

for a vote. It would pass. The \$1.1 billion is not to my liking, but I would accept it in a heartbeat. This legislation would save lives, and it would pass the House of Representatives if they would let the Democrats vote. But Speaker RYAN has this deal that he is following, which is a deal into oblivion. It didn't work for my friend, whom I care so much about, former Speaker Boehner. It didn't work for him, and it is not going to work for Speaker RYAN. He cannot do this. He cannot try to do everything in his power to appease the far-right crazies in his caucus. They are even adhering to the Hastert rule, named after the disgraced former Speaker Dennis Hastert, who is now in prison.

Speaker RYAN should listen to the American people. They desperately want Congress to act. Americans have had enough of Republicans putting party over country this year—and any year, frankly. They want us to responsibly solve problems like the Zika virus and opioids and not waste time appealing to the most extreme elements in our political system.

The Hastert rule is that the Speaker will not allow a vote unless it can pass with the majority of the majority. To get a majority of the majority over there is worse than trying to get a majority of the majority over here. We have some dandies over here, but they take the cake in their efforts. It is not going to work for us, Speaker RYAN. We are willing to work with you to get this done.

We shouldn't just leave here for this 7-week-long vacation with nothing done on Zika, this terrible scourge we have. It is time for Speaker RYAN and his fellow Republicans to put politics aside and let the whole House vote on this. Our country is facing an emergency with Zika, and it is time for Republicans to start treating it as such.

Mr. President, I heard a Republican Senator come to the floor yesterday and she said: I don't know what they are talking about. The words "Planned Parenthood" are not in the legislation we have.

Of course it doesn't say "Planned Parenthood," but if you read the English language, it stops people from going to these Planned Parenthood clinics to get their advice on birth control, where millions of American women go.

My Republican friends have an obsession with Planned Parenthood. They want to do everything they can to stop them. In fact, as you know, there were Republicans who went and got phony pictures that were proven false. And, oh, that gave the Republicans such—oh, they loved that. Oh, what terrible stuff is going on; they are selling body parts. That was totally wrong. It was a scam by some rightwing character who has been shown to be just that—a scam artist.

The provision we are asked to vote for exempts pesticide spraying from the Clean Water Act provisions. It cuts

veteran funding by \$500 million below the Senate bill. What was that money for? It was to process veterans' claims. They whack it out. It cuts Ebola funding by \$107 million. It cuts ObamaCare by \$543 million.

I am sure my Republican friends are happy voting for this one. What we sent over there said you can't have the Confederate flag flying over military cemeteries. They took that out. That must be a real joy, that we can now start flying Confederate flags in cemeteries.

This legislation sets a terrible precedent of offsetting emergencies. It is wrong.

Mr. President, I ask the Chair to announce the business of the day.

#### RESERVATION OF LEADER TIME

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

#### NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany S. 764, which the clerk will report.

The bill 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.

The PRESIDING OFFICER. The Senator from Iowa.

#### AUDITING THE BOOKS OF THE DEPARTMENT OF DEFENSE

Mr. GRASSLEY. Mr. President, I come to the floor today to send a message to Secretary of Defense Carter. I wish to alert him to a problem that needs high-level attention. It is standing in the way of one of the top priority goals of the Congress—auditing the books of the Defense Department.

The need for annual financial audits was originally established by the Chief Financial Officers Act of 1990. By March of 1992, each agency of the Federal Government was supposed to present a financial statement to an inspector general for audit in accordance with the prescribed standards. To date, all departments have earned unqualified or clean opinions. But there is one glaring exception; that is, the Defense Department. It has a dubious distinction, under both Republican and Democrat administrations, of earning an unblemished string of failing opinions known as "disclaimers."

In the face of endless slipping and stumbling, Congress finally cracked

down—except it looks as though the crackdown hasn't done any good. At that time, there was a new line drawn in the sand. It was placed in section 1003 of the National Defense Authorization Act of 2009. In 2009, the Department was given a charitable 7-year reprieve from the requirement to have their books auditable, and it was given until September 30, 2017. Those 7 bonus years did not buy us in the Congress much. All the slipping and sliding and stumbling have continued undiminished.

The 25-year push to audit the books is stuck at a roadblock. Billions of dollars have been spent trying to solve the root cause of the problem, but the fix is nowhere in sight. And until it is, auditing the books will remain an elusive goal for the Department of Defense but a goal that has been met by every other agency of the Federal Government.

What I am talking about is the Department's broken accounting system. This problem has been a festering sore for many years. It adversely affected every facet of the audit effort. The broken accounting system is driving the audit freight train. How could the mighty Defense Department be buffaloes for so long by something so simple? The Pentagon develops and produces the most advanced weapons the world has ever known and does it with relative ease. Yet the Defense Department can't seem to acquire the tools it needs to keep track of the money it spends.

With little or no fiscal accountability, Congress cannot exercise effective oversight of defense spending. If Congress can't do that, then adding money to the defense budget, and borrowing at the same time to do it, is foolish, in my book. That is precisely why I opposed a recent amendment to add \$18 billion to the Defense bill.

I want to take a moment to put my spotlight on the issue. My hope is to stimulate creative problem-solving and innovative solutions that seem to not be getting their proper attention at the Department of Defense.

A recent press report pinpointed the cause for all the stumbling that is going on at the Defense Department. It drew on testimony by the government's preeminent authority on accounting, Comptroller General Gene Dodaro. His testimony before the Senate Committee on the Budget had a razor-sharp edge. It zeroed right in on the old stumbling block—underlying accounting problems. While the Pentagon is spending in excess of \$10 billion a year to modernize its vast accounting system, the GAO director said these investments "have not yielded positive results." And since DOD officials "continue to make system investments that don't produce better systems," he said, those responsible "need to be held accountable." They are wasting money, in other words. As a clear, unambiguous indicator of the continuing accounting mess, he cited

in excess of \$1 billion in Antideficiency Act violations incurred by DOD. The Antideficiency Act violations, according to the Comptroller General, means the Department is “spending money that it should not be spending.”

I agree with the Comptroller General. That is what I call unlawful spending. A good accounting system, one with effective internal controls, should be able to detect and should be able to stop illegal spending and particularly fraud and theft. What is in place today doesn't accomplish that goal. Unauthorized spending is usually discovered, instead, by chance and long after the fact.

When asked how much of DOD's \$600 billion in yearly expenditures is actually accounted for, the Comptroller General stated bluntly—his words—“very little.” The Comptroller General's assessment is a very bruising indictment of how the taxpayers' precious money is mishandled in the Pentagon.

The Secretary of Defense has a fiduciary responsibility under the Constitution and under the law to account for every penny spent. None has honored that responsibility. One Secretary of State, however, made a good-faith effort. Leon Panetta formally launched the audit readiness initiative in October of 2011. While giving it a big boost with visibility, this effort sputtered to a standstill, like all the others, over the past decades.

During Secretary Carter's nomination hearing, Senator MANCHIN of West Virginia questioned him about the faltering efforts to audit the Defense Department. The Secretary replied: “I am committed on the audit front.” In response to a followup question, he stated: I will hold the Chief Financial Officer “responsible and accountable for making auditability one of my top business reform priorities.” During a meeting in my office, he provided me similar assurances. These solemn vows don't give me a whole lot of confidence. His predecessors spoke the same words, but all we see is a trail of broken promises.

To win this war on making the books auditable, it will take perseverance and guts. It will take top-notch, hands-on leadership skills and a chief financial officer who grasps the root cause problem and is committed to solving it.

In watchdogging the audit process for years, I have come to know the underlying problem all too well. I have been down in the trenches and have seen it up close with my own eyes. I was introduced to the problem when it just popped up right in the face. It came in the form of unusual notations in audit reports published by the inspector general. They read: “No audit trail found.” That red flag prompted me to dig deeper. So I asked: How do you perform financial audits with no money trail to follow?

The answer: You don't, except with great difficulty, risk, and expense.

One question led to another and eventually to my first indepth audit

oversight report. It was published in September 2010. It zeroed right in on the root cause problem. I call it the audit-accounting mismatch.

My observations were derived mainly from reviewing Corps of Engineers audits for fiscal years 2008 to 2010. These were some of the Department's earliest attempts to comply with the Chief Financial Officers Act, requiring all agencies of the government to have auditability of their books.

The results of my study were mixed. This work provided a startling introduction to a problem. During extensive interviews, senior managers readily admitted that auditors had to do manual workarounds that are prone to errors. They could not connect the dots between contracts and payments and accounting records and make the necessary match-ups. Transactions were not properly posted to accounts and supporting documentation had gone missing. In fact, financial records were so bad it took hundreds of highly paid certified public accountants doing manual labor, characterized as “audit trail reconstruction work” or “pick-and-shovel work” to finish the job. Such labor-intensive accounting procedures are very costly—\$50 million for the Corps of Engineers alone—and leave gaping holes in audit evidence even after it is spent. Such unorthodox procedures place outcomes on very shaky ground.

True, these observations were made 5 years ago, but I keep running into the same old problems. For example, I am seeing it again today in my ongoing inquiry into the Department's Task Force for Business and Stability Operations in Afghanistan. I see it everywhere I go.

The recently concluded Marine Corps audit is a perfect example of the same old problem. The broken accounting system is still driving the audit freight train. The Marine Corps, which is the smallest of the military services, had been claiming for several years that it was audit ready. However, when the time came, the Marine Corps flunked the test. Oversight audits by the inspector general and the Government Accountability Office concluded there was not sufficient, appropriate audit evidence to support a clean opinion. The transaction data was largely incomplete, unreliable, unverifiable, and unsupported. In the opinion of the experts, the final call “was not even close.”

When I spoke about the results of the Marine Corps audit on the floor last August 4, 2015, I underscored the need for reliable transaction data. Transactions are the lifeblood of financial statements, and the lack of those transaction statements doomed the Marine Corps audit from the get-go.

I ask Secretary Carter to pause and reflect on why the Marine Corps audit was unsuccessful. I urge him to explore the questions with Chief Financial Officer Mike McCord. He might be surprised at what he hears. Maybe Mr.

McCord does not understand the problem. If he did, why would he continue throwing money at solutions that don't produce what is needed most; that is, reliable transaction data. Why doesn't he know the same old garbage is still coming out the other end of the sausage machine? How is it Comptroller General Dodaro knows it? Why do I see it plain as day? It is written all over that Marine Corps audit that failed—and a whole bunch of other audits—in big bold print. So why can't Mr. McCord see it? He does not seem to have a handle on the core problem—the so-called feeder systems. Though ridiculed recently on Federal News Radio as being “museum ready,” they remain the heart and soul—the foundation—of any accounting system.

In most business operations, transactions are transmitted instantaneously from the cash register or other points of origin to finance and accounting. At the Pentagon, they take a roundabout route. From their points of origin, transactions must first pass through a series of gates—literally thousands of feeder and other business systems. The trip through the bureaucratic maze is neither smooth nor certain. Somewhere along the way, vital linkages are broken. When ledgers and account balances are no longer hooked up to transactions, forget about auditing the books. It is nothing more than a pipedream.

In a nutshell, this is the root cause of the problem that still has the very mighty Pentagon buffaloed, and it is lying in wait for the next go-around. According to Comptroller General Dodaro, Mr. McCord is making the wrong choices, wasting billions of dollars on systems that don't work. CFO McCord wants us to believe that staying the course offers the best chance for success. I disagree. More of the same will not cut it. He needs to refocus on doable solutions. Maybe it is time for some new ideas, a whole new approach.

The audit strategy needs to be rebalanced. It is out of whack. The roadblocks need to be bypassed. Other agencies seem to be taking care of business by pooling accounting resources to save money. So why not draw on those skills and capabilities from other government agencies that meet the requirements of the law and use them to leverage a potential solution—maybe where we know things have worked successfully.

Why not allow a service provider—let's say, at the Department of Defense as an example, take any Department—to handle a slice of the Defense Department's bookkeeping pie, like civilian pay? Run a test and see if it works. If it works, build on it. For the next go-around, tear off a bigger chunk, farm it out, and see what happens. Try alternative solutions. Keep experimenting until the answer is found. After all these decades, nothing seems to be right for this agency, compared to all the other agencies of government that

meet the requirement of the financial records law.

CFO McCord needs some direction. Secretary Carter needs to challenge him to do the impossible. As difficult as it may be in the Pentagon bureaucracy, the Secretary needs to encourage him to think outside the box. Maybe Comptroller General Dodaro and CFO McCord could put their heads together. Maybe if they would team up, they could figure out how to simplify the whole system and make it play like a symphony orchestra.

Mr. McCord seems to be having trouble shaking mistaken notions, and here is a new one. He thinks the whole Department is poised for a major breakthrough; that the looming congressionally mandated September 2017 deadline is within reach. The Marine Corps audit proves that isn't possible. The military services—the Army, Navy, and Air Force—echo his assessment. They claim to be “on track to be ready for audit” by the deadline. I suspect they are about as ready as the Marine Corps was. The experts think the other services are in far worse shape than the Marine Corps. If true, the probability of earning a departmentwide clean opinion is slim to none.

Now, suddenly, to my amazement, Mr. McCord appears to be backing away from his prediction about meeting the deadline. On June 15, he told the House Armed Services Committee that the Department is, in his words, “many years” away from a clean opinion. How can the Department be audit ready and meet the deadline if it is still years away from a clean opinion? His messages are downright confusing and maybe contradictory. If he knows DOD is years away from a clean opinion, then he must also know it is not audit ready or even close to it. Mr. McCord needs to explain his apparent inconsistency.

Clearly, the impending deadline remains an elusive goal. However, of one thing I am certain, the next round is being touted as “the largest audit ever undertaken.” If Mr. McCord fails to come up with some workable solution that gets a firm handle on transactions, there will not be enough auditors in the universe to tackle this job. This job is just too big for the pick-and-shovel routine, and the cost could be astronomical.

I want Secretary Carter to succeed. I am counting on him to get the faltering audit readiness initiative back on track and moving in the right direction. The taxpayers deserve nothing less.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The assistant Democratic leader.

#### GUN VIOLENCE

Mr. DURBIN. Mr. President, if a student is failing in school, many people will rally around that student and ask: What is missing? Is the student working hard enough? Is the teacher connecting with the student? But we are concerned.

Then, when we take a closer look at the situation, sometimes we find the student has a problem, a challenge, a learning disability. One of those is attention deficit disorder: The student can't focus, can't really put his mind on a specific issue and stick with it until the task is completed, the mind wanders, the student loses focus, and unfortunately the net result is the lack of a positive learning experience.

There are many critics of Congress today and of the Senate for our failure to address some of the major issues that are challenging us in America. It turns out that when it comes to one issue, the problem in the Senate is attention deficit disorder. Let me be specific.

A few weeks ago, we had the worst mass shooting in the modern history of the United States of America. A crazed person went into the Pulse nightclub in Orlando, FL, killing 49 people and injuring dozens more. It was a shocking experience, and we heard about it early on Sunday morning. The entire Nation responded. The President spoke to the issue, even going down to Orlando with the Vice President to meet with some of the families and some of those who survived this terrible mass shooting.

Then we came back to Washington, and the obvious question was: What will the Senate do in response? The Senate had a plan, and the plan from the Republican leadership was to have a moment of silence. Well, that is entirely appropriate. I am glad we did, and we should, but it is not sufficient. It is not enough. So a number of us came to the floor—under the leadership of Senator CHRIS MURPHY of Connecticut, Senator BLUMENTHAL of Connecticut, and Senator BOOKER of New Jersey—and initiated a filibuster on the floor of the Senate, demanding that we at least consider legislation that would reduce the likelihood of more mass murders and reduce the likelihood of more violent crimes and gun deaths in America.

The proposal we suggested was straightforward. It said we should close the loophole in the background check system. It turns out that if you go to a licensed gun dealer in America, you will go through a background check through a computer. They will see if there is any evidence that you are a convicted felon or have a history of mental instability or other prohibitor. If that is the case, you are disqualified. You can't buy a firearm. But those who are paying close attention know there are alternatives to a licensed gun dealer. If you went instead to a gun show—which happens in Illinois and many other States on a regular basis—many of them have no background check for firearm sales. That is the case in northern Indiana where the laws are very flexible and light when it comes to background checks. The bill we supported from Senator MURPHY, similar to an earlier bill by Senators MANCHIN and TOOMEY, would have closed the so-called gun show loophole so you would

have a background check before a firearm is sold, keeping the firearm out of the hands of a convicted felon or person who is clearly mentally unstable.

The second proposal we had reflects the times we live in. We now have no-fly rules. If you are suspected of being a terrorist or having terrorist connections, our government can stop you from boarding an airplane. The theory behind it is obvious. We want to keep the passengers on the airplane safe, and we would rather run the risk of a suspected terrorist being denied a flight than run the risk of a suspected terrorist coming onto an airplane and endangering innocent lives.

The proposal Senator FEINSTEIN brought to the floor of the Senate said that if you are on the no-fly list or the selectee list, which means you go through a special search, or are reasonably suspected of terrorist involvement, you would be disqualified from buying a firearm. It seems to stand to reason, does it not, that if we are worried about a terrorist in our midst hurting innocent people, we certainly don't want that terrorist to legally buy an assault weapon in the United States of America. That seems obvious.

These assault weapons, semiautomatic and automatic, are dangers to not just a few but to dozens of people. There was a Snapchat that was taken by one of the victims in Orlando during the last 9 seconds of her life. The shooter at the Orlando nightclub fired off 17 rounds in 9 seconds. You can see the devastating impact of these weapons when they get in the wrong hands. The Feinstein amendment attempted to close that loophole.

Over 90 percent of the American people think the issues I just described—closing background check loopholes, closing the gun show loophole, keeping guns out of the hands of suspected terrorists—are reasonable steps toward gun safety. We have to do more to keep guns out of the hands of people who have no business owning them and might misuse them.

In light of that, you would have thought that this proposal would have passed, that there wouldn't have been much controversy, particularly after the mass murder in Orlando. At the end of filibuster, we had votes. Both measures were defeated on the floor of the Senate. Then Senator SUSAN COLLINS of Maine, a Republican, decided to try her best to come up with a bipartisan compromise. I salute her. She worked long and hard. It wasn't easy, and it certainly wasn't popular in some corners of the Senate. She brought her measure to the floor—a no-fly, no-buy measure, a variation on the Feinstein amendment—and there was an attempt to table it, to stop the amendment in its tracks, but Senator COLLINS managed to get eight Republicans, including herself, to vote with the Democrats, and the measure was not tabled, but the measure now sits as part of an appropriations bill and has not been addressed again.

While we have gone through this in the last several weeks, the House had a different approach. There was a sit-in that lasted over 24 hours to call attention to the need for debate and votes on gun safety. We have been told the Speaker of the House, PAUL RYAN, has promised them a vote this week. It is unlikely that anything is going to pass in the House of Representatives.

What is next? The American people ask us: Is that it? Are you finished with gun safety? You play to a draw on the amendments in the Senate, you take up a measure in the House, which has a dim likelihood of passing, and that is all you are going to do? And then we leave. Next week will be the last week in session before September. We will be gone for 7 weeks, the longest period of recess in 50 or 60 years in the U.S. Senate, while we recess for the conventions and for the August period when we spend time with our families. My concern, of course, is one that is shared by many. It would be miraculous if we didn't have another mass shooting in that 7-week period of time. I hope we do not. I pray we do not. History tells us that it is highly likely it will happen. Then we will return and have a moment of silence, and then we will do nothing.

You see, it is attention deficit disorder in the Senate when it comes to issues involving gun safety, but for many Americans all around this country, this is an issue they think about regularly. I can certainly tell you that in my home State of Illinois, the city of Chicago I am honored to represent, it is an issue that is on the front page of every newspaper every day.

Over the holiday weekend, the Fourth of July holiday weekend, at least 66 people were shot in the city of Chicago. At least five of them died. The victims of the gun violence include children. A 5-year-old girl and her 8-year-old cousin were shot and wounded while playing with sparklers on the Fourth of July. An 11-year-old boy was hit in the arm. A 15-year-old boy was shot in the chest while he was coming out of a store. These shootings took place, despite a surge in police presence and thousands of additional officers over the weekend.

Sadly, it is not rare to see a weekend like this in Chicago marked by dozens of shootings. The weekend before this, at least 58 people were shot in Chicago, 7 of them fatally; Memorial Day weekend, 69 people were shot in Chicago, 7 of them fatally.

Last week I visited the 11th District police station on the West Side of Chicago. The 11th is the Harrison District. It is one of the most violent in the city. More than 270 people have been shot in the Harrison Police District this year. I met with the commander, Chicago Police Deputy Chief James Jones, as well as other officers in the district. We had a long talk about the violence and drug sales taking place on the streets in that district. We talked about so many different challenges—

the lack of economic opportunity in that area, gang activity. They showed me a map, which looked like a map of Europe with all of the different countries—in this case, all of the different gangs that controlled a few blocks here or a larger section there.

We talked about the lack of trust and cooperation between citizens and law enforcement. We talked about the overwhelming number of children and young adults who have either been the victims of violent trauma or who have directly witnessed it. Solving any of these challenges is difficult, but we need to do all we can to reduce the devastating level of gun violence and to save lives. We can't wait for the next mass murder.

The most immediate problem in the Harrison District in the city of Chicago is that it is far too easy for dangerous people to get their hands on guns. So many of the shootings that kill and injure people in Chicago are preventable. They never would have happened if our laws did a better job of keeping guns out of the hands of dangerous people.

The Bureau of Alcohol, Tobacco, Firearms and Explosives division of the Federal Government told me last year that they had looked at the crime guns that were confiscated in the deadliest sections of Chicago and that up to forty percent of those guns were coming from gun shows in Northern Indiana where there are no background checks. The traffickers and gang leaders literally opened the trunks of their cars and filled them with firearms in Northern Indiana and then took a one-half hour trip back to the city and sold them at night in the neighborhood and alleys.

That is the reality—no background checks. We can close that loophole. Will it end gun violence? Of course not. Will it make it more difficult for those who have no business to own guns to get them? Yes. Why shouldn't we do it?

We cannot allow this to continue. We need to stand up to the gun lobby and their allies in Congress who block commonsense gun reforms that are supported by 90 percent of the American people.

Let's be honest. Reforms like requiring universal background checks to keep guns out of the hands of suspected terrorists are no-brainers. The only reason these reforms get tied up and dropped in Congress is that the politicians in Washington are afraid of death of the gun lobby. The truth is, the gun lobby is not about the Second Amendment. The gun lobby is about selling guns. If you reduce their volume of sales, you reduce their profits, and they will fight you. Many of the colleagues I joined in this Chamber are scared to death of what they might do to them in the next election.

The gun lobby may care about selling guns, but I care more about saving lives. I have been fighting their agenda for many years in the Senate. I am going to keep at it. I am proud to join my colleagues in the House and Senate

in saying "enough" to this bloodshed in our streets.

Several weeks ago when I joined Senators MURPHY, BOOKER, and BLUMENTHAL, we decided to move for votes on commonsense gun reform. Our friends in the House of Representatives had a similar effort. I was also proud to support the Democratic Members of Congress, ROBIN KELLY, JAN SCHA-KOWSKY, DANNY DAVIS, BILL FOSTER, MIKE QUIGLEY, and STENY HOYER, who joined with local leaders and community members last Thursday in Federal Plaza in Chicago to protest Congress's failure to act on gun violence.

The American Medical Association a few weeks ago declared that gun violence is "a public health crisis." It is. Each year more than 32,000 Americans are killed by guns, and 80,000 are injured. On average, 297 Americans are shot every day—every day—and 91 die. The daily toll of gun homicides, suicides, assaults, and accidental shootings is devastating. Our Nation suffers from mass shootings on a daily basis.

Since 49 people were murdered in Orlando, FL, and 53 injured in the worst mass shooting in modern American history, there have been at least 47 more mass shootings in America. These are shooting incidents where at least four people were hit gun by gunfire. That is a staggering total.

No city has suffered more from the epidemic of gun violence than my city of Chicago. So far this year, 2,026 people have been shot in that city, and 329 have been murdered. And 7 of the 47 mass shootings that have occurred since Orlando have taken place in Chicago. No city in America has experienced the number of shootings and gun deaths that we have in Chicago. These shootings are the result of a flood of illegal guns brought into the city by gun traffickers and straw purchasers. They take advantage of clear loopholes in our Federal gun laws, and they put guns into the hands of gangbangers and dangerous people. It has to stop.

There are so many victims of gun violence in Chicago it is overwhelming. Let me mention a few recent ones. On Father's Day, a 3-year-old boy named Devon Quinn was sitting in a car seat next to his father in the Woodlawn neighborhood when their car was riddled with bullets by a drive-by shooter. The gunman tried to target nearby gang members. He was a terrible shot. Innocent people were hurt. The boy's father dove in front of his son to try to shield him, but a bullet struck 3-year-old Devon, who almost died. This 3-year-old is currently alive but paralyzed, unable to breathe on his own.

On June 30, Chanda Foreman was killed on her 37th birthday in a mass shooting in the Washington Heights neighborhood that also injured 4 other people. She was described by her family as a great person and responsible worker. She had a 6-year-old daughter

who will now grow up without a mother. She was sitting in her car when apparently two rival gangs started shooting at one another, and she was killed in the crossfire.

On July 2, a father named Dionus Neely, his 10-year-old daughter, Elle, and his 3-year-old daughter Endia were shot and killed in their home in Hazel Crest. Investigators said this appeared to be a targeted attack. They described it as pure evil. Erin Neely, the wife of Dionus and mother of Elle and Endia, said:

Endia was the light of this world, always smiling and hugging and laughing. And Elle was a dancer. She was the life of the party. And my husband, he was a stay-at-home dad. He was a good father.

She said:

They did not deserve this.

I am going to keep these shooting victims and families in my thoughts and prayers, but thoughts and prayers and moments of silence are not enough. Lawmakers have a responsibility to do everything in their power to protect innocent Americans from being shot and killed in their homes, their cars, and in their neighborhoods. We can't allow this to continue.

I am going to join my allies in Congress to try to stop it with real gun reform. I am going to focus my attention on the problem that will not go away. My colleagues who think if they just wait long enough we will forget this issue are just plain wrong. I am not going to quit. We need the American people to stand with us. If they will help us in speaking out for common-sense reform, we can finally beat the gun lobby and stop putting guns in the hands of people who have no business owning them and save lives across America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished senior Senator from Illinois for what he said. As he knows, like many Vermonters, I consider myself a responsible gun owner, but I don't think it is responsible when people are allowed to come in and buy guns with no background checks, get whatever they want, and then make a profit selling them to gangs. I don't know how anybody, any lobby or any Member of Congress, can say they can support that. I thank the Senator from Illinois for what he said. He is absolutely right.

Mr. President, it has been just 2 weeks since negotiators released what can only be called a farce of a proposal to require the labeling of genetically engineered foods. Less than a week after it was released—without any committee action, any testimony, no recorded feedback from either proponents or opponents—the Senate majority leader filed cloture on a privileged vehicle to fast-track this bill.

Gone are the promises of regular order. Gone are the pledges of an open amendment process. Instead, the Sen-

ate will now consider whether to preempt carefully considered, long-debated State laws that protect and enforce a consumer's right to know.

Make no mistake: Vermont's first-in-the-Nation GE labeling law is what is under attack here. Vermont's carefully debated law is the threat that has driven millions of dollars in lobbying to the doors of the U.S. Senate. And the millions of dollars from lobbyists seem to have paid off because suddenly, even with all of the unsolved problems facing America—we don't have our appropriations bills done, we don't have money for Zika, and we can't do anything about the sale of high-powered weapons to gangs who then use them to shoot innocent people—lobbyists can come in and say: Change all the rules. Ignore all of the precedence. Forget the pledges you have made. Let's just zip through this bill and get it done because we want it.

No wonder this Congress is disfavored by the American people. This bill does not consider that 9 out of 10 consumers support a mandatory GE label on their food products. What this bill does not recognize is that 64 countries around the world mandate GE labeling. This bill does not benefit from a thorough, open, constructive debate, but it has apparently benefited from millions of lobbying dollars and campaign contributions. Consumers want a simple, easy to read label. Instead, this concoction of a so-called deal would offer them a complicated scavenger hunt.

I was here in March when the Senate voted, convincingly, to reject the DARK Act. Well, what do we have today? We have a rebooted DARK Act that makes modest improvements, but falls far short of the disclosure that consumers demand and Vermonters have required. It does not have the disclosure that 9 out of 10 consumers say they want. We are listening to a handful of very well-financed lobbyists and campaign contributors, but we will not listen to 9 out of 10 of the American people. Once again, their objective is not to honor and empower consumers' right to know, but to derail State laws that do and to get by with as little consumer transparency as possible.

In this shortened period of debate, I hope to create for the RECORD what the Agriculture Committee has not: the shortcomings of this proposal, and the ways in which it should—and could—be improved.

I will first discuss the uncertainty the definition in this bill creates. We have heard repeatedly these past 2 weeks both worry and apprehension that the legislation before the Senate would actually exclude virtually all the GE products that are now on the market. This concern stems from the very narrow scope of the definition in this bill. This definition excludes any foods that do not actually contain the genetic material of a GE crop. So what does this mean in practice? This definition would exclude a wide variety of highly processed foods, from soybean

oil to corn oil, corn syrup to sugar beets, and an array of other products that do not possess the actual genetic material after they have been processed.

Now, the sponsors of this bill tell us, no, no, no—we have it all wrong. They say that our analysis and interpretation of the legislation is incorrect. They say to trust them. They say this bill gives USDA broad authority to label GE products. They point to a letter from USDA last week—and remind us that USDA would be the only agency with authority to implement and enforce the GE labeling rules. In that letter, USDA said that the bill as currently drafted would include all traditional gene modification products which have come through the USDA approval process, such as GE corn, soybeans, sugar, and canola products on the market today, as well as products developed using gene editing techniques.

So, yes, on the surface, this bill appears to give USDA broad authority to develop a label for GE products. However, with the swift speed with which the proponents of this bill have moved, with no committee process, no debate or amendment process, we will not be able to ensure the language in this bill does exactly what they say that it does. Just take their word for it. The language and definition for a bioengineered food for this new label—and let me quote directly from the bill here—is a food that “contains genetic materials that has been modified through in vitro recombinant DNA techniques.” Well, let me interpret that for Vermonters and consumers across the country. That means that, if the food does not have genetic material in it, then it is not considered bioengineered under this bill. So even with the assurances from USDA last week, a simple study of this definition says that those foods that are highly processed and no longer have the modified genetic materials would not fall under this new label.

The definition also goes on to say that a bioengineered food is one that—and, again, let me quote directly from the bill—“for which the modification could not otherwise be obtained through conventional breeding or found in nature.” This raises more red flags because many of the genes that have been modified or introduced do occur in nature, just not in the particular crop the gene has been added to. They might occur naturally—in frogs, say—but not in our crops.

We have heard countless questions asking: Well, would it apply to this crop, or is it their intention that this other variety would have to be labeled if the gene being introduced occurs in nature? USDA says yes today, but will it say yes tomorrow? If you look at this bill, there is no clear-cut answer. We have seen with the Vermont labeling law, where the Grocery Manufacturer's Association took the State of Vermont to court to challenge its

label, claiming it infringed on the association's freedom of speech, that such details matter. We know that the details of this bill are very important if we are going to ensure that it will hold up through the complicated regulatory process and in court, where surely a farm group or food manufacturer will challenge this law.

If the sponsors of this bill would allow us to improve this definition and clarify what is covered, there would be a lot less concern and heartburn, and it could help to shed light on the true congressional intent of this proposal. That is why I have filed an amendment to strengthen the definition in this bill and to bring it more in line with what we have seen in other countries, where many of these same food manufacturers are labeling already for their export markets.

Moving on to genetically engineered fish, another point the sponsors of this bill have tried to refute is how this bill treats genetically engineered salmon, potentially exempting such salmon from labeling. Again, the sponsors say we have it all wrong—that this bill would require the labeling of GE salmon and will not affect the FDA's authority to require a label under the agency's existing authority.

However, at issue is that this bill preempts more than just Vermont's Act 120 on GE labeling. It also blocks laws like Vermont's seed labeling law and Alaska's fish labeling law, which requires that any GE fish in the State of Alaska bear a simple label to let consumers know. The salmon industry is vitally important to Alaska, and that is why the Alaskan Legislature passed their fish labeling law a decade ago.

And what do we hear again from the bill's sponsors? I will tell you: They say don't worry. The FDA could still require GE labels for salmon. But we all know how the FDA has dragged its heels already in responding to concerns from Congress on the labeling of genetically engineered fish. Just last year, the omnibus appropriations bill directed the FDA to provide guidelines for the labeling of a fish as genetically engineered before the approval of a new genetically engineered salmon.

By preempting Alaska's law, the Senate will tell the people of that great State that folks here in Washington know best. Even though you have a State law in place today to require this label, a law you have had on the books for a decade, Congress is going to preempt your State law and give USDA another 2 or 3 years before completing their labeling regulations. In the meantime, not your State—or any State—may have a law in place to ensure this label. That is not fair to the seafood industry in Alaska or to consumers who are looking for this information. That is why I have offered an amendment to grandfather in those State laws that were enacted before January 1, 2016. We took this same step in the recent Toxic Substances Control Act reform bill.

States that had already enacted strong chemical safety laws were able to continue implementing them. We should be able to do the same with this labeling law today. Doing so would ensure there would be no "patchwork" we have been warned about and would let existing laws to stay on the books.

On another matter, the sponsors of this proposal took careful steps to ensure that there are no teeth in this bill for any enforcement by the USDA. They specifically spell out in the bill that there is no authority for the USDA to recall products found to be improperly labeled under the requirements in the bill for GE foods. This bill is also void of any fines or punishments for violators, and there is no compliance deadline for companies. How, with a straight face, can we call this a mandatory label?

The sponsors tell us again: Don't worry—there is enough "strong enforcement authority through several mechanisms in the bill." First, they assert that, since USDA has been given the authority to audit any company that mislabels a food product or does not otherwise comply with the GMO disclosure requirements, it will allow them to "hold them publicly accountable." They point out that State and Federal consumer protection laws are preserved in this bill and that the FDA retains its existing authority to regulate "truthful and misleading" claims on the labels.

Now, that is a confusing point since the proponents of this bill have just told us that USDA was the only agency with authority to implement and enforce the GE labeling rules. So how is it that the FDA can still regulate "truthful and misleading" claims? Are we to then believe that the FDA will use its authority to enforce these labels that actually comply with a USDA requirement? Perhaps if we could clarify that issue in this bill, it would help to set the record straight when it comes to congressional intent and the Federal Food, Drug, and Cosmetic Act. But, again, no. We will be blocked from offering any amendments to this bill to clear up this confusion and to ensure that the FDA can use their residual authority in the Federal Food, Drug, and Cosmetic Act's section 403, which covers truthful and misleading labels.

