-American History Commission, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4582. An act to exclude striped bass from the anadromous fish doubling requirement in section 3406(b)(1) of the Central Valley Project Improvement Act, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4685. An act to take certain Federal lands located in Tulare County, California, into trust for the benefit of the Tule River Indian Tribe, and for other purposes; to the Committee on Indian Affairs.

H.R. 5210. An act to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes; to the Committee on Finance.

H.R. 5244. An act to provide for the establishment of a national memorial and national monument to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3110. A bill to provide for reforms of the administration of the outer Continental Shelf of the United States, to provide for the development of geothermal, solar, and wind energy on public land, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2273. An act to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskadee Project to enable the use of the active capacity of the Fontenelle Reservoir.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on June 30, 2016, she had presented to the President of the United States the following enrolled bill:

S. 2328. An act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6000. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Community Facility Loans'' ((7 CFR Part 1942) (RIN0575–AD05)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6001. A communication from the Assistant Secretary for Land and Minerals Management, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Civil Penalties Inflation Adjustments'' ((RIN1029–AC72) (Docket ID OSM–2016–0008)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2016; to the Committee on Energy and Natural Resources.

EC–6002. A communication from the Director of Congressional Affairs, Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''BWR Vessel and Internal Project: Thermal Aging and Neutron Embrittlement Evaluation of Cast Austenitic Stainless Steel for BWR Internals'' (BWRVIP–234) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2016; to the Committee on Environment and Public Works.

EC–6003. A communication from the Director of Congressional Affairs, Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Standard Review Plan for Renewal of Specific Licenses and Certificates of Compliance for Dry Storage of Spent Nuclear Fuel'' (NUREG–1927, Revision 1) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2016; to the Committee on Environment and Public Works.

EC–6004. A communication from the Director of Congressional Affairs, Office of Chief Financial Officer, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Civil Penalties for Inflation'' ((RIN3150–AJ72) (NRC–2016–0057)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2016; to the Committee on Environment and Public Works.

EC–6005. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additive Permitted in Feed and Drinking Water of Animals; Chromium Propionate; Extension of the Comment Period'' (Docket No. FDA–2014–F–0232) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–6006. A communication from the Chairman, Merit Systems Protection Board, transmitting, pursuant to law, a report entitled ''Preventing Nepotism in the Federal Civil Service''; to the Committee on Homeland Security and Governmental Affairs.

EC–6007. A communication from the Deputy Director, National Legislative Division, The American Legion, transmitting, pursuant to law, a report relative to the financial condition of The American Legion as of December 31, 2015 and 2014; to the Committee on the Judiciary.

EC–6008. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (33); Amdt. No. 3694'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6009. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (127); Amdt. No. 3693'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6010. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace for the following Tennessee Towns; Jackson, TN; Tri-Cities, TN'' ((RIN2120–AA66) (Docket No. FAA–2016–0735)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6011. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Walla Walla, WA'' ((RIN2120–AA66) (Docket No. FAA–2015–3675)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6012. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace for the following Oklahoma towns; Antlers, OK; Oklahoma City, OK; Oklahoma City Wiley Post Airport, OK; and Shawnee, OK'' ((RIN2120–AA66) (Docket No. FAA–2015–7857)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6013. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Lisbon, ND'' ((RIN2120–AA66) (Docket No. FAA–2015–5800)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6014. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Harlan, KY'' ((RIN2120–AA66) (Docket No. FAA–2016–3108)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6015. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace for the following South Dakota Towns; Belle Fourche, SD; Madison, SD; Mobrigde, SD; and Vermillion, SD'' ((RIN2120–AA66) (Docket No. FAA–2016–0525)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6016. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Ash Flat, AR'' ((RIN2120–AA66) (Docket No. FAA–2016–4235)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6017. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Taos, NM'' ((RIN2120–AA66) (Docket No. FAA–2016–0526)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6018. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Clovis, NM'' ((RIN2120–AA66) (Docket No. FAA–2016–0449)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6019. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–8426)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6020. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–3990)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6021. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–5811)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6022. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–4808)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6023. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–8427)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6024. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0250)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6025. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–7528)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6026. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–4815)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6027. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0006)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6028. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–7528)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6029. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–6147)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6030. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–3982)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6031. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–6149)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6032. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–3141)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6033. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2462)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6034. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0247)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6035. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0246)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6036. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–6548)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6037. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0496)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6038. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–1273)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6039. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–5812)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6040. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–8431)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6041. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–3634)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6042. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters (Type Certificate Previously Held by Eurocopter France)'' ((RIN2120–AA64) (Docket No. FAA–2015–3741)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6043. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Previously Eurocopter Deutschland GmbH) (Airbus Helicopters)'' ((RIN2120–AA64) (Docket No. FAA–2014–0903)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6044. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Services B.V. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–8430)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6045. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BLANIK LIMITED Gliders'' ((RIN2120–AA64) (Docket No. FAA–2016–4231)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6046. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Viking Air Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–6628)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6047. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; M7 Aerospace LLC Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–4256)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6048. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–8465)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6049. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Piper Aircraft, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0338)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6050. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2015–7490)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6051. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2016–2859)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6052. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Operation and Certification of Small Unmanned Aircraft Systems'' ((RIN2120–AJ60) (Docket No. FAA–2015–0150)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6053. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Flight Simulation Training Device Qualification Standards for Extended Envelope and Adverse Weather Event Training Tasks'' (RIN2120–AK08) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

EC–6054. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Parts 0, 1, 2, and 15 of the Commission's Rules Regarding Authorization of Radiofrequency Equipment and Amendment of Part 68 Regarding Approval of Terminal Equipment by Telecommunications Certification Bodies'' ((ET Doc. No. 13–44) (FCC 16–74)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2016; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2375. A bill to decrease the deficit by consolidating and selling excess Federal tangible property, and for other purposes (Rept. No. 114–291).

S. 2450. A bill to amend title 5, United States Code, to address administrative leave for Federal employees, and for other purposes (Rept. No. 114–292).

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship:

Report to accompany S. 1470, A bill to amend the Small Business Act to provide additional assistance to small business concerns for disaster recovery, and for other purposes (Rept. No. 114–293).

By Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 3136. An original bill to reauthorize child nutrition programs, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

*Andrew Mayock, of Illinois, to be Deputy Director for Management, Office of Management and Budget.

By Mr. GRASSLEY for the Committee on the Judiciary.

Carole Schwartz Rendon, of Ohio, to be United States Attorney for the Northern District of Ohio for the term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KING (for himself, Mr. UDALL, Mr. CARDIN, Mrs. SHAHEEN, and Mr. CRAPO):

S. 3126. A bill to amend the Congressional Budget Act of 1974 respecting the scoring of preventive health savings; to the Committee on the Budget.

By Mr. HEINRICH (for himself, Mr. UDALL, and Mr. FLAKE):

S. 3127. A bill to amend title 18, United States Code, to enhance protections of Native American cultural objects, and for other purposes; to the Committee on Indian Affairs.

By Mr. GRASSLEY:

S. 3128. A bill to improve transparency regarding the activities of the American Red Cross; to the Committee on the Judiciary.

By Mr. THUNE (for himself, Ms. CANTWELL, Mr. MORAN, and Mr. TESTER):

S. 3129. A bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2016; to the Committee on Finance.

By Mr. MARKEY (for himself, Mr. CORNYN, Mr. BENNET, and Mr. PORTMAN):

S. 3130. A bill to amend title XVIII of the Social Security Act to provide for a permanent Independence at Home medical practice program under the Medicare program; to the Committee on Finance.