To go from a State law that has some teeth and enforcement capability, as we have in Vermont, to a Federal standard with no penalties, recall opportunity, or other ways to enforce this new labeling requirement is alarming. The proponents point out that states have the ability to enact an identical State GMO labeling law and can provide additional enforcement authority if desired.

So first they want to take away strong meaningful State laws on labeling. Then they tell those States they can pass something identical to the Federal law, as weak as you may think it is, and enforce it on behalf of USDA. All this because Congress appears too

busy bending to the whims and interests of powerful interests to include any meaningful enforcement mechanisms in this bill.

The sponsors of this bill also tell us that they feel that "public sentiment" will be enough to get these companies to comply and just do the right thing. Will our consumers have to be the cops on the beat to go after these companies? When these families are already having a tough enough time trying to squeeze every minute out of their days, now they will police these multimillion dollar companies to make sure they comply? That is highly unlikely, and it is patently unfair.

Of course, then there is the matter of international labeling laws. Although some groups and Members of the Senate try to make it appear that what Vermont has done is completely novel, the fact is that labeling laws for GE crops exist in 64 other countries today. Certainly, they are not all identical, but I will tell you one thing: The definition for bioengineered food used in this bill is unlike any other in the rest of the world.

On this point, we hear from the proponents of this bill that, among the 64 countries who require labeling of GMO foods, there is no consistently used definition of biotechnology or consistent way that this is applied to foods. In fact, they highlight that some of our major trading partners exclude some of the very products that they believe this bill provides authority to USDA to label.

The fact is that consumers want the right to know for many varied reasons. For some, the question is a religious point. For others, they want to know the extent to which GE crops may increase herbicide use, not just the presence of the genetic materials in the food. That is why I have filed an amendment to strengthen the definition for the foods that must be labeled under this bill. My amendment is based on the United Nations' Codex, an intergovernmental body with more than 180 members, established by the framework of the Joint Food Standards Programme established by the Food and Agriculture Organization of the United Nations and the World Health Organization. A broader definition, as I have proposed, will also allow for this new label and USDA to keep up with modern science and the rapidly changing pace of gene modifications we are seeing developed and our researchers working on today.

This bill should not be so narrowly drafted that it ties USDA's hands and ignores the fact that there are dramatic advancements in biotechnology every day. Ten years ago, it would have been hard to have predicted the scientific innovations in today's world, and who knows what developments we will see in the next 10 years. This bill should be drafted so that we ensure that USDA has sufficient authority to make these determinations in the future, without Congress needing to update this authorization every time

there is a new scientific advancement in biotechnology.

And then there is the so-called patchwork. I have heard from the proponents of this bill that their efforts are to prevent a patchwork of different State labeling laws. They claim that the existing State laws will cause confusion for consumers and food companies. But what they fail to explain is that we do not have a patchwork of State laws today. What every Member of the Senate should know is that Vermont is the only State that has a broad labeling law in place and in effect today. Maine and Connecticut's laws have yet to take effect due to trigger clauses in those laws. Even if they were to take effect, these three States have worked in tandem and all require that the same language—"Produced with Genetic Engineering"—appear on the package.

In Vermont, our attorney general was given the authority to make amendments and changes to the State's labeling standard to ensure it is in line with other state standards to prevent consumer or industry confusion. So we do not have this fictional "patchwork" that some have claimed and used as reason to act immediately, without thorough debate and without opportunity for improvement. That is why I have filed another amendment to grandfather existing State laws for labeling, whether it be for seeds, GE salmon and Frankenfish, or GE foods.

Given the mounting unanswered questions and legal ambiguity that surrounds this bill, I cannot fathom why the Senate is intent to fast-track it. Rather than going through any sort of orderly committee process, with hearings and markup, its sponsors have sought to use procedural tactics to avert a lengthy, controversial debate. It is in part why there was commotion and confusion last week when the Senate held a rare rollcall vote on the motion to lay before the Senate a message from the House to accompany a bill. The Senate Library and the Congressional Research Service had to hunt back to an example from 1976 that is cited in Riddick's Senate Procedure for when the Senate had to have such a vote.

This is a complex issue, one that the Senate should consider deliberately, with a full and open debate of reasonable, germane, and relevant amendments. Only that process would ensure that we truly have a mandatory Federal label that does encompass the GE foods in the marketplace today and future advancements in biotechnology.

Again, I am discouraged that Senators—Senators like me who have the benefit of their States creating a long record to support effective, mandatory GE labeling—have been cut out of the process in crafting this proposal. That is why I have nonetheless joined other Senators, including Senators MERKLEY, SANDERS, TESTER, BLUMENTHAL, FRANKEN, and MURKOWSKI, in filing amendments for consideration. I would

like to take a moment to explain to the Senate—and for the RECORD—just how modest and reasonable some of these amendments are. I have already mentioned a few.

First, I have filed a series of amendments to address serious flaws in this proposal's use of electronic or digital codes. I am a proud supporter of Senator MERKLEY's legislation, long-pending in the Senate, to require a mandatory, on-package label of some kind to identify genetically engineered food for consumers. This proposal includes among its options digital codes—or QR codes, for those versed in the lingo. They are black and white boxes. The idea is a consumer takes their smartphone, scans the code; the Internet takes them to a page, where they can then scroll to find the information they seek. I don't know if many of you in this Chamber have been to Vermont. If you haven't, you should. It is beautiful, especially this time of the year. It is also rural. We still face internet challenges. More than that, consumers should not be forced to scan the codes of 30 items in their shopping basket, simply to learn if they include GE ingredients. What was once a quick trip to the market for milk and bread will turn into a 2-hour ordeal—and that is if you can access the Internet in the store. I have filed an amendment to strike the use of these so-called QR codes as a means of labeling.

While this bill requires the Department of Agriculture to study the potential challenges to consumer access, it does nothing to assess consumer awareness. One of my amendments would expand this study. Another amendment would require that if such a study determines that consumers will not have sufficient access to information via electronic or other digital codes, the Secretary of Agriculture will require only on-package disclosure. Another amendment I have filed would simply require the language accompanying an electronic or digital code to say "GE information," instead of simply "food information." What harm would there be in giving consumers more descriptive and direct information?

Another amendment that I have filed would strike this proposal's effort to preempt Vermont's longstanding seed law. On the books since 2004 and supported by organic farmers and hobby gardeners alike, there is no need for this bill to go so far as to preempt this longstanding law that gives farmers more information about what they are buying.

Like others, I have filed an amendment to strengthen the definition of bioengineering and to strengthen consumer privacy with in the bill's requirements. I have an amendment to match the amount of GE food required to trigger a label to the 0.9 percent required in Vermont's Act 120 and other international labeling standards.

And, importantly, I have filed an amendment to grandfather in

Vermont's Act 120 and any other similar labeling laws enacted before January 1, 2016. The bill before us throws away the work of the Vermont Legislature. Rather than treat the Vermont law—the first-in-the-Nation GE labeling law—as the gold standard and the floor for any national law, instead of using Vermont's law as an instructive starting point for a national label, we throw away the work of our legislature, the voices of my constituents. Well, Vermonters will not be silenced on this matter. I am here to give voice to their views, even as the Senate muffles the progress our State has made in advancing a consumer's right to know.

Speaking of which, I have heard from hundreds of Vermonters about this so-called mandatory labeling bill. For the benefit of the Senate's short record on this issue, I will take this opportunity to share with the Chamber some of the messages that I have received over the past few weeks.

This is a map of our State, and the dots show where I have heard from my constituents. Many have shared their concerns about digital or electronic disclosure options. I could read thousands of these letters, but I will just read from a couple of them.

John from Fairlee, VT, wrote: "I am incensed over the Senate proposal to allow companies to put a bar code style label on packaging that could be read by using a smart phone to determine GMO content. First, I don't even have a smart phone and have no plans to buy one since we have no cell reception where I live. Even if stores have Wi-Fi, and I were willing to buy a smart phone, why should I have to go the extra step of connecting to a company's website to determine if its product contains GMOs?"

Well, John from Fairlee makes a lot of sense. For example, suppose you have a peanut allergy. Packages today will say if the food has peanuts in it or not. Suppose you have a gluten allergy. You can go into a store and the store will have whole aisles of gluten-free products, which would also be labeled that way. Why shouldn't you be able to just look at a simple label and see whether the ingredients were produced with genetic engineering? Campbell's Soup is going to do it. Why can't we just have a label?

Katharine from Brattleboro, VT, wrote: "I'm one of the many people who cannot afford a cell phone. The federal proposal for GMO labels that requires a cell phone would be useless to me and many others on fixed incomes, disability, etc. Please pass a federal law that doesn't require a cell phone to access information. I deserve to know what I am consuming as much as people with extra money who can afford a cell. It just isn't fair to the rest of us to keep us in the dark. I pay my bills and live frugally and responsibly. I do not use my money for entertainment or extras. But I do not deserve to be restricted from access to important information."

She went on to say: “Additionally, cell coverage in Vermont is, at best, poor. So even people with cell phones might not be able to access information.”

Well, this Senator agrees with her.

Maureen said: “I do not have a smart phone, as is true for most older Americans, and should not have to buy one in order to find out if the food I buy is genetically modified. This is a dishonest attempt to pander to big industry at the citizens’ expense.”

Others, like Carl from Putney and Barbara from Hinesburg, said: “I don’t use a smart phone, and a label I have to scan will do me no good. I doubt I would want to scan everything I looked at in my supermarket, in any case.

“The proposed ‘labeling law’ is in fact not a labeling law at all. As I understand it, the food producers would not need to disclose anything, just provide a phone number or website that consumers could use to find out whether the food is genetically modified.”

Carl and Barbara went on to say: “. . . to have a label that can be read only with a phone app is ridiculous. We personally do not have such a phone and will not obtain one because where we live reception is challenging.”

Hundreds of Vermonters even joined together in sending me a letter that said: “The bill requires the labeling of packaged foods containing GMOs in one of three ways: an electronic code that consumers can scan; USDA-developed symbol; or a label. The bill leaves it to manufacturers to decide which of the three methods they prefer.

“Now guess which method Big Food will choose? I have no doubt that they will choose the electronic code that can only be read with a scanner. They know that few will want to do this and even fewer will be able to.”

The letter continued: “A recent national survey showed that only 16 percent of consumers have ever scanned a QR code for any purpose. Unless I want to take each item to the customer service desk in the grocery store, I must download a scanning app onto my smartphone—assuming I even own one! No matter which app I choose, it may take a few tries to actually scan the code properly. Then I will have to wait for the website to pop up on the screen, which could take a long time depending on your network coverage inside the store, after which I might have to sift through the company’s information to find the GMO information I am looking for.

“The QR code is hardly a label in any meaningful sense of the word. It adds a barrier between the consumer and the information he or she wants, and discriminates against those who do not own smartphones—which is half of people living in rural areas, 75 percent of those over 65, and half of those making less than \$30,000 a year. This legislation discriminates against all these people and especially the poorest Americans.”

Well, it is clear that the proposal before us today is driven more by the per-

spectives of powerful special interests than by a commitment to honor a consumer’s right to know or by a legitimate effort to make information available to all Americans. Consumers are far from this deal’s highest priority. If they were, we would not be contemplating an electronic or digital disclosure method when many rural areas, including most of Vermont, face significant technological challenges, not to mention that this digital disclosure would also discriminate against low-income and elderly populations.

I have also heard from a number of Vermont organizations, all with grievous concerns about the proposal before us today.

The Vermont Public Interest Research Group wrote: “VPIRG opposes the . . . proposal because it is a thinly veiled attempt to keep consumers in the dark about what is in their food. This proposal is nothing but a sham aimed at eliminating Vermont’s labeling law without replacing it with any meaningful federal standard.

“Vermont’s labeling law took effect on July 1, and companies are already providing consumers with clear on-package labeling that allows them to make informed decisions about the food they are purchasing.”

They went on to say: “Vermont’s law is not novel or unique. Over 90% of Americans support labeling genetically engineered foods, and these products are already labeled in more than 64 countries around the world.”

Others, like Rural Vermont, said: “On behalf of the members of the Board of Directors of Rural Vermont, who are all working farmers, and our statewide membership of other farmers and their customers, I am writing to urge you to do everything you can to prevent passage of this bill that proposes to provide a national standard for the labeling of food that is genetically engineered. This bill does not meet the fundamental needs of the over 90% of Americans who want genetically engineered food products to be labeled.

“This bill is no better than its predecessors in the Senate or the bill passed by the House in 2015. The fact that the bill offers as a ‘label’ the option for food producers to require customers to use so-called QR codes to access information about the content of the product they are considering purchasing is absurd and blatantly discriminatory. The use of a QR code as a ‘label’ requires that the customer A) Own a ‘smart’ cell phone, B) Have the application required to read the QR code installed on that phone, C) have adequate access to cellular service inside their grocery store (highly problematic, esp. in Vermont), and D) Have the time and patience to navigate the web site to which the QR code will direct them in order to find the information regarding the product they are holding in their hand—the content and transparency of which is still entirely determined by the food producer. Try suggesting this scenario to a busy mom with a couple

of kids in tow and you are likely to be laughed, if not chased, out of the room.”

The Northeastern Organic Farming Association of Vermont wrote: “Vermont’s GE food labeling law Act 120, which is in effect as of July 1, provides a more meaningful, enforceable, and consumer-friendly labeling framework than the current federal proposal. It should be allowed to stand.”

I heard directly from Ben & Jerry’s, which wrote: “We are incredibly proud of the ingredients we use and we couldn’t be happier to tell our fans and consumer about them. That’s why we find it so hard to believe that there are food companies that do not want to disclose the ingredients they use. That they are fighting so hard to oppose what polls show 90% of American’s want, the ability to look at a food package and know whether or not the product contains GMO ingredients.”

And others have reached out as well, saying this from the League of Conservation Voters: “Under the proposal, companies may disclose GMO content through a QR code, a digital code which requires a smart phone or other scanning device to decipher. Those who do not have access to a smart phone—more than 50% of rural and low income populations, and more than 65% of the elderly—will have to rely upon scanners provided by another party to access information about GMO content.”

Other Vermonters have reached out to me to share their concerns about the right of States to legislate in a way that furthers the legitimate and significant interests of the State. They have reached out, urging me to reject this “deal” or any other bill that would prohibit states from requiring the labeling of genetically engineered foods unless it is replaced by a strong mandatory national label.

Jennifer from Bethel, VT, said: “I and many other Vermonters urge you to reject this bill, we want Vermont’s precedent-setting, mandatory labeling bill to go into effect, and for it not to be thwarted by efforts for a weaker, overriding federal program of voluntary, or QR-code based labeling, which would only let some consumers know what’s in their food some of the time.”

James wrote: “We have worked too long and hard to have our efforts scrapped by politicians who know little or nothing about growing natural nutritional food.”

He continued to explain that he and his wife testified before the Vermont State Legislature in support of Act 120, Vermont’s GE labeling law.

Another Vermonter said that this bill, which would nullify Vermonters’ right to know what is in their food and legally bar any other State from enacting such a law, is “an outrage.” Many others also reached out to express their concerns that this “deal” is really just an attempt to undermine Vermont’s law.

The overwhelming message that I have heard loud and clear from so



many Vermonters is that they simply want to know what is in the food that they feed their families.

Leslie from Middlebury, VT, wrote: "The people of Vermont have made their voices known. We want to know what is in the food we eat and feed our families."

Eric from Strafford, VT, said: "I strongly urge you to fight to defeat the GMO labeling agreement proposed by Senators STABENOW and ROBERTS. It would undermine the Vermont labeling law and fails to offer consumers the clarity they deserve about what's in their food."

And others have reached out as well, saying: "I am very disappointed that legislators in Washington are more interested in protecting the food industries than they are in providing information to the consumer. We consumers have a right to know what's in our food, how it was produced, and its origins."

And: "We have the right to know what is in our food in order to make informed choices about what we eat and feed our families."

"People need to have the right to know the contents of their food, it is ludicrous to deny this information to the people of this nation."

"Consumers have a right to know what is in their food. And providing consumers that information shouldn't be left up to the manufacturer."

"As a concerned consumer, I want the choices I make for my family to be completely informed."

As well as: "Like most Americans, I simply want to know what's in my food and how it was produced. That is why I support GMO labeling."

From the many letters that I have received from Vermonters since this "deal" was announced, there is one in particular that I would like to share in full.

Michael of Brookfield, VT, writes: "Dear Senator LEAHY, I have recently learned that Senators ROBERTS and STABENOW have proposed GMO labeling legislation. The proposed measure has numerous defects, and I urge you strongly to oppose it.

"The bill allows the agency to set the thresholds so high as to render the labeling requirement practically toothless. It also contains a loophole that could exempt corn and soy, the two most widely grown GMO crops in the country. Further, the actual required labeling would not require any actual information about the food to be put on the label, but instead can direct consumers to a website that has the required information. This would require both a smart phone and in-store internet connectivity in order to make a point-of-sale purchasing decision, neither of which are universal, especially here in Vermont. It seems that the authors of the bill are trying to make it as hard as possible to learn about what's in our food.

"I can understand the desire to prevent numerous conflicting GMO label-

ing laws from being enacted at the state level, but this ill-conceived substitute should be rejected.

"Sincerely, Michael"

I would hope Members of this body will heed Michael's advice. I am sure constituents in your own States feel the same way.

The legislation before us today undermines the public's right to know and preempts labeling requirements for genetically engineered ingredients in States. While it is true that the proposal makes modest improvements to the legislation that the Senate wisely rejected in March, the fact remains that this was hastily crafted solely in an effort to undermine Vermont's GE labeling law that just took effect last Friday. And so I would like to recap some of these concerns.

I remain concerned that this legislation takes away the rights of Vermont—or actually any other State—to legislate in a way that advances public health and food safety, informs consumers about potential environmental threats, avoids consumer confusion, and protects religious tradition. Not only would this legislation preempt Vermont's Act 120 GE disclosure requirement, but it would block other State laws like Alaska's requirement to label all products containing genetically engineered fish and shell fish, and Vermont and Virginia's laws requiring the labeling of genetically engineered seed or transgenetic seed.

I remain concerned that the bill's definition of "bioengineered foods" has been written so narrowly that it allows some of the most common foods to go unlabeled. Whether this bill was drafted with the intent to exempt certain foods remains unclear. What is clear, is that the definition has created significant confusion, not just among consumers, but also in this very Chamber and across Federal agencies. That is why we should be having a full debate and amendment process to allow for technical corrections and to ensure clarity.

I remain concerned that this bill allows for the use of electronic disclosure methods. In many rural parts of the country—including rural parts of the distinguished Presiding Officer's State, the rural parts of the distinguished Senator from Oregon's State, who is on the floor, and the many rural parts of Vermont—we have significant technological challenges that make it nearly impossible for consumers to access the electronic or digital disclosure methods allowed in this bill. I do believe that by requiring the Secretary of Agriculture to complete a study on this issue, these difficulties unavoidably will be recognized. However, significant questions remain. If the Secretary finds, as I am sure will be the case, that additional disclosure options are required for rural areas, will the USDA be responsible for installing scanners in grocery stores? Or are the proponents of this proposal going to put the burden on our retail establish-

ments, large and small, to install costly digital scanners? A scannable code or a 1-800 number is not true disclosure. It is a burden on consumers. It creates an obstacle course from consumers. It is the exact opposite of what we mean when we say, "Just Label It."

I remain concerned that this proposal doesn't truly support a consumer's right to know. Consumers were an afterthought in the crafting of this "deal." We should stay true to the kinds of things most of us say in our campaigns and our political advertising. We say: We are there for you. We are there to protect you. We are there for you.

Well, that is not true. You, the consumer, were an afterthought of the crafting of this deal. The prime motivation was to allow large corporations to get by with doing as little as possible, and the bill's lack of transparency is counterproductive. The more information that we seek to hide from consumers about how their food is grown and manufactured, the more unnecessary red flags we raise for them. Our farmers and food producers should be proud to inform consumers about what they plant, how they grow it, the choices they make, and why.

I also remain concerned that this proposal—even if you like the proposal—has no enforcement mechanism. I have trouble believing that public pressure will be enough to force these multimillion-dollar corporations to comply. You would think that 9 out of 10 consumers would be enough public pressure for Congress to respond, but it didn't do a single thing for this legislation. Consumers are not going to be able to make these multimillion-dollar corporations comply. This proposal makes consumers the cops on the beat, policing companies to provide information about the contents of their product.

These corporations show that they don't really care what the consumers think, with some notable exceptions. Campbell's Soup, which is a multibillion-dollar corporation, has voluntarily decided to label their products, and I applaud them for doing that. So many others are not going to do so. Surely our Nation's families, who are busy squeezing every minute, out of every day, will not have time to hold companies accountable in the court of public opinion. We should not place this added burden on consumers who only want to know what they are feeding their families.

Since this proposal was unveiled, I have heard from many Vermonters who care deeply about this issue. Just last Friday, I joined several hundred Vermonters on the statehouse lawn in my hometown of Montpelier to celebrate Vermont's Act 120 law taking effect on that day, July 1. I heard their voices loud and clear on this issue. The proposed "deal" before us falls short. It doesn't offer consumers what they need or what Vermont's legislators had in mind when they passed Vermont's Act

120, which is to have a simple and clearly written, on-package label. All we want is a simple on-package label so that, when we look at it, we know what we have.

Dozens of Vermonters have told me that they do not own smart phones or do not get cell phone service in their towns. Katharine, from Brattleboro, VT, wrote to me and said: "I'm one of the people who cannot afford a cell phone. . . . Please pass a federal law that doesn't require a cell phone to access information. I deserve to know what I'm consuming, just as much as people with extra money who can afford a cell phone. It just isn't fair to the rest of us to keep us in the dark."

Katharine's sentiments were echoed by Maureen, from Fairlee, VT, who said: "I do not have a smart phone, as is true for most older Americans, and I should not have to buy one in order to find out if the food I buy is genetically modified."

Carl from Putney, VT also wrote to me, saying: "I don't use a smart phone, and a label I have to scan will do me no good. I doubt I would want to scan everything I looked at in the supermarket, in any case."

And you know Katherine and Maureen and Carl and the hundreds of other Vermonters who I have heard from are right. It is not fair, and it is exactly what these large corporations want: They want to hide information behind a QR code or a 1-800 number.

Americans want to make informed decisions for their families and with their limited grocery budgets. One Vermonter, Denis, said it well in his message to me: "The issue is simple: consumers deserve to know what they are consuming, including whether or not the ingredients are produced naturally or through genetic engineering, so they can make personal choices about what to purchase. GMO information needs to be clearly disclosed on the label as part of the nutrition and ingredient details."

Lewis from Enosburg Falls also wrote to me about the importance of a consumer's right to know. He said: "Everyone has the right to know what they are eating. Period. Vermont's labeling law will not judge GMOs as good or bad, it will simply confirm their presence in any product. I want to make informed decisions about what is in the food my family and I eat, whether it's salt, sugar, fat, or GMOs."

What Vermont did, unlike the U.S. Senate, which had no hearings or open discussions—the Republican leader brought this bill out here under a fast-track so we couldn't have any real debate on it—was debate this issue for years. They held over 50 hearings on the subject. They had over 130 witnesses testify and all sides of the issue were heard. Yet the U.S. Senate has failed to hold a single hearing to debate these issues and hear expert testimony.

The little State of Vermont had over 50 hearings and more than 130 wit-

nesses. Our legislature represents 625,000 people. We had over 50 hearings and heard from more than 130 witnesses, while this Congress, which represents 325 million people, didn't have time for a single hearing on GE labeling. This Congress didn't have time to debate these issues and hear expert testimony. The U.S. Senate did not have one single hearing so that any of those 325 million Americans could be heard.

If you saw this in a movie or something where they were poking satirical fun at the Congress, you would say: Oh, they have gone too far; that would never happen. Unfortunately, it has happened.

This backroom deal made by the food industry has left too many gaping holes and questions that should have been addressed before this bill was fast-tracked through the Senate.

Is the Vermont law perfect in every way? No, I do not contend that it is. The State was blocked and preempted from requiring a label on products that contain meat. And I will be the first to point out that there are challenges with Vermont being out there on its own with a label, but what we need to replace it is a strong national label that has been thoroughly debated and any confusion over intent clarified.

This bill has been brought forward at this time simply to preempt Vermont's GE labeling law that just took effect on July 1. This, despite the fact that Vermont has a 6-month safe harbor or grace period until January 1, 2017. With 6 months left before Vermont's grace period ends, why are we not taking the time to hold a hearing? Why are we not having a full debate and amendment process? Why are we not listening to consumers in Vermont and across the nation who simply want to know what is in the food they feed their families and how it was produced?

I hope other Senators will join me in rejecting these efforts to undermine the ability of States, such as Vermont, Alaska, Virginia, and others that choose to offer consumers and farmers purely factual, noncontroversial, and commercial information that furthers the legitimate and substantial interest of the State.

I really can't support this so-called compromise. There have been no hearings and we have heard no testimony on it. It was suddenly handed to us as a *fait accompli*. We were told to take it or leave it. After all, the Big Money interests want us to take it. It is a last-minute attack on Vermont's law, and it is a last-minute attack on States' rights to set priorities at State government level.

Instead of caving in to the lobbyists, we should be moving in a direction that offers consumers more information and more choices rather than hiding behind a toothless law that puts the industry's interests ahead of a consumer's right to know and sets industry interests ahead of consumers' right to know.

This "deal" substitutes an easy-to-read label that everyone can under-

stand, with a complicated scavenger hunt, which most people won't complete. It is a sham. It does not let people know what they need to know. It is a sham. Let's accept that. The Senate will vote one way or the other, but let's not have anybody going home saying we are protecting consumers. Instead, some Senators voted for a sham put up by a few well-heeled corporate lobbyists.

I have said it before and I will say it again: 625,000 Vermonters deserve better. But even more importantly, all 325 million Americans deserve better. They should at the very least have had the benefit of hearings and full debate—to have people talk about this bill and have the opportunity to have our amendments considered. Instead, it was written in back rooms by heavily financed lobbyists, with input from corporate interests not the interests of the American people.

Mr. President, I reserve the remainder of my time.

I suggest the absence of a quorum, and ask unanimous consent that the time run equally on both sides.

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

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### TREATIES

Mr. CARDIN. Mr. President, I come to the floor today as the ranking Democrat on the Senate Foreign Relations Committee to discuss the importance of treaties to the United States and to express my strong support for the ratification of a number of treaties whose consistency with current U.S. law, coupled with the tangible and material benefits they would deliver to U.S. citizens, businesses, and law enforcement authorities, should make their ratification noncontroversial.

Treaties enhance and increase stability in an uncertain world. They offer a framework for U.S. global engagement in which we can work to promote American values such as equal rights, freedom of navigation, and the promotion of global commerce. Yet, with the 114th Congress drawing to a close, the Senate has not yet ratified a single treaty—a situation I consider to be an extraordinary state of affairs for this body, and I hope we can change this shortly.

The value and importance of treaties to the interests of the United States and its citizens can be seen in the seven treaties the Senate Foreign Relations Committee recently reported out. I thank Senator CORKER and the members of the Senate Foreign Relations Committee for reporting these treaties to the floor of the Senate for its consideration.

These treaties include the Convention on the Law Applicable to Certain

Rights in Respect of Securities Held with an Intermediary, known as the Hague Securities Convention, the International Treaty on Plant Genetic Resources for Food and Agriculture, two extradition treaties with the Dominican Republic and Chile, and three mutual legal assistance treaties with Jordan, Algeria, and Kazakhstan.

Let me talk about these treaties. I am sure they are not getting the headlines of many other actions, but they are important to U.S. interests.

The Hague Securities Convention was negotiated to address uncertainty as to what law governs cross-border transactions in stocks, bonds, and other securities. That legal uncertainty has imposed friction costs on securities transactions and increased risks for investors. The convention provides voluntary choice-of-law rules for securities that are held by an intermediary. It was drafted with close attention to the relevant passages of U.S. law on secure transactions, articles 8 and 9 of the Uniform Commercial Code. The result modernizes these transactions and greatly enhances their predictability. It is totally consistent with current U.S. law. U.S. ratification of the Hague Securities Convention would be the deciding vote in bringing the convention into force, which will encourage other countries to sign on to this treaty that promotes global commerce and legal certainty with a system patterned on longstanding U.S. commercial law. The benefit of this treaty to U.S. business is obvious, which is why the convention is unanimously supported by the relevant stakeholders in the United States, including the Uniform Law Commission, which drafted the Uniform Commercial Code on which the convention is based, the U.S. Chamber of Commerce, the Commercial Finance Association and Securities Industry and Financial Markets Association, the Financial Services Forum, the Emerging Markets Traders Association, the Depository Trust & Clearing Corporation, and numerous other securities clearance and banking entities. The stakeholders who understand the importance to U.S. business interests all support the ratification of this treaty.

The second treaty the Foreign Relations Committee just reported is the International Treaty on Plant Genetic Resources. This treaty has been in force for 12 years and already has 139 contracting partners. The U.S. ratification of the plant genetics treaty will benefit U.S. farmers as well as U.S. agricultural and research institutions.

Plant breeders, farmers, and researchers need access to raw plant materials to develop improved plants that are more productive and nutritious. The plant genetics treaty aims to address this need through the creation of a formal global network for banking and sharing seeds. The treaty establishes a stable legal framework for international germ plasm exchanges of 64 different crops, including wheat, rice, potatoes, oats, maize, rye, straw-

berries, and apples. The sharing of these crops benefits both research and commercial interests in the United States through the development of new crop varieties that are more nutritious, more resistant to pests and diseases, show improved yields, and can better tolerate environmental stresses such as drought.

The treaty is also unanimously supported by relevant U.S. stakeholders.

I ask unanimous consent to have the full list printed in the RECORD.

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

ORGANIZATIONS SUPPORTING U.S. RATIFICATION OF THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

AgReliant Genetics (Indiana), American Farm Bureau Federation, American Phytopathological Society, American Seed Trade Association, American Society of Plant Biologists, American Soybean Association, Arkansas Seed Dealers' Association, Bayer CropScience LP (North Carolina), Beck's Hybrids (Indiana), Biotechnology Innovation Organization (BIO), California Seed Association, Colorado Seed Industry Association, Condor Seed (Arizona), Crop Production Services (Colorado), Crop Science Society of America, Curtis & Curtis (New Mexico), Delaware-Maryland Agribusiness Association, Dow AgroSciences (Indiana), DuPont Pioneer (Iowa), Enza Zaden U.S. (California),

Georgia Agribusiness Council, Georgia Crop Improvement, Georgia Seed Association, Grain and Feed Association of Illinois, Grassland Oregon, GROWMARK (Illinois), HED Seeds (California), HeinzSeed (California), HM.CLAUSE, Inc. (California), Idaho-Eastern Oregon Seed Association, Illinois Fertilizer & Chemical Association, Illinois Seed Trade Association, Independent Professional Seed Association, Indiana Seed Trade Association, Iowa Seed Association, J.R. Simplot Company (Idaho), JoMar Seeds (Indiana), Justin Seed (Texas), Kansas Seed Industry Association, Kansas Wheat Alliance.

Keithly-Williams Seeds (Arizona), Land O'Lakes, Inc (Minnesota), Latham Hi-Tech Seeds (Iowa), Limagrain Cereal Seeds, Monsanto (Missouri), National Association of Plant Breeders, National Association of Wheat Growers, National Corn Growers Association, National Cotton Council, National Council of Commercial Plant Breeders, National Farmers Union, National Sorghum Producers, Nebraska Agri-Business, New Jersey Agricultural Experiment Station (NJAES) at Rutgers University, New York State Agribusiness Association, North Carolina Seedsmen's Association, Northern Seed Trade Association, Northwest Nursery Improvement Institute, Ohio AgriBusiness Association, Oregon Seed Association.

Oregonians for Food & Shelter, Pacific Seed Association, Produce Marketing Association, RiceTec (Texas), Rocky Mountain Agribusiness Association, Rural and Agriculture Council of America, Sakata Seed America (California), Seedway LLC (Pennsylvania), Sharp Bros Seed (Kansas), Southern Crop Production Association, Southern Seed Association, Syngenta North America (Minnesota), Texas Ag Industries Association, Texas Seed Trade Association, University of California, Davis College of Agricultural and Environmental Sciences, University of Kentucky College of Agriculture, Food and Environment, US Rice Producers Association, USA Rice, Vilmorin, North America (California), Warner Seeds (Texas),

Washington Tree Fruit Research Commission, Wisconsin Agri-Business Association, Wyoming Ag-Business Association, Wyoming Wheat Marketing Commission.

Mr. CARDIN. The list includes the American Seed Trade Association, the National Farmers Union, the Biotechnology Industry Organization, the National Association of Wheat Growers, the National Corn Growers Association, the American Soybean Association, numerous universities, and nearly 100 other farm, agricultural, and research groups. This agreement again is supported by all these stakeholders that understand the importance to American farmers, American commercial interests, and American consumers.

I am deeply grateful to Chairman CORKER and my colleagues on the Foreign Relations Committee who worked hard to advance these treaties to the Senate floor. My only regret is that I hoped we would have considered these two worthy, uncontroversial treaties earlier. Both the Hague Securities Convention and the plant genetic treaty provide tangible benefits to the United States and its stakeholders. Neither requires changes to U.S. law. Let me repeat that. Neither of these treaties would require us to change U.S. law. The Hague convention was signed by the United States in 2006 and has been awaiting ratification in this body since 2012. The plant genetics treaty was submitted to the Senate Foreign Relations Committee in 2008, received a hearing on November 10, 2009, and was reported by the committee in December 2010. Almost 6 years later, it still has not been considered by the full Senate. We can do better.

I am hopeful the Senate will soon act to ratify these two treaties. However, I fear the long delay in their consideration speaks to a larger problem. I am dismayed some of my colleagues on the other side of the aisle do not see the value of treaties and the benefits they accrue to U.S. citizens and businesses.

As the ranking member of the Senate Foreign Relations Committee, I call attention to my colleagues that we also have eight tax treaties pending on the floor of the Senate: tax conventions with Poland, Hungary, and Chile; protocols amending existing tax conventions with Japan, Switzerland, Spain, and Luxembourg; and a protocol amending the Multilateral Convention on Mutual Administrative Assistance in Tax Matters. With the exception of the Japan treaty, which was sent to the Senate relatively recently, each of these treaties has been considered and reported multiple times by the Senate Foreign Relations Committee in recent years. They reflect the practices and procedures consistent with the tax treaties and protocols passed by the Senate since 1973. Since then, 68 tax treaties have been passed by this body by unanimous consent. Yet, because of the opposition of a single Member, the Senate has not ratified these vital treaties.