By Ms. BALDWIN:

S. 3131. A bill to ensure the use of American iron and steel in public water systems, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. FISCHER (for herself and Mr. BOOKER):

S. 3132. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide service dogs to certain veterans with severe post-traumatic stress disorder; to the Committee on Veterans' Affairs.

By Mr. CASEY (for himself and Mr. WHITEHOUSE):

S. 3133. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to require States to report on the administration of certain fees; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself and Mrs. MURRAY):

S. 3134. A bill to improve Federal population surveys by requiring the collection of voluntary, self-disclosed information on sexual orientation and gender identity in certain surveys, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GARDNER (for himself, Mr. CORNYN, Mrs. CAPITO, Mr. SCOTT, Mr. RISCH, Mr. ROBERTS, Mr. HELLER, Ms. AYOTTE, Mr. BARRASSO, Mr. PERDUE, and Mr. ISAKSON):

S. 3135. A bill to prohibit any officer or employee of the Federal Government who has exercised extreme carelessness in the handling of classified information from being granted or retaining a security clearance; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROBERTS:

S. 3136. An original bill to reauthorize child nutrition programs, and for other purposes; from the Committee on Agriculture, Nutrition, and Forestry; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCAIN:

S. Con. Res. 42. A concurrent resolution to express the sense of Congress regarding the safe and expeditious resettlement to Albania of all residents of Camp Liberty; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 6

At the request of Mr. UDALL, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 6, a bill to reform our government, reduce the grip of special interest, and return our democracy to the American people through increased transparency and oversight of our elections and government.

S. 314

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 469

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 469, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

S. 689

At the request of Mr. THUNE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 689, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 1200

At the request of Mr. BLUMENTHAL, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1200, a bill to promote competition and help consumers save money by giving them the freedom to choose where they buy prescription pet medications, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1566

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1566, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for coverage of oral anticancer drugs on terms no less favorable than the coverage provided for anticancer medications administered by a health care provider.

S. 1609

At the request of Mr. KAINE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1609, a bill to provide support for the development of middle school career exploration programs linked to career and technical education programs of study.

S. 1970

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1970, a bill to establish national procedures for automatic voter registration for elections for Federal Office.

S. 2031

At the request of Mr. BARRASSO, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2042

At the request of Mrs. MURRAY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2042, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or other terms or conditions of employment and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2067

At the request of Mr. WICKER, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Connecticut (Mr. MURPHY), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery

and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2178

At the request of Mr. BOOZMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2178, a bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Heartland, Habitat, Harvest, and Horticulture Act of 2008 relating to timber, and for other purposes.

S. 2193

At the request of Mr. CRUZ, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2193, a bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes.

S. 2196

At the request of Mr. CASEY, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2216

At the request of Mrs. MCCASKILL, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2230

At the request of Mr. CRUZ, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2230, a bill to require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, and for other purposes.

S. 2526

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2526, a bill to improve the competitiveness of United States manufacturing by designating and supporting manufacturing communities, and for other purposes.

S. 2531

At the request of Mr. KIRK, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Nebraska (Mr. SASSE) were added as cosponsors of S. 2531, a bill to authorize State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 2595

At the request of Mr. CRAPO, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Kentucky (Mr. PAUL), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2631

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2631, a bill to amend the Residential Lead-Based Paint Hazard Reduction Act of 1992 to define environmental intervention blood lead level, and for other purposes.

S. 2659

At the request of Mr. BURR, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2659, a bill to reaffirm that the Environmental Protection Agency cannot regulate vehicles used solely for competition, and for other purposes.

S. 2795

At the request of Mr. INHOFE, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2795, a bill to modernize the regulation of nuclear energy.

S. 2800

At the request of Mr. COONS, the names of the Senator from Virginia (Mr. KAINE) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2800, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 2868

At the request of Mr. SCOTT, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2868, a bill to amend the Internal Revenue Code of 1986 to provide for the deferral of inclusion in gross income for capital gains reinvested in economically distressed zones.

S. 2904

At the request of Mr. WHITEHOUSE, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2904, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 2912

At the request of Mr. JOHNSON, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2927

At the request of Mr. LANKFORD, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2927, a bill to prevent governmental discrimination against providers of health services who decline involvement in abortion, and for other purposes.

S. 2997

At the request of Ms. CANTWELL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2997, a bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes.

S. 3032

At the request of Mr. ISAKSON, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3032, a bill to provide for an increase, effective December 1, 2016, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 3039

At the request of Mr. KING, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 3039, a bill to support programs for mosquito-borne and other vector-borne disease surveillance and control.

S. 3057

At the request of Mr. SCOTT, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 3057, a bill to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns.

S. 3060

At the request of Mr. GRASSLEY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 3060, a bill to provide an exception from certain group health plan requirements for qualified small employer health reimbursement arrangements.

S. 3083

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3083, a bill to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes.

S. 3092

At the request of Mr. HELLER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 3092, a bill to direct the Securities and Exchange Commission to provide a safe harbor related to certain investment fund research reports, and for other purposes.

S. 3100

At the request of Mr. TOOMEY, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Arkansas (Mr. COTTON), the Senator from Texas (Mr. CRUZ), the Senator from Mississippi (Mr. WICKER) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 3100, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

S. 3106

At the request of Mr. REID, the names of the Senator from Virginia (Mr. KAINE) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 3106, a bill to provide a coordinated regional response to effectively manage the endemic violence and humanitarian crisis in El Salvador, Guatemala, and Honduras.

S.J. RES. 35

At the request of Mr. FLAKE, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S.J. Res. 35, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of Labor relating to ''Interpretation of the 'Advice' Exemption in Section 203(c) of the Labor-Management Reporting and Disclosure Act''.

S. RES. 349

At the request of Mr. ROBERTS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

S. RES. 482

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. Res. 482, a resolution urging the European Union to designate Hizballah in its entirety as a terrorist organization and to increase pressure on the organization and its members to the fullest extent possible.

At the request of Mr. NELSON, his name was added as a cosponsor of S. Res. 482, supra.

S. RES. 517

At the request of Mr. SESSIONS, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. Res. 517, a resolution designating September 2016 as ''National Prostate Cancer Awareness Month''.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 42—TO EXPRESS THE SENSE OF CONGRESS REGARDING THE SAFE AND EXPEDITIOUS RESETTLEMENT TO ALBANIA OF ALL RESIDENTS OF CAMP LIBERTY

Mr. MCCAIN submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 42

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SENSE OF CONGRESS ON THE SAFE RESETTLEMENT OF CAMP LIBERTY RESIDENTS.