Like the Hague Securities Convention and the plant genetics treaty, there are material benefits to U.S. ratification of these tax treaties. They establish a common framework with facilitating trade and investment and can reduce the taxes assessed on U.S. companies and individuals who have interests or work overseas. The seven countries with pending tax treaties have invested approximately \$700 billion in the United States, with hundreds of thousands of U.S. jobs and businesses tied to these investments. Ratification of these treaties would provide increased certainty and facilitate further investment in the United States and its people.

The sole declared opponent of these tax treaties has raised privacy concerns regarding the collection of financial records. So let me be absolutely clear. These tax treaties are entirely consistent with the Fourth Amendment protections ensuring that American citizens are protected against unreasonable searches and seizures. As stated so eloquently by Chairman CORKER, tax information exchanges with another country under any tax treaty are subject to stringent controls, are forbidden from so-called fishing expeditions, and are explicitly prohibited from information exchange requests for nontax purposes. That is protected in the treaty. The exchange of information standards in the pending treaty is in fact already being used in 56 tax treaties currently in force.

The proposed threshold of these treaties would apply the same statutory standards to Americans with bank accounts abroad as already applies to Americans with bank accounts in the United States. We are not imposing any additional burdens on these accounts that are outside the United States. It is identical to what we impose on Americans in the United States. There is no reason people with foreign bank accounts should be able to hide their money from the IRS in a way that the average hard-working American cannot.

Continued obstruction and indefinite delay of these eight tax treaties is an unacceptable state of affairs that does harm both to U.S. businesses and individuals who invest and work overseas and to U.S. businesses and citizens whose livelihoods remain linked to continued foreign investment in the United States. The Senate should act as soon as possible to give these treaties the long-awaited up-or-down vote they deserve.

There are other vital treaties that are pending before the Senate that are critical to American security and law enforcement interests. I hope the Senate will move forward in an expeditious fashion to ratify these treaties. In particular, I want to highlight five pending law enforcement treaties—two extradition treaties with the Dominican Republic and Chile and three mutual legal assistance treaties with Jordan, Algeria, and Kazakhstan. The extra-

dition treaties update century-old treaties with the Dominion Republic and Chile, replacing outmoded lists of offenses with a modern dual criminality approach, in which instead of a long treaty list of extraditable offenses, offenders can be extradited if the offense is a crime in both the United States and the other country. The treaties incorporate a series of procedural improvements to streamline and speed up the extradition process.

Mutual legal assistance treaties are agreements between countries for the purpose of gathering and exchanging information in an effort to cooperate on law enforcement issues. America can provide some assistance without these treaties, but ratification makes this process much clearer and much more streamlined.

Ratification of these enforcement treaties will be of great benefit to the United States. To give but one example of how beneficial these treaties are to the United States, it has been estimated that for every person extradited from the United States to the Dominion Republic, 10 are extradited here to face charges for crimes they have committed against the laws of the United States. So these treaties are very much in the U.S. interest.

Of the 15 treaties I have discussed thus far, all should be entirely uncontroversial and capable of being passed without delay. Indeed, until very recently, tax and law enforcement treaties were passed routinely by unanimous consent, but there are other treaties the Senate has considered in recent years where ratification would also bring tangible benefits to the United States and its citizens. I want to highlight two in particular—the Convention on the Rights of Persons with Disabilities and the Law of the Sea Treaty.

The Senate owes a great deal to former Senator Kerry and Senator MENENDEZ for their work on the disabilities convention. Through multiple hearings across the 112th and 113th Congresses, it was established, beyond a shadow of a doubt, that the treaties' principles are firmly based on American values. From the U.S. Constitution, the treaty borrows principles of equality and the protection of minorities; from the Declaration of Independence, it borrows the unalienable right to pursue happiness; and from the Americans with Disabilities Act, the gold standard for disability rights, the treaty borrows the concept of reasonable accommodation. U.S. ratification of the disability treaty would deliver material and palpable benefits to the 58 million Americans who have one or more disabilities, including 5.5 million American veterans. Ratification would impose no additional obligations on the United States but would give the United States a leadership position on the Committee on the Rights of Persons with Disabilities, from which we could effectively promote human rights and equal rights for those with

disabilities and lend our expertise to other nations as they work to implement the treaty. Friendly countries would be able to rely on proven U.S. standards in crafting disability and accommodation policies that would not only positively affect their citizens but also U.S. students, tourists, service-members, and veterans who travel abroad.

The disabilities treaty was overwhelmingly supported by veterans and disabilities groups. Unfortunately, and to the great dismay of so many, the Senate fell five votes short of ratification of the disabilities treaty in December of 2012. In July 2014, the Senate Foreign Relations Committee again advanced the disabilities treaty out of committee. I was proud to vote in favor, and it is my hope the United States will ratify this valuable treaty so we can give the United States a say with how people with disabilities, including our own citizens, are treated around the world.

It has now been over 2 years since the committee has acted on this, and I would hope the Senate would act on this in a responsible manner and that the United States would join with the other nations in support of the disability community.

The failure to pass the Law of the Sea Treaty has been a failure of many Congresses. The United States played a critical role in developing the treaty in the 1970s, and we have the most to gain from being a part of this treaty. We shaped the construct of the treaty to be very favorable to the United States, including giving the United States the only permanent seat on the international council that would oversee and make decisions about deep seabed mining. Unfortunately, the permanent seat remains vacant and decisions are being made about seabed mining in international waters without U.S. participation. The estimated area of the territorial expansion over which the United States could claim sovereignty under the continental shelf expansion conventions of the treaty is an area estimated to be about 291,000 square miles, or roughly 1.5 times the size of the State of Texas. Though the Senate's failure to ratify the Law of the Sea Treaty is a longstanding one, recent events have brought the viability and wisdom of U.S. nonparty status even further into question.

For example—and we talked about this before on the floor of the Senate—the disappearance of the Arctic sea ice, coupled with increased access to mineral resources in the Arctic seabed, is influencing the territorial claims our Arctic neighbors—Canada, Russia, Denmark, Greenland, Iceland, and Norway—are making, and all of these countries are making legal claims under the Law of the Sea Treaty. The United States is the only Arctic nation not staking any expanded claims in the Arctic, nor are we challenging the actions of our neighbors who may be encroaching on waters to which we could

have a claim. The State Department cannot be blamed for not making claims or challenging our neighbors. It is the Senate that has failed to give the State Department the ability to rightfully stake claims and challenge the legality of our competitors' claims—purely out of an unfounded and ideologically partisan opposition to the United States being a party to the Law of the Sea Treaty.

The situation in the Arctic is just one reason to reconsider ratification of the Law of the Sea Treaty. Our failure to be a party of the treaty framework means we lack the ability to fully work with our allies and partners in the South China Sea region to address the ongoing maritime security issues. A broad set of stakeholders—ranging from the U.S. Chamber of Commerce to the environmental organizations and our Nation's military to industry-specific trade groups representing commercial fishing, freight shipping, and mineral extractions—all support U.S. accession to the treaty.

I remember the hearing in the Senate Foreign Relations Committee where we had our generals testifying before us that it is in our U.S. national security interests to be a member of the Law of the Sea and to ratify that treaty.

In particular, our naval leaders have made it clear that the United States' participation in the Law of the Sea will help them maintain navigational rights more effectively and with less risk to the men and women they command.

I can only hope that the Senate will soon ratify the Law of the Sea Treaty, which will secure U.S. interests and reaffirm the principles of freedom of operations and freedom of navigation in international waters and airspace, in accordance with established principles and practices of international law.

I must note that for many of the treaties whose benefits I have just described, there is a disturbing pattern to the continued obstruction and delaying their consideration. Regardless of how many hearings are held by the Senate Foreign Relations Committee to examine the treaties, regardless of how many benefits would accrue to the United States, and no matter how many stakeholders weigh in in favor of ratification, even the most inoffensive treaties can languish for years without advancing and sometimes be scuttled by one lone objector whose reasoning has nothing to do with the facts about the treaty in question but has everything to do with partisan politics and ideology. Continued delay on treaty ratification only hinders the interests of the United States and its citizens.

I welcome the recent movement of the Hague Security Convention and the plant genetics treaty and the five law enforcement treaties by the Senate Foreign Relations Committee reported out last week. But I believe it is time for the Senate to do more—much more—to ratify additional treaties that deliver tangible, material benefits to the United States and its citizens.

It is time to ratify these treaties.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

MARVA

Mr. COTTON. Mr. President, a few weeks ago, I had the privilege of visiting the Mid-Arkansas River Valley Abilities Workshop, better known as MARVA, in Russellville, AR, just over the bridge from my hometown of Dardanelle.

For more than 40 years, MARVA has provided individuals with developmental disabilities meaningful work in a supportive environment and given them access to a variety of social services. Those employed at MARVA produce and sell, for example, top-quality recyclables, planners, and calendars.

My visit to MARVA deeply moved me. I saw firsthand how important this organization is to so many Arkansans, and I met and heard from some truly amazing people, like Ron, who has been at MARVA for 17 years. Ron said he had dropped out of 3 different colleges and was fired from 10 jobs before he was diagnosed with a mental illness. Ron was actually told by one former employer: "You are dumb and have no future." Ron moved back to Arkansas and found his place at MARVA, where he is currently thriving. In Ron's words:

MARVA has helped me to feel that I can be independent and encouraged me to feel a sense of worth. I feel that my life has come from the gutter to glory. I can't imagine any other life. I don't want to get fired again.

I also met Mike, an Arkansan who has been employed at MARVA for 38 years—38 years. Mike was diagnosed with cerebral palsy at the age of 2. He was lucky enough to have parents who took him to the best schools and the best physical therapy, but there are still real limitations from his disability. For Mike, MARVA has been a saving grace. His mom said it is a safe environment for him to grow as a person, providing purpose for his life and a network of friends with whom to socialize—and earn a little money while doing it.

MARVA offers Ron, Mike, and 28 other Arkansans a chance to be part of a team, a chance to do meaningful work, make friends, and have loving, understanding coaches and mentors who recognize their limitations. It offers them integration and a chance to live a full and meaningful life.

I talk about MARVA today not just because it is an incredible place with incredible people but because there is a movement afoot in Congress that could harm or even eliminate places like MARVA.

Section 14(c) of the Fair Labor Standards Act helps create employ-

ment opportunities for persons with disabilities that prevent them from finding jobs at market rates. In nearly all cases, these waivers are used for sheltered workshops like MARVA. These organizations are nonprofits with a mission to help persons with disabilities, not companies getting rich from subminimum wage labor.

I recognize that some in the disability rights community oppose 14(c). I met with some good people who devote their lives to serving the disabled and have this point of view. There are bills in both the House and the Senate to eliminate 14(c), and, in turn, likely shut down organizations like MARVA. I am sympathetic to their concerns, especially in rare isolated cases of abuse. And if there is a choice between a workshop job and a suitable market job in, say, a retail store, for many disabled persons the market job would be a better option. But as the client-workers and their families told me, at MARVA they don't have this choice. They can't choose between a sheltered workshop job and a market job. It is this employment or nothing. And who can argue that the client-workers of MARVA would be better off not having this opportunity? Would that be progress? Or would that be an unintentional but tragic return to the failed and limiting policies of the past?

I encourage all of my colleagues to visit a workshop like MARVA and talk to the full-time staff and the client-workers, talk to the family members of the client-workers, and see for yourself how important these organizations are in the lives of people with disabilities who have found a place that offers them meaningful work in their community. MARVA and similar organizations are a true blessing to their client-workers, their families, customers, and all Arkansans. I am committed to protecting MARVA and organizations like it from any effort to close them down. And if you want the simplest reason why, I will close by reading a Facebook post from Mike's brother:

Whether it's shredding by hand outdated phone books or making ballpoint pens for area businesses, these people WANT to work and are fiercely dedicated to doing their jobs with pride, and they want to work in the environments where they feel sheltered, safe, and where their needs are met. God bless MARVA and may all healthy sheltered workshops survive and keep giving life and a sense of purpose to people like Mike.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I come to the floor to urge all my colleagues to stop denying science and to start understanding that GMO ingredients are just as healthy for American consumers as any other ingredient.

We all recognize that there are a fair number of consumers—some of whom we heard from loudly yesterday—who have concerns. So as we address this issue and as we see the growing interest in knowing more about ingredients in our food, the more we realize that

we can't have 50 States—and even the potential of some political subdivisions—passing different labeling standards. We have to have a unified labeling standard.

But I think I have been disturbed over the last couple months as we have debated this issue from the standpoint of a public health issue and not a consumer issue. I think it is critically important that we set the record straight on genetically modified ingredients and that we make sure everyone in our country understands the science of what we have been doing over almost centuries of work in growing more resilient and better yielding crops. We wouldn't be able to do that in America today or across the world without genetics, without actually looking at applying science to the work we do in agriculture.

As I have said on this floor many times, North Dakota prides itself in being the top producer of a wide variety of crops, and our diversity is something I am particularly proud of. This includes conventionally bred, organic, and genetically modified, or GMO, crops. We grow GMO sugar beets, corn, soybeans, and canola. I will say that again, and I will say it proudly. We grow GMO sugar beets, corn, soybeans, and canola, but we also grow non-GMO products, including many organics.

I think that is what makes American agriculture so resistant and resilient, and it makes American agriculture great. GMOs increase and stabilize productivity, and high yields can make a big difference in the prices we have today. Non-GMO options provide paid premiums to farmers, and there are a group of consumers willing to pay it. That is the diversity we see in agriculture today.

We should be encouraging this innovation and doing what we can to encourage new products, not just for our farmers' benefit but for the benefit of agricultural biotechnology all across the world and the benefits that biotechnology provide.

After all, when you look at the story of American agriculture, it is one of innovation. Some of our greatest accomplishments as Americans have come from our agricultural research and our innovation. Whether it is our land grant universities, extension services, co-op organizations, or Federal research investments, agricultural innovation has helped to increase production, preserve resources, and literally save lives.

I want to remind everyone about a person who is a great American hero. This person is Nobel Peace Prize laureate Norman Borlaug. Borlaug is thought of as the forefather of modern agricultural biotechnology. Because of Borlaug's dedication to innovation and making sure we can feed a growing world, he is known as "The Man Who Saved a Billion Lives."

His wheat breeding work created a wheat that didn't bend and break as it grew, enabling increased production

and revolutionizing farming in America and across the world. As he saved countless lives, he sparked the Green Revolution. That is why we know biotechnology isn't just good for farmers—although it is, especially, during price downturns. It increases and stabilizes yields and fights against crop pests and disease.

Agricultural biotechnology is also great for consumers, not just in stabilizing or reducing prices. It can literally save lives, like the golden rice can. Just last week, as we prided ourselves on this side by saying we need to make decisions based on science, over 100 Nobel laureates wrote to dispute claims involving golden rice and to talk about how important those innovations were to saving populations from blindness and from disease.

If we really are concerned about science, let's start talking about science, and let's start realizing that in no place has there ever been a study that said these ingredients, GMO inputs, are bad for consumers or in any way injure our livelihood or our health.

The bottom line is this technology is safe, and we have nothing to hide. If anyone has heard me talk about GMOs, I frequently say, when people come in to argue with me: I give them to my grandchildren. There is no higher endorsement for any woman than being willing to gladly feed her grandchildren GMO foods, and I realize I wish every grandchild throughout the world had access to the quality products we grow.

I also have said time and again that the more we fight efforts to provide this transparency, the more we look like we have something to hide. That is why I proudly support the Roberts-Stabenow compromise bill. I don't think GMO labeling is something I am particularly interested in. It is not something I am going to look for in my label, but if you want to know, then you should have a right to know.

If consumers want to know the ingredients in their food, let's tell them. Let's tell the real story of the compromise bill and what that means for consumer information literally across the country. Today in America, there is just one piece of legislation, one State that requires GMO labeling on their packaging, and that is the State of Vermont. The other States that have enacted this will only implement their bill if four more States adopt the same kind of provision.

What it means is for all of these other consumers who want to know what is in their ingredients, they are going to have to wait generations or they may never have access to that kind of information.

The GMO label, what consumers can know about their food and whether their food actually contains genetically modified ingredients, will be nationwide. Instead of that very small group of consumers in Vermont knowing, the entire country will have access to that information.

For people to suggest that access can't be provided using modern technology is a fallacy. We all know the information that we receive about our ingredients, about our life, how many times have we turned to ourselves and said: "I don't know the answer to that; Google it." It has become almost a knee-jerk reaction for us to get that instant information. This is an opportunity not only with this label and with this packaging to know about genetically modified ingredients. There is a possibility if you want to know about antibiotics in your food, if you want to know about whether it is gluten-free or whether it contains some kind of peanut oil. All of that information would readily be provided to consumers.

If consumers don't have the ability to scan when they are in the grocery store, most places, especially major grocery store chains, will provide that access. We are expanding, in a way that really is unheard of, access to consumer information. That is why I think all of the arguments we have been hearing that we somehow are hiding something or that we are trying to keep this in the dark—what we are trying to say is this: If we are going to have a label, it should be a national label and that label should provide the information to all the people of our country or access to that information for all the people of our country.

I don't want to leave this debate without reiterating once again that what this bill does is for the first time to give national access to every consumer in this country and a way to find out what the ingredients are in their food, particularly whether their food has been processed or manufactured with genetically modified ingredients.

As to people who suggest that we are not looking at a bill that provides transparency, that label is going to be mandatory. It is going to provide essential information, and it resolves that issue of transparency. As the time bottom line, what we need to do in this country is we need to do a better job of educating consumers about what genetically modified ingredients are, why they are safe, why every agency and 100 Nobel laureates have told us we have nothing to fear from genetically modified ingredients. We need to learn the lesson of Norman Borlaug—the lesson that through technology, through application of good science, we can feed a very hungry world. We ought not to hide from that. We ought to be proud of that.

I know this debate is not yet over. I know we will continue to have a debate, certainly, among consumer groups, and I am more than willing to engage in that debate and defend what our farmers do, which is to provide options to all consumers. Whether it is genetically modified organisms, whether it is organic or non-GMO, we are ready to provide that kind of input, but we have to educate on the science why these products are completely safe. I think that is where we have failed.

I urge everyone to support the Stabenow-Roberts compromise. I think it achieves that label and achieves that access, and it does this: It tells every consumer in the entire country that they will have access to this information instead of the one small State of Vermont.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Arkansas.

TRIBUTE TO PATRICK COMBS

Mr. COTTON. Madam President, I would like to recognize Patrick Combs, of Hot Springs, AK, as this week's Arkansan of the Week, for teaching Arkansas students to share his love of music and pushing them to succeed in everything they do.

Patrick just completed his fourth year as band director for the entire Fountain Lake School District. As the program's sole instructor, Patrick teaches instrumental music for all middle school and high school students and directs both the marching and symphonic bands. To put that in perspective, the Fountain Lake Middle School and High School have a combined student body of over 800 students.

Patrick is remarkable not just for teaching so many students, although I know that is a feat in and of itself. Under his direction, the Fountain Lake music program has truly soared. Over the last 4 years the number of Fountain Lake students who earned a place in all-region bands more than doubled, and the number of students who won competitive tryouts in the Four States Honor Band and the Arkansas All-Star Band both more than tripled.

As a group, the Fountain Lake band earned a first division ranking in concert assessment for all 4 years of Patrick's tenure. In 3 of his 4 years, the band also had the honor of being an Arkansas Sweepstakes band. Most recently, the Fountain Lake band was one of only two Arkansas bands selected to participate in this year's National Independence Day Festival on the Fourth of July here in Washington. I was able to see the Fountain Lake band while they were in town and congratulate them on this big achievement. While I, unfortunately, wasn't able to see the parade in person, all reports indicated their performance was spectacular. I know I speak for all Arkansans when I say they truly made the Natural State proud. I am confident their success was due in no small part to Patrick's leadership, as well as the hard work of Fountain Lake students.

I am honored to recognize Patrick Combs as this week's Arkansan of the Week and commend him for his dedication to music education and the Fountain Lake School District. Arkansas is lucky that a passionate educator like Patrick calls our State home.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

FCC ACCOUNTABILITY

Mr. THUNE. Madam President, I rise today to speak about the importance of keeping independent agencies accountable to Congress and to the American people. Congress created independent agencies to be places where expertise in complex areas of the Nation's economy informs policymaking within limits set by Congress. One such congressional creation is the Federal Communications Commission.

Congress conferred independence on the FCC so it would be free from the normal control exercised by the President over the executive branch. In recent years, the FCC has behaved less like an independent commission accountable to Congress and more as a de facto arm of the executive branch, wholly subservient to the President. At the same time, the FCC has become more partisan than ever before and an institution that has seized greater regulatory power while simultaneously shutting down bipartisan dialogue and compromise.

The recent rulemaking proceedings regarding title II common carrier authority, the massively expanded E-rate and Lifeline programs, backward-looking set-top box rules, and the agency's power grab over privacy regulations have all been characterized by a lack of bipartisan compromise or respect for the limits of the authority delegated by Congress. Much of the responsibility for this downward trajectory rests with the current FCC chairman, Tom Wheeler.

For example, during Chairman Wheeler's confirmation process, I asked him if he would commit to coming to Congress for more direction before attempting another iteration of net neutrality rules. Mr. Wheeler unequivocally said that he would do so. However, not only did Mr. Wheeler not come to Congress for more direction, at the behest of President Obama, he jammed through the most radical implementation of net neutrality rules ever—a power grab of stunning proportions—and he did so on a purely partisan vote.

The number of 3-to-2 party-line votes on Commission meeting items during Mr. Wheeler's tenure are a clear indication of an FCC Chairman who embraces partisanship over compromise. In just the first year of his chairmanship, Mr. Wheeler forced through more items on party-line votes than the previous four chairs combined. Chairman Wheeler speaks often of his belief in the importance of competition and market forces. Hearing that, one might think he might exercise his agency's powers with a light touch in order to promote the incredible innovation in which our communication sector is capable. Instead, Chairman Wheeler seems more focused on waging partisan battles and accumulating more power while at the same time avoiding accountability to Congress and the American people.

I have come to the floor to talk about the most recent example of

Chairman Wheeler utilizing questionable legal authority while simultaneously trying to dodge public accountability. This example relates to the FCC's rules about disclosure of nonpublic information. The FCC's own rules prohibit its employees from disclosing nonpublic information to anyone outside the Commission unless expressly authorized by the Commission or its rules. Nonpublic information includes details of upcoming rulemakings or other actions the Commissioners are still negotiating. These rules are intended to foster the Commission's ability to have honest and fulsome negotiations among the Commissioners and staff and to prevent any special interests from gaining a particular advantage over other stakeholders.

Earlier this year, however, Commissioner Michael O'Rielly wrote a blog post expressing his concerns that Chairman Wheeler was instead using these rules to muzzle other Commissioners. Though Commissioner O'Rielly respected the Commission's rules against disclosing details without authorization to the press or other stakeholders, he pointed out that Chairman Wheeler was freely disclosing nonpublic information whenever he wanted. Commissioner O'Rielly was concerned that this allowed Chairman Wheeler to frame and influence the public's understanding of upcoming issues to his advantage by selectively disclosing information that no other Commissioner is allowed to discuss publicly. Indeed, the Chairman's staff would later tell my staff that Commissioner O'Rielly would not be permitted to correct a factual error stated by Chairman Wheeler if doing so meant discussing nonpublic information.

As chairman of the Commerce Committee, I sent a letter this past March asking Chairman Wheeler to explain whether he discloses nonpublic information to outside groups and how the Commission authorizes the disclosures.

Madam President, I refer my colleagues to the letters with the exchange between myself and Chairman Wheeler that can be found at <http://bit.ly/29r76uO>.

Chairman Wheeler maintained that as chairman he can unilaterally authorize disclosures of nonpublic information whenever he wants without any need for approval by the Commission, despite the clear prohibition against doing so in the Commission's own rules.

The events surrounding the FCC's March 31 open meeting are a striking example of how the selective leaking of nonpublic information can be used to distort an ongoing debate and turn an emerging bipartisan consensus into a partisan power grab. The open meeting agenda included an order expanding Lifeline, which is a program that has spent billions of ratepayer dollars in an effort to improve access to communications technology for low-income Americans. While the goal of this program is

important, unfortunately, it has been replete with rampant fraud for years, which the U.S. Government Accountability Office has recognized on more than one occasion. A compromise on Lifeline between a Democratic Commissioner and the two Republican Commissioners was emerging. This compromise would have included a spending cap to prevent the program from wasting ratepayer dollars. However, it turns out Chairman Wheeler was not on board with this compromise.

On the morning of March 31, Chairman Wheeler delayed the open meeting by several hours, a highly unusual move. During the delay, Politico published a story about the emerging bipartisan compromise, citing "sources familiar with the negotiations." Disclosure of any information about ongoing negotiations right before an open meeting is a direct violation of the FCC's sunshine rules, which protect Commissioners' deliberations.

What happened next is exactly what you might expect. The Politico story spurred outside political pressure against the emerging bipartisan compromise, which subsequently fell apart. Ultimately, the Lifeline order moved forward on a 3-to-2 party-line vote, without a cap or other bipartisan reforms, right in line with Chairman Wheeler's preference. Yet another 3-to-2 party-line vote—forced by the Chairman—thwarting a commonsense and bipartisan compromise. Just last week, 12 States, including my home State of South Dakota, sued the FCC in the Federal appellate court here in Washington, DC, challenging the regulatory overreach of the FCC's Lifeline order that came out at that very March 31 open meeting.

In April, I sent another letter asking Chairman Wheeler to explain the source of his claim of authority to disclose whatever nonpublic information he wants whenever he wants, which was the assertion he made. I also asked a direct question: Did you, Chairman Wheeler, authorize the disclosure of nonpublic information to Politico on the morning of March 31 in advance of the open meeting? Chairman Wheeler responded that his position as chief executive of the Commission empowers him to do anything that streamlines the FCC's work. According to his interpretation, if the Chairman decides on his own that releasing nonpublic information will make the FCC operate more efficiently, he can do it, even though the FCC's rules explicitly prohibit the disclosure of nonpublic information.

I appreciate the role the Chairman plays in the day-to-day management of the Commission, but this appears to be a specious attempt to exempt the Chairman from a very clear rule. Indeed, there is no record the Commission ever intended for its Chairman to be exempt when the agency adopted the rule 20 years ago, and the rule very clearly gives the Commission, not its

Chairman, the authority to disclose nonpublic information.

In responding to my April letter, Chairman Wheeler also ignored the question of whether he personally authorized the leak to Politico on the morning of the open meeting. My staff followed up with Mr. Wheeler's staff several times on this matter, and they emphatically stated that Chairman Wheeler refuses to answer this question.

Everyone who cares about government accountability should pause to think about this. Even though Chairman Wheeler claims he has the legal authority to leak whatever nonpublic information he wants whenever he wants, he nevertheless has refused to answer this simple question about whether he indeed authorized the leak on the morning of March 31. Since Mr. Wheeler could have just said no, if he did not actually authorize the leak of nonpublic information, that leaves only two possible conclusions; one, that Chairman Wheeler did authorize the leak but is not confident in his roundabout interpretation of the rules and fears admitting to violating them or, two, Chairman Wheeler simply does not respect the legitimate role of congressional oversight and believes he is unaccountable to the American people.

I would also note that while Chairman Wheeler refused to answer whether he authorized the disclosure, he sought to obfuscate and cast blame by stating it was the Republican Commissioner Ajit Pai who leaked the public information in advance of the open meeting. This shell game is unworthy of a chairman of an independent commission.

Indeed, Mr. Wheeler's attempt to cast blame on another Commissioner only adds emphasis to the overall point I am making; that is, that Chairman Wheeler seeks to use the rule prohibiting the disclosure of nonpublic information as both a shield and a sword. On the one hand, he claims the rule prohibiting the disclosure of nonpublic information does not apply to him, but on the other hand he seeks to shut down criticism and debate from another Commissioner by stating the Commissioner may have violated the rule prohibiting disclosure of nonpublic information. The FCC's nonpublic information rules were intended to facilitate and protect internal communication deliberations. Chairman Wheeler is instead using them to stifle or manipulate the other Commissioners.

Fortunately, the FCC Office of the Inspector General is now investigating what happened on March 31. The IG is looking into who disclosed the nonpublic information about ongoing negotiations among the Commissioners, including any role Chairman Wheeler had in the leak to Politico. I look forward to the IG's findings and expect we will learn the answers to the questions I have posed to Chairman Wheeler, particularly the one question he has refused to answer so far. Taken alone,

the Lifeline leak may seem to be just a minor transgression that can be chalked up to business as usual in Washington, DC, but in the case of current FCC leadership, it is just one example out of many that demonstrates a disregard for the limits Congress has placed on the agency's authority.

The regulatory power grabs over title II's common carrier authority and the FCC's recent privacy rule are further evidence that Chairman Wheeler shares the Obama administration's propensity for legal overreach and the intentional circumvention of Congress. In this environment, congressional oversight is more important than ever as a critical check on bureaucratic power. Regardless of who sits at the helm of a commission, such oversight must be pursued, and I am committed to make sure it does.

#### FORMER SECRETARY CLINTON'S USE OF AN UNSECURED EMAIL SERVER

Madam President, this week FBI Director James Comey announced the results of Hillary Clinton's email use during her time as Secretary of State. What we discovered was this: As Secretary of State, Hillary Clinton repeatedly mishandled classified intelligence.

Here is what Director Comey had to say:

Although we do not find clear evidence that Secretary Clinton or her colleagues intended to violate laws governing the handling of classified information, there is evidence that they were extremely careless in their handling of very sensitive, highly classified information.

That is a quote from FBI Director Comey. Let me repeat that quote. The FBI concluded that President Obama's Secretary of State—our Nation's chief diplomat and the person who is fourth in line to the Presidency—displayed gross carelessness when handling information related to our national security. If Hillary Clinton can't be trusted to safeguard national security information as Secretary of State, she cannot be trusted to protect national security information as the Democratic nominee for President, and she certainly can't be trusted as our Commander in Chief.

There are some who would like to take the FBI Director's speech as vindication for Secretary Clinton, since the FBI Director ultimately did not recommend prosecution, but the FBI Director's statement is no vindication. It is an indictment. The Secretary betrayed the trust the American people had placed in her. She repeatedly lied to the American people about the purpose of the server, what was on the server, and the threat it posed to our national security. Secretary Clinton repeatedly claimed there was no classified information on her server, but the FBI investigation found otherwise.

According to Director Comey, Secretary Clinton sent or received at least 110 emails in 52 separate email chains containing classified information—52 separate classified conversations. And of those 52 classified email conversations, 8 contained top secret information, the highest level of classification,



and 36 contained secret information. Secretary Clinton knew she was placing national security information at risk.

The FBI Director said—when discussing the top secret emails transmitted over the Secretary's unclassified email system—"There is evidence to support a conclusion that any reasonable person in Secretary Clinton's position, or in the position of those government employees with whom she was corresponding about these matters, should have known that an unclassified system was no place" for top-secret communications.

As a reasonable person, the Secretary unquestionably knew that the proper place for classified information was on a classified server, but she decided to use her personal server anyway.

Secretary Clinton has tried to argue that using a private server in violation of State Department rules did not jeopardize our national security. Even President Obama, in what was a highly suspect public comment on an ongoing FBI investigation, said her private server wasn't a national security threat. But according to the FBI Director, that certainly wasn't the case. Director Comey explicitly stated that it was entirely possible that "hostile actors gained access to Secretary Clinton's personal e-mail account." And he wasn't just referring to ordinary hackers. The Director noted that Secretary Clinton "used her personal e-mail extensively while outside the United States, including sending and receiving work-related e-mails in the territory of sophisticated adversaries" and that that fact was one that led the FBI to the conclusion that her email account might have been compromised. In other words, it is entirely possible that our Nation's enemies gained access to Secretary Clinton's emails thanks to her decision to use her personal account.

Despite Secretary Clinton's claim that the servers were protected, Director Comey went to great lengths to describe how the servers had substantially less protection than government servers and even had less protection than common commercial servers like Gmail.

Yesterday, Senator GARDNER introduced legislation, which I cosponsored, that would remove the security clearance of Secretary Clinton and any of her staff members involved in the mishandling of classified information and block Secretary Clinton from accessing classified information in her capacity as a Presidential candidate. I have to say, unfortunately, that I think that is the right call.

Secretary Clinton has demonstrated that she has no respect for the security of classified information, and she, like anybody else, should face the consequences. As the FBI Director noted, most people who had done what the Secretary did would face consequences for their actions. Other individuals found by the FBI to have engaged in such reckless handling of classified in-

formation would, at a very minimum, have their security clearance revoked and would likely face termination. The rules shouldn't be different for Secretary Clinton because she held a powerful position. In fact, those in a position of such great trust should be held to a higher standard, not a lower one. Do we really want to set the precedent that wielding political power places an individual above the law? Boy, I sure don't think we want to go there, but that is exactly what is happening as a result of this decision.

I look forward to hearing what Director Comey has to say in his testimony today before the House Oversight and Government Reform Committee. I hope we will hear him discuss the reasoning behind the decision not to recommend prosecution when the Secretary so clearly displayed, in the Director's own words, extreme carelessness in handling classified information.

I also hope the FBI will release the transcript of Secretary Clinton's FBI interview and other documents requested by Senator GRASSLEY, the chairman of the Senate Judiciary Committee. A Secretary of State mishandling classified information is a grave matter. The American people deserve to know all the facts, and they deserve the truth.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### EXECUTIVE OVERREACH

Mr. BARRASSO. Madam President, Senator THUNE was just on the floor talking about Executive overreach. Well, let me tell my colleagues that 2 weeks ago, the Supreme Court of the United States issued a stinging rebuke and a stinging defeat to the Obama administration and to its immigration amnesty plan. There have been a string of stinging defeats for the President's approach of what I believe is an Executive overreach. The courts agree with me. For years, President Obama has been acting as though he believes he has unlimited power to do whatever he wants to do, regardless of what the law of the land says. Now the courts have finally said: Enough is enough.

In this case, President Obama decided that for political purposes, he was going to stop enforcing some of the country's immigration laws. Twenty-six States said that was outrageous and they filed a lawsuit.

It is the President's job to enforce the laws of the United States, and the law is very clear. The law is clear when it comes to immigration, and the President deciding to change it basically says he is willing to ignore the law, because he didn't come to Congress to get it changed, he decided to do it with regulation alone. The courts have said it is not the President's call, and they have now blocked the President's amnesty plan.

During an event in 2013, the President actually seemed to understand that he was just one part of America's Government. He said: "The problem is

that I'm the President of the United States, I'm not the emperor of the United States." He went on to say: "My job is to execute the laws that are passed." He understood at that time that it was his job—at least he understood it in 2013. So what happened between then and now?