It is the sense of Congress that the United States should—

(1) work with the Government of Iraq and the United Nations High Commissioner for Refugees (UNHCR) to ensure that all residents of Camp Liberty are safely and expeditiously resettled in Albania;

(2) work with the Government of Iraq, the Government of Albania, and the UNHCR to prevent the Government of Iran from intervening in the resettlement process by abusing international organizations, including Interpol and other organizations of which the United States is a member;

(3) urge the Government of Iraq to take prompt and appropriate steps in accordance with international agreements to promote the physical security and protection of residents of Camp Liberty during the resettlement process, including steps to ensure that the personnel responsible for providing security at Camp Liberty are adequately vetted to determine that they are not affiliated with the Islamic Revolutionary Guard Corps' Qods Force;

(4) urge the Government of Iraq to ensure continued and reliable access to food, clean water, medical assistance, electricity and other energy needs, and any other equipment and supplies necessary to sustain the residents during the resettlement process;

(5) work with the Government of Iraq to make all reasonable efforts to facilitate the sale of residents' property and assets remaining at Camp Ashraf and Camp Liberty for the purpose of funding their cost of living and resettlement out of Iraq;

(6) work with the Government of Iraq and the United Nations High Commissioner for Refugees (UNHCR) to ensure that Camp Liberty residents may exercise full control of all personal assets in Camp Liberty and the former Camp Ashraf as the residents deem necessary;

(7) assist, and maintain close and regular communication with the UNHCR for the purpose of expediting the ongoing resettlement of all residents of Camp Liberty, without exception, to Albania;

(8) urge the Government of Albania, and the UNHCR to ensure the continued recognition of the resettled residents as ''persons of concern'' entitled to international protections according to principles and standards in the Convention Relating to the Status of Refugees, done at Geneva July 28, 1951, and the International Bill of Human Rights; and

(9) work with the Government of Albania and the UNHCR to facilitate and provide suitable locations for housing of the remaining Camp Liberty residents in Albania until such time when the residents become self-sufficient in meeting their residential needs in Albania.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4947. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table.

SA 4948. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4949. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4950. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4951. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4952. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4953. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4954. Ms. MURKOWSKI (for herself, Ms. CANTWELL, Mrs. MURRAY, Mr. SULLIVAN, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4955. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4956. Mrs. ERNST (for herself, Mr. GRASSLEY, Mr. SASSE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 2193, to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes; which was ordered to lie on the table.

SA 4957. Mrs. ERNST (for herself, Mr. GRASSLEY, Mr. SASSE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 3100, to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States; which was ordered to lie on the table.

SA 4958. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table.

SA 4959. Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4960. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr.

ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4961. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4962. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4963. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4964. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4965. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4966. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4967. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4968. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4969. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4970. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4971. Mr. TESTER (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

SA 4972. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4947. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, between lines 2 and 3, insert the following:

''(5) CRIMINAL PENALTIES PROHIBITED.—There shall be no Federal or State criminal penalty imposed against any person who violates this subtitle.''.

SA 4948. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''GMO Labeling Act of 2016''.

SEC. 2. PURPOSES.

The purposes of this Act are to—

(1) establish a system by which people may make informed decisions about the food they purchase and consume and by which, if they choose, people may avoid food produced from genetic engineering;

(2) inform the purchasing decisions of consumers who are concerned about the potential environmental effects of the production of food from genetic engineering;

(3) reduce and prevent consumer confusion and deception by prohibiting the labeling of products produced from genetic engineering as ''natural'' and by promoting the disclosure of factual information on food labels to allow consumers to make informed decisions; and

(4) provide consumers with data from which they may make informed decisions for religious reasons.

SEC. 3. LABELING REQUIREMENTS.

(a) IN GENERAL.—Chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.) is amended by adding at the end the following:

''SEC. 424. LABELING OF FOOD PRODUCED WITH GENETIC ENGINEERING.

''(a) IN GENERAL.—Except as provided in subsection (d), any food that is entirely or partially produced with genetic engineering and offered for retail sale after January 1, 2017, shall be labeled or shall be displayed, as applicable, in accordance with subsection (b).

''(b) LABELING REQUIREMENTS.—In the case of a food described in subsection (a), the manufacturer or retailer shall ensure that such food is labeled or displayed in accordance with the following:

''(1) MANUFACTURERS.—

''(A) RAW AGRICULTURAL COMMODITIES.—In the case of a packaged raw agricultural commodity, the manufacturer shall label the package offered for retail sale, in a clear and conspicuous manner, with the words 'produced with genetic engineering'.

''(B) PROCESSED FOOD.—In the case of any processed food that contains a product or products of genetic engineering, the manufacturer shall label the package in which the processed food is offered for sale, in a clear and conspicuous manner, with the words: 'Partially produced with genetic engineering', 'May be produced with genetic engineering', or 'Produced with genetic engineering', as applicable.

''(2) RETAILERS.—In the case of any raw agricultural commodity that is not separately packaged, the retailer shall post a label appearing on the retail store shelf or bin in which the commodity is displayed for sale, in a clear and conspicuous manner, with the words 'produced with genetic engineering'.

''(c) PROHIBITED LABELING.—Except as provided in subsection (d), a manufacturer or retailer of a food produced entirely or in part from genetic engineering shall not label the product on the package, in signage, or in advertising as 'natural', 'naturally made', 'naturally grown', 'all natural', or using any words of similar import that would have a tendency to mislead a consumer.

''(d) EXEMPTIONS.—The labeling requirements of subsection (b) shall not apply with respect to the following:

''(1) Food consisting entirely of, or derived entirely from, an animal that has not itself been produced with genetic engineering, regardless of whether the animal has been fed or injected with any food, drug, or other substance produced with genetic engineering.

''(2) A raw agricultural commodity or processed food derived from a raw agricultural commodity that has been grown, raised, or produced without the knowing or intentional use of food or seed produced with genetic engineering, except that the exception described in this paragraph shall apply only if the person otherwise responsible for complying with the requirements of subsection (b) with respect to a raw agricultural commodity or processed food obtains, from whomever sold the raw agricultural commodity or processed food to that person, a sworn statement that the raw agricultural commodity or processed food has not been knowingly or intentionally produced with genetic engineering and has been segregated from and has not been knowingly or intentionally commingled with food that may have been produced with genetic engineering at any time. In providing such a sworn statement, any person may rely on a sworn statement from a direct supplier that contains such an affirmation.

''(3) Animal feed.

''(4) A processed food that would be subject to such requirements solely because such food includes one or more processing aids or enzymes produced with genetic engineering.

''(5) Alcoholic beverages.

''(6) A processed food that would be subject to such requirements solely because such food includes one or more materials that have been produced with genetic engineering, provided that the genetically engineered materials in the aggregate do not account for more than 0.9 percent of the total weight of the processed food.

''(7) Food that an independent organization has verified has not been knowingly or intentionally produced from or commingled with food or seed produced with genetic engineering. The Secretary, shall approve, by regulation, any independent organizations from which verification shall be acceptable under this paragraph.

''(8) Food that is not packaged for retail sale and that is—

''(A) a processed food prepared and intended for immediate human consumption; or

''(B) served, sold, or otherwise provided in a restaurant or other establishment in which food is served for immediate human consumption.

''(9) Medical food, as that term is defined in section 5(b) of the Orphan Drug Act.

''(e) DISCLAIMER.—The Secretary may, through regulation, require that labeling required under this section include a disclaimer that the Food and Drug Administration does not consider foods produced from genetic engineering to be materially different from other foods.