If the President says, as he did, "I'm not the emperor," why is it that it seems that almost every action he takes seems to show that he wants to act as if he is the emperor? Time after time, he has shown that he considers himself above the law. We know he doesn't like to deal with Congress—not with Republicans or with Democrats; he likes to ignore Congress—and he doesn't like having to deal with the courts, so he tries to pack them full of people who will rule the way he tells them to rule. We saw that when HARRY REID changed the rules of the Senate. It seems the President doesn't like to listen to the voters, either, so he goes ahead and does what he wants to do no matter what the American people say they want.

This case last month is not the first time a Federal court has said that President Obama acted above the law or even against the law. Last June, the Supreme Court struck down a regulation that was a big part of the Obama administration's War on Coal. The Supreme Court said that the Washington bureaucrats who wrote this rule never even considered the overwhelming costs—this is the Supreme Court saying this—never even considered the overwhelming costs that they were imposing on hard-working American families. The President never even considered that. The Court said: "One would not say that it is even rational"—the President's actions weren't even rational—"never mind appropriate, to impose billions of dollars in economic costs in return for a few dollars in health and environmental benefits." The Supreme Court told President Obama that he is the President of the United States, not the emperor of the United States.

Then look what happened last October. Another court, a U.S. appeals court, blocked the Obama administration's new regulation that vastly expanded the definition of "waters of the United States." The Environmental Protection Agency wanted to give itself control over all the waters—all of them, including huge chunks of private property in this country, including farms and ranches—and do it by taking control of isolated ponds, prairie pot-holes, and irrigation ditches—all of these little areas the government can take control of, and they control the land. What did the appeals court do? The appeals court stepped in and stopped the administration's actions because of what it called "the sheer breadth of the ripple effects caused by the rule." This appeals court told President Obama that he is the President of the United States, he is not the emperor.

That is the same thing the Supreme Court told President Obama back in February. The Supreme Court stopped another EPA rule over carbon dioxide emissions from existing powerplants—powerplants that have been there and are functioning. Just like the so-called waters of the United States rule, the Court said that the administration could not just go ahead and do whatever it wanted to do. The rule could do so much damage that the Court said they had to stop the President in his tracks.

The Supreme Court said that it was skeptical anytime a Washington agency claims to suddenly find broad powers. And that is what has been happening now—the Washington agency is going back to old laws and finding new broad powers that have been in law and that have been on the books and functioning for a long time. The Supreme Court said they are very skeptical of an administration that does that.

The Court said: “We expect Congress to speak clearly if it wishes to assign to an agency decisions of vast economic and political significance.” Well, Congress never did that with carbon dioxide. The Obama administration just made it up, and the Supreme Court told the President that he is the President of the United States, not the emperor.

In May, the Supreme Court issued another decision to stop the Obama administration from taking away people’s rights—the rights to use their own land. This had to do with the U.S. Army Corps of Engineers taking control of private land. The Obama administration went so far overboard that they said people shouldn’t even be allowed to challenge the Obama administration’s decisions in court. I mean, can my colleagues imagine that? The Obama administration went so far overboard that they said people shouldn’t be allowed to challenge the Obama administration’s decisions in court. This President doesn’t want Congress to have any say in what he does, and now he doesn’t even want the courts to have a say in what he does. American families shouldn’t have to fight Washington just to use their own property. They certainly shouldn’t have to fight with one hand tied behind their backs.

Amazingly, this was a unanimous decision against the President by the Supreme Court. Even the most liberal Justices voted against the President on this issue, to show how much Executive overreach we are dealing with. The Supreme Court told the President once again that he is the President of the United States, not the emperor of the United States.

It has been one case after another saying the exact same thing.

I wish to give one final example of this string of stinging defeats for President Obama. Last month, the U.S. district court in Wyoming shut down President Obama’s latest attempt to stop American energy production. It

had to do with regulations on hydraulic fracturing on land controlled by Washington and by Indian tribes. The judge in this case said the administration had no authority whatsoever to issue the regulation in the first place. This was a judge appointed by President Obama. The judge wrote that “Congress has not directed the [administration] to enact regulations governing hydraulic fracturing.” The judge went on to say: “Indeed, Congress has expressly removed federal agency authority to regulate the activity, making its intent clear.” The judge said Congress made it clear. The President wanted to ignore it. The court told President Obama definitely and definitively that he is the President of the United States, not the emperor of the United States.

There have been six different court decisions in the past year, and all of them have been against the President. Even the Justices that he handpicked for the Supreme Court are refusing to play along with all of his power grab and his illegal overreach.

The American people are no longer buying the President’s excuses and his promises. Back in January the White House Chief of Staff promised that the Obama administration—and I was astonished when I saw this on television, saw a video of it, saw it again, listened to it again. The White House Chief of Staff promised that the Obama administration is going to in this final year—this eighth year of his administration—have a year of audacious Executive action. There is going to be audacious Executive action in the President’s last year in office.

It is time for the President and his staff to rethink their plan. They should recognize that they do not have the legal support or the popular support for all of the regulations and all of their illegal action.

The President is not an emperor, although he may think that he is. It is time for him to recognize this fact. It is time for the President of the United States to do the job he was elected to do and to follow and to obey the law of the land.

Thank you, Madam President.

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

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

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. PORTMAN. Madam President, I rise again to talk about the heroin and prescription drug epidemic that has gripped our country and has affected every single State represented in this body. Sadly, it is a problem that is getting worse, not better. I say that having been in Dayton, OH, where sadly we had 15 people overdose in the space of

the Fourth of July weekend in one that city in Ohio. This is happening all over our country, and it is an issue we have to address.

The Federal Government has an important role to play. There is much more we can do. This body recognizes that. Back on March 10, the Senate passed something called the Comprehensive Addiction and Recovery Act—CARA. CARA was on this floor for 2½ weeks, and there was some back and forth about the legislation, but by the end of the process—I think partly because Members were going home and hearing from their constituents about it—94 Senators in this body voted yes on it. One voted no, and it passed 94 to 1. Those kinds of votes almost never happen around here. It happened because people realize this is a crisis that we do need to address, and the bill that we came up with actually made sense because it was based on the best practices from around the country.

So I have come to the floor every single week we have been in session since March 10 to talk about this issue, to urge my House colleagues to act, which they did, and over the past several weeks to urge that the House and Senate versions be brought together. That happened yesterday.

Finally, from March 10 until now, going back and forth, we have what is called a conference committee report, meaning the House and Senate versions have been reconciled. There were compromises made and changes made, and we have one bill to go back to both the House and Senate for a vote and to the President for his signature and, most importantly, to get to our communities to begin to provide more help on prevention and education, recovery, treatment, helping law enforcement, and stopping overprescribing of drugs. It is a comprehensive approach to have the Federal Government be a better partner with State and local governments and nonprofits to be able to address this issue that unfortunately millions of families in America are now facing.

I want to thank the Members of the conference committee. On the Senate side that would be Senators GRASSLEY, ALEXANDER, HATCH, SESSIONS, LEAHY, MURRAY, and WYDEN. I also want to thank all the House conferees. They did some good work. Each one of these Members I just mentioned has a real passion for this issue. They care about this issue.

I want to thank my coauthor, Senator SHELDON WHITEHOUSE of Rhode Island, because he did a pretty good job of talking to the conferees on his side of the aisle, as some of us did, including me, talking to conferees on our side of the aisle. Senator WHITEHOUSE and I started this process 3 years ago. We had five conferences here in Washington, DC. We brought in experts from all around the country. So we had a real interest in getting this done, and I commend him and congratulate him for this result as well.

I know that those who are in the advocate community—in other words, people who work in this field every day in prevention and treatment, law enforcement folks, and health care folks—are also very happy that this conference report has come together. Senator WHITEHOUSE and I are very happy that the conference report kept to the substance of the Senate bill and frankly added some good elements that came out of the House legislative process. They had 18 separate bills, we had one comprehensive bill, and we had to bring them all together.

There are now more than 230 groups from all around the country. A lot of them are national groups, and some are State groups that have come out in support of this conference report—in other words, supporting the final CARA product. Yesterday I met with about two dozen of these groups to talk about the process and how we got to where we are, to talk about the need to act quickly to get this into law because they are desperate. If you are a professional in the area of treatment and recovery, you want this help. You wanted it yesterday. We need it now.

By the way, these are people we consulted during these 3 years. They all came and participated in these five conferences. We also consulted with many others, including the Obama administration. They testified at these conferences. They also testified at the hearing we had at the Judiciary Committee. They were supportive of CARA in part because we took their input. We took everybody's good ideas, not Republican ideas and Democrat ideas but good ideas. We kept this not just bipartisan but nonpartisan. It would be nice if we keep it that way.

I understand this is an election year and that some people may want to score a few political points. But having gone through this process in a nonpartisan way, having gotten this great vote out of the Senate and a strong vote in the House, and now having this conference report that has the right mix of good House and Senate substantive policies, I would hope to be able to make a difference in the fight. I would hope that we would not hear any more talk threatening to block this conference report at the last minute.

Some of the concerns people are bringing up in the last minute are concerns that were never raised on the Senate floor. Some conferees did not sign the conference report because they said they wanted the mandatory spending that is in the President's budget be a part of the bill. That was never raised on the Senate floor. It was never raised even as an amendment in the appropriations process. It just took place over the past several weeks. So this is new.

It doesn't mean we shouldn't have more spending. In fact, as some of you know, we had a vote on the floor on more spending. It was about emergency spending—not mandatory spending,

which happens to be offset with cuts and other entitlement programs or tax increases, but emergency spending. I believe emergency spending is appropriate because I believe this is an emergency, and I voted for that emergency spending, but many of my colleagues did not. It did not pass.

On the mandatory spending side, again, it is interesting because that was never brought up before. I for one would be for more spending, but I certainly wouldn't want to block the new spending that we have in CARA, which is a substantial increase in spending, because I am concerned about having more spending.

Every day we are losing about 129 Americans. This is why there is a group out there called the CARA family coalition that came to Washington recently. There were 129 families representing that one family who every day loses somebody to heroin and prescription drug addiction through overdoses. Those families are waiting. Some of them are here this week because they are interested in seeing what happens.

More Americans are now dying from drug overdoses than car accidents. It is the No. 1 cause of accidental death. In Akron, OH, 2 days ago, over a 10-hour span—this is one city, Akron, OH, 2 days ago—15 people overdosed on heroin. Two more people overdosed later the same day. It included a woman and her two daughters, all of whom were found unconscious. It included a 44-year-old man who died of an overdose. There have been 55 people just in Akron, OH, who have died from heroin overdoses this year. This means they will set a tragic record this year in terms of overdose deaths. The problem is getting worse, not better.

On Tuesday in Dayton, OH, I met with law enforcement and treatment service providers. We announced a new program called the Front Door Initiative. Sheriff Phil Plummer was there. He told me that in one weekend in one town—again, in Dayton, OH—15 people died of overdoses. No one is immune from this. We have lost moms and dads, college students, grandmothers, celebrities, rich, poor, and people of every background to this epidemic. It knows no ZIP Code. It is in the inner city, it is in the suburbs, and it is in the rural areas. In the 117 days that have passed since the Senate passed CARA on March 10, approximately 14,000 Americans have died of overdoses from prescription drugs and from heroin—14,000 Americans. It is time to act.

Again, the good news is, we had a meeting yesterday of this conference committee between the House and Senate to finally pass this legislation, then to the House and Senate for a final vote, then getting it to the President, and most importantly out to our communities.

By the way, the 14,000 is not the whole story, as tragic as that is, because of course there are millions of other casualties—fellow Americans

who may have lost a job or their entire career, have broken relationships with their families and friends—and I hear this all the time back home in Ohio. I heard it over the weekend, when someone came up to me at a parade and said: I am one of those people who cares about this issue. Thank you for fighting on it. We have had this issue in my family, and it broke our family apart.

People say the drugs become everything.

We don't have time for partisan games. This is urgent. I think it is more urgent than any issue we are dealing with. Nine out of ten of those who are struggling with addiction are not getting the treatment they need. I think if this were the case of any other disease, it would be viewed as a national scandal. It is wrong and it is unacceptable.

Addiction is a disease. One of the tenets of this whole legislation is to acknowledge that. With all of the specific improvements we have in terms of grants going out—for treatment, recovery, prevention education, helping police with Narcan, and so on—in a sense, the biggest thing for this legislation is to say: Let's get this stigma out of the way. Let's deal with this as a disease and get people into the treatment they need to get back on their feet.

Again, a few months ago, I, along with others, worked with the Senate Appropriations Committee to be sure we did have additional funding to fully fund CARA, of course, and to get more funding into the pipeline for treatment, recovery, education, and prevention. When people talk about the funding issue, let me just be clear, we are increasing funding. Of course, the CARA bill itself increases funding in the authorization, but here is what the Appropriations Committees have done.

The 2015 number was \$41 million. This is for the Department of Health and Human Services, discretionary spending for heroin and opioid abuse. It went up to \$136 million for this year, the year we are in now. That is a 237-percent increase. Next year, for 2017—when and if we can get CARA passed this week or next week, this is what would apply—we are seeing a 93-percent increase from the 237-percent increase. That is more funding. I wasn't great at math in school, but that is more funding. In fact, it is a 539-percent increase from 2015.

For those who say we are not taking this seriously enough on the funding side—of course, I would like to do more, but we have to acknowledge that a lot has been done. In terms of the overall spending, not just the HHS spending, we have also seen increases. This would include Department of Justice and other grantmaking. We have seen an increase from 41 to 136 to 262 in the Senate appropriations. I am sorry. This is to add to the House version of the appropriations for 2017. For next year, again in the Senate, we have a big increase that will start on October

1, if we are able to pass our appropriations bills—whether it is a CR or an omnibus or whatever form it takes—this is what the increase would be, at a minimum, I would hope, because that is what passed out of the Senate Appropriations Committee.

This week, this is what the House reported passing. So as big as this increase is in the Senate—again, a 93-percent increase from this year's increase—it looks like, from what we have seen from reports from the House Appropriations Committees and in conversations with them, they are talking about a 393-percent increase in 1 year. Again, this is the House Appropriations Committee—a 1,500-percent increase over, again, 2015.

For those who say there is not new spending being dedicated to this, of course there is. That is good.

With regard to the total discretionary spending, this is not just HHS but all the different areas, including the Department of Justice and so on, which has also seen an increase. This is the Senate only. We don't have the House number yet, but for the Senate, we have gone from 220 to 320 to 470, a 113-percent increase over last year's spending. We are seeing more spending, and that is good.

By the way, this spending is connected to the CARA legislation. This increase was increased with the provisions that were in the CARA legislation to be sure that the two matched up.

Finally, this is the increase we got in the conference committee for the amount that is authorized—not the actual spending but the amount that the Senate and the House would authorize for increased spending for new programs in CARA. Again, the Senate-passed bill, 94 to 1, had a \$78 million-per-year increase. The conference report more than doubled that to \$181 million.

This is what is interesting to me. There are Senators on this floor who voted for CARA because it was the right thing to do—a nonpartisan exercise with a lot of bipartisan support, a 94-to-1 vote.

All that has changed since then is we have it more than doubling the authorized amount of spending in CARA. With regard to the appropriations process—because we didn't have this appropriations in place then, the Senate committee had not acted, the subcommittee had not acted—in those 117 days since CARA was passed, we now see a 46-percent increase overall in the discretionary spending. With regard to HHS, which is where most of the treatment money is, we see a 93-percent increase. For the House version, it looks to be an over 393-percent increase.

All that has changed since CARA has passed with a 94-to-1 vote were these big increases in spending. Again, I voted for emergency spending on the floor. I think it is an emergency. I would go further, but for those who say they now cannot support this good leg-

islation because of spending, it makes no sense. There is no way to argue that.

There must be some other reason. I hope it is not politics. Again, that is what people hate about Washington. If partisanship is going to slip into this at the end of the process and keep people from getting the help they need and save lives, that would be a tragedy.

These new spending programs will help, but we also have to point out that CARA is not just about spending, it is about authorizing better programs. There are lots of examples of that where we have done that in this body in other areas. I am the author of the Drug-Free Communities Act. It authorized spending to create anti-drug coalitions around the country. It has helped spawn the creation of 2000 coalitions. I founded one in my hometown of Cincinnati over 20 years ago. Another 2000 have benefited from that.

That legislation did not have an appropriation—because it was an authorization, as CARA is—but it set up new programs, as CARA does. That program to date, the Drug-Free Communities Act, has spent \$1.35 billion focused on prevention and education on drugs.

We have more prevention and education programs that I think are even an improvement in the CARA legislation, but that is an example of what an authorization bill does. In 2013, the Senate voted to reauthorize a bill called the Violence Against Women Act. I voted for it. Every single Democratic Member of Congress voted for it. It passed the Senate on a bipartisan basis, 78 to 22.

The bill increased authorizations to \$655 million annually and made policy changes, but it did not—and I repeat it did not—include the spending in the bill. It was an authorization bill. The spending bills come with the appropriations process. It didn't have mandatory spending. It didn't have immediate appropriations. It was an authorization bill. It was an incredibly important issue, violence against women—a priority. Yet we didn't see some of these same concerns raised. Nobody voted against the Violence Against Women Act because it didn't have appropriations attached to it. That just wouldn't have made sense, as it would not for any other authorization we pass around here. I know that wasn't an election year, but we voted for it. Then we fought for the funding as part of the appropriations process. We were successful in doing that, just as we will be successful in fighting for these appropriations, as we did this year, getting a big increase, a 237-percent increase, and as we will next year—as we see already. Thanks to our advocacy, those of us who were focused on the issue, we are getting the increases to cover these changes in CARA.

Of course, all the funding in the world isn't going to make a dent in this issue if it is not spent the right way, and that is why you have the authorization bills like CARA because we

actually say, not just for the new spending but even for the existing spending, let's spend it in a way that is evidence based, where we actually look at what is working and what is not working in treatment and in recovery.

The number of people who relapse is shockingly high. The success rate is not what any of us would like it to be. Part of that is because some treatment and recovery programs work better than others. We want to be darn sure the tax dollars we are putting against this are being responsibly spent because we are good stewards of the taxpayers' dollars and because this crisis needs to be addressed.

Again, this legislation is not just about more money, although it does authorize more money and that is good. It is also about changing the way we spend the money so it goes to evidence-based prevention, treatment, and recovery programs that have been proven to work. That is why we cannot let a debate about funding jeopardize the critical policy changes that CARA would make and because CARA would help ensure that these new resources would be spent on what we know works. That is what this 3-year process was about. That is what the conferences were about. That is what all the experts coming to Washington to tell us what works in the States was about—getting those best practices into this legislation.

Again, the CARA legislation improves prevention by sponsoring a national awareness campaign about the dangers of abusing prescription opioids. Probably four out of five heroin addicts who overdose today started on prescription drug. That information needs to get out there. We need to explain this connection to people if we are going to get at this issue.

The legislation also targets anti-drug coalitions in areas where the epidemic is worse. So where it is at its worst, there is more funding targeted to these anti-drug coalitions to focus on prevention and education. That is key to keep people out of the funnel of addiction, the grip of addiction. We should all be for that. That is in this legislation.

It would increase access to treatment by increasing the availability of naloxone, which is a miracle drug. It can actually reverse an overdose while it is happening. It will train our first responders to be able to use Narcan or naloxone more effectively. These provisions will save lives, particularly when it is connected—when saving a life is connected to getting somebody into treatment.

The conference agreement would also improve recovery for those who have been treated for addiction. It will build recovery communities like the ones at colleges and universities—perhaps at the State of the Presiding Officer. We have one we are very proud of at Ohio State University.

These recovery communities will give the peer support that is necessary to follow through on addiction treatment over the long term. We know that

works. That is one of the keys, not just the treatment but the longer term recovery to keep people heading in the right direction.

I think people in your State, people in Ohio, certainly understand the urgency of this problem because everywhere I go, whether it is in the cities, the suburbs, or the rural areas, people ask me about it. And they ask me why we aren't doing more, why we are not acting on this.

Two weeks ago in Southwest Ohio, in my hometown of Cincinnati, a 28-year-old was arrested after a young man in the Cincinnati area who bought heroin from him was found dead of an overdose. A 17-year-old teenager was found dead of an overdose. That is what is happening on our streets today.

A few days ago, a man from Canton, OH, was pulled over in Akron, in Northeast Ohio, for speeding. He had 13 pounds of heroin on him. By one measure, that is about \$400,000 of heroin—enough for 20,000 injections. If not for that apprehension, we would have had a lot more distribution of heroin and overdoses and potentially lives lost.

In Madison County, in Central Ohio, police arrested 16 people for trafficking heroin. At one of the drug houses they went to, there was a 5-year-old child. That is what is happening. According to the sheriff's office, a high percentage of property crimes in that county are directly tied to opioid addiction. Sheriff James Sabin says that out of all the problems facing law enforcement in Central Ohio, heroin is the No. 1 issue we are dealing with. That is what is happening.

Ohioans know this is happening to their friends, their neighbors, and their family members. They understand the urgency of this crisis. That is why all over the Buckeye State people are taking action at the local level and at the State level. But they want the Federal Government to be a better partner in helping them do what they know has to be done to fight this epidemic.

As I said, on Tuesday I was in Dayton. There have been over 400 overdoses just this year in Dayton. By some measure, Dayton, OH, has been named the top big city in America for overdoses—not something we are proud of. These 400 overdoses are going to be helped by a new program that was just launched and announced on Tuesday—I was there for the announcement—called the Front Door Initiative. It will get treatment to those who have overdosed. Once they are clean, it will get them skill training, help them find a job, and teach them how to be better moms and dads. The notion is that instead of putting people into prison, get them into treatment. It is a diversion program that is going to be customized and personalized for the particular person's problems. Through looking at what works and what doesn't work, we have found that is an effective way to get people back on track.

This innovation is happening in other places, too, around Ohio. Sheriff Tharp

in Lucas County is doing some very innovative stuff—again, connecting people whom they arrest with treatment. In my view, it is going to be more effective, more compassionate, and it will also save taxpayer dollars.

I thank Sheriff Phil Plummer, the Cornerstone Project, and the entire Montgomery County Drug-Free Coalition in Dayton, OH, for their daily fight to get treatment to those who need it and help people get their lives back on track.

The conference report that has just been voted out will help. It will help law enforcement agencies like those in Dayton and Lucas County and other places around Ohio find alternatives to incarceration.

Ohioans are taking action, and they expect Congress to take appropriate action too. This is a crisis. They want the Federal Government to be a better partner. They have been patient.

Let me just say respectfully that, in my view, this is not like every other issue we address here. And we address some very important issues, as we did yesterday on sanctuary cities, issues that relate to spending bills, but this is about saving lives and allowing people to achieve their God-given purpose in life by not getting off track and not being casualties of this addiction epidemic.

I think this is urgent. And for those who might say "Well, what hope is there? How can more money help?" I will tell you, No. 1, it is money that will be wisely spent. That is how it will help. Secondly, if it is well spent, treatment can work and it does work. Recovery can work and it does work. There are so many stories I can tell because I have been at over a dozen treatment centers around Ohio and spoken to hundreds of recovering addicts and heard so many stories.

Let me tell you one about Bethani Temple from Prospect, OH. When she was 18 years old, her dad died of cancer. To help her cope with her grief, she tried one of the pain killers he had been prescribed. He had pain medication for his cancer, and she was grieving, so she thought she would try one of these pain killers, and she became addicted to these pain killers. Soon they were too expensive and not as accessible as something else, which was heroin. Bethani became addicted to heroin. While she was addicted, she gave birth to a daughter who was dependent on opioids.

By the way, there has been a 750-percent increase in babies born in Ohio in the last 12 years who are dependent on opioids. It is tragic.

Bethani's boyfriend got into a car accident while he was high on heroin and he died. Bethani was eventually arrested. Fortunately, she was in an area of Ohio where, although she got arrested, they helped get her into treatment. They diverted her into treatment. She got help. Bethani was the very first graduate of the Marion Ohio Court family dependency treatment

program. It is a drug court. We had a roundtable discussion in Marion with Bethani and others and got to see some other young women who have been able to benefit from that.

Her daughter got treatment, too, by the way. Now they are both healthy—and not just healthy; Bethani is now a college graduate, she is now married with two kids, and she is now the coordinator of the same program that got her back on track and, as she would say, saved her. She is the coordinator there, and she is helping others get their lives back on track as she did. She is beating this because she got the right treatment for her, the right recovery program for her.

Mr. President, this is personal for me. It is personal for all of us—it should be. I know too many people who have gotten caught up in this grip of addiction. I know too many families who have gone through what may be viewed by some as the ultimate grief, which is to have your child predecease you because that child got involved with prescription drugs, then heroin, and then overdosed.

Two families I have gotten to know lost their children because when their children had their wisdom teeth taken out, they were given pain medication and they got addicted to the pills and then heroin. These were teenagers who had to have their wisdom teeth taken out. These families are waiting, but they need help, and we need to give it to them.

I would urge my colleagues to set the politics aside. This is not a partisan issue. It hasn't been from the start. This is an issue of helping the people we represent.

For all those people who voted for the legislation as it came through—94 to 1—remember, all that has changed is that there is more money in this bill now than there was before. Remember, in the 117 days since you voted for this legislation, over 10,000 Americans have died, including Americans in each of our States. Remember, there is an election every 2 years. There is always going to be politics. This needs to come above politics. We need to get this done, and we need to get it done now.

I yield the floor.

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

Mr. BLUMENTHAL. Mr. President, the Senate is presently on the verge of approving a measure that is supposedly a compromise to provide for GMO labeling. I want to express my thanks and respect for the principal authors of this legislation, my colleagues Senators ROBERTS and STABENOW. They have worked hard to forge this compromise.

Unfortunately, this falls far short of what is necessary to really inform consumers, provide the essential facts they need to make informed and educated choices about what they want to eat and to have their families eat, what they want to put on their dinner table.

Nothing is more fundamental or important than what we eat. It is essential to energy and the ability of our children to learn. It is important to our productivity as adults. People of all ages care about what they eat, and they care more than ever now because they know how important it is. They also know about the unwanted features of food that could impair their health.

Not long ago, we as a body rejected a measure called the DARK Act, which stood for Deny Americans the Right to Know. Unfortunately, this legislation will continue to leave consumers in the dark about what they are eating. This new compromise is as misguided and anti-consumer as that bill was, even though it may seem better.

The bill also betrays the desires of 90 percent of the American people who want clear, comprehensive, truthful, accurate information—labeling they can understand and readily see when they shop in their supermarkets or grocery stores, labels that tell them whether there has been genetic engineering.

Not only do 90 percent of the American people want it, but the people of Connecticut have spoken. My State adopted a law that requires it. That law will go into effect if 4 other States comprising 20 million people move ahead with the same legislation. It is not arbitrary. It is not dictatorial or draconian. It is simple, commonsense, effective legislation adopted by the legislature and signed by the Governor of my State.

What probably offends me most about this legislation is that it overrides the will of the people of Connecticut, their determination that they want clear, comprehensive labeling on GMO products. When the Connecticut Legislature adopted its statute—and now as we are considering ours—the debate has never been about whether GMOs are safe or unsafe to consume. I will leave to the scientists—readily delegate to them those judgments about the science of GMOs. Nor is this a debate about whether we should have warning labels. The labeling on these packages would not be in any way a warning to consumers; it would be informational only. The debate here and the objective of this measure is simply to provide information as dispassionately and clearly and objectively as possible. That is the goal, and that is what the legislation I have cosponsored with my colleague Senator MERKLEY would achieve. That is what we have sought to do through the amendments we have offered to correct the deficiencies in this measure. Among those deficiencies is the lack of an adequate definition of “bioengineering.” Right now, that definition fails to include many of the forms of GMOs that could be adopted.

The deficiencies include the reliance on QR codes, which discriminate against people who don't have smartphones or are in areas not served by the Internet or go to shop in stores that don't have that service.

It is also defective in a number of specific provisions, and I will cite just one more. In the provision that applies to additional disclosure options, the Secretary of Agriculture is directed by this legislation that when there is insufficient access to bioengineering disclosure through electronic or digital disclosure methods, he “shall provide additional and comparable options to access the bioengineering disclosure.” The Secretary of Agriculture will become responsible and accountable for the cost, the mechanical process, and all of the aspects of providing this disclosure when, in fact, electronic or digital disclosure methods available to manufacturers or retailers are insufficient. What will be the cost? What will be the obstacles? There has been no hearing that would indicate those facts.

So what we have here is a failure of drafting and of process. In this sweeping so-called compromise, the laws of Connecticut will be decimated. My State will be stripped of robust, grass-roots GMO labeling measures—including in Maine and Vermont—not only applying to food but also to seeds planted in the ground and information about whether they have been bioengineered. These deficiencies are fundamental to this legislation. I repeat, the issue here is not about warning and not about safety, although those topics are reasonable to debate. It is simply about the public's right to know.

I have a basic faith in our markets in the United States and in our free enterprises that consumers will make smart judgments and wise choices if they have the information that enables them to do it. But only if they have that information.

My question to the proponents of this bill is this: What do we have to fear by providing that kind of information that consumers need and want, and that 15,000 Connecticut citizens have written to me asking to defend, and that constituents of mine, such as Tara Cook-Littman, have shown is desperately and dramatically needed? Tara has said:

Anything short of on package, clear labeling shows total disregard for what it is like to be a mom shopping in a store with her children. When I'm shopping, I need to get in and out as fast as I possibly can. And, whether a product contains GMOs is only one of the many things I am looking for before making my purchasing decision. My son is allergic to nuts so I always look at packages to make sure the item is nut free. I like to know the calories, fat and sugar of an item before I purchase it. I look at how many ingredients a product has. All of that information I can get in seconds. I pick up the item, I scan the box for the information I need and keep moving. I should be able to do the same for GMOs. I would never have the time to pull out my phone and scan the packages or go to a website in order to get the simple information I am looking for. Assuming I would have the time or ability shows a total lack of understanding about shopping in the real world. When shopping for a family of 5, my shopping cart could end up having over 50 items. Having to scan or look up items on a website is not feasible.

I agree with Tara, and I agree with anyone who has shopped and has the same views. In a crowded grocery store at the end of the day or with a child, especially a young child, navigating these aisles is challenging enough. The last thing a parent has is spare time to take out their phone and scan every product before placing it in their cart, even assuming the store has the Internet service that would enable someone to do so, and even assuming that person has a smartphone.

This proposal is simply not practical, logical, or fair to consumers. It is in fact anti-consumer. It is unacceptable as a consumer protection measure. Let's give States the freedom to protect their own people, as Connecticut has done. That is the reason I proposed an amendment that would restore the right of States to adopt such legislation, and make this legislation a floor rather than a ceiling that enables States to do more.

I thank my colleagues, Senators LEAHY and SANDERS, as well as Senator TESTER and others, who have championed this cause, and, most importantly, Senator MERKLEY, who has helped to lead this effort. I believe the concerns we have expressed are urgent and immediate. Even at this late hour, I urge my colleagues to reject this measure as it has been drafted now, and adopt these commonsense amendments that will improve it.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

#### OPIOID EPIDEMIC

Mr. MANCHIN. Mr. President, I have been coming to the floor every week for quite some time talking about an epidemic that we all have to fight through, and that is the epidemic of opiates—drug abuse. This is prescription—legal—drug abuse. We have come to a crisis in our country. I think both Democrats and Republicans realize this. This is not a partisan issue. It doesn't pick sides. It doesn't choose whether you are rich or poor, what race you may be, what religion you may practice. It basically attacks everybody.

In 2014, 18,893 people died due to prescription opiate overdose. That is an average of 51 people every day. We are talking about legal prescription drugs. These are made by pharmaceutical companies that we depend on to make products needed for quality of life. They are also approved by the Food and Drug Administration. Basically, the Food and Drug Administration is responsible for making sure the products we consume are safe. Then, they are prescribed to us by the most trusted person next to our family member, which is our doctor.

So when we think about it, how could something that has been approved by so many reputable people and institutions do so much harm and then we not react to it? That is the hard thing I have to imagine. I can't say: You know what; I don't think it was anybody's intent, but it is what it is.

We have a full-blown epidemic. Over 2,000 people have died since 1999. We talk about Zika, and we talk about Ebola. We are concerned about all these horrific illnesses that can attack a human being, and we have one right in front of us that is a silent killer, and we are not doing anything about it.

Sixteen percent more people died in 2014 than died in 2013. We have to take action to stop the epidemic, and it can only happen right here in the halls of Congress in the Senate and with our counterparts on the other side of this great Capitol of ours.

Unfortunately, a major barrier those suffering opioid addicts face is insufficient access to substance abuse treatment. I spoke to my cousin, Michael Aloi, who is a Federal magistrate judge. He said: JOE, let me just tell you the sad scenario. I have to sentence many people for the wrong they have done and the crimes they have committed. I have never once had anyone stand and say: Judge, I'm sorry; you can't sentence them to a jail sentence because we have no more jails—no more jails.

He said: I have never been turned down. We have always found a jail cell or a bed to imprison somebody. We have never lacked for that. But so many times I have tried to place a person in treatment whom I know needed treatment. Their family wanted it, and they wanted to change their life. And guess what I have been told: I am sorry, but we have no place to put them.

If you are a parent, the only thing you can do—I know Nebraska is the same as West Virginia. Isn't it an awful situation where, in America, you have to hope that your child gets arrested and convicted, and maybe then they could be sentenced to drug court to maybe get a chance in life? It is a sad scenario in this great country of ours that we can't save this generation.

It is of epidemic proportion from this standpoint. I don't think there is a person who I know of in my State or anyone I have ever met in my travels in America who doesn't know someone—in their immediate family, extended family, or close friend—who has not been affected by drug abuse. It is of epidemic proportion.

I say it is a silent killer because we keep our mouths shut. We are afraid. If it is our child, we don't want anybody to know. It would be embarrassing. If it is our mother or father, if it is an aunt or uncle, brother or sister, we will take care of that. We don't want anybody to know about it. Guess what. We have a full-blown epidemic that is killing your brothers, your sisters, your children, your aunts and uncles and moms and dads, and we say: Why didn't we say something?

So this is what we are dealing with, and this is something we intend to fight.

I will give an example of how hard it is to get treatment. In 2014, in my beautiful State of West Virginia, 42,000

West Virginians—including 4,000 children—sought treatment for illegal drug abuse but failed to receive it. The largest long-term facility in West Virginia with more than 100 beds is the Recovery Point of Huntington, one of the most successful places we have. It is run by recovering addicts. Every one of them is a recovering addict. They know exactly every excuse, every type of diversion that you will give them. They have had everything thrown at them. They know it all. This group has been the best at having success ratios in putting people back into productive lives. They only have 100 beds, and they have a 4-month to 6-month waiting list—unbelievable.

In 2014, about 15,000 West Virginians received some form of drug or alcohol abuse treatment. That is 15,000 who received it. Guess what. There was another 60,000 who went untreated—60,000 with no treatment at all.

Based on my conversation with police departments, I would say that all of us—all 100 Senators in this room, Democrats and Republicans—can talk to their law enforcement, and I will assure you that they will tell you that at least 8 out of 10 of the calls they are called to for any type of disturbance, any type of criminal activity is caused by drugs. Almost 80 percent are drug driven. Then we say that we can't afford it so we don't find any money. We can't find the money to pay for treatment centers.

I have a bill that is called the LifeBOAT Act. It is bipartisan. We hope it is bipartisan. We are asking for all the help we can get. Here is really what it does. It is truly designated to fund treatment centers. What we are asking for is one penny—one penny—per milligram of every opiate product produced and distributed in America. One penny per milligram. That one penny will give us \$1.5 to \$2 billion a year. Can you believe that—\$1.5 to \$2 billion from one penny per milligram? Imagine the enormity of what we are consuming. When we think of a country that is less than 5 percent of the world population that consumes anywhere from 80 to 90 percent of all opioid products produced in the world, how can we become so addicted? How are we so pain intolerant that we have to have these powerful, addictive drugs? What happened to us?

With all that being said, we have to first of all treat addiction as an illness. I am as guilty as anybody in politics or in political life or making policy for any period of time—20 years or more. I am as guilty as they are, thinking, at first: If you are fooling with drugs, you are committing a crime; we will put you in jail. Guess what. We have filled the jails, and when they get out, they are no better off than when we put them in. They haven't been relieved of their addiction. They haven't been cured of their addiction. They haven't even been treated for their addiction. We just thought that by throwing them in a prison or in a jail cell, we would take care of it. We have come to our

senses now and found out addiction is an illness. Any other illness you might have, you are going to find treatment for. There is treatment to take care of you if you are ill, whatever it may be. Sorry, but not for opiates, not for a drug addiction. We can't. We just don't have the money to do it.

We charge a fee for cigarettes. We know cigarettes are dangerous to you. It is not healthy for you. It will kill you. We know that. It is put on the packs when you buy any tobacco products, and you pay a tax or a fee. Call it anything you want to call it, you pay. Alcohol—when you buy alcohol, you pay a fee, a tax, or anything else that you want to put to that. But, by golly, if we talk about: Oh, my goodness, we need one penny per milligram to start providing treatment for people who are addicted so we can put them back into productive life—I am not voting for any taxes. I can't vote for tax increases. I am not voting for any of these things. Can't you vote for a treatment for your child, for your grandchild, for your neighbor? Can't you save a society that we are losing? Can't you see that 8 out of 10 of our crimes are committed by people who are drug-induced?

If you are concerned about the economy, if you are concerned about the well-being and welfare of this country, can't you do something responsible and not worry about going out and defending yourself—yes, I will be happy to tell you I voted for a penny. You want to call that a tax? I am pretty austere about that. When I was Governor, I always said I was very financially responsible, fiscally responsible, socially compassionate.

This is just common sense. You have to find a way to fund it. That is what we have asked for. So the LifeBOAT Act is something I am hoping every one of my colleagues will take a good, hard look at. And don't look at it as a tax or a fee; look at it as a treatment plan that helps get Americans straight again. Help us get it back into production.

We talked about the silent killer. This is a silent killer because no one talks about it. Guess what. Since I have been coming to the floor, people have been sending me letters. They said: Please, we want you to read our letter. I want you to know about my son, my child, my grandchild, my husband, my wife, my mother, my father.

I am going to read Stephanie Sowell's story. Stephanie put her name to this, and she wanted me to read this for you. She says:

I applaud and thank you for your efforts at helping those with addiction.

My son, Tommy Sowell, died of an accidental overdose of heroin mixed with Fentanyl and acetyl fentanyl on February 13, 2016, at the age of 24. I am quite sure he did not know the drug contained Fentanyl and acetyl fentanyl.

He developed a hernia during 9th grade and had surgery, after which they prescribed OxyContin.

Knowing that it was addictive, knowing that it has been overprescribed and has caused many overdoses.

I now believe this is where the story of his addiction began. He did not want, nor choose, to be addicted. He held a high GPA throughout school and graduated from South Harrison High School. He willingly helped his dad in the hay field from a young age every year. He loved his family. He wanted and needed to work and be productive.

He wanted to go to college from a young age but the lure of the oil & gas field won out with its high pay. However, with those jobs beginning to close in WV around 2014–2016, he began to spiral down . . . with no job prospects to speak of here, but not wanting to leave WV and his family, he instead turned to more drugs to deal [with and] cope with feeling lost and unproductive.

His dad and I found him. He died alone, which makes me even sadder to know.

Tommy was a good boy, a wonderful son, and he lit up our world with laughter and joy. He was loving, respectful, kindhearted, and full of life and fun.

I know in my heart he would have overcome this and gone on to do wonderful things if he'd just had the chance. We are heartbroken and will be forever heartbroken. Saturday, June 11th, would have been his 25th birthday.

If this letter helps you in any way please feel free to use it. It would bring a bit of peace to us to know that his story will help others.

This is a hidden secret. This is basically a hidden killer we are talking about. When you have Stephanie and the parents and grandparents willing to speak up and say: Put a face with it. Put a boy or young girl coming out of a neighborhood, whom we had high hopes for and who was snuffed out—this is what they want us to share. This is what they are asking us to take up and do—provide the treatment that can help save the lives of their children and the lives of a generation of Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, we are on the floor this afternoon with the issue of GMO foods—genetically modified organisms—before us. I don't want to talk about GMO foods in that space; I want to talk about a more specific genetically engineered species.

I would like to speak this afternoon about genetically engineered salmon. I think it is important to acknowledge that this is separate from the larger GMO debate we have been engaged in on the floor. Genetically engineered animals are not crops. They are not something that grows in a field and stays stationary. A genetically engineered salmon is something that swims. It moves around. It is something entirely new. It is a new species—a new species designed specifically for human consumption.

This is the first time the FDA has ever signed off on a genetically engineered new species designed for human consumption—the first time. I happen to think the FDA signoff was wrong, and I am going to continue to object to that because this species that poten-

tially will be introduced into our markets, into our homes, and quite possibly into our ecosystems, contrary to what any environmental assessment may claim, is new. This is unprecedented.

When we talk about a genetically engineered salmon—we have dubbed it a Frankenfish in Alaska because it is splicing DNA from one animal, an ocean pout, with DNA from another fish, a farmed fish, and inserting that into a Chinook salmon. We are doing a little bit of a science experiment here that concerns many of us.

Having grown up in the State of Alaska, I know fish. I know the significance of a strong, healthy fishery. It is our No. 1 employer throughout the State of Alaska. Not only do we look to the strength of our fisheries for strong economies and good jobs, it is critical and it is integral to those who live a subsistence lifestyle. It is so much a part of who we are as Alaskans. Alaskans identify themselves with their salmon. Right now, people in Alaska are not necessarily talking about what is going on here in Washington, DC. They are wondering when the next run of Pinks is coming in. They are wondering what is happening on the Yukon and the Kuskokwim with the runs up there. When is the red run going to come in in full tilt? When is the dip netting going to be starting? It is all about our fish.

We have been assured that if these genetically engineered salmon should be allowed out onto the market, that if this production moves forward, you don't need to worry, Alaska, about any escapement because we are going to make sure these don't get loose. Nice promise, but we know in this State that fish can get out of the pens. They escape from hatcheries. They can be accidentally released from where fish are grown. We take very seriously the issues that present themselves with the introduction of a new species that has the potential to wreak havoc, to do harm to our wild natural stocks.

Again, whether it is escapement or the promise of "Don't worry, these fish are going to be sterile; you are not ever going to have to worry about them interbreeding, breeding with your wild stocks. You are going to be safe, Alaska. You are going to be OK, Alaska," the folks I represent back home look at this and say "No, we don't believe we have the assurances. We don't believe we have the certainty. We don't believe we have the standards that are necessary to provide for the protection of our wild stocks."

So I have made clear throughout the larger debate on GMOs that I have opposed this bill because contained within this broader debate of GMOs—we do nothing to make it clear that if genetically engineered salmon is to go forward as the FDA has said that it will, there needs to be clear and unequivocal labeling of this GE salmon. Contained within this broader bill, we do not have the clear requirement for labeling of

GE salmon, while also preempting Alaska's labeling law.

What we have been told is "Don't worry, if these genetically engineered salmon are out on the market, those who are marketing these salmon can voluntarily label them." Let me ask you, who do you think is really going to voluntarily place a label on something that says "This is not the real thing. This is not your wild Alaska salmon; this is a genetically engineered species"?

The reality is, we will not see the labeling that I as an Alaskan who is putting fish on the dinner table for my family would require and would want. We have been trying to work through this with the chairman and ranking member of the committee, trying to provide for what we believe are very sensible, reasonable fixes, and yet we are at a place where those accommodations have simply not been made.

Let me assure you that Alaskans are very unified on this issue. We will not accept GE salmon or this Frankenfish being sold to us without clear labeling. Again, I for one am not going to feed my boys this fish. I use that term lightly because I am looking at it and this is not even like a fish. You are taking DNA from an ocean pout. What is an ocean pout? It is an eel. I usually am here with a big picture of an ugly eel. I figured you might be tired of looking at that picture by now, but apparently it is not getting through to people. When we talk about Frankenfish, this is no joke to Alaskans. It poses a serious threat to the livelihoods of our fishermen, and that is not something that I am willing to take a risk on, that I am willing to take a gamble on.

Our fisheries in the State of Alaska are world-renowned for their high quality and their sustainability. The Alaska seafood industry supports more than 63,000 direct jobs and contributes over \$4.6 billion to our State's economy. Nearly one in seven Alaskans is employed in our commercial seafood industry. It is a major part of the seafood economy. Commercial fishermen around the State harvested more than 265 million salmon this past year, including the wild Chinook salmon, Sockeye, Coho, Chums, and Pinks. It is all coming on right here, right now. I was in Naknek on Friday. Everyone is waiting for the Sockeye to hit. It is an incredibly important part of our State's economy, but it is more than just the economic benefit—the dollars that come to our State, the jobs it has created—it is the good, healthy stuff. Wild Alaska salmon has tremendous health benefits. It is a lean protein source of omega-3, B-6, B-12, niacin. It is good stuff. It is naturally good stuff.

It is so good that there are over 1.5 million people who wrote in to the FDA and said: We oppose this genetically engineered salmon. They weighed in. What did the FDA do? They basically went the other way. They weren't listening. Many of the grocery stores



we frequent have said: You know what, if you are going to allow this out here, we are not going to sell this in our stores. They want to know that there is going to be a label on it. They want to know that they can tell their customers “This is wild Alaska sustainable, the real thing; and this is not.” A voluntary label does not cut it. Safeway, Kroger, Whole Foods, Trader Joe’s, and Target all announced they are not going to sell it. Despite this immense opposition, in November of last year, the FDA approved AquaBounty Technologies’ application for its GE AquAdvantage salmon.

I put “salmon” or “fish” in quotation marks because what we are doing is we are taking a transgenic Atlantic salmon egg, which has genes from this ocean pout, this eel, and combining it with the genes of a Chinook. The egg is meant to produce a fish that grows to full size in half the time as a normal Atlantic salmon. Again, they are ramping this up on steroids, if you will, to cause it to grow twice as fast.

Under the FDA application, these eggs will be produced in Canada, so it is not as though we are getting any American jobs there, and then the smolt—although I don’t even really want to use the term “smolt” because only part of this fish is real salmon—they are then going to ship this to Panama, where they will be raised in pens. Again, there are no U.S. jobs there. The FDA made no mandatory labeling requirement; instead, they made it voluntary. This bill we have in front of us, the larger GMO bill, does not create a clear labeling mandate, either, and that is the concern I have. That is why I fought to secure mandatory labeling requirements both before the approval of AquaBounty’s application and since its approval.

We have been making good headway on this issue over the time I have been here in Washington, but unfortunately the bill we have in front of us today will wipe out that work instead of using the legislative tools we have at our disposal to effectively and precisely amend this legislation in order to address the issue of GE salmon.

I have offered up an amendment. It has been sponsored by Senators SULLIVAN, CANTWELL, MURRAY, and MERKLEY. What it would do is require the FDA to create a new market name for GE salmon in order to remedy this flaw in the current bill. In other words, give the certainty to the consumer. If you are shopping in your grocery store, you will know whether what you buy for your family is the real thing or a genetically engineered fish.

The amendment is essentially the same language that was adopted by voice vote during the Agriculture appropriations markup earlier this year. It is substantially similar to language that was adopted by voice in each of the previous 2 years. We have had this before us. We have seen it. You have seen it. Yet it is not included right now.

For 3 years running, the Appropriations Committee has approved the labeling of GE salmon without debate. I think this amendment shouldn’t be very controversial, but for some reason it apparently is. Apparently it has caused all kinds of issues, and I do not see why. I have offered multiple sensible solutions over the course of several months while this bill was working its way through the process, and I am here today to again push for consideration of what I believe is truly sensible and truly reasonable. It has been incorporated and adopted before. It makes sense for a host of different reasons, and it certainly makes sense for the people of Alaska.

I am here today, as we talk about the broader GMO debate, to make sure colleagues understand that my opposition here is to anything that would mistakenly allow genetically engineered salmon into anyone’s homes mislabeled as salmon. I will continue to demand that the voices of Alaskans and those who care deeply about this are heard.

With that, I see other colleagues have joined me on the floor. I thank the Presiding Officer for his attention to this matter, and I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Indiana.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. DONNELLY. Mr. President, I rise to talk about the bipartisan Comprehensive Addiction and Recovery Act, also known as CARA, and the opioid abuse and heroin use epidemics. As I have said, I believe it will take all of us working together to address this public health crisis that is gripping Hoosier families and communities across Indiana and our country. We all have a role to play to address these epidemics—officials at the Federal, local, and State levels, as well as prescribers, pharmacists, law enforcement, first responders, and parents and families.

This bipartisan CARA legislation would provide States and local communities with important tools to prevent and treat drug addiction and support individuals in recovery. It includes several provisions adapted from my bipartisan legislation that would enhance prescribing practices and raise public awareness. We were also successful in getting a provision included that would encourage first responder units to connect individuals who receive naloxone with treatment and other necessary services. This bill includes programs that will make a difference and should be enacted into law. It is also critically important that we fund these initiatives. CARA is an important step, but make no mistake, there is work left to do to ensure that our communities have the resources and funding to implement many of these important programs. We have a chance to do something meaningful and bipartisan that will help save lives. For every family and community in Indiana and across the Nation who has been devastated by the opioid abuse and heroin use

epidemics, we must get legislation to the President to be signed into law.

Mr. President, I also want to talk about another issue that is important to Hoosiers. Later today the Senate will vote in favor of final passage on a bill requiring the labeling of foods that contain genetically engineered materials. I have worked with colleagues for months on this issue. I know this is about much more than just words or symbols on a label; it is about ensuring we have confidence in the food we eat and feed our children. As a Hoosier, I also know this bill is about preserving a long and proud Indiana tradition of growing the food that feeds our communities and provides a safe and reliable food supply for the world.

The labeling legislation before us is the result of our working together as Republicans and Democrats to achieve our shared objectives to provide consumers with access to accurate information about the food we eat and to do so in a way that does not mislead consumers into thinking their food is unsafe. When this bill is enacted into law, for the first time ever consumers across our country will have access to the information they want, and it will be easy to find. That information will also be delivered in a way that is fair, objective, and based on sound science.

Today I ask my colleagues to join me in supporting this bill for final passage, not because everyone got everything they wanted but because it is a good compromise that achieves our shared objectives. Labeling genetically engineered materials will be required so consumers everywhere will have access to the information. It will provide fair and objective information without stigmatizing foods that are completely safe, and it contains provisions based on an amendment that my good friend Senator CARPER from Delaware and I introduced, which will require clear and direct access to information on bioengineering through multiple methods of disclosure. Consumers, farmers, and food producers have been looking to the Senate for leadership. After months of discussion, we have found a sensible proposal that will bring the right information into our homes and to grocery stores in a responsible way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

TRUST ACT

Mr. GARDNER. Mr. President, anybody who has been watching the news knows what has happened with the FBI investigation of former Secretary of State Hillary Clinton. I think that the FBI’s press conference detailing the findings of the FBI’s investigation has made it very clear that Secretary Clinton has proven she cannot be trusted in protecting this Nation’s most sensitive secrets. That is the takeaway from the FBI Director’s press conference just days ago. That is not opinion; that is the conclusion that can be derived and taken from the findings of a very intensive FBI investigation.

There were details in press reports earlier today which indicated that classified information had perhaps been handled in an extremely careless way by members of the military, and maybe others, who were punished; however, FBI Director James Comey said he did not recommend punishment in the case of Secretary Clinton's mishandling of classified information, but in the other cases, he pointed out that there had been adverse consequences. We saw the news reports today that talked about security and administrative sanctions on those who violated the policies and laws of handling classified information. That is why Senator JOHN CORNYN and I have introduced legislation to address this very serious abuse of handling and mishandling classified information.

The bill we have introduced is called the TRUST Act because it makes sure that there are consequences for people who handle our classified and most important secrets in an extremely careless manner. The TRUST Act provides consequences for anyone who exercises extreme carelessness in handling classified information. Any clearances that Secretary Clinton holds ought to be revoked because of her mishandling of these secrets, and she should be denied access to classified material unless and until she has a legal right to such access by becoming President-elect. In addition, those around the Secretary and the people to whom she emailed classified information—emails that were marked "classified" in some cases—ought to lose their security clearances as well.

Secretary Clinton has consistently misled the American people about her emails. Just look at the Associated Press report published yesterday. In a news conference in March of 2015, Secretary Clinton said: "I did not email any classified material to anyone on my email. There is no classified material." That is not true.

In an NBC interview on July 16, Secretary Clinton said: "I never received or sent any material that was marked classified." That is not true.

During a news conference in March of 2015, Secretary Clinton said: "I responded right away and provided all of my emails that could possibly be work related" to the State Department. That is not true.

In March of 2015, Secretary Clinton said: The server was "guarded by the Secret Service, and there were no security breaches." As we can see through the FBI Director's statement, that most likely is also untrue.

Time and again, Secretary Clinton has not told the truth to the American people, and there should be consequences related to these actions, especially when her recklessness relates to the most sensitive classified information this country has.

Even President Bill Clinton noted the immense harm that results from dangerous actions like those outlined by the FBI Director. In Executive Order 12968, President Clinton said: "The un-

authorized disclosure of information classified in the national interest can cause irreparable damage to national security and loss of human life."

Secretary Clinton is an intelligent person. She knew this information was classified, and some of it was even marked "classified." The FBI Director himself has said that even if it is not marked "classified," but you know it is classified, you should be aware of it. If you have the potential to carry forward and disclose classified information, then you shouldn't send it over an unsecured server, as Secretary Clinton did hundreds, if not thousands, of times.

The New York Times reported today that based on the words and comments, which you can parse from the FBI Director's statements just a couple of days ago, you can basically tell that Clinton's unsecured server was very likely hacked by foreign actors who "were far too skilled to leave evidence of their work." That is why Secretary Clinton's security clearance ought to be revoked, and she should be denied access to classified material unless and until she has a legal right to such acts. That is also why those who acted with extreme carelessness around her—because they know better—should have their security clearances revoked. So they can't continue to perpetrate this kind of extreme recklessness, this kind of extreme carelessness, as identified by the Director of the FBI.

The Clintons are the great escape artists, the Houdinis of American politics. They push the law to the very edge, and just when they get caught or trapped, they pull back. It is a double standard the American people are sick and tired of dealing with, and I hope my colleagues will support the TRUST Act to protect the integrity of Americans and American classified information.

#### NORTH KOREA

Mr. President, I also rise to speak about the threat from North Korea and the role Congress has played in enacting tougher policies to counter the Kim Jong Un regime.

On January 6, 2016, North Korea conducted its fourth nuclear test, which is the third such test since President Obama has taken office.

On February 7, North Korea conducted a satellite launch, which is essentially a test of an intercontinental ballistic missile but just disguised as something else, but the launch was certainly to test a missile that would, in their words, be capable of reaching the U.S. mainland.

In response, on February 10, the Senate came together 96 to nothing to pass the North Korea Sanctions and Policy Enhancement Act, a bill I authored in the Senate Foreign Relations Committee along with Senator BOB MENENDEZ from New Jersey. Together, our legislation mandated—not simply authorized but mandated—sanctions against individuals who contribute to North Korea's nuclear program and

proliferation activities, malicious cyber attacks, censorship of its citizens, and the regime's continued human rights abuses. The legislation imposed the first-ever mandatory sanctions on North Korea and the first-ever mandatory cyber sanctions as well.

This legislation was a recognition that this administration's policy of strategic patience has been a strategic failure. As the Washington Post editorial board stated on February 8, just 2 days before our bill passed on the Senate floor, "President Obama's policy since 2009 of strategic patience has failed. The policy has mostly consisted of ignoring North Korea while mildly cajoling China to pressure the regime."

I am pleased to see the administration is now shifting its failed policies by implementing key portions of the North Korea legislation that cracks down on the North Korean regime.

On June 1, the Treasury Department designated North Korea as a jurisdiction of "primary money laundering concern" under section 311 of the PATRIOT Act, which will further isolate North Korea from the international financial system.

Yesterday, Treasury took another important step by designating Kim Jong Un and a number of his top officials as human rights abusers. This designation is long overdue and came about only because Congress mandated it, along with a human rights report that was delivered to Congress yesterday.

We have known for years that this regime is one of the world's foremost abusers of human rights. The North Korean regime maintains a vast network of political prison camps, where as many as 200,000 men, women, and children are confined to atrocious living conditions and are tortured, maimed, and killed. I have spoken to defectors. I have had conversations with a defector from North Korea who served in the military there and who spoke to me of their torture in these prisons, of people who were put in jail because of their opposition to the Kim Jong Un regime, people who were tortured because of their defiance of Kim Jong Un's leadership.

On February 7, 2014, the United Nations Human Rights Commission released a groundbreaking report detailing North Korea's horrendous record on human rights. The Commission found that North Korea's actions constituted a "crime against humanity."

Now, we all are probably asking ourselves why it took so long for the administration to come to the same conclusion and then finally do something about it. Nonetheless, this week we finally are, but more remains to be done to send the strongest message we can to this regime, which poses a very serious threat to peace and stability throughout Asia, Eastern Asia, and the United States.

Last month, we learned that North Korea successfully tested a missile that is capable of reaching U.S. bases

in Japan and the U.S. territory of Guam. According to open sources, the DPRK currently fields an estimated 700 short-range ballistic missiles, 200 medium-range ballistic missiles, and 100 intermediate-range ballistic missiles.

To counter this threat, we need to proactively work with South Korea to immediately station the Terminal High Altitude Area Defense—or THAAD—in South Korea. The regime's nuclear stockpile is growing fast. Most recently, nuclear exports have reported that North Korea may currently have as many as 20 nuclear warheads and has the potential to possess as many as 100 warheads within the next 5 years.

Our military leaders have repeatedly stated that North Korea may have already developed the ability to miniaturize a nuclear warhead, to mount it onto their own intercontinental ballistic missile called the KN-08, and to “shoot it at the homeland.”

Pyongyang is also quickly developing its cyber capabilities as another dangerous tool of intimidation—an asymmetric threat to the United States—as demonstrated by the attack on the South Korean financial and communication systems in March of 2013 or the Sony Pictures hacking incident in November of 2014.

According to a report that was released last year in 2015 by the Center for Strategic and International Studies, “North Korea is emerging as a significant actor in cyberspace with both its military and clandestine organizations gaining the ability to conduct cyber operations.”

According to the Heritage Foundation, “Contrary to perceptions of North Korea as a technically backward nation, the regime has a very robust and active cyber warfare capability.”

The Reconnaissance General Bureau, North Korea's intelligence agency, oversees 3,000 cyber warriors dedicated to attacking Pyongyang's enemies. Cyber experts have assessed that North Korea's electronic warfare capabilities were surpassed only by the United States and Russia.

Last month, South Korean authorities uncovered a massive North Korean cyber attack into more than 140,000 computers at 160 South Korean firms and government agencies. Reports indicate that more than 40,000 defense-related documents were stolen, including the blueprints for components of the F-15 fighter jet. Let me say that again. North Korea perpetrated a hack on South Korea that resulted in them obtaining the blueprints for the F-15 fighter jet.

Yet, in light of these gross violations, the administration still has not acted to impose sanctions on North Korean cyber criminals as required by the law that passed 96 to 0 by this Senate. In fact, the administration is now nearly 2 months late in producing a report required under the bill which would name and shame those violators—the perpetrators of these cyber attacks.

However, the crux of the success of the sanctions efforts rests with Bei-

jing's compliance—with China. Nearly 90 percent of North Korea's trade is with China and, at least so far, we have seen only mixed evidence that Beijing is serious about changing its policies toward Pyongyang.

While the administration needs to pursue constant and vigorous diplomatic efforts with Beijing, it should also not hesitate to impose penalties on Chinese entities as appropriate, if they are found in violation of the sanctions this Congress has passed.

Finally, we also need to make sure we develop a strong trilateral alliance between South Korea and Japan, including enhanced defense and intelligence cooperation, to better deter the North Korean threat. We must never forget that more than 20 years ago, North Korea pledged to dismantle its nuclear program, and yet now we see a regime that has no respect for international agreements or international norms and is on the cusp of over 100 nuclear warheads. The United States should never again engage in negotiations with Pyongyang without imposing strict preconditions that North Korea take immediate steps to halt its nuclear program, to cease all military provocation, and to make credible steps to respecting the human rights of the people of North Korea.

If the United States does not pursue increased actions against North Korea now, we will face a much greater threat in the future, and these threats will be immensely consequential to the safety and well-being of the U.S. homeland.

Mr. President, I thank you, and I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### RENEWABLE ELECTRICITY GENERATION

Mr. MARKEY. Mr. President, we just celebrated Independence Day and rightfully so. It was a big break with the past, a big break with the whole history of the United States, up until July 4, 1776. Well, we have good news. There is another new dawn of independence which has arrived in the United States, and that independence is growing by the day.

By “independence,” I am talking about how we generate electricity in the United States. For 100 years, we were dependent upon oil, upon natural gas, upon coal as our principal source of electricity in our country, combined with nuclear generation, plus some hydropower. But now, over the last 10 years, we have seen a true American revolution which has broken out.

In 2015, in terms of new electrical generation in the United States, 8,600 new megawatts of wind—again, people ask: What is a megawatt? Well, when we think of a big coal-burning or natural gas-burning or electrical-generating facility, that 8,600 of new wind megawatts would be about 8 or 10 new electrical generating plants using coal in our country.

Last year: 7,500 new megawatts of solar in the United States. Seven to

ten new coal-burning plants never had to be built because, instead, solar was used as the means of generating electricity in our country. And the importance of that is that all of those greenhouse gases that otherwise would have been emitted into the atmosphere from these new coal-burning facilities and these new gas-burning facilities in the United States will never happen because those plants never had to be built.

Let's go back to 2015. In 2015, there was 6,000 new megawatts of natural gas electrical generation capacity in the United States that was installed, and all other electrical-generating new capacity in 2015, including coal, was almost nonexistent, although there was some but a very small amount.

Now, let's go to this little bit of history that I think is important for Senators and for the American people to hear about. Let me give my colleagues an idea as to what the profile of electrical generation in America looked like in 2005. In 2005, 50 percent of all electrical generation in America came from coal, 20 percent came from nuclear, which is about the same as it is today; natural gas was 19 percent; hydropower, 5 percent, and that is about the same as today; oil, 3 percent, and that is pretty much down to zero in the United States today, but wind and solar combined were less than one-half of 1 percent of all electrical generation in the United States in 2005. We had gone through the entire energy history of the United States, and that was the best we could do—one-half of 1 percent wind and solar.

Again, the tax breaks weren't there for wind and solar. They were there for natural gas and coal and oil and nuclear, but they were not there for wind and solar. Then policies in America began to level the playing field so wind and solar could compete. So, now, by the time we reach 2015, coal is now down to only 33 percent of all electricity generated in the United States, natural gas is up from 19 percent, up to 33 percent from 2005. Again, natural gas emits half of the greenhouse gases that coal does when it is generating electricity in our country. Nuclear stays the same at about 20 percent, hydropower is still 5 or 6 percent, but here is the interesting thing. All of a sudden, solar plus wind is up to 6 percent of all electrical generation over the last 10 years. But the interesting story is how fast wind and solar are now being added to the total mix of electricity in our country.

Now let's go to 2016, this year. What is on the books for this year is 14,500 megawatts of solar, 9,000 new megawatts of wind, natural gas at about 8,800 megawatts, and nothing else coming in. There is no coal on the books planned for this year in the United States of America. You can see that solar and wind are on track to produce two to three times as much new electricity as natural gas, and there is no other competition.

This revolution is taking place at a very rapid rate in our country. In the year 2016, we now have 310,000 jobs in the solar industry, and we have 88,000 jobs in the wind industry. In other words, we have 400,000 people working in the wind and solar industry in the United States of America. It is on pace to have 600,000 people working in those two industries by the year 2020. We are down to 65,000 coal miners in America as this new set of technologies continues to expand, continues to lower in price, and we are seeing a dramatic change in this energy mix.

Let me add that the United States is not alone in this. Last year in 2015, across the whole planet, one-half of all new electrical generating capacity came from renewable energy—one-half for the whole planet in new electrical generation capacity.

Something else that is important for people to understand is that even as we make these incredible investments in the new energy technologies across the planet, for the last 2 years global energy-related carbon emissions actually stayed flat while the global economy grew. That defies conventional economic wisdom that there is a direct correlation between how much you pollute and how much you can generate in new gross domestic product. That has now been broken. It is an anomaly. Gross domestic product continues to go up, and emissions are flat. That means we are now on a pathway where, as more and more renewables, more hybrid automobiles, electric automobiles, and more new technologies come on line, we are going to see a decline in greenhouse gases even as the global economy continues to grow. How are we going to accomplish it? Well, we have to have tax policies on the books that give incentives to these new technologies.

You don't have to worry about the oil industry. They have been taken care of for 100 years. What we do have to look at, however, is the Koch brothers and others who have a business stake in oil, gas, and coal and continue to argue against giving the same kinds of tax breaks to the renewable energy industry that have always been given to the fossil fuel industry.

In fact, when we were debating last year whether or not we were going to have extensions of tax breaks for wind and solar, the Koch brothers wrote a letter to every Member of the House and Senate saying that would be destructive to the free market system. They forgot to write this letter with regard to subsidies for the oil industry, the coal industry, the natural gas industry, and the nuclear industry. All of a sudden, when there is a new technology that does not pollute and which they are not heavily invested in, they decide that the purity of this system requires that we not have tax breaks for the new energy technology. How do they handle that? They just make sure that they have all kinds of interests out there that try to then make the ar-

gument, an economic or climate argument, that those same kinds of tax breaks the other industries have always received are not justifiable, aren't needed for the solar and wind industry.

So this is an incredible revolution. Whereas in 2005 only 79 total new solar megawatts were installed in the country, this year 14,500 megawatts are going to be installed.

This is a delayed revolution. The regulatory policy, the tax policy did not in fact give a break to the new energy technology, but the truth is that we are now on a pathway to having a revolution where, by the year 2030, we could easily have 400,000 megawatts of wind and solar and other renewables installed in the United States. By the end of next year, we will have 150,000 megawatts. After 70 years, the nuclear industry has 100,000 megawatts.

Every time I use that term "megawatts," I know that it can get confusing, but just understand the bottom line is that wind and solar are coming as new additions to the grid at an average of 1 to 1.5 percent to the total every single year. So by the year 2030, it could be between 25 percent and 30 percent of all electrical generation at the current peak at which it is being deployed in our country.

So that level playing field that we have been working hard to create and which we have to continue to work hard to create is making a huge difference. The Clean Power Plan which President Obama has propounded will drive it more. The 30 States that have renewable electricity standards as a goal in their States make a difference, but also the policies we create here for tax breaks for these new industries will make a huge difference toward meeting our goals.

From my perspective, we have a chance to have America with 100 percent renewable electricity by the year 2050 in our country. We have a chance to change the whole path of the planet in terms of how they look at these energy technologies.

No one had these small cell phones in their pockets in 1993—no one. They were big bricks that cost 50 cents a minute, but we began to have a revolution, and 7 or 8 years ago everyone decided to have one in their pocket. It was unimaginable to a preceding generation of Americans.

How about this: 800 million Africans who did not have wireless devices in the year 2000 now have them in their pockets. We can deploy wind and solar to Africa, Asia, South America, and all around the planet if we make the same kind of investment in developing these new technologies.

Recently, in Germany, for 1 day the whole country was renewable. In Portugal, for 4 days the entire country was generating renewable electricity. I believe that we can and should do 100 percent generation by the year 2050, and that is why I will be introducing a resolution in the Senate, expressing the

sense of this body that the United States should commit to generating 100 percent of all of our electricity from renewables by the year 2050, and I urge my colleagues to support me in this effort. This will provide massive job creation, reduction in greenhouse gases, world leadership, and an ability to avoid the worst, most catastrophic consequences of climate change to our planet.

Last year was the warmest year ever recorded. This year is the warmest year ever recorded. It keeps getting more and more dangerous, but the answer, the solution, is within our grasp.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

SANCTUARY CITIES AND ZIKA VIRUS FUNDING  
LEGISLATION

Mr. CORNYN. Mr. President, I want to begin by briefly commending the efforts of the junior Senator from Pennsylvania, Mr. TOOMEY, for his work and leadership in crafting legislation that the Senate considered yesterday that would protect families from the dangers of so-called sanctuary cities.

Sanctuary cities are, frankly, not particularly appropriately named because these are cities that have made a conscious decision to refuse to cooperate with the lawful orders of Federal authorities, especially when it comes to removal of criminal illegal aliens. The bottom line is that the failure to cooperate with Federal law and Federal officials is a danger to the very communities that many of our colleagues who blocked this legislation claim they want to protect.

In other words, these so-called sanctuary city policies—they refuse to cooperate with the removal of people who demonstrate their untrustworthiness by committing crime after crime after crime. They are a threat to the entire community, including legal immigrants and native-born Americans.

Senator TOOMEY's legislation would have cut Federal funding to these cities and counties that refused to follow the rule of law and would empower local authorities to crack down on those who commit crimes on our soil.

Unfortunately, once again, our Democratic colleagues filibustered this commonsense proposal, in addition to another bill that would have helped protect our communities. It is beginning to appear they are making a habit out of blocking bills that this country needs.