''(f) DEFINITIONS.—In this section—

''(1) the term 'enzyme' means a protein that catalyzes chemical reactions of other substances without itself being destroyed or altered upon completion of the reactions;

''(2) the term 'genetic engineering' is a process by which a food is produced from an organism or organisms in which the genetic material has been changed through the application of—

''(A) in vitro nucleic acid techniques, including recombinant deoxyribonucleic acid (DNA) techniques and the direct injection of nucleic acid into cells or organelles; or

''(B) fusion of cells (including protoplast fusion) or hybridization techniques that overcome natural physiological, reproductive, or recombination barriers, where the

donor cells or protoplasts do not fall within the same taxonomic group, in a way that does not occur by natural multiplication or natural recombination;

''(3) the term 'in vitro nucleic acid techniques' means techniques, including recombinant DNA or ribonucleic acid techniques, that use vector systems and techniques involving the direct introduction into the organisms of hereditary materials prepared outside the organisms such as micro-injection, chemoporation, electroporation, microencapsulation, and liposome fusion;

''(4) the term 'organism' means any biological entity capable of replication, reproduction, or transferring of genetic material;

''(5) the term 'processing aid' means—

''(A) a substance that is added to a food during the processing of the food but that is removed in some manner from the food before the food is packaged in its finished form;

''(B) a substance that is added to a food during processing, is converted into constituents normally present in the food, and does not significantly increase the amount of the constituents naturally found in the food; or

''(C) a substance that is added to a food for its technical or functional effect in the processing but is present in the finished food at levels that do not have any technical or functional effect in that finished food.

''(g) RULES OF CONSTRUCTION.—This section shall not be construed to require—

''(1) the listing or identification of any ingredient or ingredients that were genetically engineered; or

''(2) the placement of the term 'genetically engineered' immediately preceding any common name or primary product descriptor of a food.''.

(b) PENALTIES.—Section 303 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333) is amended by adding at the end the following:

''(h)(1) A manufacturer who introduces or delivers for introduction into interstate commerce any food, the labeling of which is not in compliance with the applicable requirements of section 424, or a retailer who sells or offers for retail sale a food, the display for which is not in compliance with the applicable requirements of section 424, shall be liable for a civil penalty of not more than $1,000 per day, for each uniquely named, designated, or marketed food with respect to which such manufacturer or retailer is not in compliance. Calculation of the civil penalty shall not be made or multiplied by the number of individual packages of the same product introduced or delivered for introduction into interstate commerce, or displayed or offered for retail sale.

''(2) A person who knowingly provides a false statement under section 424(d)(4) that a raw agricultural commodity or processed food has not been knowingly or intentionally produced with genetic engineering and has been segregated from and has not been knowingly or intentionally commingled with food that may have been produced with genetic engineering at any time shall be liable for a civil penalty of not more than $100,000.''.

SA 4949. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 5, strike lines 1 through 4 and insert the following:

''(B) establish that any food that contains a bioengineered substance in an amount that is at least 0.9 percent of the food shall be considered a bioengineered food;''.

SA 4950. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, line 17, insert '', and any company manufacturing or marketing a product with a quick response code may not coordinate with a company selling a product with a quick response code in order to track consumers or better market to consumers'' after ''consumers''.

On page 9, line 21, after the semicolon, insert the following: ''and

''(C) information described in subparagraph (A) may be collected and kept only with respect to consumers who opt in to that collection, and a consumer's decision to not opt in to such collection shall not be the basis for a company to withhold information such company is otherwise required to disclose under this subtitle;''.

On page 10, between lines 3 and 4, insert the following:

''(e) PERSONALLY IDENTIFIABLE INFORMATION.—For purposes of subsection (d)(3), the term 'personally identifiable information' means—

''(1) any representation of information that allows the identity of an individual to whom the information applies to be reasonably inferred by either direct or indirect means; or

''(2) information—

''(A) that directly identifies an individual (such as a name, address, social security number, or other identifying number or code, telephone number, or email address), including through metadata;

''(B) that indirectly identifies specific individuals in conjunction with other data elements (which may include a combination of name, address, gender, race, birth date, physical location, geographic indicator, and other descriptors); or

''(C) through which a specific individual may be contacted physically or electronically, which may be maintained in paper, electronic, or other means.''.

SA 4951. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 13, between lines 19 and 20, insert the following:

''(c) EXCEPTION TO FEDERAL PREEMPTION.—Notwithstanding the Federal preemption provisions of subsection (b) and section 293(e), a State may continue in effect as to any food in interstate commerce that is the subject of the national bioengineered food disclosure standard under section 293 any requirement relating to the labeling or disclosure of whether a food or seed is bioengieered or genetically engineered or was developed or produced using bioengineering or genetic engineering for a food, including any requirement for claims that a food or seed is or contains an ingredient that was developed or produced using bioengineering or genetic engineering, even if such State requirement is not identical to the mandatory disclosure requirement under the standard under section 293, provided that such State requirement takes effect on or before July 1, 2016.''.

SA 4952. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 5, line 11, strike '', symbol, or'' and all that follows through ''link'' on line 14 and insert ''or symbol, and, in the case of a symbol, be a circle with the letters 'GMO' in the center''.

Strike line 16 on page 5 and all that follows through line 12 on page 6.

Strike line 16 on page 6.

SA 4953. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, strike lines 1 through 10 and insert the following:

''(1) BIOENGINEERING.—The term 'bioengineering', and any similar term, as determined by the Secretary, with respect to a food, refers to a food or food ingredient that is produced with—

''(A) in vitro nucleic acid techniques, including recombinant deoxyribonucleic acid (DNA) and direct injection of nucleic acid into cells or organelles; or

''(B) fusion of cells beyond the taxonomic family,

that overcome natural physiological reproductive or recombinant barriers and that are not techniques used in traditional breeding and selection..''.

SA 4954. Ms. MURKOWSKI (for herself, Ms. CANTWELL, Mrs. MURRAY, Mr. SULLIVAN, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. MARKET NAME FOR GENETICALLY ENGINEERED SALMON.

(a) IN GENERAL.—Notwithstanding any other provision of law, including the amendments made by section 1, for purposes of applying the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the acceptable market name of any salmon that is genetically engineered shall include the words ''Genetically Engineered'' or ''GE'' prior to the existing acceptable market name.

(b) DEFINITION.—For purposes of this section, salmon is genetically engineered if it has been modified by recombinant DNA (rDNA) techniques, including the entire lineage of salmon that contain the rDNA modification.

(c) SAVINGS CLAUSE.—Nothing in this Act, including the amendments made by this Act, affects the authority of the Food and Drug Administration to establish market names for foods.

SA 4955. Mr. SANDERS submitted an amendment intended to be proposed to

amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, between lines 2 and 3, insert the following:

''(5) PENALTIES.—

''(A) CIVIL PENALTIES; IN GENERAL.—Any person who fails to make a disclosure as described in paragraph (1) or who knowingly provides a false statement in the course of an examination or audit under paragraph (3) shall be subject to a civil penalty in an amount of not more than $1,000 per day, per food related to such failure to disclose or such false statement.

''(B) CLARIFICATIONS.—Calculation of the civil penalty under subparagraph (A) shall not be made or multiplied by the number of individual packages of the same food displayed or offered for retail sale. Civil penalties assessed under subparagraph (A) shall accrue and be assessed per each uniquely named, designated, or marketed food.

''(C) CITIZEN SUITS.—An individual whose interests are adversely affected by a violation described in subparagraph (A) may collect damages in an amount of not more than $100,000 per violation.''.

SA 4956. Mrs. ERNST (for herself, Mr. GRASSLEY, Mr. SASSE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 2193, to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 3. MANDATORY DETENTION OF CERTAIN ALIENS CHARGED WITH A CRIME RESULTING IN DEATH OR SERIOUS BODILY INJURY.

(a) SHORT TITLE.—This section may be cited as ''Sarah's Law''.

(b) IN GENERAL.—Section 236(c) of the Immigration and Nationality Act (8 U.S.C. 1226(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraphs (A) and (B), by striking the comma at the end of each subparagraph and inserting a semicolon;

(B) in subparagraph (C)—

(i) by striking ''sentence'' and inserting ''sentenced''; and

(ii) by striking '', or'' and inserting a semicolon;

(C) in subparagraph (D), by striking the comma at the end and inserting ''; or''; and

(D) by inserting after subparagraph (D) the following:

''(E)(i)(I) was not inspected and admitted into the United States;

''(II) held a nonimmigrant visa (or other documentation authorizing admission into the United States as a nonimmigrant) that has been revoked under section 221(i); or

''(III) is described in section 237(a)(1)(C)(i); and

''(ii) has been charged by a prosecuting authority in the United States with any crime that resulted in the death or serious bodily injury (as defined in section 1365(h)(3) of title 18, United States Code) of another person,''; and

(2) by adding at the end the following:

''(3) NOTIFICATION REQUIREMENT.—Upon encountering or gaining knowledge of an alien described in paragraph (1), the Assistant Secretary of Homeland Security for Immigration and Customs Enforcement shall make reasonable efforts—

''(A) to obtain information from law enforcement agencies and from other available sources regarding the identity of any victims of the crimes for which such alien was charged or convicted; and

''(B) to provide the victim or, if the victim is deceased, a parent, guardian, spouse, or closest living relative of such victim, with information, on a timely and ongoing basis, including—

''(i) the alien's full name, aliases, date of birth, and country of nationality;

''(ii) the alien's immigration status and criminal history;

''(iii) the alien's custody status and any changes related to the alien's custody; and

''(iv) a description of any efforts by the United States Government to remove the alien from the United States.''.

(c) SAVINGS PROVISION.—Nothing in this section, or the amendments made by this section, may be construed to limit the rights of crime victims under any other provision of law, including section 3771 of title 18, United States Code.

SA 4957. Mrs. ERNST (for herself, Mr. GRASSLEY, Mr. SASSE, and Mrs. FISCHER) submitted an amendment intended to be proposed by her to the bill S. 3100, to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 5. MANDATORY DETENTION OF CERTAIN ALIENS CHARGED WITH A CRIME RESULTING IN DEATH OR SERIOUS BODILY INJURY.

(a) SHORT TITLE.—This section may be cited as ''Sarah's Law''.

(b) IN GENERAL.—Section 236(c) of the Immigration and Nationality Act (8 U.S.C. 1226(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraphs (A) and (B), by striking the comma at the end of each subparagraph and inserting a semicolon;

(B) in subparagraph (C)—

(i) by striking ''sentence'' and inserting ''sentenced''; and

(ii) by striking '', or'' and inserting a semicolon;

(C) in subparagraph (D), by striking the comma at the end and inserting ''; or''; and

(D) by inserting after subparagraph (D) the following:

''(E)(i)(I) was not inspected and admitted into the United States;

''(II) held a nonimmigrant visa (or other documentation authorizing admission into the United States as a nonimmigrant) that has been revoked under section 221(i); or

''(III) is described in section 237(a)(1)(C)(i); and

''(ii) has been charged by a prosecuting authority in the United States with any crime that resulted in the death or serious bodily injury (as defined in section 1365(h)(3) of title 18, United States Code) of another person,''; and

(2) by adding at the end the following:

''(3) NOTIFICATION REQUIREMENT.—Upon encountering or gaining knowledge of an alien described in paragraph (1), the Assistant Secretary of Homeland Security for Immigration and Customs Enforcement shall make reasonable efforts—

''(A) to obtain information from law enforcement agencies and from other available sources regarding the identity of any victims of the crimes for which such alien was charged or convicted; and

''(B) to provide the victim or, if the victim is deceased, a parent, guardian, spouse, or closest living relative of such victim, with information, on a timely and ongoing basis, including—

''(i) the alien's full name, aliases, date of birth, and country of nationality;

''(ii) the alien's immigration status and criminal history;

''(iii) the alien's custody status and any changes related to the alien's custody; and

''(iv) a description of any efforts by the United States Government to remove the alien from the United States.''.

(c) SAVINGS PROVISION.—Nothing in this section, or the amendments made by this section, may be construed to limit the rights of crime victims under any other provision of law, including section 3771 of title 18, United States Code.

SA 4958. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. BIOENGINEERED FOOD HEALTH STUDIES.

(a) DEFINITIONS.—In this section—

(1) the term ''bioengineering'' has the meaning given such term in section 291 of the Agriculture Marketing Act of 1946 (as added by section 1);

(2) the term ''Director of NIH'' means the Director of the National Institutes of Health; and

(3) the term ''food'' has the meaning given such term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(b) ESTABLISHMENT.—The Director of NIH shall establish a program under which the Director of NIH shall provide grants to eligible entities to study—

(1) the potential human health benefits and risks of bioengineered food; and

(2) the potential human health benefits and risks associated with the use of herbicides and pesticides in growing bioengineered crops.

(c) LONG-TERM STUDIES.—In selecting entities to receive grants under this section, the Director of NIH shall give priority to entities that propose to conduct long-term studies or other innovative studies, at the discretion of the Director of NIH.

(d) ELIGIBLE ENTITIES.—Entities eligible for grants under this section include academic institutions, national laboratories, Federal research agencies, State and tribal research agencies, public-private partnerships, and consortiums of 2 or more such entities.

(e) REPORTS.—The Director of NIH shall submit to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Agriculture and the Committee on Energy and Commerce of House of Representative periodic reports describing—

(1) each study for which a grant has been provided under this section;

(2) any preliminary findings as a result of each such study; and

(3) a summary of topics that remain uncertain with respect to the potential human health benefits and risks of bioengineered food, and where additional research is still needed.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out this section $50,000,000, to remain available until expended.

SA 4959. Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 10, strike line 4 and all that follows through page 13, line 25 and insert the following:

''(e) STATE FOOD LABELING STANDARDS.—

''(1) LABELING STANDARDS.—Notwithstanding subsection (b)(1), subject to paragraph (2), a State or political subdivision of a State may establish or continue in effect any requirement relating to the labeling of whether a food, food ingredient, or seed is bioengineered or was developed or produced using bioengineering.

''(2) REQUIREMENTS.—A requirement described in paragraph (1) shall be identical to, or impose a higher standard than, the national bioengineered food disclosure standard under this section, such as by—

''(A) the coverage of a food not covered under the standard;

''(B) the requirement of the disclosure of information that is not required to be disclosed under the standard;

''(C) the requirement of an on-package disclosure;

''(D) the establishment of a standard relating to the size, prominence, or design of an on-package disclosure;

''(E) the requirement of increased accessability to the electronic or digital disclosure; or

''(F) the requirement that a person subject to disclosure requirements establish more stringent procedures or practices for recordkeeping than are required under the standard.

''(f) CONSISTENCY WITH CERTAIN LAWS.—The Secretary shall consider establishing consistency between—

''(1) the national bioengineered food disclosure standard established under this section; and

''(2) the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) and any rules or regulations implementing that Act.

''(g) ENFORCEMENT.—

''(1) PROHIBITED ACT.—It shall be a prohibited act for a person to knowingly fail to make a disclosure as required under this section.

''(2) RECORDKEEPING.—Each person subject to the mandatory disclosure requirement under this section shall maintain, and make available to the Secretary, on request, such records as the Secretary determines to be customary or reasonable in the food industry, by regulation, to establish compliance with this section.