Let me give another example. Just last week, our Democratic colleagues were faced with a choice. They had made the point over and over again that the Zika virus—which is being carried by a mosquito native to our southern parts of the United States—was at our Nation's doorstep. They said that in order to combat this threat, we need additional funding for mosquito eradication, developing clinical trials for a vaccine, and advising and informing and educating the public on what

to do to protect themselves. We know. We saw a picture on the Senate floor of the devastating impact this virus has on a woman who is pregnant and her child. Indeed, last week we had a picture of a child with microcephaly—the shrunken skull and brain—and a description of the tragic circumstances they will face in that child's short life.

We could avoid all of that if our Senate colleagues would just quit playing politics. They really had a choice: to protect pregnant women and their babies from the devastating impact of a birth defect caused by the Zika virus or to play partisan politics. What did they choose? Well, it is pretty obvious they chose to play partisan politics.

Every Senate Democrat voted for \$1.1 billion in Zika funding. What did the joint conference committee in the House and Senate produce that they filibustered? Zika funding for \$1.1 billion. In other words, they voted against the very amount of money that they had previously voted for.

They need to quit gambling with the health of Americans. That is what Senator REID, the Democratic leader, said when he urged us to fund the President's request for Zika funding. But then they abruptly did an about-face when presented with a bill at the same funding level that they themselves had previously voted on. So who is gambling now? Who is gambling now? Who is going to answer to the mother of a child born with a devastating birth defect and explain to them why they thought that politics was more important than actually coming up with prevention and coming up with a vaccine that actually would stop the threat of these dangerous and devastating birth defects?

If the Democrats in the Senate want to gamble on the future health of the next generation, I want no part of it. Zika poses a real and immediate threat to our country, particularly in places like Texas where I come from. Ignoring the devastating impact of this virus is irresponsible and heartless.

We will soon provide another opportunity for our Democratic colleagues to move forward with a bipartisan, bicameral funding bill that includes the needed resources to fight Zika here at home at the funding level that the Democrats in the Senate have previously supported. Our public health officials need to continue the good work they are doing to study the virus, contain it, and keep it from spreading here in the United States, and they need the financial resources to do it. It is just beyond comprehension why our Senate colleagues would continue to filibuster this important funding.

Saying that the bill lacks sufficient funding to fight the virus is just plain ridiculous. That is what they have said. According to reports from just yesterday, administration officials estimate that they still have nearly half a billion dollars of unspent Ebola funds that could be put to use for combating Zika.

So I would invite our Democratic colleagues to reconsider their previous decision to block this funding and consider the wide-ranging implications of their “no” vote from last week. I urge them to reconsider so we can get these funds into the hands of those who protect us and our children.

#### TRUST ACT

On another matter, Mr. President, yesterday I spoke on FBI Director Comey's announcement regarding Secretary Clinton's use of her personal email server. He called her and the staff who enabled her to use this private server to transmit classified information “extremely careless.” He made clear that their actions were egregious in the sense that they put classified information at risk that our Nation's enemies would love to have and use against us. In summary, he said they should have known better, which is pretty self-evident, and he said they put our country at risk.

Even more devastating, his announcement on Tuesday proved that Secretary Clinton had been lying to the American people about her server from day one. From Director Comey's investigation, it is clear now that she did send and receive classified information, some at the very highest levels of classification. It is clear now that her server didn't provide adequate security, leaving sensitive information vulnerable to our Nation's adversaries. It is evident now that she didn't give the authorities full access to all of her work-related emails. Director Comey said the FBI uncovered several thousand more that she hadn't turned over.

In a word, this is unacceptable. For somebody with so much experience in government—as First Lady, as a U.S. Senator, and then as Secretary of State—to gamble with our Nation's most important secrets is completely irresponsible. Unfortunately, it tends to reinforce the narrative Secretary Clinton herself has been responsible for writing, and that narrative is, when it comes to her activities, anything goes. The rules may apply to you and me, but they certainly don't apply to her. Unfortunately, she feels like she is above the law, and, as I said, the rules that apply to others don't apply to her. This is simply unacceptable.

As Director Comey noted, people who engage in what Secretary Clinton did—the mishandling of classified information—are often at least held accountable through some security or administrative sanction, and that is if they don't get fired or put in prison for their misconduct.

We have to do what we can here to hold her and her staff accountable. It is part of the oath we take to uphold the Constitution and the laws of the United States. No less than if we were an FBI agent or a Federal judge, as Senators we have to take that oath, and it is the right thing to do.

It is very important that we send a firm message that this sort of behavior is unacceptable, and hopefully we will

deter others from taking the same risks to our Nation's national security and the lives of the men and women who serve in our intelligence services if we send a message that this is not acceptable and there will be a price to be paid.

In light of the FBI Director's announcement, I have introduced legislation with the junior Senator from Colorado, Mr. GARDNER, to do just that. This legislation is called the TRUST Act. It would revoke the security clearance of anyone found to have demonstrated extreme carelessness in the handling of classified information and would keep them from receiving a clearance in the future so they couldn't do this again. It would also clarify existing law so that everyone understands that extreme carelessness, which the FBI found in the case of Secretary Clinton and her staff, basically becomes the legal standard whether or not you think it constituted gross negligence.

There are many people whose legal opinion I respect, such as former Attorney General Michael Mukasey, who said that extreme carelessness and gross negligence are basically the same thing.

I heard Mayor Giuliani—former distinguished U.S. prosecutor, former third person in line at the Justice department—say there is plenty of evidence with which to prosecute somebody who has done the things and said the things Secretary Clinton and her staff have. But we understand that Director Comey has taken that off the table, and now Attorney General Lynch has said we are going to close the file. But the truth is, Secretary Clinton and her staff have proven that they are either unable or disinterested in keeping safe highly sensitive classified information, and they have gone so far as to cover up this scandal at every step along the way. I think that should mean at minimum that they forfeit the privilege of having a security clearance so at least they cannot do this again.

Yesterday, Director Comey made clear that Secretary Clinton and her staff should have known better. That seems self-evident with somebody with long experience in the Federal Government—from First Lady, to U.S. Senator, to Secretary of State. With the highest level of security clearance in the Federal Government, she should have known better.

She was reckless and careless in the way she handled this classified information. Add to that the frightening implications of this sensitive information getting into the hands of our adversaries, such as the Russians or Chinese intelligence agencies, and any reasonable person would come to one conclusion: They have to be held accountable and there has to be some penalty for putting our Nation's security at risk.

I will continue to call on the Department of Justice to be open and transparent. Director Comey said that he

thought that the circumstances of this case, while they didn't rise to the level sufficient for indictment, that transparency was very important. That is why he made the really unprecedented announcement that he did, which frankly far exceeded his authority as the investigative agency, where he said no reasonable prosecutor would have sought an indictment in this case.

But I hope the Justice Department responds to the letter which I sent on today's date wherein I asked him to release any unclassified information as it relates to this scandal. The American taxpayers deserve to see all of the investigation—which cost the American taxpayers millions of dollars—especially in light of the fact that there will be no criminal prosecution, according to Director Comey's recommendation and according to the decision of the Justice Department to close the case yesterday.

I urge Secretary Clinton to ask the Justice Department to release the FBI reports and any transcript of her 3½-hour long interview as well because I think the American people deserve it. I suspect what we would find is that Secretary Clinton's lawyers said: No matter what you have done before, don't lie to the FBI in that 3½-hour interview, because that lawyer and Secretary Clinton would know that no matter what you have done or haven't done before, if you actually lie to an FBI agent, that is an indictable and prosecutable crime in and of itself. So I have reasonable confidence that she did finally come clean and tell the truth to the FBI in that interview. Now, the only right thing to do, in the interests of the sort of transparency Director Comey talked about—since there can be no prosecution and no indictment, the only right thing to do in the interests of transparency and public accountability is for that transcript of the 3½-hour-long interview to be released to the American people so they can judge for themselves. I believe the American people deserve at least that.

Mr. President, I ask unanimous consent to have printed in the RECORD my letter of July 7 to the Honorable Loretta Lynch.

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

U.S. SENATE,  
Washington, DC, July 7, 2016.

Hon. LORETTA LYNCH,  
Attorney General, United States Department of Justice, Washington, DC.

DEAR ATTORNEY GENERAL LYNCH: On July 5, 2016, the Director of the Federal Bureau of Investigation (FBI) announced in a lengthy press conference that the FBI was officially recommending that "no charges are appropriate" in the investigation of former Secretary of State Hillary Clinton's use of a personal email system during her time as Secretary of State. The Director made this recommendation even though the FBI found that "there is evidence of potential violations of the statutes regarding the handling of classified information," including evidence that "Secretary Clinton or her colleagues . . . were extremely careless in their

handling of very sensitive, highly classified information." In doing so, the Director specifically pointed to seven e-mail chains concerning Top Secret information, some of which apparently "bore markings indicating the presence of classified information." These conclusions, among others, directly contradict many of the public statements that former-Secretary Clinton and her supporters have made in defense of her unprecedented conduct. Nevertheless, yesterday you accepted his recommendation and, in a terse, two-sentence statement, announced that "the thorough, year-long investigation" was now closed and that "no charges [would] be brought against any individuals within the scope of the investigation."

The Director's lengthy public statement was "unusual," as he noted, but he asserted that "the American people deserve . . . details in a case of intense public interest," and that "given the importance of the matter, . . . unusual transparency is in order." His public statement, he said, was an effort to "assure the American people . . . that this investigation was done competently, honestly, and independently. No outside influence of any kind was brought to bear." In contrast, your public announcement contained no similar disclosures or otherwise provided the American people with much needed transparency and information about that investigation.

For more than a year, I also have noted that this case was incredibly important and highly unusual and that the American people deserved a fair and impartial investigation. That's why I called for you to appoint a Special Counsel in this matter. The need for a Special Counsel, the appointment of which would give the American people greater transparency and assurance of independence, was underscored after you decided to meet privately with Secretary Clinton's husband just days before the Director's public announcement and the conclusion of that investigation. I will continue to press for this appointment because I believe it is the best and most appropriate way for the American people to have faith in the administration of justice in this case.

In the meantime, and because the Director and I both agree about the importance of this matter and the need for unusual transparency, I call on the Department of Justice to immediately release the FBI's report and any transcript of the FBI's three-and-a-half hour interview of former-Secretary Clinton on July 2. As you know, such interview reports often become public when a criminal investigation results in a criminal prosecution. And the Federal Rules of Criminal Procedure require the Department of Justice to provide an interview report directly to a criminal defendant. Of course, here you have declined to appoint a Special Counsel and the FBI has decided that "no reasonable prosecutor would bring such a case," so the American people will not enjoy the same transparency that they have come to expect from their own government. But as the Director said, "only facts matter," and the American people deserve the facts underlying former-Secretary Clinton's FBI interview to evaluate the Department of Justice's conclusions and the public statements that former-Secretary Clinton and her supporters have made regarding her use of a personal email system and her egregious handling of classified information.

Sincerely,

JOHN CORNYN,  
United States Senator.

The PRESIDING OFFICER. The Senator from Massachusetts.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE  
CALENDAR

Ms. WARREN. Mr. President, "judicial emergency" is an official term that refers to a vacancy in our court system for a court that carries a heavy caseload or a vacancy that has remained open for an extended period of time.

In the United States, we now have dozens of judicial emergencies. Why are there so many judicial emergencies? Why are there so many vacancies in courts that have heavy caseloads? Why are there so many long-term vacancies? Well, the reason is simple. When it comes to confirming judges, Senate Republicans simply refuse to do their jobs. Their view seems to be very simple. If government isn't working for them or their rich friends or their rightwing allies, then they will simply refuse to let it work for anyone.

Yesterday the Senate confirmed one judge, Brian Martinotti, to sit on the district court in New Jersey—one judge, one noncontroversial nominee for a noncontroversial job who had been waiting for a vote for over a year. The Republicans who control the Senate seem to think that is reasonable. It is not.

Sixteen district court judges have been investigated, gone through hearings, been voted out of committee, and are pending on the Senate floor right now. One circuit court nominee is also on this list for a vacancy that has remained vacant for more than 6 years. Fourteen States have judges on this list. About half of these nominees have been sitting for nearly a year or more.

These courts do an enormous amount of work. Their work is not political. Democratic and Republican Senators have worked with the President to select these nominees to fill vacancies on these courts, and those nominees deserve votes. Right now, there is no indication that they are going to get votes. And in a few days, the Republicans who control the Senate are planning to pack up their things and shut down the Senate for most of the rest of the year. This is ridiculous. No other workers in America get to walk off the job before the job is done, and the same should be true for the U.S. Congress. We shouldn't leave until we do our work.

The Senate can act right now to confirm these 17 nominations, all of whom have bipartisan support.

Mr. President, I rise today to ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 359, 362, 363, 364, 459, 460, 461, 508, 569, 570, 571, 572, 573, 597, 598, 599, and 600; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the

RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, as the Senator knows, we have a process for considering district judges. It is the prerogative of the majority to set those votes. Frankly, in light of the process we do have, as the Senator knows, this is not the appropriate process.

But I do agree with her on one thing: that the Senate ought to do its job. One of the things we could do, which has received broad bipartisan, bicameral support, is to fund the efforts to combat the Zika virus, which creates the devastating birth defects we talked about a moment ago. While I object to this request, there are things we ought to be able to do before we break.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

Ms. WARREN. Mr. President, we do not have a process that is working.

The Nation faces a judicial vacancy crisis. Ten percent of the district court judgeships in this country are empty. We face nearly twice as many judicial emergencies as President Bush faced in 2008 or President Clinton faced in 2000. Cases are piling up, and courts are starved for help. The Supreme Court of the United States sits paralyzed, unable to deal with some of its most challenging cases. But the majority whip is going to pack up and go home, leaving 18 judgeships vacant because—well, that is the process?

This isn't a game. There is no scoreboard. You don't get to ignore a national crisis because you care more about scoring political points than keeping government functioning.

President Obama's job is to nominate judges to fill vacancies, and the Republicans' job here is to lead us to confirm those judges to fill those vacancies. Do your job.

So if you won't confirm all of the pending judicial nominees who have been voted out of committee and are currently waiting on the Senate floor, then before you leave town for months, let's at least confirm the 13 judges on that list who were nominated last year to fill district court vacancies.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following 13 nominations: Calendar Nos. 359, 362, 363, 364, 459, 460, 461, 508, 569, 570, 571, 572, and 573; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action,

and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, if I am not mistaken, we are trying to deal with a biotechnology issue when it comes to our agriculture supply, which was voted out of the Committee on Agriculture, Nutrition, and Forestry, and I know the Senator from Kansas, the distinguished chairman of the committee, would like to get to it but for the diversions caused by these sorts of requests which the Senator knows will be objected to.

If the Senator is really concerned about doing our job and taking care of our Nation's business, then she ought to join me in voting for the \$1.1 billion in funding for the Zika virus, which is a national health care emergency, and certainly the pictures I have had here previously demonstrate the consequences of a failure to deal with this Zika virus. Unfortunately, this baby has suffered a devastating birth defect known as microcephaly—literally a shrunken skull and brain—and is condemned to an uncertain future in life, not to mention the consequences on the family.

I would implore the Senator from Massachusetts, let's get to work doing this, which I believe the Senator has already voted for the \$1.1 billion in funding. Yet when we brought this up, all we got were objections and stonewalling from our colleagues on the other side of the aisle. Frankly, I don't understand it. It is a terrible mistake, and I don't want one baby in America to suffer this sort of birth defect because we dithered and did not do our duty when it came to providing adequate funding to combat the Zika virus.

This is something we should take care of before we break on July 15. We can fight about judges any other time, but this is a true public health emergency. And how Senators can come down here and try to hijack the floor to talk about something else when we are ignoring the very work before us in dealing with this biotechnology agriculture issue or dealing with something even more pressing, such as avoiding birth defects and these sorts of devastating consequences as a result of this Zika virus, I do not understand.

I do not understand the Senator's priorities, and I object.

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

The Senator from Massachusetts.

Ms. WARREN. Mr. President, this has been going on now for a year and a half. The Republicans have delayed and delayed and delayed until we face dozens of judicial emergencies. There is always an excuse not to take up even noncontroversial appointments.

We can't get the 17 who were voted out of committee and are currently

pending on the floor, we can't get the 13 who were nominated in 2015 so how about this deal. There are four district court nominees who have been waiting around for a year or more. They are from Tennessee, New Jersey, New York, and California.

When President Reagan was in office, almost no uncontroversial nominees took longer than 100 days to confirm. Let us at least give these four nominees who have been waiting nearly a year or more for their vote. The Senate can do this, it can do it quickly, and we will be done. There is bipartisan support for every one of them.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following four nominations: Calendar Nos. 359, 362, 363, and 364; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, we can have the debate about judges, but I think we ought to first take care of the business before us that the Senate voted to proceed to, which is to deal with the legislation to avoid the State-by-State requirement for labeling our food products, which has been agreed to by the Senator from Michigan, the ranking member of the Committee on Agriculture, Nutrition, and Forestry, together with the chairman of the committee, the Senator from Kansas.

We ought to be taking care of that, and we also ought to be taking care of this. This is urgent. How people can think we need to deal with these lists of judges and sort of hijack the agenda and distract us from our work on preventing these sort of birth defects is, frankly, a misplacement of priorities.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

Ms. WARREN. Mr. President, it would take no time to confirm these judges. These are all people who have been examined by the committee, who have passed out of committee, who are pending on the floor, and who have bipartisan support. These are judges from Tennessee, New Jersey, New York, California, Rhode Island, Pennsylvania, Hawaii, Utah, Massachusetts, Maryland, Oklahoma, Wisconsin, Louisiana, and Indiana. Fourteen States will be left without vital judges because of the Republican blockade.

At a certain point, reasonable people have to ask: Why are Republicans actually doing this? Is it so that if Donald

Trump is elected President, he will be able to nominate more judges? What in this world has Donald Trump ever said or done that makes the majority whip so enthusiastic about his judicial appointments? Is it Trump's enlightened views on the judiciary? Donald Trump is a guy who just a few weeks ago race-baited a Federal judge—attacked a judge who spent years defending America from the terrors of murderers and drug traffickers. Trump attacked him simply because the judge refuses to bend the law to suit Trump's personal financial interests.

And where do you think Donald Trump got the idea he can attack the integrity of Federal judges with impunity? He got it from you—from the Republicans in the Senate and their decision to turn scores of highly qualified, nonpartisan judicial appointees into political footballs.

Talk is cheap. If Republicans really do disagree with Donald Trump's approach to judges, then do something about it. Confirm these highly qualified noncontroversial judges. Do it now before shutting off the lights and leaving town.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I would like to address the issue just raised by the Senator from Massachusetts and responded to by the Senator from Texas.

The Senator from Massachusetts carefully avoided mentioning the obvious. This is the same Republican majority that will not fill the vacancy on the Supreme Court. For the first moment in the history of the United States—in the history of the United States—we have a Presidential nominee sent to fill the vacancy of the late Justice Scalia, and the Republicans in the Senate refuse to give him a hearing or a vote. That has never—underline the word “never”—happened in the history of the United States of America. When we say do your job, it starts at the highest Court and goes straight down to every Federal court in America.

I sit on the Judiciary Committee, and what I think is particularly galling, troubling, and worrisome is that each one of these nominees has been carefully vetted by the Department of Justice, by the FBI, by Republican staffers—everyone imaginable—culling through every aspect of their life to see if they are truly worthy of being a lifetime appointee to the Federal bench, and they all passed the test. They were all voted out of committee, and they all languish on the floor of the Senate for the very reason the Senator mentioned.

The Senator from Texas and many others are lying awake at night praying for the moment when President Donald Trump can pick Federal judges in America. Unless Judge Judy is coming out of retirement, I have no idea where he is going to turn to find judi-

cial talent, but I will tell you, we have judicial talent, approved by Democrats and Republicans, languishing on this calendar at great personal expense.

I thank the Senator from Massachusetts for raising this issue.

#### ZIKA VIRUS FUNDING

Mr. President, I would like to also comment on the Zika virus and the threat to the United States. You bet it is serious. We have seen the photographs that have been displayed here of the children who are born with serious birth defects because of the Zika virus.

It is so serious the President of the United States notified this Senate in February—February of this year—to act immediately on providing \$1.9 billion—\$1.9 billion—to protect as many people as possible from the spread of this virus and the terrible effects it has. The President asked for \$1.9 billion not only to deal with the mosquitoes and the infection but also to develop a vaccine so we can liberate America from the concern of this virus showing up next year and the year after.

So there was a \$1.9 billion request in February. To date—to date—the Republican leadership in the House and Senate have failed to produce the \$1.9 billion that was suggested by the President.

We had a compromise number of \$1.1 billion that was approved by the Senate with a strong bipartisan vote almost a month ago. I think there were 87 Senators who voted for it because we all understand it is a public health emergency. Well, in our bicameral system, the bill then went over to the House of Representatives. What happened next tells the story of what is wrong with the Republican-controlled Senate today. They took our bipartisan bill for \$1.1 billion to fight the Zika virus, they put it in a conference committee, they held a meeting but didn't invite any Democrats, and they then came up with a bill that provided \$1.1 billion, but listen to how they did it.

They took money away from fighting the Ebola virus in Africa, which we feared several years ago would spread to the United States and still is a threat to Africa and to many other people. They took the public health money to fight the Ebola virus and said: We will transfer it over, and you can fight the Zika virus.

Apparently, the Republicans believe we can only fight one public health challenge at a time. We don't have time for Ebola. We are going to move to Zika. The Centers for Disease Control—the preeminent agency in the world when it comes to fighting public health disasters—has warned us don't do this. We are still worried about the spread of Ebola and the danger of it.

But they didn't stop with that. They didn't stop with taking the Ebola money and putting it into the Zika virus. They then turned around and larded the bill up with every political ornament they could think of that would captivate the hearts of the right-

wing. Listen to what they included in the bill. They included a provision that cut \$500 million from the Veterans' Administration to process veterans' claims.

Have you heard of that issue? I sure have back in Illinois. Our veterans wait way too long to get the disability payments they deserve for having served our country. The Republicans cut \$500 million from that effort, but they weren't finished. They then turned around and said: We want to make an exemption in the Clean Water Act so certain chemicals can be sprayed around water supplies. What has that got to do with this and why do we need to do it at this moment? It is one thing they have been longing for. The third thing they turned around and did, after they cut the money from the VA and after they made this provision to change what the EPA can regulate and, as I mentioned earlier, took the money out of Ebola—they then moved on to say: We know that women across America will be concerned about family planning because of the threat of the Zika virus so they put language in the bill prohibiting Planned Parenthood from providing family planning to those who are concerned about the spread of the Zika virus. They just can't stay away from Planned Parenthood, and they included it.

And while you might think that was enough to make this the most controversial political bill to move from the House, they had one more trick up their sleeve—a provision to allow the display of Confederate flags in our veterans cemeteries—Confederate flags. Why?

Why would you take an important bill dealing with a public health crisis and lard it up with all of these miserable provisions that just excite the hearts of some political rightwingers? They did it because they were hoping we would stop the funding for the Zika virus. It is stopped now waiting for a clean bill. They know the President will never sign this bill as written.

If we would go back to the original bipartisan bill passed in the Senate, we would certainly get approval for it. That is why, I answer the Senator from Texas, we wait for the day when we can get back to bipartisanship on this important public health threat.

I see there are others seeking the floor. The last point I will make is that we are going to vote in a short period of time on this GMO legislation. I have a lengthy statement that I will put in the RECORD about my position, but I ask unanimous consent to have printed in the RECORD an article from the New England Journal of Medicine. This is an August 20, 2015, article from the New England Journal of Medicine entitled “GMOs, Herbicides, and Public Health.” It makes the point very directly that there has been no credible scientific evidence that GMO foods pose any danger to consumers who consume them. But there is a credible concern about the use of chemicals in the



production of these GMO products and how they are being larded on these fields, creating real concern about the ultimate impact on public health by these agricultural chemicals and the runoff.

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

GMOs, HERBICIDES, AND PUBLIC HEALTH

(By Philip J. Landrigan, M.D., and Charles Benbrook, Ph.D.)

Genetically modified organisms (GMOs) are not high on most physicians' worry lists. If we think of all about biotechnology, most of us probably focus on direct threats to human health, such as prospects for converting pathogens to biologic weapons or the implications of new technologies for editing the human germline. But while those debates simmer, the application of biotechnology to agriculture has been rapid and aggressive. The vast majority of the corn and soybeans grown in the United States are now genetically engineered. Foods produced from GM crops have become ubiquitous. And unlike regulatory bodies in 64 other countries, the Food and Drug Administration (FDA) does not require labeling of GM foods.

Two recent developments are dramatically changing the GMO landscape. First, there have been sharp increases in the amounts and numbers of chemical herbicides applied to GM crops, and still further increases—the largest in a generation—are scheduled to occur in the next few years. Second, the International Agency for Research on Cancer (IARC) has classified glyphosate, the herbicide most widely used on GM crops, as a “probable human carcinogen” and classified a second herbicide, 2,4-dichlorophenoxyacetic acid (2,4-D), as a “possible human carcinogen.”

The application of genetic engineering to agriculture builds on the ancient practice of selective breeding. But unlike traditional selective breeding, genetic engineering vastly expands the range of traits that can be moved into plants and enables breeders to import DNA from virtually anywhere in the biosphere. Depending on the traits selected, genetically engineered crops can increase yields, thrive when irrigated with salty water, or produce fruits and vegetables resistant to mold and rot.

The National Academy of Sciences has twice reviewed the safety of GM crops—in 2000 and 2004. Those reviews, which focused almost entirely on the genetic aspects of biotechnology, concluded that GM crops pose no unique hazards to human health. They noted that genetic transformation has the potential to produce unanticipated allergens or toxins and might alter the nutritional quality of food. Both reports recommended development of new risk-assessment tools and postmarketing surveillance. Those recommendations have largely gone unheeded.

Herbicide resistance is the main characteristic that the biotechnology industry has chosen to introduce into plants. Corn and soybeans with genetically engineered tolerance to glyphosate (Roundup) were first introduced in the mid-1990s. These “Roundup-Ready” crops now account for more than 90% of the corn and soybeans planted in the United States. Their advantage, especially in the first years after introduction, is that they greatly simplify weed management. Farmers can spray herbicide both before and during the growing season, leaving their crops unharmed.

But widespread adoption of herbicide-resistant crops has led to overreliance on herbicides and, in particular, on glyphosate. In the United States, glyphosate use has in-

creased by a factor of more than 250—from 0.4 million kg in 1974 to 113 million kg in 2014. Global use has increased by a factor of more than 10. Not surprisingly, glyphosate-resistant weeds have emerged and are found today on nearly 100 million acres in 36 states. Fields must now be treated with multiple herbicides, including 2,4-D, a component of the Agent Orange defoliant used in the Vietnam War.

The first of the two developments that raise fresh concerns about the safety of GM crops is a 2014 decision by the Environmental Protection Agency (EPA) to approve Enlist Duo, a new combination herbicide comprising glyphosate plus 2,4-D. Enlist Duo was formulated to combat herbicide resistance. It will be marketed in tandem with newly approved seeds genetically engineered to resist glyphosate, 2,4-D, and multiple other herbicides. The EPA anticipates that a 3-to-7-fold increase in 2,4-D use will result.

In our view, the science and the risk assessment supporting the Enlist Duo decision are flawed. The science consisted solely of toxicologic studies commissioned by the herbicide manufacturers in the 1980s and 1990s and never published, not an uncommon practice in U.S. pesticide regulation. These studies predated current knowledge of low-dose, endocrine-mediated, and epigenetic effects and were not designed to detect them. The risk assessment gave little consideration to potential health effects in infants and children, thus contravening federal pesticide law. It failed to consider ecologic impact, such as effects on the monarch butterfly and other pollinators. It considered only pure glyphosate, despite studies showing that formulated glyphosate that contains surfactants and adjuvants is more toxic than the pure compound.

The second new development is the determination by the IARC in 2015 that glyphosate is a “probable human carcinogen” and 2,4-D a “possible human carcinogen.” These classifications were based on comprehensive assessments of the toxicologic and epidemiologic literature that linked both herbicides to dose-related increases in malignant tumors at multiple anatomical sites in animals and linked glyphosate to an increased incidence of non-Hodgkin's lymphoma in humans.

These developments suggest that GM foods and the herbicides applied to them may pose hazards to human health that were not examined in previous assessments. We believe that the time has therefore come to thoroughly reconsider all aspects of the safety of plant biotechnology. The National Academy of Sciences has convened a new committee to reassess the social, economic, environmental, and human health effects of GM crops. This development is welcome, but the committee's report is not expected until at least 2016.

In the meantime, we offer two recommendations. First, we believe the EPA should delay implementation of its decision to permit use of Enlist Duo. This decision was made in haste. It was based on poorly designed and outdated studies and on an incomplete assessment of human exposure and environmental effects. It would have benefited from deeper consideration of independently funded studies published in the peer-reviewed literature. And it preceded the recent IARC determinations on glyphosate and 2,4-D. Second, the National Toxicology Program should urgently assess the toxicology of pure glyphosate, formulated glyphosate, and mixtures of glyphosate and other herbicides.

Finally, we believe the time has come to revisit the United States' reluctance to label GM foods. Labeling will deliver multiple benefits. It is essential for tracking emergence of novel food allergies and assessing effects

of chemical herbicides applied to GM crops. It would respect the wishes of a growing number of consumers who insist they have a right to know what foods they are buying and how they were produced. And the argument that there is nothing new about genetic rearrangement misses the point that GM crops are now the agricultural products most heavily treated with herbicides and that two of these herbicides may pose risks of cancer. We hope, in light of this new information, that the FDA will reconsider labeling of GM foods and couple it with adequately funded, long-term postmarketing surveillance.

Mr. DURBIN. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the Campbell Soup Company.

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

[From Campbell Soup Company, July 6, 2016]

CAMPBELL ANNOUNCES SUPPORT FOR MANDATORY GMO LABELING

CAMDEN, N.J.—(BUSINESS WIRE)—Jan. 7, 2016—Campbell Soup Company (NYSE: CPB) today announced its support for the enactment of federal legislation to establish a single mandatory labeling standard for foods derived from genetically modified organisms (GMOs).

This Smart News Release features multimedia. View the full release here: <http://www.businesswire.com/news/home/20160107006458/en/>.

Campbell believes it is necessary for the federal government to provide a national standard for labeling requirements to better inform consumers about this issue. The company will advocate for federal legislation that would require all foods and beverages regulated by the Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA) to be clearly and simply labeled for GMOs. Campbell is also supportive of a national standard for non-GMO claims made on food packaging.

As a result of its decision to support mandatory national GMO labeling, Campbell will withdraw from all efforts led by coalitions and groups opposing such measures.

The company continues to oppose a patchwork of state-by-state labeling laws, which it believes are incomplete, impractical and create unnecessary confusion for consumers.

Campbell is optimistic a federal solution can be established in a reasonable amount of time if all the interested stakeholders cooperate. However, if that is not the case, Campbell is prepared to label all of its U.S. products for the presence of ingredients that were derived from GMOs, not just those required by pending legislation in Vermont. The company would seek guidance from the FDA and approval by USDA.

Campbell continues to recognize that GMOs are safe, as the science indicates that foods derived from crops grown using genetically modified seeds are not nutritionally different from other foods. The company also believes technology will play a crucial role in feeding the world.

Campbell has been engaged in the conversation about GMO labeling for several years and has taken action to provide consumers with more information about how its products are made, including the presence of GMOs, through efforts like its website [www.whatsinmyfood.com](http://www.whatsinmyfood.com). With 92 percent of Americans supporting the labeling of GMO foods, Campbell believes now is the time for the federal government to act quickly to implement a federal solution.

More information about the rationale behind Campbell's decision can be found on Campbell's newsroom.

CAMPBELL'S—WHY WE SUPPORT MANDATORY  
NATIONAL GMO LABELING

(By Campbell Team)

Today the New York Times (<http://www.nytimes.com/2016/01/08/business/a-new-fact-on-the-foodlabel.html>) wrote about Campbell's decision to support mandatory national labeling of products that may contain genetically modified organisms (GMOs).

Campbell's President and CEO Denise Morrison shared the message below with our employees about the reasons behind our decision.

TAKING A MAJOR STEP FORWARD AS WE LIVE  
OUR PURPOSE

At Campbell, we are unleashing the power of our Purpose, Real food that matters for life's moments. Our Purpose calls for us to acknowledge that consumers appreciate what goes into our food, and why—so they can feel good about the choices they make, for themselves and their loved ones.

Today, consistent with our Purpose, we announced our support for mandatory national labeling of products that may contain genetically modified organisms (GMO) and proposed that the federal government provide a national standard for non-GMO claims made on food packaging.

We are operating with a "Consumer First" mindset. We put the consumer at the center of everything we do. That's how we've built trust for nearly 150 years. We have always believed that consumers have the right to know what's in their food. GMO has evolved to be a top consumer food issue reaching a critical mass of 92% of consumers in favor of putting it on the label.

In addition, we have declared our intention to set the standard for transparency in the food industry. We have been openly discussing our ingredients, including those derived from GMO crops, through our [WhatsinmyFood.com](http://WhatsinmyFood.com) website. We are supporting digital disclosure through the Grocery Manufacturers Association's (GMA) SmartLabel™ program. We have announced the removal of artificial colors and flavors from our products. However, our support of mandatory federal GMO labeling sets a new bar for transparency.

There is currently no federal regulation requiring labeling that informs consumers about the presence of GMOs in their food. In the absence of federal action, many states—from California to Maine—have attempted to address this issue. Campbell has opposed this state-by-state patchwork approach, and has worked with GMA to defeat several state ballot initiatives. Put simply, although we believe that consumers have the right to know what's in their food, we also believe that a state-by-state piecemeal approach is incomplete, impractical and costly to implement for food makers. More importantly, it's confusing to consumers.

Most recently, Vermont passed legislation that will require food companies including Campbell to label products regulated by the Food and Drug Administration (FDA) that may contain ingredients made from GMO crops. However, this legislation does not include products with meat or poultry, because they are regulated by United States Department of Agriculture (USDA). Under Vermont law, SpaghettiO's original variety, guided by the FDA, will be labeled for the presence of GMOs, but SpaghettiO's meatballs, guided by the USDA, will not. Yet these two varieties sit next to each other on a store shelf, which is bound to create consumer confusion.

Campbell has been actively involved in trying to resolve this issue since 2011. We've worked with GMA, legislators and regulators to forge a national voluntary solution. We've engaged a variety of stakeholders, from lawmakers to activists. I've personally made

multiple trips to Capitol Hill to meet with elected officials. Despite these efforts, Congress has not been able to resolve this issue. We now believe that proposing a mandatory national solution is necessary. Printing a clear and simple statement on the label is the best solution for consumers and for Campbell.