''(3) EXAMINATION AND AUDIT.—

''(A) IN GENERAL.—The Secretary may conduct an examination, audit, or similar activity with respect to any records required under paragraph (2).

''(B) NOTICE AND HEARING.—A person subject to an examination, audit, or similar activity under subparagraph (A) shall be provided notice and opportunity for a hearing on the results of any examination, audit, or similar activity.

''(C) AUDIT RESULTS.—After the notice and opportunity for a hearing under subparagraph (B), the Secretary shall make public the summary of any examination, audit, or similar activity under subparagraph (A).

''(4) RECALL AUTHORITY.—The Secretary shall have no authority to recall any food subject to this subtitle on the basis of whether the food bears a disclosure that the food is bioengineered.

''SEC. 294. SAVINGS PROVISIONS.

''(a) TRADE.—This subtitle shall be applied in a manner consistent with United States obligations under international agreements.

''(b) OTHER AUTHORITIES.—Nothing in this subtitle—

''(1) affects the authority of the Secretary of Health and Human Services or creates any rights or obligations for any person under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

''(2) affects the authority of the Secretary of the Treasury or creates any rights or obligations for any person under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.).

''(c) OTHER.—A food may not be considered to be 'not bioengineered', 'non-GMO', or any other similar claim describing the absence of bioengineering in the food solely because the food is not required to bear a disclosure that the food is bioengineered under this subtitle.

''(d) REMEDIES.—Nothing in this subtitle preempts any remedy created by a State or Federal statutory or common law right.''.

SA 4960. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 13, strike lines 8 through 19 and insert the following:

''(b) FEDERAL PREEMPTION.—No State or a political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food in interstate commerce any requirement relating to the labeling of whether a food (including food served in a restaurant or similar establishment) is genetically engineered (which shall include such other similar terms as determined by the Secretary of Agriculture) or was developed or produced using genetic engineering, including any requirement for claims that a food is or contains an ingredient that was developed or produced using genetic engineering.

SA 4961. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, strike lines 1 through 10 and insert the following:

''(1) BIOENGINEERING.—The term 'bioengineering', and any similar term, as determined by the Secretary, with respect to a food, refers to a food or food ingredient—

''(A) that is produced with genetic engineering techniques, including—

''(i) recombinant deoxyribonucleic acid (DNA);

''(ii) cell fusion;

''(iii) micro and macro injection;

''(iv) encapsulation; and

''(v) gene deletion and doubling; and

''(B) for which the genetic material has been altered in a way that does not occur naturally by mating, natural recombination, or conventional breeding.

SA 4962. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 8, strike lines 8 through 16 and insert the following:

''(4) ON-PACKAGE DISCLOSURE.—If the Secretary determines in the study conducted under paragraph (1) that consumers, while shopping, would not have sufficient access to the bioengineering disclosure through electronic or digital disclosure methods, the Secretary shall require in regulations promulgated under this section that the form of a food disclosure under this section be a text or symbol.

SA 4963. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, strike lines 5 through 9 and insert the following:

shall submit to Congress a report describing the results of a study conducted by the Secretary that shall—

''(A) identify potential technological challenges that may impact whether consumers would have access to the bioengineering disclosure through electronic or digital disclosure methods; and

''(B) evaluate consumer awareness of how to access the bioengineering disclosure through electronic or digital disclosure methods.

On page 8, between lines 7 and 8 insert the following:

''(F) Whether a consumer has sufficient awareness of how to access the bioengineering disclosure.

''(G) The age of a consumer.

''(H) The socioeconomic status of a consumer.

SA 4964. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 8, line 24, strike ''food'' and insert ''GE''.

On page 9, line 6, strike ''food'' and insert ''GE''.

SA 4965. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 5, strike lines 9 through 15 and insert the following:

''(D) require that the form of a food disclosure under this section be a text or symbol;

On page 5, line 22, strike ''earlier'' and insert ''later''.

On page 6, strike lines 1 through 12 and insert the following:

''(ii) on-package disclosure options, in addition to those available under subparagraph (D), that may be selected by the small food manufacturer, that consist of—

''(I) a telephone number accompanied by the following language to indicate that the phone number provides access to additional bioengineered food information: 'Call for more GE information'; and

''(II) an Internet website maintained by the small food manufacturer; and

On page 7, strike line 1 and all that follows through page 10, line 3.

On page 10, line 4, strike ''(e)'' and insert ''(c)''.

On page 10, line 14, strike ''(f)'' and insert ''(d)''.

On page 10, line 21, strike ''(g)'' and insert ''(e)''.

SA 4966. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 13, strike line 20 and insert the following:

''SEC. 296. PRESERVATION OF CERTAIN STATE LAWS.

''Notwithstanding section 293(e) and section 295(b), nothing in this subtitle or subtitle E shall affect the authority of a State or political subdivision of a State to enforce any State or local law (including any action taken or requirement imposed pursuant to the authority of the State or local law) relating to food labeling or seed labeling that was enacted before January 1, 2016.

''SEC. 297. EXCLUSION FROM FEDERAL PREEMPTION.

SA 4967. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 5, strike lines 1 through 4 and insert the following:

''(B) require that a food that contains bioengineered substances in an amount greater than 9/10 of 1 percent of the total weight of the food shall be a bioengineered food;

SA 4968. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, line 17, insert '', including unique identifiers that are linked, or linkable, to consumers or the devices of consumers'' before ''; but''.

SA 4969. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 8, line 24, strike ''more'' and insert ''GMO and other''.

On page 9, line 6, strike ''more'' and insert ''GMO and other''.

SA 4970. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 10, strike lines 22 through 24 and insert the following:

''(1) IN GENERAL.—

''(A) WARNINGS.—If the Secretary determines that a person is in violation of the national bioengineered food disclosure standard under this subtitle, the Secretary shall—

''(i) notify the person of the determination of the Secretary; and

''(ii) provide the person a 30-day period, beginning on the date on which the person receives the notice under clause (i) from the Secretary, during which the person may take necessary steps to comply with the standard.

''(B) FINES.—On completion of the 30-day period described in subparagraph (A)(ii) and after providing notice and an opportunity for a hearing before the Secretary, the Secretary may fine the person in an amount of not more than $1,000 for each violation if the Secretary determines that the person—

''(i) has not made a good faith effort to comply with the national bioengineered food disclosure standard under this subtitle; and

''(ii) continues to willfully violate the standard with respect to the violation about which the person received notification under subparagraph (A)(i).

SA 4971. Mr. TESTER (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, strike lines 6 through 15 and insert the following:

''(1) BIOENGINEERING.—The term 'bioengineering', and any similar term, as determined by the Secretary, with respect to a food, refers to a food or food ingredient—

''(A) that is produced with genetic engineering techniques; and

''(B) for which the genetic material has been altered in a manner that does not occur naturally by mating or conventional breeding.

SA 4972. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. LABELING OF CERTAIN FOOD.

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

''Subtitle E—Labeling of Certain Food

''SEC. 291. FEDERAL PREEMPTION.

''(a) DEFINITIONS.—In this subtitle:

''(1) FOOD.—The term 'food' has the meaning given the term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(2) GENETICALLY ENGINEERED.—The term 'genetically engineered' has the meaning given the term in the Coordinated Framework for the Regulation of Biotechnology, published June 26, 1986, and February 27, 1992 (51 Fed. Reg. 23302; 57 Fed. Reg. 6753).

''(b) FEDERAL PREEMPTION.—No State or a political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food or seed in interstate commerce any requirement relating to the labeling of whether a food (including food served in a restaurant or similar establishment) or seed is genetically engineered or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed or produced using genetic engineering.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SASSE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 6, 2016, at 2:30 p.m.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. SASSE. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 6, 2016, at 2 p.m., to conduct a hearing entitled, ''ISIS Online: Countering Terrorist Radicalization and Recruitment on the Internet and Social Media.''

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

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Olivia Woods, be granted privileges of the floor for the balance of the day.

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

NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2016 second quarter Mass Mailing report is Monday, July 25, 2016. An electronic option is available on Webster that will allow forms to be submitted via a fillable pdf document. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations or negative reports can be submitted electronically or delivered to the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510–7116.

The Senate Office of Public Records is open from 9:00 a.m. to 6:00 p.m. For

further information, please contact the Senate Office of Public Records at (202) 224–0322.

EXPRESSING THE SENSE OF THE SENATE IN SUPPORT OF THE NORTH ATLANTIC TREATY ORGANIZATION AND THE NATO SUMMIT TO BE HELD IN WARSAW, POLAND FROM JULY 8–9, 2016

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 529, S. Res. 506.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 506) expressing the sense of the Senate in support of the North Atlantic Treaty Organization and the NATO summit to be held in Warsaw, Poland from July 8–9, 2016, and in support of committing NATO to a security posture capable of deterring threats to the Alliance.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with amendments and an amendment to the preamble, as follows:

(The parts intended to be stricken are shown in boldface brackets and the parts intended to be inserted are shown in italics.)

S. RES. 506

Whereas the North Atlantic Treaty, signed April 4, 1949, in Washington, District of Columbia, which created the North Atlantic Treaty Organization (''NATO''), proclaims: ''[Members] are determined to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law. They seek to promote stability and well-being in the North Atlantic area. They are resolved to unite their efforts for collective defence and for the preservation of peace and security.'';

Whereas NATO has been the backbone of the European security architecture for 67 years, evolving to meet the changing transatlantic geopolitical and security environment;

Whereas NATO continues its mission in Afghanistan following the September 11, 2001, attacks on the United States;

Whereas NATO, through its contributions to the common defense, including its invocation of Article 5 after the attacks of September 11, 2001, has significantly contributed to the security of the United States and has served as a force multiplier for the United States;

Whereas at the NATO Wales Summit in September 2014, NATO reaffirmed the Alliance's role in transatlantic security and its ability to respond to emerging security threats and challenges;

Whereas Alliance members at the NATO Wales Summit defined the new security paradigm when they stated, ''Russia's aggressive actions against Ukraine have fundamentally challenged our vision of a Europe whole, free, and at peace. Growing instability in our southern neighborhood, from the Middle East to North Africa, as well as transnational and multi-dimensional threats, are also challenging our security. These can all have long-term consequences for peace and security in the Euro-Atlantic region and stability across the globe.'';

Whereas at the 2014 NATO Wales Summit, Alliance members addressed this changed security environment by committing to enhancing readiness and collective defense; increasing defense spending and boosting military capabilities; and improving NATO support for partner countries through the Defense Capacity Building Initiative;

Whereas although Article 14 of the Wales Declaration calls on all members of the alliance to spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defense within a decade, currently only five members are achieving that target;

Whereas, after the 2014 Wales Summit, the Russian military invaded Ukraine, adding Crimea to the list of areas illegally controlled by Moscow, including Georgia's Abkhazia and South Ossetia regions;

Whereas Russian-backed separatists in Eastern Ukraine continue to destabilize the region with support from the Government of the Russian Federation;

Whereas the Government of the Russian Federation continues to undertake provocative, unprofessional, and dangerous actions towards NATO air and naval forces and continues to exercise hybrid warfare capabilities against member and nonmember states along its western borders;

Whereas Poland and the Baltic States of Estonia, Latvia, and Lithuania are on the frontlines of renewed Russian aggression and hybrid warfare, including disinformation campaigns, cyber threats, and snap military exercises along the Alliance's eastern flank;

Whereas President Barack Obama proposed a quadrupling of the European Reassurance Initiative in fiscal year 2017 to $3,400,000,000 in order to enhance the United States commitment to NATO, to support Europe's defense, and to deter further Russian aggression;

Whereas the cornerstone of NATO's collective defense initiative is the Readiness Action Plan, intended to enable a continuous NATO military presence on the Alliance's periphery, especially its easternmost states, which includes enhanced troop rotations, military exercises, and the establishment of a Very High Readiness Task Force;

Whereas, in follow-up to commitments made at the NATO Wales Summit, NATO and the Government of Georgia agreed on a ''Substantial Package'' of cooperation and defense reform initiatives to strengthen Georgia's resilience and self-defense capabilities and develop closer security cooperation and interoperability with NATO members, including through the establishment of the Joint Training and Evaluation Center, which was inaugurated in 2015;

Whereas the threat of transnational terrorism has resulted in attacks in Turkey, France, Belgium, and the United States, and the Islamic State of Iraq and the Levant (ISIL) continues to pose a real and evolving threat to member states, other countries in Europe, and the broader international community;

Whereas the migration crisis from the Syrian civil war, the conflict in Afghanistan, and economic and humanitarian crises in Africa have placed a great strain on member states;

Whereas the NATO summit in Warsaw, Poland, is an opportunity to enhance and more deeply entrench those principles and build on our collective security, which continue to bind the Alliance together and guide our efforts today; and

Whereas, on May 19, 2016, Foreign Ministers of NATO member states signed an Accession Protocol to officially endorse and legally move forward Montenegro's membership in the Alliance, which, consistent with NATO's ''Open Door policy'', would indeed further the principles of the North Atlantic Treaty and contribute to the security of the North Atlantic area: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the service of the brave men and women who have served to safeguard the freedom and security of the United States and the whole of the transatlantic alliance;

(2) encourages Alliance members at the NATO Warsaw Summit to promote unity and solidarity, and to ensure a robust security posture capable of deterring any potential adversary, in the face of the complex and changing security environment confronting the Alliance on its eastern, northern, and southern fronts;

(3) urges all NATO members to invest at least two percent of GDP in defense spending and carry an equitable burden in supporting the resource requirements and [defense capabilities of the Alliance;] *defense capabilities of the Alliance, including an increased forward defense posture in NATO frontline states;*

(4) reaffirms its commitment to NATO's collective security as guaranteed by Article 5 of the North Atlantic Treaty;

(5) welcomes the progress of NATO's ballistic missile defense mission, adopted at the 2010 Lisbon Summit, and the achievement of recent United States milestones in this area through the partnership of allies, including Romania and Poland;

[(5)]*(6)* recognizes Georgia's troop contributions to missions abroad, its robust defense spending, and its ongoing efforts to strengthen its democratic and military institutions for NATO accession; and

[(6)]*(7)* recognizes the ongoing work of NATO's Resolute Support Mission in Afghanistan, with 12,000 troops advising and assisting Afghanistan's security ministries, and army and police [commands across the country] *commands across the country, and the significant commitment NATO allies and coalition partners have dedicated to Afghanistan since 2001, including at least 1,134 troops from NATO allies and coalition partners of the United States who lost their lives in that conflict.*

Mr. TILLIS. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the resolution, as amended, be agreed to, the committee-reported amendment to the preamble be agreed to, the preamble, as amended, be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendments were agreed to.