I want to stress that we're in no way disputing the science behind GMOs or their safety. The overwhelming weight of scientific evidence indicates that GMOs are safe and that foods derived from crops using genetically modified seeds are not nutritionally different from other foods. In America, many farmers who grow canola, corn, soybean and sugar beets choose to use genetically modified seeds and have done so for nearly twenty years. More than 90% of these four crops in America are currently grown using GMO seeds. It takes an average of thirteen years to get a GMO seed approved by the government for safety. Ingredients derived from these crops are in many of our products. We also believe that GMOs and other technologies will play a crucial role in feeding the world.

We will continue to be a member of GMA and will participate in food industry initiatives that align with our Purpose and business goals. However, as a result of the change in our position on GMO labeling, Campbell is withdrawing from all efforts led by groups opposing mandatory GMO labeling legislation, including those led by GMA.

The New York Times reported on our decision, and we issued a press release. I encourage you to read both. We recognize that this announcement may spark discussion. It's difficult to predict the exact nature of the ensuing commentary, but I suspect it will be a mixed bag. What I do know is that our decision was guided by our Purpose; rooted in our consumer-first mindset; and driven by our commitment to transparency—to be open and honest about our food. I truly believe it is the right thing to do for consumers and for our business.

Best,

DENISE MORRISON,  
President and CEO.

Mr. DURBIN. Campbell Soup Company has decided they are going to face this issue squarely, honestly, and waste no time. It is a company that I trust. I can't imagine how many cans of Campbell's soup we have consumed in my household throughout my life.

They said: It is time to be honest with consumers. We will tell them. We will tell them pointblank on the label so they can read whether or not there are GMO products contained in the soup. Then they can make the decision as to whether they want to buy it.

I wish that were the outcome of this entire debate, but it is not.

The third point I want to make is it is mindless for us to allow individual States like Vermont to decide the labeling standards for national companies. It makes no sense. We cannot allow it to occur.

The last point I will make is this: One of the provisions in this bill I think is embarrassing, and it is a provision which I cannot support. We give three options to food companies when it comes to labeling for GMOs. First, declare right on the label, just as Campbell Soup Company does, if GMO products are included. Second, use a symbol created by the Department of

Agriculture which we can educate the public on that can really signal as to whether this product has GMO products. The third is the one that troubles me—something called a YRL or URL. I may have that designation wrong, but it is that kind of scrambled screen you see that you can't read but some computers can read. What these food companies want to do is not tell you as a consumer whether the food has GMOs or not. As you go through the grocery store, they want you to hold your cell phone up to that box of macaroni and cheese to see if it has GMO in it or not by reading all that is written on your cell phone. That is a bad joke.

I just went shopping with my two 4½-year-old grandkids. I cannot imagine walking through that store, trying to keep them from raiding different displays, and using my cell phone on box after box of macaroni and cheese. That, to me, is the "secret decoder ring" approach to this, and I think it is an embarrassment to consumers to ask them to go through that. So I will be voting in opposition to the GMO bill when it comes before us later in the day.

I yield the floor.

THE PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, the Presiding Officer and I are fairly new to this Chamber. I know Senate rules prevent me from engaging anyone who happens to be in the gallery, so I will not do that. But I have to admit, watching what has gone on here for the last 15 or 20 minutes, I can't help but think at least one or two are saying: What on Earth is going on down on that Senate floor? We have heard arguments embedded in arguments.

The issue we have before us today is on the biotechnology labeling vote. We have heard about judges. Look, everybody says we are in gridlock here. There are obviously instances where we disagree. Let's set those aside and address legislation where we do agree we have pressing issues, and we have two of those before the Senate today.

The one immediately before us is on biotechnology labeling, and I am going to get to that in a minute. The other has to do with funding Zika. It has to do with trying to understand why some 38 of my colleagues on the other side of the aisle voted for \$1.1 billion in Zika funding, and now it is back before us. It is one vote away from going to the President's desk, and now they are all voting against it. Collectively, the Members who voted for the \$1.1 billion and now vote against it represent States that have 671 Zika cases reported to date. It looks as if we are going to be here a little bit tonight, and I will get into the details and share the roll call vote, but today I want to talk about biotechnology.

I want to start by thanking Senator ROBERTS and Senator STABENOW for the work they did in reaching a bipartisan solution to this controversial issue. We voted on cloture yesterday, and we had a majority of over 60—65 to be exact—

Members vote. What cloture means is to get on the bill. Now we are on the bill. What does this bill do?

What it is trying to do is avoid the confusion and the cost when a State implements a law that becomes de facto Federal law of the land and increases the cost of food prices to consumers. This is what we are proposing to avoid in the language we have before us that I hope we vote on and I hope we focus on. This is only one choice of one State—the State of Vermont. There are several dozen States that plan to have their own variance, and I will talk about the absurd exemptions and exceptions later on.

The bottom line: Complexity creates cost—cost to the American consumer. In Vermont alone, the Vermont law will increase the annual cost of food per family—in Vermont alone—by about \$2,000 a year. There are people struggling to pay for the food they have right now. There are people trying to decide, do they pay to heat their home or eat? Now we are talking about raising food costs, for some of the poorest people, by \$2,000 a year.

Complexity equates to cost. This provides clarity. I am going to talk a little bit about that, but I do appreciate Senator ROBERTS and Senator STABENOW for getting those of us who are willing to work together, who are willing to say to people at either end of the spectrum: Guys, we are going to come up with a compromise and solve this problem. We have that opportunity before us now, and I hope we will get to an affirmative vote later today.

As I said earlier, the state-by-state patchwork is unsustainable. Right now, we are talking about what Vermont decided to do. What about California? What about my State of North Carolina and all the other ones? Some people say: Well, you are preempting State law. When a State law affects interstate commerce across the Nation—because if I am a Campbell Soup Company or a Kellogg's or a small mom-and-pop shop trying to distribute in Vermont—if I don't get the labeling exactly right, I could be subject to millions of dollars of fines just because I have a jar or a can or a box on a shelf that isn't consistent with their labels.

I live in Charlotte, NC. Charlotte is right on the border of North Carolina and South Carolina. If you have a truck carrying cans of Campbell's soup, it has to be labeled one way in North Carolina and another in South Carolina. Does that make sense? It adds cost. It doesn't add value. That is why we are trying to prevent this patchwork of laws that could go on the books.

I want to talk a little bit about biotechnology for a minute because Senator DURBIN said something that I think is very important. I sit on the Agriculture Committee. I asked all the heads of the FDA, the EPA, and the U.S. Department of Agriculture the same question in the same committee

hearing several months ago. I said: Do you have any scientific data whatsoever—let's go to the FDA first, Food and Drug Administration—that would suggest that food containing biotechnology represent any threat to health? The FDA leader, appointed by the Obama administration, said: None whatsoever. Then I moved to the EPA, the Environmental Protection Agency. I asked precisely the same question. I got precisely the same answer. Then I went to the U.S. Department of Agriculture. I asked precisely the same question and got precisely the same answer.

When we walk the halls here, people say: THOM, I know. I know they are safe. But for some reason we have lost the argument. Ladies and gentlemen, the reason we can't lose the argument on agricultural biotech—what some people call GMO—is that our Nation and our world's food supply rely on it. Over ninety percent of all corn grown in Iowa is grown as a result of biotech—not some sort of Frankencorn, but corn that is heat resistant, corn that is moisture resistant, fungus resistant.

If we were to roll back 30 or 40 years of progress in agriculture biotech and take it out of our food supply chain, we could literally be in a position where people will starve—maybe not in the United States but all the nations we export to—because we simply cannot produce the world's food supply if we go back 10, 20, or 30 years. So it is a very important part of our food supply, it is a safe food, it is an environmentally sound food, and it is one that we just have to understand.

Having said that, I firmly believe that everybody has the right to know what is in their food. That is why I love the compromise bill that Senator ROBERTS and Senator STABENOW have before us today. It is pretty simple. Again, I know I can't interact with the gallery, so I will not. But my guess is that most of the people in the gallery over the age of about 12 have a smartphone. One or two may have flip phones—and there is an alternative that I will talk about—but most probably have smartphones. As a matter of fact, 207 million people in the United States have smartphones. I know Senator DURBIN is not familiar with it, but many of them come with what is called a QR code reader. I will give those watching from home a chance to actually scan it while hearing me talk live.

I remember—I think it was President Bush back in the 1990s who went through a shopping line and was astounded because he saw a bar code reader. He said: Wow, that is new technology. It had been around for a while. Guess what, folks. QR codes have been around a while. As a matter of fact, yesterday when the distinguished gentleman from Oregon spoke, he had a QR code up on the screen. I said: Heck, I want to see what that is. So I clicked on the QR code on the Campbell's can. It brought up on Wikipedia the history

of the New York Yankees. But it proves the point that you can go directly from that QR code to the Internet and get the information you need in real time.

What is the other advantage of QR codes? You can board an airplane with them, you can get information about your fuel, you can get medical services. It is everywhere. It is ubiquitous. It is prevalent. Everywhere you go, you see them. When I go to the store, because my wife is pretty strict on how much money I can spend, I will scan a QR code to see if I can find a comparative shop, and maybe I need to go down the street to buy that same product. In other words, it is an integral part of our lives. For somebody to say it is new, weird, different, hard to use—it only takes one button, one click on your phone, to actually get to the rich information on the Internet. That is what this bill is about.

So what if that QR code is on the product—a can of soup, a bag of flour, or any product you buy in the grocery store that is subject to this law. You go to your phone, you hit QR code reader which is on your smartphone, and it would immediately bring you to a website. This is what this proposed law requires. It immediately brings you to a website, in the cases I have done it, in 2 or 3 seconds. The minute you get to the site, you get all kinds of information. You get nutritional information, caloric value, and all kinds of things you need to know about what is in your food. Right on the page you can click down, and you can see whether it has any agriculture biotech content. Then you can even draw down further and find out what that means. It is in this bill. It can be done. Small businesses use this. Political people use this. Everybody uses this as a way to rapidly get to the Internet.

I don't know about you all, but I think this Internet thing is going to take off. I think it is going to be here for a while. So I think we are going to be increasingly comfortable with this sort of way to get the richest information available on the food we are going to eat. For those who say this is some sort of weird code or outdated, I don't know about you all, but that is not the world I live in. I think it is a very effective way to get it.

Let's assume you are a small business and you don't have the ability to create a QR code. Frankly, I would tell that small business to do it because that creates a competitive advantage. That makes you look as big as Campbell Soup Company and lets you compete. It is easy to put up a website. Most of us have them or know how to get them up pretty easily. I can put one up in 2 or 3 hours and then have a QR code to go to it. But let's assume they don't want to do it. It is a mom-and-pop shop, and they just don't like QR code readers. You can have a 1-800 number if you satisfy certain thresholds: For more product information, call this number. And they have a statutory obligation to disclose to you the

contents of the food and whether or not it has any agriculture biotech products in it. If you don't want to do a 1-800 number, you can also do a simple Web address. Key in thomscornerstore.com, or whatever, and get to the same information.

The fact is, this bill does that. It fully discloses and creates a statutory requirement that says the food manufacturer must disclose the content of their food, the nutritional information, biotech content, et cetera.

It is mandatory. There were disagreements on our side because we had Members on our side of the aisle who said they didn't like "mandatory." We decided in the interest of compromise to accept the mandatory requirement. It takes 2 years before the rules are made and about 3 years before most businesses will have to be fully phased in. Quite honestly, most manufacturers are going to do it because they understand, as I do, the advantage of quick access to having a consumer get to their Web presence, and there are other things they can do once they get there.

We know that the QR code, the URLs, and the 1-800 numbers work. We know that everybody has the right to know what is in their food. This law mandates that this happens. It eliminates the absurd exceptions and exemptions. For anybody who wants to do this, I know this code works. If you are at home right now and you see this code, you should be able to take your QR code scanner and go up to your TV, like I did yesterday, and go to this website and see in real time what I just demonstrated on the prior slide.

Why do we need to do this? Why do we need a Federal consistent framework for doing this? Why is it the Federal Government's responsibility to get involved in this? Going back to the first slide, I don't want families in Vermont to pay an additional \$2,000 a year for their food. I don't want families in North Carolina to pay an additional \$1,100 a year for the same food they bought last year only because of these state mandated labeling requirements.

Let me give you a couple of examples of what I am talking about in the Vermont law. Imagine if this were multiplied by 2-dozen or 3-dozen other States. Frozen pepperoni pizza is exempt from the Vermont law. Frozen cheese pizza has to be labeled. Vegetable beef soup is exempt from the Vermont law. Vegetable soup has to be labeled. Multiply that by dozens and dozens of other States. Think about all of these absurd exceptions and exemptions that can occur if we have 50 statehouses trying to create a patchwork of laws.

For an American family, the Vermont law will add an additional cost of about \$1,200 a year to the grocery bill. Imagine if we had 24 or 36 different States that we had to interpret, the cost would go up. The food is no more nutritious. It just costs more. That is why we need a Federal standard.

To my friends on the other side of the aisle and a handful on this side of the aisle, folks, this is just common sense. Anybody should be able to figure this out on 8 hours of sleep. This is not a difficult decision. We need to solve this problem now. Then we need to get on to Zika, which I will come back and talk about a little bit later on, and then we can get to all the other myriad of things we need to get done here.

When I came here in January of last year, I was accustomed to getting things done in the North Carolina House. This is an opportunity to get something done that makes sense, that removes the threat of raising food costs and not producing one iota of positive difference in health outcomes. I hope my friends on both sides of the aisle recognize that this is an opportunity where we can prove to the people in this gallery and the people in this Nation that we can actually get things done.

This is a compromise. This is something my friends on the right do not necessarily like and I know some of my friends on the left don't like, but it is right. It is necessary now so we can protect the people who don't know that, if this bill doesn't get passed, they are going to be paying more for food for no more value.

**THE PRESIDING OFFICER.** The Senator from Connecticut.

#### ZIKA VIRUS FUNDING

**Mr. MURPHY.** Mr. President, I am not supportive of the bill we will be voting on shortly relative to the labeling of GMOs, but I do admit the Senator is right in that this was an example of a group of Democrats and Republicans working on a solution that may end up getting the support of a supermajority of this body. That is the difference between what happened on the process of developing a GMO bill and the process of developing our response to the Zika epidemic.

Everybody knows what happened here. We had a bipartisan compromise that passed the Senate. It went to a conference committee. Democrats were shut out of the conference committee. I am a member of that conference committee. There was no negotiation between Republicans and Democrats. Republicans on the conference committee threw out the bipartisan compromise that was negotiated here in the Senate in order to address the concerns of very conservative Members of the House Republican caucus, and the bill got loaded up with all of the things that Senator DURBIN mentioned. At the top of the list was a ban on funding for Planned Parenthood, which Republicans on the conference committee knew would poison the well. They knew that by putting in a ban on funding for Planned Parenthood, they would make it impossible to pass the Zika supplemental request.

We don't need to engage in hyperbole or histrionics. That is what happened. What happened is the Republicans decided to put a bill on the floor of the

Senate that couldn't pass, knowing exactly what could pass because weeks earlier we had formed a compromise that was thrown out the window. It is a little unpleasant to be lectured to about why Democrats are unwilling to support the Zika bill that is in front of us because Republicans know exactly why we can't support it. It is because the compromise that we all worked on got thrown out and all sorts of political poison pills got added to it that everyone in the conference knew would mean it wouldn't pass the Senate.

#### OPIOID EPIDEMIC

**Mr. President,** I want to talk about another public health crisis that is confronting this country, and that is the overdose crisis that is plaguing every single State that we hail from. Here is the picture of overdoses in my State over the course of the last 4 years. It is a harrowing chart in that, if you go back to 2012, we had just under 400 drug overdose deaths that year. We are on pace in 2016 to more than double that number. Our projected number of overdose deaths is 832.

If you look deeper into this chart, it is fentanyl and heroin that are driving these numbers. In fact, our cocaine overdoses have remained relatively stable. It is fentanyl and heroin that are skyrocketing. You can put this chart up for almost every other State in the country and see the same phenomenon. Here it is broken down by town. There is almost no town in Connecticut that hasn't been visited by this epidemic. This small town here is one that you probably know. That is New Haven, CT. On June 23, a few weeks ago, city officials in New Haven declared a public health emergency after 17 individuals overdosed and 3 people died from fentanyl in less than 24 hours. Some of the patients needed as many as five doses of Narcan to revive them. The public health authorities and law enforcement in the city effectively ran out of Narcan overnight because of this batch of straight, pure fentanyl that killed 3 people and sent 17 others to the hospital. That is just one night in one town.

Two years ago, the United States Congress authorized \$4 billion in emergency funding to combat the Ebola virus—\$4 billion for a virus that had less than 10 confirmed cases in the United States. In Connecticut, we are going to have 830 people die from opioid overdose this year. We are a small State. We represent 1 percent of the Nation's population. We are going to have 830 people die from overdoses this year, and this Congress hasn't appropriated one dime of emergency funding.

You can't help but think there is a double standard here—that perhaps the reason we are not allocating emergency funding for this epidemic, which is killing dozens of people every week in my State, is because of the nature of the epidemic. It is rooted in addiction, and we still have a stigma about addiction in which we blame the addict.

Marvin and Laura Beninson came into my office, and they told me the

story of their beautiful, bright young daughter Victoria, who began slurring her words at Easter dinner. Victoria was a wonderful young woman. They knew something was wrong that Easter. When she left the house, they went into her room, and they found needles and little packets of a substance, and they said: Thus began our battle with heroin addiction.

This is the father talking now. He said:

My daughter has been through detox and six treatment centers. She has stolen and hocked all of my wife's jewelry while we were on vacation, stolen \$3,000 to 4,000 from my oldest daughter's bank account while she was in the Army, written thousands of dollars of bad checks from her friend's check book and been arrested for shop lifting.

The truth is that addiction is a disease just like cancer and there is no choice once you have it. It certainly was our daughter's choice to take heroin but it wasn't her choice to become addicted.

Addiction is a disease, and it can be treated medically, just like every other disease. There may be an element of choice in taking that first dose, but after that there is a medical solution. Yet, for some reason, we allocate \$4 billion to combat Ebola and not a dime to combat the epidemic of opioid abuse.

The funding that we are asking for—and my colleague Senator SHAHEEN put a vote before this body to appropriate \$600 million in emergency funding—would go to SAMHSA for treatment. It would go to education programs, to prescription drug monitoring programs, and \$230 million of it would go to justice assistance grants to make sure we are catching the bad guys who are selling this kind of Fentanyl that is killing people in New Haven.

Every day that we wait, this epidemic becomes worse and more people perish. We need to come together and appropriate emergency funding to take on this epidemic. We need to do it soon, but we need to do other things as well. Deeply buried into our Medicaid reimbursement laws is a discriminatory prohibition on Medicaid funding being used for long-term substance abuse and mental health treatment beds. The Presiding Officer and I are trying to repeal this provision as it relates to the treatment of people with mental illness, but it also relates to people who are struggling with substance abuse.

Medicaid dollars cannot be used for long-term treatment beds for individuals with substance abuse and mental illness. It is one of the few instances in our reimbursement policy at the Federal level in which we specifically prohibit reimbursement for a treatment that has been prescribed by a medical professional. Again, this seems rooted in this decades-old stigma about people with mental illness and substance abuse—that they should just get over it, they should just cure themselves, and they should make a different choice. So there is not a need for these long-term beds.

The second thing we need to do, in addition to appropriating emergency

funding to take care of this immediate crisis, is to repeal the prohibition on Medicaid dollars going to long-term treatment beds. Not everybody needs long-term treatment but many do. Many are comorbid with a substance abuse disorder and a mental illness. Yet you get kicked out of many treatment centers within a handful of days. This is a discriminatory provision in our law, and it is leading in parts of this epidemic because once they show up in the emergency room, there is no place to put them.

Third, we need to build on what the administration announced recently and pass the TREAT Act. The TREAT Act would allow for more patients to get prescription naloxone—buprenorphine—for treatment of their addiction. It is an effective drug, but as of now doctors can only see a relative handful of patients before they hit a statutory cap. We have examples in Connecticut of individuals traveling on 12 buses for 12 hours to find a prescriber who still had room under the cap in order to prescribe buprenorphine.

The lengths you have to go to get medical treatment for addiction are more evidence of this discriminatory treatment and this stigma that remains in the law. There is no cap when it comes to the number of patients a cancer doctor or an orthopedic surgeon can have, but there is a cap on the number of patients addiction doctors can have.

We have to pass the TREAT Act as well. These addictions can be treated.

I sat down with a group of former heroin users, individuals in recovery, in Bristol, CT, back in March. I spent an entire day in March living the life of the epidemic. I visited emergency rooms, first responders, and people in recovery.

Greg told me his story. He injured his back in his line of work as an arborist. He works with trees, and he injured his back. He was prescribed prescription painkillers for his herniated disk. You have heard this story before. He got hooked on the prescription painkillers and continued to see doctors so he could get as many prescriptions as possible—until he ran out. When he couldn't get any more prescription drugs, he turned to heroin and became an addict. He looked and looked and looked for treatment but couldn't find it. Finally, he ran into Courtney Labonte, who runs a Web site called ctsboxone.com. She found a treatment provider who could get him on medication therapy. Today he is in recovery and doing better. He has made the decision to change his life, and he has the resources to do it. There are millions of people who can tell that story as well, but not enough.

Without this funding and the repeal of the discriminatory Medicaid rule and without passage of the TREAT Act, we are denying medical treatment to the thousands of people in my State—including the 800 people who

will die this year from overdosing—who are grappling with addiction. I hope that before we break, we will find the courage and common sense to pass these measures and at least get some emergency funding appropriated.

I thank the body for its time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

REMEMBERING ELIE WIESEL

Mr. HATCH. Mr. President, I rise today to celebrate the life of a cherished friend and a champion of freedom in Auschwitz, Elie Wiesel. In Auschwitz and Buchenwald, Elie traveled far beyond the limits of human suffering, descending deep into an abyss of agony and pain that surpassed the torment of hell itself. Yet Elie survived this hell, and he lived to tell his story.

Through his solemn witness, he worked tirelessly to ensure that the world would never forget the horrors of the Holocaust. With Elie's passing, we have lost a true hero and a luminary of Holocaust literature. Now that Elie is gone, we must remember—now more than ever—his solemn charge to all mankind: Never forget. Never forget the Holocaust that it may never happen again.

Elie was the living conscience of a generation. He knew perhaps better than anyone the depths of human depravity. Having suffered as few ever have, he spoke on matters of human nature with a moral authority unmatched by his contemporaries.

I was blessed to know Elie and even more fortunate to call him a friend. I first met Elie when I was asked to serve with him on the board of trustees for the U.S. Holocaust Memorial Museum. Elie's warmth was immediate, his spirit contagious. That he remained compassionate and kind even after the atrocities of Auschwitz is a testimony to his character and the resiliency of his spirit.

I remember speaking with Elie when he came to watch Prime Minister Netanyahu address a joint session of Congress. I surprised Elie that day when I showed him my mezuzah, which I have worn around my neck every day for 40 years. I carry this mezuzah as a symbol of my respect and love for the Jewish people and the nation of Israel. The mezuzah represents the Lord's watchful presence in our lives. Elie was delighted that I, a gentile, would wear this religious symbol. I wanted to show Elie my mezuzah as if to say: I am still listening; I am still remembering; I am still fighting the incessant tides of anti-Semitism that threaten Jews across the globe.

Through his writing, Elie gave a voice to the millions of Jews whose voices had been stifled and silenced during the genocide. Of course, Elie's account is but one story; there are 6 million more. Although we can never begin to fathom the suffering of each individual Holocaust victim, Elie used the power of his pen to make their suffering more tangible to all of us.

“Night” was the foundation for Elie’s other works. I strongly encourage all of my colleagues to read Elie’s somber account of life in a Nazi death camp. One of Elie’s most poignant verses stays with me to this day:

Never shall I forget that night, the first night in camp, that turned my life into one long night seven times sealed.  
 Never shall I forget that smoke.  
 Never shall I forget the small faces of the children whose bodies I saw transformed into smoke under a silent sky.  
 Never shall I forget those flames that consumed my faith forever.  
 Never shall I forget the nocturnal silence that deprived me for all eternity of the desire to live.  
 Never shall I forget those moments that murdered my God and my soul and turned my dreams to ashes.  
 Never shall I forget those things, even were I condemned to live as long as God Himself.  
 Never.

How did Elie ever find hope after witnessing such unspeakable atrocities? He found hope in the promise of a Jewish nation. He found hope in the belief that Israel matters, that Israel is both a state and a state of being. Although many disagreed with his view, Elie remained steadfast in his support for Israel. After being recognized for the Nobel Peace Prize, Elie pleaded before world leaders who had grown apathetic in their own support. He said:

If you could remember what I remembered, you would understand Israel is the only nation in the world whose existence is threatened. Should Israel lose but one war, it would mean her end, and ours as well. But I have faith. . . . Without it no action would be possible. And action is the only remedy to indifference, the most insidious danger of all.

Elie warned us that neutrality only helps the oppressor, never the victim. He also taught us that we must take sides. Perhaps most importantly, Elie told us to never forget. There is a quiet elegance and fierce determination in this plea. Oftentimes, people try to put a positive spin on this by saying “always remember,” but Elie eschewed this more uplifting phrase because he wasn’t concerned with helping people feel better about the Holocaust, he was concerned with helping them understand the true horror of the genocide to ensure that it would never happen again. He wanted all who listened, all who read, and all who prayed to understand that hate is a virus and it is a virus that spreads quickly. For Elie, it was not enough to merely remember those who died; he wanted us to never forget how they suffered.

Today we can honor Elie Wiesel and his legacy by remembering always his humble plea: Never forget.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BOOZMAN. 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. BOOZMAN. I ask unanimous consent to speak as in morning business for 5 minutes.

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

HONORING OUR ARMED FORCES  
 SERGEANT SYLVESTER BRUCE CLINE

Mr. BOOZMAN. Mr. President, the men and women who wear our uniform are selfless heroes who embody the American spirit, courage, honor, and patriotism. They are defenders of our freedom.

I am here to honor and pay my respects to one of America’s finest: Arkansas Army National Guard SGT Sylvester Bruce Cline.

Sergeant Cline graduated from Humphrey High School, where he was a basketball standout. He continued his education at Arkansas Baptist College and the University of Arkansas at Pine Bluff.

In 2002, Sergeant Cline enlisted in the Arkansas National Guard. In more than a decade of service, he demonstrated his dedication, perseverance, and commitment to excellence in defense of our country. Sergeant Cline was a veteran of a combat deployment to Iraq with the 39th Infantry Brigade in 2008. For his service, he was awarded the Iraq Campaign Medal, a Global War on Terror Service Medal, as well as other awards and decorations. Sergeant Cline served in the Arkansas Army National Guard’s Company A, 39th Brigade Support Battalion, 39th Infantry Brigade Combat Team. His mom called him “Mr. Mom” for his devotion to his children and entire family, which truly was his greatest passion.

On June 14, 2015, Sergeant Cline died during an annual training exercise with his unit at Fort Chaffee, AK.

I ask my colleagues to keep his family—his children, mother and father, sisters, brother, extended family, and friends—in their thoughts and prayers during these difficult times, and I humbly offer my appreciation and gratitude for his service to the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

POSTPARTUM DEPRESSION

Ms. MURKOWSKI. Mr. President, I wish to take a few moments this afternoon to shed some light and speak about the issue of postpartum depression. As a physician himself, the Presiding Officer is aware of the reality many new, young mothers face when they deal with issues relating to postpartum depression, but I think what is perhaps unknown is the incidence of postpartum depression here in the United States. The fact is that one in seven mothers nationwide will suffer from postpartum depression. In my State of Alaska, the numbers are even more troubling. In Alaska, one in three new mothers will deal with the difficulty of postpartum depression.

About a month ago—it has been a little bit more than that by now—I sat

down with a local Anchorage reporter who was working on a series looking at the impacts of postpartum depression. I will just call it PPD. She put together a four-part televised series that focused on seven very strong, very passionate women from the Anchorage community who came forward to share their stories. It was an interesting interview because the reporter wanted to ask me about some legislation I have been involved with here in the Senate. But it gave me an opportunity to reflect back on the time when I was a new mother with a beautiful, handsome little boy and the responsibilities of being a mom literally overnight. Coming from a family of six, you figure you know how to deal with children, but until you walk out of that hospital and you have that responsibility, it is not something you come prepared for or with a guidebook for. It is kind of trial by error every day.

I recalled the reality of the responsibilities I faced as a new mother. I recalled some of the angst and concern I had about whether I was doing things right. Here I was supposed to be happy and joyous and excited about this beautiful bundle of baby boy I had and instead I was tired and fatigued and stressed. I was stressed. Was I doing everything right? I wasn’t sure.

While I did not deal or suffer the anxiety that comes with postpartum depression, as a new mother filled with just my own level of concern, I did feel the symptoms that I think many women feel and share. Yet you don’t want to talk about it because you are supposed to be excited and happy and not in a state that is described as anything less than joyful. So I think, unfortunately, many women don’t share their concerns, don’t express their feelings. Instead, they deal with it and sometimes deal with it in ways that can be tragic.

So I have been inspired. I have been very encouraged by the stories I have shared with and heard from women and other advocates who are fighting to raise awareness of the issue of PPD.

Today I wish to share the story of one woman who lost her daughter to postpartum depression. I met this woman shortly after I had filmed this interview. She works in Anchorage as well as Wasilla as a child and adolescent psychiatrist. She has been absolutely passionate about providing care and support to children and adolescents in an effort to reduce and prevent suicide. So this is her life’s work. She began to advocate for PPD after her own daughter, Brittany, suffered and ultimately lost her life to PPD. Brittany was 25 years old.

Brittany was a beautiful, passionate, lively, bright young woman. She was born close to here, in Fairfax, VA, in 1989. She excelled in school. She graduated with an International Baccalaureate degree at 16 from Mount Vernon High School. She loved animals. She dreamt of being a sports veterinarian one day. She continued to

excel academically while taking preveterinarian courses through the University of Pittsburgh and later online through North Carolina State University.

One of Brittany's big goals was to race in the Iditarod, one of my favorite sporting events—certainly my favorite Alaskan event. She owned, she raced, and she showed several Siberian huskies. She worked as a dog handler for Karen Ramstead. She was part of Karen's preparation for the Iditarod. So she was into her dogs. She was into really her life. But as much as she loved the Iditarod, as much as she loved what she was doing, she considered motherhood to be her greatest achievement.

But, very sadly, she began to struggle with PPD after the complicated delivery that resulted in her newborn son spending a week in the neonatal intensive care unit. She dealt with some very powerful emotions, some very violent emotions. She sought treatment from her physicians for her PPD, but she was in a situation where her cries were unanswered because she was dealing with physicians who were unable or perhaps ill-equipped to help her.

It was about the time of her son's first birthday when Brittany lost her battle with PPD. As sad and as tragic as that was for all in Brittany's family, it was another woman outside the family—another woman musher—who really moved forward in working for and advocating for Brittany. It was DeeDee Janrowe who raced the Iditarod in Brittany's honor. She took forward that cause, that crusade.

Again, Brittany was a bright, motivated, loving young woman who was struck down early in life because she didn't have access to the treatment she needed. Unfortunately, her story is just one of many. PPD impacts women in every race, every income, and all backgrounds.

All too often, women who have PPD feel helpless. They feel overwhelmed. They are certainly confused. They feel like they haven't done something right. They haven't properly bonded with their baby or they are ill-prepared, ill-equipped for parenthood. They just can't understand or figure out what may have gone wrong. The assumption out there is you have this beautiful baby, you should be joyful; why aren't you? And so because that expectation is different than what you are feeling, there is a hesitation to bring it up. There is a hesitation to speak about it.

Again, I will repeat our statistics. Across the country, one in seven mothers will suffer from PPD and in Alaska, one in three women, twice the national average. There are some nonprofit organizations that are seeking to raise awareness and to help women connect with treatment for PPD, but often they are located in the populous areas of the State, but think about my State, which is so extraordinarily rural, where most of our communities are not

connected by roads. What about the women who are unable to receive a proper screening, diagnosis, or treatment early on?

Raising awareness of this issue is something we are trying to do. That is why I have been supporting legislation like the Bringing Postpartum Depression Out of the Shadows Act. I wish to thank the occupant of the chair, Senator CASSIDY, along with Senators ALEXANDER, MURRAY, and MURPHY, for including PPD in the Mental Health Reform Act. I cosponsored both pieces of legislation because I think we need to do more to ensure we are ensuring proper screening and treatment for PPD. I want to support the efforts to improve culturally competent programs that will help educate physicians, especially our primary care providers, on the proper detection and treatment. We recognize this will not only benefit the women who are suffering but also improve the health and the well-being of their children and their families as a whole.

With so many moms across my State and across the Nation who are facing postpartum depression, I think it is important, it is worthwhile that we do what we can to raise the issue, raise the awareness, put it at the forefront, openly discuss it, educate, and help improve our understanding of this illness. I thank the Chair for the opportunity to raise this issue before the body today.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

#### WASTEFUL SPENDING

Mr. COATS. Mr. President, I return to the floor now for the 47th week for the 47th edition of the "Waste of the Week." I highlight documented examples of waste, fraud, and abuse of hard-earned taxpayers' dollars that come to the Federal Government and that the public has every right to expect us to spend wisely, effectively, and efficiently.

Nonpartisan agencies like the Government Accountability Office and inspectors general are the watchdogs that examine how various agencies spend money and then report areas where they think expenditure doesn't live up to the promises that have been made, in terms of what it would accomplish, or question whether it ever should have been provided in the first place.

Some of the examples I have provided over these 47 weeks have been labeled simply as ridiculous. I raised those because it grabs the attention of the American public, saying: How in the world could the Federal Government allow something like that to happen with my tax dollars? I get up every Monday morning and go to work and I work hard for those dollars and I have a mortgage to pay and I have bills to pay. I have gasoline I have to put in my car to get to work and back. Then I hear something on the floor of the U.S. Senate, from the Senator from In-

diana, that is a documented expenditure that falls clearly within the category of simply a ridiculous decision—waste, fraud, or abuse.

So whether it has been Federal grants to perform massages on rabbits—yes, massages on rabbits—to see whether a massage makes them feel better after a strenuous workout, I think any one of us could basically say you don't need to spend several hundred thousand dollars to prove that is something that works, or whether it is solar-fried burgers—I think 7,000 or so—that fly over a mirrored number of acres in a desert in California that are reflecting sunlight to a boiler, which has not proved to be cost-effective, and in the meantime it creates so much heat it has caused the cables that are necessary to produce the heat to be fried and also birds that fly over this solar field. I am surprised the environmentalists are not on top of that. Then there are the gambling monkeys, to see whether the monkeys were willing to take a greater risk and continue gambling if they had a reward for it—like, in their case, for food. I could have proven that with my dog that will eat anything I put in front of him, no matter how much I put down there.