The resolution (S. Res. 506), as amended, was agreed to.

The committee-reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 506

Whereas the North Atlantic Treaty, signed April 4, 1949, in Washington, District of Columbia, which created the North Atlantic Treaty Organization (''NATO''), proclaims: ''[Members] are determined to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law. They seek to promote stability and well-being in the North Atlantic area. They are resolved to unite their efforts for collective defence and for the preservation of peace and security.'';

Whereas NATO has been the backbone of the European security architecture for 67 years, evolving to meet the changing transatlantic geopolitical and security environment;

Whereas NATO continues its mission in Afghanistan following the September 11, 2001, attacks on the United States;

Whereas NATO, through its contributions to the common defense, including its invocation of Article 5 after the attacks of September 11, 2001, has significantly contributed to the security of the United States and has served as a force multiplier for the United States;

Whereas at the NATO Wales Summit in September 2014, NATO reaffirmed the Alliance's role in transatlantic security and its ability to respond to emerging security threats and challenges;

Whereas Alliance members at the NATO Wales Summit defined the new security paradigm when they stated, ''Russia's aggressive actions against Ukraine have fundamentally challenged our vision of a Europe whole, free, and at peace. Growing instability in our southern neighborhood, from the Middle East to North Africa, as well as transnational and multi-dimensional threats, are also challenging our security. These can all have long-term consequences for peace and security in the Euro-Atlantic region and stability across the globe.'';

Whereas at the 2014 NATO Wales Summit, Alliance members addressed this changed security environment by committing to enhancing readiness and collective defense; increasing defense spending and boosting military capabilities; and improving NATO support for partner countries through the Defense Capacity Building Initiative;

Whereas although Article 14 of the Wales Declaration calls on all members of the alliance to spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defense within a decade, currently only five members are achieving that target;

Whereas after the 2014 Wales Summit, the Russian military invaded Ukraine, adding Crimea to the list of areas illegally controlled by Moscow, including Georgia's Abkhazia and South Ossetia regions;

Whereas Russian-backed separatists in Eastern Ukraine continue to destabilize the region with support from the Government of the Russian Federation;

Whereas the Government of the Russian Federation continues to undertake provocative, unprofessional, and dangerous actions towards NATO air and naval forces and continues to exercise hybrid warfare capabilities against member and nonmember states along its western borders;

Whereas Poland and the Baltic States of Estonia, Latvia, and Lithuania are on the frontlines of renewed Russian aggression and hybrid warfare, including disinformation campaigns, cyber threats, and snap military exercises along the Alliance's eastern flank;

Whereas President Barack Obama proposed a quadrupling of the European Reassurance Initiative in fiscal year 2017 to $3,400,000,000 in order to enhance the United States commitment to NATO, to support Europe's defense, and to deter further Russian aggression;

Whereas the cornerstone of NATO's collective defense initiative is the Readiness Action Plan, intended to enable a continuous NATO military presence on the Alliance's periphery, especially its easternmost states, which includes enhanced troop rotations, military exercises, and the establishment of a Very High Readiness Task Force;

Whereas in follow-up to commitments made at the NATO Wales Summit, NATO and the Government of Georgia agreed on a ''Substantial Package'' of cooperation and defense reform initiatives to strengthen Georgia's resilience and self-defense capabilities and develop closer security cooperation and interoperability with NATO members, including through the establishment of the Joint Training and Evaluation Center, which was inaugurated in 2015;

Whereas the threat of transnational terrorism has resulted in attacks in Turkey, France, Belgium, and the United States, and the Islamic State of Iraq and the Levant (ISIL) continues to pose a real and evolving threat to member states, other countries in Europe, and the broader international community;

Whereas the migration crisis from the Syrian civil war, the conflict in Afghanistan, and economic and humanitarian crises in Africa have placed a great strain on member states;

Whereas the NATO summit in Warsaw, Poland, is an opportunity to enhance and more deeply entrench those principles and build on our collective security, which continue to bind the Alliance together and guide our efforts today; and

Whereas, on May 19, 2016, Foreign Ministers of NATO member states signed an Accession Protocol to officially endorse and legally move forward Montenegro's membership in the Alliance, which, consistent with NATO's ''Open Door policy'', would indeed further the principles of the North Atlantic Treaty and contribute to the security of the North Atlantic area: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the service of the brave men and women who have served to safeguard the freedom and security of the United States and the whole of the transatlantic alliance;

(2) encourages Alliance members at the NATO Warsaw Summit to promote unity and solidarity, and to ensure a robust security posture capable of deterring any potential adversary, in the face of the complex and changing security environment confronting the Alliance on its eastern, northern, and southern fronts;

(3) urges all NATO members to invest at least two percent of GDP in defense spending and carry an equitable burden in supporting the resource requirements and defense capabilities of the Alliance, including an increased forward defense posture in NATO frontline states;

(4) reaffirms its commitment to NATO's collective security as guaranteed by Article 5 of the North Atlantic Treaty;

(5) welcomes the progress of NATO's ballistic missile defense mission, adopted at the 2010 Lisbon Summit, and the achievement of recent United States milestones in this area through the partnership of allies, including Romania and Poland;

(6) recognizes Georgia's troop contributions to missions abroad, its robust defense spending, and its ongoing efforts to strengthen its democratic and military institutions for NATO accession; and

(7) recognizes the ongoing work of NATO's Resolute Support Mission in Afghanistan, with 12,000 troops advising and assisting Afghanistan's security ministries, and army and police commands across the country, and the significant commitment NATO allies and coalition partners have dedicated to Afghanistan since 2001, including at least 1,134 troops from NATO allies and coalition partners of the United States who lost their lives in that conflict.

REAFFIRMING THE TAIWAN RELATIONS ACT AND THE SIX ASSURANCES AS CORNERSTONES OF UNITED STATES-TAIWAN RELATIONS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 535, S. Con. Res. 38.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 38) reaffirming the Taiwan Relations Act and the Six Assurances as cornerstones of United States-Taiwan relations.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. TILLIS. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 38) was agreed to.

The preamble was agreed to.

(The concurrent resolution, with its preamble, is printed in the RECORD of May 19, 2016, under ''Submitted Resolutions.'')

URGING THE EUROPEAN UNION TO DESIGNATE HIZBALLAH IN ITS ENTIRETY AS A TERRORIST ORGANIZATION

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 537, S. Res. 482.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 482) urging the European Union to designate Hizballah in its entirety as a terrorist organization and to increase pressure on the organization and its members to the fullest extent possible.

There being no objection, the Senate proceeded to consider the resolution.

Mr. TILLIS. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 482) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 6, 2016, under ''Submitted Resolutions.'')

RECOGNIZING THE 70TH ANNIVERSARY OF THE FULBRIGHT PROGRAM

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate

proceed to the consideration of Calendar No. 540, S. Res. 504.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 504) recognizing the 70th anniversary of the Fulbright Program.

There being no objection, the Senate proceeded to consider the resolution.

Mr. TILLIS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 504) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 21, 2016, under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, JULY 7, 2016

Mr. TILLIS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, July 7; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the House message to accompany S. 764; finally, that all time during morning business, recess, or adjournment of the Senate count postcloture on the motion to concur.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. TILLIS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:01 p.m., adjourned until Thursday, July 7, 2016, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate July 6, 2016:

THE JUDICIARY

BRIAN R. MARTINOTTI, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.