We are talking about several hundreds of thousands, if not millions, of dollars. Those are ludicrous. They are designed to catch people's attention so they will pay more attention to some of the examples of egregious wastes of money, designed for, perhaps, a good motive or the right purpose, but exposed, it is something that falls within that category of waste.

In one of my very first "Waste of the Week" speeches, I talked about the issue of double dipping in Social Security disability funds and unemployment insurance. To receive clearance to receive Social Security and disability payments, you have to prove you can't work; you are disabled, you can't work. But to receive unemployment insurance, you have to be working and then be told you can no longer keep your job, and in that interim period of time until you get a new job, we are going to pay you insurance benefits. What the General Accounting Office found out was that people were getting checks for doing both. Look, you can do one or the other but not both. That was no small change. That was \$6 billion. I think it is \$5.7 billion of documented waste every year.

Well, here we are at No. 47, and I would like to highlight yet another serious and very concerning example of waste: improper payments of taxpayer money through Medicare. All of us agree Medicare is an important program for millions of Americans, and we need to do what we can to preserve these important health care benefits for those who depend on them and need them, but an essential part of preserving these benefits is protecting Medicare from waste, fraud, and abuse. Throughout its history, we have read, and it has been determined by inspectors general and by the Government

Accountability Office, Medicare has been plagued by improper payments which are payments that are not justified can occur because of fraud or bureaucratic mismanagement. These improper payments not only threaten the solvency of Medicare, they leave millions of seniors vulnerable because when these improper payments are the result of fraud and abuse, they can jeopardize the health and well-being of Medicare beneficiaries for this reason: The reason is, Medicare is going broke. It is careening toward insolvency.

The Medicare trustees have said we are only 12 short years away from insolvency under Medicare Part A. When you determine waste, fraud, and abuse, on a year-after-year-after-year basis in the billions and tens of billions of dollars, these are dollars not available to keep that program solvent. That is going to have a devastating effect on the ability for us to provide the Medicare services people of a certain age need.

How many taxpayers' dollars am I talking about today? Well, in fiscal year 2015 alone, just in that year, the last year where the audits have been done, the Centers for Medicare & Medicaid Services, or CMS, which administers Medicare, improperly paid out \$59 billion for health services—in one single year, \$59 billion of improper payments, representing nearly 10 percent of the total amount Medicare spent that year.

As I said, just last month the Medicare trustees said Medicare Part A would be insolvent by 2028. Think about how much that 1 year of \$59 billion can do to help keep the program solvent. All of this is why it is all the more necessary for Congress, the administration, and the health care agencies to work in unison to solve this crisis of Medicare solvency.

There is a group known as the Medicare Fraud Strike Force, and I commend whoever put that idea in play. It needs to be advanced significantly, but the idea with the strike force was it could root out the bad actors and bring them to justice. As an example, recently the strike force uncovered a ring of over 300 people—from physicians and pharmacists to nurses and government officials—who have allegedly conspired to defraud Medicare out of \$900 million.

How did they do it? Well, some of the examples in this fraud ring include the billing of Medicare for procedures the providers claim took place after the patient passed away. They were submitting Medicare claims for dead patients and receiving significant payments. Other providers billed Medicare for home health care, which is reserved for bedridden seniors, for services that were not even provided to the patients in need. It was fraud, in terms of people submitting many bills to CMS and receiving payments when the services were not provided.

In Detroit, a so-called medical clinic billed Medicare for tens of millions of

dollars, when in fact the clinic was determined to be a front for a narcotics diversion scheme. The clinic operators and recruiters targeted poor drug addicts who needed help and offered those addicts narcotics so clinics could then bill for Medicare services that were not provided. This was tens of millions of dollars. These are just examples of what the IGs found in terms of looking at Medicare payments. That is why I continue to come down every week to urge my colleagues in the Senate, in the House of Representatives, and the administration to take the necessary steps to tighten the screws on bad actors in Medicare, in agencies across the realm of this government, not only because they are gambling with the health of some of America's most vulnerable patients but also because we have such precious little time to work to save this program from insolvency.

Our goal should be—in fact, it must be—to protect seniors, to promote good government practices, and achieve real savings by addressing these issues now.

With that, I am adding another major amount of waste, fraud, and abuse for an ever-growing total. This week it is \$59 billion for Medicare improper payments, bringing the total all the way to \$234-plus billion in waste, fraud, and abuse of hard-earned taxpayer dollars.

We wonder why the public has lost confidence and faith in their elected representatives and their institutions of government, when we see this kind of bureaucratic mess, when we see this kind of waste of hard-earned tax dollars, the fraud that is involved that is not detected and the abuse and terrible decision making by people who, respectfully, work for government agencies but don't exercise the kind of judgment the American taxpayer expects from them in terms of dealing with the money they send to Washington.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER. The Senator Florida.

#### ZIKA VIRUS FUNDING

Mr. RUBIO. Mr. President, I thank the Senator from Vermont, who is next, for yielding me just a couple minutes.

I want to be brief and to the point. Congress is 1 week away from recessing before the conventions. We have yet to appropriate significant funds to fight Zika. At this point, quite frankly, I don't care whose fault it is anymore—Republicans or Democrats. This whole partisan argument that is going on around this issue is inexcusable.

Every single day now we have massive numbers of Zika cases being reported in my home State. Every day new records are being set. Just today a new case was found in a county that hadn't had a case yet. Forty-five out of fifty States in this country now have a Zika case. We have yet to see a local transmission, but it is coming, and I don't know, for the life of me, how anyone in this Chamber can go back home

a week from now and say: We are going to be on recess for 6 weeks, in the peak of the summer, in the peak of mosquito season, in the peak of travel season, and we have appropriated nothing for the Zika virus. This makes no sense to me.

Do you want to know why Congress's approval rating is at 1, 2, or 3 percent, if that? It is because on an issue of public health we cannot find a way forward. My hope is that in the days to come, we will have an understanding that allows us to move forward. I am not just talking to the Senate, I am also talking to the House. Let's appropriate money and move forward and deal with this issue appropriately, with the urgency it deserves, or everyone is going to have to answer to their constituents as to why this public health crisis has blossomed and bloomed and we did nothing about it.

I truly hope, in the hours and days leading up to our recess, we will find a rapid and quick way forward so we can address this and fix it and give our people the help they need in the short term and ultimately move toward the money we need to research for a vaccine so this issue can be prevented and this disease can be prevented from spreading in the future.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I rise to speak in very strong opposition to the Roberts-Stabenow bill concerning the labeling of genetically modified organisms, GMOs, and to discuss an amendment of mine that I hope will get to the floor as soon as possible.

The simple truth is, people have the right to know what is in the food they eat, and when parents go to the store and purchase food, they have the right to know what is in the food their kids are going to be eating. That is why 64 countries all over the world, including the European Union, Japan, Australia, Brazil, Russia, and China, require labeling of foods containing genetically modified organisms, GMOs. That is why my own State of Vermont, Maine, Connecticut, and Alaska have adopted laws to label foods containing GMOs. That is why the major environmental groups in this country, including the Natural Resources Defense Council, the Sierra Club, the League of Conservation Voters, the Environmental Working Group, Center for Food Safety, Food & Water Watch, and others have all come out in opposition to the Roberts-Stabenow bill.

It is no secret my own State of Vermont has led the way in requiring companies to label their products. Last Friday, Vermont became the first State in the Nation to require GMO labeling, and several other States have undertaken similar efforts. Passage of Vermont's law was a triumph for consumers, for ordinary Americans, over the powerful interests of companies like Monsanto and other multinational food industry corporations.



Unfortunately, the victory in Vermont appears to be a hollow victory. The major agribusiness and biotech companies disagree with the right of consumers to know what is in their food, and not only do they disagree, they have spent hundreds of millions of dollars in lobbying and in campaign contributions to overturn the GMO right-to-know legislation that States have already passed and that other States are on the verge of passing. They have also spent many millions more to pass Federal legislation like what we are considering today, which would deny States the right to go forward in this area.

Let's be clear. This is just another shameful example of how big-money interests are using their influence to enact policies that are contrary to what the vast majority of the American people want and what they support. These companies are spending millions and tens of millions and hundreds of millions of dollars to make certain that their interests prevail against what ordinary Americans feel very strongly about.

The Grocery Manufacturers Association, which sued and lost in trying to stop Vermont's law, has 34 lobbyists working on this issue alone. They spent \$8.5 million lobbying in 2015. In 2016, the Grocery Manufacturers Association has already spent \$1.5 million in total lobbying. Monsanto has spent \$2 million in 2016 lobbying Congress. The Environmental Working Group has calculated that food and biotech companies and trade associations have spent nearly \$200 million to oppose State GMO labeling initiatives like Vermont's legislation. When combined with Washington lobbying expenditures that note GMO labeling as a purpose, the total amount spent by labeling opponents is close to \$400 million—\$400 million in order to prevent the people of our country knowing what is in the food they eat.

This particular piece of corporate-backed legislation we are considering right now will create a confusing, misleading, and unenforceable national standard for labeling GMOs. This bill will preempt my State's law—the law in the State of Vermont—roll back the progress we have made, and is a huge setback to consumers' right to know what is in their food.

I would say to my Republican colleagues who so often tell us about the need to get the Federal Government out of the lives of the people, who talk about States' rights, what this legislation does is preempt a law passed in the State of Vermont, which thousands of our people were involved in passing, which the State legislature held numerous hearings on, where the State law was sued and yet was sustained by a court.

We have gone through all of that in the State of Vermont. We have Maine passing similar legislation, Connecticut passing legislation, Alaska passing legislation. Yet many of my

friends who are great States' righters, who know how important the role of States is, are prepared to overturn all of the work done in these four States.

What is specifically bad above and beyond the preemption aspects of this legislation? Instead of a uniform labeling standard like Vermont's law, the language in this bill allows text symbols or an electronic QR code to be used. This is intentionally confusing to consumers, and the information may be entirely inaccessible if the consumer does not have access to the Internet. The QR code is not required to have text next to it to make it clear that the code provides additional information about GMOs. It can merely say "Scan here for more food information." That makes no sense. People may not even know to scan it to learn more about GMOs specifically.

You can imagine how ridiculous this will be in the real world. A mom goes to a store with two kids who are running around, and she is supposed to take out her cell phone and scan a label in a store that may or may not have a good Internet connection. This is not an effort to provide information; this is an effort to deny information to consumers.

Reading information right on the label takes a matter of seconds. Why would we require families and shoppers to take considerable time when under Vermont's law they only need a moment to look at a label? Right now we have labels that tell us the amount of calories and give us other information on what is in a product. We look at it and we make a judgment as to whether this is a product we wish to purchase, and that is clearly what should be the case with products that contain GMOs.

There is also an argument to be made that this bill is discriminatory in its impact. Putting the onus on the consumer, making it necessary for that consumer to have a smartphone and Internet access, prohibits those without that access. Not everybody in America owns a cell phone. Many low-income people and working people do not own a cell phone.

Yesterday's New York Times noted in an editorial that "the biggest problem with the Senate bill is that—instead of requiring a simple label, as the Vermont law does—it would allow food companies to put the information in electronic codes that consumers would have to scan with smartphones or at scanners installed by grocery stores." According to the New York Times, "The only reason to do this would be to make the information less accessible to the public."

Less accessible to the public. The New York Times has it exactly right.

Further, this bill allows the U.S. Department of Agriculture to rule on what percentage of GMO material is present in a particular food before it gets labeled, in contrast to Vermont's and the European Union's standards, both of which require products with more than nine-tenths of 1 percent GMO to be labeled.

The Roberts-Stabenow bill also contains a huge loophole in the labeling requirement, stating that there is no labeling requirement for GMO foods that could have occurred "through conventional breeding or found in nature." Essentially, if the genetic engineering done by a company could have occurred in nature, there is no requirement to label it, which would prevent GMO corn, beet sugar, and soy oils from being labeled. The FDA has confirmed this loophole, stating that as the language is currently written, "many of the foods from [genetically engineered] sources will not be subject" to labeling requirements.

Under this bill, consumers will be left in the dark for at least another 2 years, maybe longer. Once USDA has published its regulations, there is no mandatory timeline for companies to comply. In other words, we are pushing this issue further and further into the future.

Perhaps the real giveaway as to why this is not a serious piece of legislation is that, most shockingly, this bill imposes no Federal penalties whatsoever for violating the so-called labeling requirement, making the law essentially meaningless. In other words, you have a confusing law that will not be utilized by most people, but then on top of all of that, if a company does not obey the law, there is no penalty whatsoever. So that will give a great incentive for companies to continue to do nothing.

In other words, this bill is weak, it is full of loopholes, and it has no requirement to comply.

In addition to the bill's many flaws, the bill most significantly is not necessary. In fact, many large companies, such as Campbell's, Frito-Lay, Kellogg's, and ConAgra, have begun to label their products nationally in anticipation of Vermont's law. For example, here is a label that appears on M&Ms. Everybody knows M&Ms. They are manufactured by Mars, one of the major candy companies in the world. Here it is, five words: "partially produced with genetic engineering." That is it. It is right here on the label. This is what you will see if you pick up a package of M&Ms today. It is out there. It is on the label. People can make their determination as to whether they want to buy the product. Other major companies are already doing that. Campbell's is doing it, Frito-Lay is doing it, Kellogg's is doing it, and ConAgra is doing it. In other words, many of the major companies are already complying with the law. We do not need to go beyond that. Guess what. These companies that began to label these products did it and the sky didn't fall. I guess people are still buying M&Ms, other candies, and the other products manufactured by these companies.

In addition to a consumer's right to know, it is important to note that when we talk about GMOs, it is not just the question of the manipulation

of genetic material, it is about the chemicals necessary to make these crops productive.

The Environmental Working Group has exposed that GMOs have not decreased pesticide and herbicide use as promised. In fact, the use of toxic chemicals to grow food has only increased. Herbicide use has increased exponentially and glyphosate use specifically has increased by 3,000 percent since the 1990s.

In the State of Vermont, Monsanto, Dow, and Syngenta promised our farmers that GMO corn would allow them to reduce the amount of chemicals needed for their crop production. Instead, herbicide and chemical fertilizer use on Vermont dairy farms has almost doubled from 2002 to 2012 just to keep up with the need for more pesticides and herbicides to get enough corn to feed the dairy cows.

This is troubling not only because it is extremely expensive for farmers to keep up with the seed and pesticide needs, it is also very dangerous because eight of the active ingredients in use have been linked to birth defects, developmental defects, and contaminated drinking water.

In addition to these concerns, I also want to appeal to my colleagues who have come to the Senate floor to speak in support of States' rights. As I said earlier, make no mistake about it—this is significantly a States' rights issue, and this bill is an assault on States' rights. This bill would preempt Vermont's laws, Connecticut's laws, and Maine's laws.

According to the Center for Food Safety, this bill would preempt more than 100 State and municipal food and seed laws. The center notes specifically that Virginia's seed law allows farmers to have the critical information they need to make informed choices about which seed is the most appropriate for them to purchase and plant.

I will name just a few of the other State laws that would be preempted. It would override Alaska's labeling law, which requires that genetically engineered fish be labeled. The Roberts-Stabenow bill would also preempt a Florida statute that requires a permit for the release of exotic organisms and includes genetically modified organisms. The Roberts-Stabenow bill would preempt a Michigan statute that created an invasive species advisory council. It would preempt a Missouri statute that authorizes the State entomologist to determine whether something is not only a plant pest but also whether the pest is of such a harmful nature that its introduction to or dissemination within the State should be prevented. It would also preempt a South Carolina regulation that defines plant pests.

In other words, I find it interesting that this legislation has the support of the vast majority of Republicans who day after day tell us how they want to get the Federal Government out of people's lives, but this legislation pre-

empts dozens of State laws all over this country that were passed by State legislatures and signed by the Governors of those States. These are just a few of the laws; there are dozens more that would be nullified under the Roberts-Stabenow bill.

The amendment I intend to offer, which I hope my colleagues will all support, would make Vermont's law the national standard. For those who have argued that companies would be unable to comply with a 50-State patchwork of GMO regulation, my amendment would alleviate that concern.

Specifically, Vermont's law—unlike the bill before the Senate—enjoyed a full hearing and amendment process. It was much discussed in the Vermont State Legislature. Vermont's law was years in the making, and legislators heard hours of testimony from dozens of stakeholders, including organic farmers and environmental organizations. The Roberts-Stabenow language has had none of this scrutiny and was brought to the floor by a procedural means without one hearing or one committee markup.

Unlike the Roberts-Stabenow bill, Vermont's law requires clear, on-package labeling instead of allowing a confusing QR code. Under Vermont's law and this amendment, consumers can glance quickly at a product and be able to determine the GMO contents with no need of a smartphone or Internet connection.

Once again, and very importantly, many major food companies are already complying with Vermont's law. Pick up a package of M&Ms, and there it is right now on the label, five words: "partially produced with genetic engineering." Mars, which manufactures M&Ms, has done it, and it is not a problem. Other companies are already doing the same thing.

What makes sense is to build on what Vermont has done, not come up with an unenforceable, confusing, weak piece of legislation paid for by the large food corporations in this country.

This amendment making Vermont the national standard will also prevent the gaping loopholes in the Roberts-Stabenow language that will prevent labeling of the most common GMO foods. Unlike the Roberts-Stabenow language, this amendment defines "food" and "genetic engineering" in a way that would require labeling of foods derived from GMOs, such as starches, oils made from GMOs, sugar derived from GMO sugar beets, or high-fructose corn syrup. None of these types of products will require labeling under the Roberts-Stabenow language.

Also, my amendment sets a specific percentage of GMOs in food to trigger the labeling requirement—nine-tenths of 1 percent, which is consistent with Vermont's law and European Union standards. Under the Roberts-Stabenow language, this determination will be left up to the USDA, which could require 10 percent before labeling or 51

percent. We just don't know at this point.

My amendment also contains a legitimate enforcement provision consistent with Vermont's law. My amendment sets consistent penalties for improper labeling and provides for consumers to be able to sue to ensure enforcement.

The issue of labeling of our food is not controversial. It is something the American people want. It is something that common sense dictates. The overwhelming majority of Americans favor GMO labeling, nearly 9 out of 10.

People have a right to know what is in the food they eat. Instead, the needs of consumers, the needs of the American people have been completely disregarded in this legislation at the behest of major corporate interests and campaign donors. Congress must stand up to the demands of Monsanto and other multinational food industry corporations and reject the Roberts-Stabenow piece of legislation.

My amendment would provide a meaningful alternative to the confusing and ineffective measure we are considering, and I ask that colleagues support my amendment.

With that, I reserve—

Mr. LEAHY. Before the Senator yields the floor, he talked about what Vermont did. Isn't it a fact that the Senate didn't hold one single hearing or have one single witness come before they set this bill; is that correct?

Mr. SANDERS. My colleague from Vermont is absolutely correct. In Vermont, there was a lot of discussion, and there were a number of hearings, but not here in the U.S. Senate.

Mr. LEAHY. In fact, the Vermont Legislature, is it not a fact, had at least 50 hearings with at least 130 witnesses?

Mr. SANDERS. My colleague from Vermont makes a very, very important point. In Vermont, this issue was seriously discussed. Over 50 hearings were held, with different points of view and objections being raised.

I would ask my colleague, just to confirm with me: How many hearings on this important and controversial bill were held here in the Senate?

Mr. LEAHY. Mr. President, I would answer my friend and colleague from Vermont—especially, as a member of the Committee on Agriculture, Nutrition, and Forestry, I am well aware of this—that there was not one single hearing, not one single witness.

Unlike Vermont, with 50 hearings and 130 witnesses who expressed every single view, over 2 years of time and debate, we didn't have 2 minutes of debate and discussion. Vermont did 2 years.

Mr. SANDERS. So here is what we have. I thank my friend from Vermont for raising this issue. On the one hand, we have a State—the State of Vermont—which addressed this issue in a serious way, listening to all points of view, having the legislature go over this in a thorough manner. Then, here

we have the Senate, after many, many millions of dollars in lobbying efforts and campaign contributions, overriding the work of the State of Vermont and not having one hearing—not one hearing with consumers, environmental groups, farm organizations—and rushing it through in the last week or two before we adjourn for summer break.

I thank the Senator from Vermont for raising that enormously important issue.

With that, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise today as the Senate considers legislation on an issue that is critically important to our Nation's food supply. From our producers in the fields to our families purchasing food in the aisles of the grocery stores, without the Senate action we are considering today, this country will be hit with a wrecking ball that will disrupt the entire food chain. We need to act now to pass our amendment to S. 764.

This is a bipartisan—a bipartisan—approach that provides a permanent solution to the patchwork of biotechnology labeling laws that will wreak havoc on the flow of interstate commerce of agriculture and food products in our Nation's marketplace. That is what this is exactly about—the marketplace. It is not about safety. It is not about health or nutrition. It is about marketing. Science has proven again and again that the use of agriculture biotechnology is 100-percent safe.

The Senator from North Carolina, Mr. TILLIS, provided on the floor just a moment ago that, in fact, the Committee on Agriculture, Nutrition, and Forestry last year heard from the three Federal agencies tasked with regulating agriculture biotechnology—the USDA's Animal and Plant Health Inspection Service, the Environmental Protection Agency, and the Food and Drug Administration. Their work is based on sound science and is the gold standard for our policymaking, including this policy we are debating today—one of the most important food and agriculture decisions in recent decades. Many people say this issue is the biggest issue for agriculture in 20 years. I agree.

At our hearing, the Federal Government expert witnesses highlighted the steps their agencies have already taken to ensure that agriculture biotechnology is safe—safe for other plants, safe for the environment, and safe for our food supply. It was clear that our regulatory system ensures biotechnology crops are among the most tested in the history of agriculture. At the conclusion of the hearing, virtually all of the members of the Agriculture Committee were in agreement. Not one disagreed. Thus, it is clear that what we are facing today is not a safety or a health issue, despite claims by a couple of my colleagues on the Senate Floor. It is a market issue.

This is really a conversation about a few States dictating to every State the way food moves from farmers to consumers. This patchwork approach of mandates adds costs to national food prices. In fact, requiring changes in the production or on-package labeling of most of the Nation's food supply for a single State would impact citizens in each of our home States.

A recent study on the impact of an on-package label estimates that the cost to consumers could total as much as \$82 billion annually—\$82 billion—approximately \$1,050 per hard-working American family. Let me repeat that. That is \$1,050 per hardworking American family. Now is not the time for Congress to make food more expensive for anybody to eat or produce—not the consumer and certainly not the farmer.

Today's farmers are being asked to produce more safe and affordable food to meet the growing demands at home and around a very troubled and hungry world. At the same time, they are facing increased challenges to production, including limited land and water resources, uncertain weather patterns, and pest and disease issues.

Agricultural biotechnology has become a valuable tool in ensuring the success of the American farmer in meeting the challenge of increasing yield in a more efficient, safe, and responsible manner. In fact, thanks to modern agriculture technology, we have seen a 48-percent increase in corn yields. That is good for the farmer, that is good for the consumer, and that is good for a troubled and hungry world. There has been a 36-percent increase in soybean yields in the last 20 years. That is the value of agricultural biotechnology.

Now, I have also heard—and I do understand the concern—from some of my colleagues about consumers and available information about our food. Some consumers want to know more about ingredients. This is a good thing. Consumers should take an interest in their food, where it comes from, and the farmers and ranchers that produce their food.

This legislation puts forward policies that will help consumers find information—almost guaranteed. It does so without jeopardizing the technology upon which our farmers rely. More importantly, the legislation before us provides an immediate and comprehensive solution to the unworkable State-by-State patchwork of labeling laws. State consumer protection laws and anything beyond the wrecking ball that we see related to biotechnology labeling mandates are codified as exempt from preemption. We ensure that the solution to the State patchwork—one thing we can all agree upon—is effective.

The amendment focuses on human food that may or may not be bioengineered. We do not set up any new offices at the Department of Agriculture, and we minimize any impact on other agencies. Instead, we direct the Sec-

retary to establish a uniform national disclosure standard through rule-making. It sets national uniformity that allows for the free flow of interstate commerce, a power granted to Congress in the U.S. Constitution.

Let me point this out. The commerce clause in article I, section 8, clause No. 3, provides that “the Congress shall have Power . . . To regulate commerce with foreign Nations and among the several States and with the Indian Tribes.” But note “among the several states”—more than several States today.

This labeling uniformity is based on science and allows the value chain—from farmer to processor to shipper to retailer to consumer—to continue as the free market intended. To accomplish national uniformity, we crafted a mandatory disclosure requirement. We are talking about mandatory disclosure, not just labeling. The Senate bipartisan agreement is mandatory disclosure with several options—text on package, a symbol, or an electronic link to a Web site that Senator TILLIS so aptly demonstrated. The legislation is clear that the link cannot include any text on the package that could be used to denigrate biotechnology. It will simply say: “Scan here for more food information.”

We also allow for Web sites or telephone numbers to satisfy the requirement for small food manufacturers, and we completely exempt very small food manufacturers and restaurants from having to comply.

The disclosure requirement applies to food subject to the Federal Food, Drug, and Cosmetic Act labeling requirements as well as some meat and poultry products. We do not include alcohol, as those items are subject to labeling requirements under a different authority at the U.S. Treasury. In this respect, alcohol is similar to other food that is labeled under a different authority than the Federal Food, Drug, and Cosmetic Act.

The scope of this agreement includes human food, not animal feed. The language prohibits the Secretary from considering any food product derived from an animal to be bioengineered based only upon the animal eating bioengineered feed.

It is important, as with any Federal legislation on this topic, for Congress to consider scientific fact and unintended consequences. We include a safety statement. The agreement ensures that the regulations will treat bioengineered food the same as its nonbioengineered counterpart. We agree that these products have been found safe through the Federal regulatory review process.

I want to emphasize this, and I want my colleagues to understand this. This legislation has the support of more than 1,000 organizations—large and small—representing the entire food chain, and that number continues to grow every day. Never before in the history of the Senate Agriculture Committee—and, I would venture of any

committee—have we seen such a coalition of constituents all united behind such an effort. Their message is clear: It is time for us to act. It is time for us to provide certainty in the marketplace. It is time for us to pass this amendment.

I appreciate the bipartisan support of those on the committee who joined me by voting to approve our committee bill, those who supported a solution in March, and those who voted to consider this agreement. We have again made significant changes to address the concerns of the ranking member and others. Now, we all must carry this across the finish line. I urge my colleagues to support this bipartisan approach and protect the safest, most abundant, and affordable food supply in the world.

Now, I want to say something else. I want to talk about the men and women whom the Agriculture Committee represents and whom everyone on the Agriculture Committee should champion and protect. I am going to describe that person to my colleagues on the floor, with reverence to Paul Harvey.

And on the 8th day, God looked down on his planned paradise and said, "I need a caretaker." So God made a farmer.

God said, "I need somebody willing to get up before dawn, milk cows, work all day in the fields, milk cows again, eat supper and then go to town and stay past midnight at a meeting of the school board." So God made a farmer.

"I need somebody with arms strong enough to rustle a calf and yet gentle enough to deliver his own grandchild. Somebody to call hogs, tame cantankerous machinery, come home hungry, have to wait on lunch until his wife's done feeding visiting ladies and then tell the ladies to be sure and come back real soon—and mean it." So God made a farmer.

God said, "I need somebody willing to sit up all night with a newborn colt. And watch it die. Then dry his eyes and say, 'Maybe next year.' I need somebody who can shape an ax handle from a persimmon sprout, shoe a horse with a hunk of car tire, who can make harness out of haywire, feed sacks and shoe scraps. And who, planting time and harvest season, will finish his forty-hour week by Tuesday noon, then, pain'n from 'tractor back,' put in another seventy-two hours." So God made a farmer.

God had to have somebody willing to ride the ruts at double speed to get the hay in ahead of the rain clouds and yet stop in mid-field and race to help when he sees the first smoke from a neighbor's place. So God made a farmer.

God said, "I need somebody strong enough to clear trees and heave bails, yet gentle enough to tame lambs and wean pigs and tend the pink-combed pullets, who will stop his mower for an hour to splint the broken leg of a meadow lark. It had to be somebody who'd plow deep and straight and not cut corners. Somebody to seed, weed, feed, breed and rake and disc and plow and plant and tie the fleece and strain the milk and replenish the self-feeder and finish a hard week's work with a five-mile drive to church."

"Somebody who'd bale a family together with the soft strong bonds of sharing, who would laugh and then sigh, and then reply, with smiling eyes, when his son says he wants to spend his life 'doing what dad does.'" So God made a farmer.

It is our responsibility to protect that farmer, and to protect what he

does to feed this Nation and a troubled world with the best quality food at the lowest price in the history of the world. So let us protect that farmer.

I yield the floor.

The PRESIDING OFFICER (Mr. CASIDY). The Senator from Delaware.

Mr. CARPER. Mr. President, I am pleased that it looks like we are going to be voting this afternoon on a measure that would, for the first time, give American families access to GMO information about the food they buy.

As my colleague from Kansas prepares to leave the Chamber, I just want to express my thanks to him, to his staff, to Senator DEBBIE STABENOW of Michigan and her staff, and a lot of others, including members of my own staff, and the administration—especially Tom Vilsack, the Secretary of Agriculture—for the work that they and many others have done to bring us to this point in this important debate.

I was with the Aspen Institute seminar visit to Tanzania about a year ago. We got into a discussion with a lot of young African leaders and scholars, and a number of Democratic and Republican House Members and Senate Members.

The debate ended up going into an area I never expected it to go. We ended up talking about drought in Africa. We ended up talking about what is going on with climate change that exacerbates their problems with raising crops. We talked about how it might be possible for them to use genetically modified seeds to better endure and survive drought and to enable them to maybe raise some crops that would be healthier for their constituents. We ended up in an interesting debate on sound science with respect to sea level rise and climate change.

The message from our Democrats who happened to be present at that seminar was this: Our Republican friends should be guided by sound science when it comes to climate change and sea level rise. Delaware is the lowest lying State in the country. We are especially mindful of this issue.

Republicans, after we had reminded them of the need to rely on good science with respect to climate change and sea level rise, had this rejoinder for us Democrats. They said: Well, maybe if we were to agree to that, you guys—Democrats present—should agree to be guided by good science with respect to genetically modified organisms.

As it turns out, close to 98 or 99 percent of scientists around the world believe that climate change is real, sea level rise is real, and we human beings are directly contributing to that. I am told that 98 or 99 percent of the scientists on the other side of the issue with respect to genetically modified organisms have concluded—again, we have had recently, just in the last several weeks, additional confirmation of this—that most of the scientists in the world who follow this think we ought to be guided by sound science with respect to genetically modified orga-

nisms, and that food is safe for us to eat.

I don't know if this is the home stretch yet. I hope, as we come down on the debate on this important issue of genetically modified organisms and the safety of our food, that we will keep in mind the debate that took place almost a year ago on the other side of the world.

I have said to my colleagues around here any number of times that people ask me what is one of the proudest things that I have done in my life. I have discussed this issue. I don't know if the Presiding Officer remembers it. I am proudest of all of raising two—actually, three—boys who are now all grown up and off into the world on their own. My wife and I wanted to make sure they grew up healthy, sound, and strong. They had nutritious food to eat. As Governor of Delaware and chairman of the National Governors Association, I felt we did well, and I want to make sure that kids—not just my own kids but young people all over the world—and not so young people have the benefit of eating healthy and nutritious food.

I understand the calls from parents who want to know more about the food they are putting on their tables in this country and other countries as well. I believe the Stabenow-Roberts compromise for GMO labeling will help all consumers make more informed choices no matter where they live in America.

Part of our job in Congress is to ensure that our Federal regulations set forth a reasonable framework for American businesses, too, so they can grow and thrive. A week ago, our country's first human labeling law took effect in one State, Vermont, but that law regulates only food being sold within that State's lines.

Again, I call myself a recovering Governor, but as a former Governor, I know a patchwork approach to regulations that apply to interstate commerce is very problematic. Businesses want and need certain predictability. For food businesses, large and small, waiting for each State to produce its own labeling laws, its own rules, would create a haphazard and totally unmanageable regulatory landscape.

I believe it is absolutely critical that we act on the Federal level to create labeling requirements that give consumers the information they need and deserve without creating a logistical nightmare that would stifle American businesses. The question is, Can we have both or are they mutually exclusive of one another? I think we can have both.

Under the Stabenow-Roberts compromise, in the next 2 years, all foods that contain GMOs will be labeled with a QR code that sends consumers directly to the producer's Web site and outlines clear information about what is in the product that consumers are about to buy or considering buying. That means consumers in the dozens of

States that haven't yet acted to require GMO labeling will have better information about their food, no matter where they buy it.

Sometimes a little common sense goes a long way, and this is a common-sense solution to an issue our constituents asked us to address. Not only am I pleased by the agreement that we have reached, but I am also pleased by the way that we got here. My wife says I am an eternal optimist—maybe too optimistic some days, but I hope the bipartisan work we have done to get here, led by Senator STABENOW and Senator ROBERTS, reminds our constituents that they, too, can be optimistic about the ability of Congress to get things done.

This comes on the heels of the bipartisan work done on the Toxic Substances Control Act, where Democrats and Republicans worked together with the administration to pass one of the best environmental laws that we have done maybe in decades in this country.

Finally, I would like to address some of the critics of this compromise who assert that we didn't go far enough to protect Americans from GMOs. We talk often about the overwhelming scientific data that proves our climate is changing at a troubling rate and that humans are the primary drivers of that. On GMOs, the scientific data is also overwhelming.

I mentioned earlier in my remarks that at a seminar at the African institute in Tanzania last year, both the Democrats and the Republicans exchanged ideas that both of us should be guided by sound science on GMOs or sea level rise climate change.

More recently, in May of this year, the National Academy of Sciences released an independent report that determined genetically engineered crops are just as safe to eat as conventional crops. I will say it again. In May of this year, the National Academy of Sciences released an independent report that determined genetically engineered crops are just as safe to eat as conventional crops.

More recently, more than 100 Nobel laureates sent a letter to Greenpeace, the United Nations, and governments around the world. What did the 100 Nobel laureates have to say? They urged all the folks that they wrote to end opposition to GMOs.

I think our Federal Government should take a reasonable, principled, and science-based approach to addressing the issue of GMO labeling. That is exactly what this bipartisan bill seeks to do. I believe that is what it does.

I thank our colleagues, Senators ROBERTS and STABENOW, and their staff for working so hard with ours and others to achieve a compromise that I think is a win for consumers, companies, and farmers. It shows the country that Congress can work together across the aisle to get things done.

Mr. President, I want to change gears here for a moment if I could.

Mr. ROBERTS. Will the Senator yield prior to his statement on another subject?

Mr. CARPER. I will be happy to yield.

Mr. ROBERTS. I thank the Senator. This has been a long process—well over a year. We had the committee hearing within the Agriculture Committee months ago with the EPA, FDA, and many witnesses declaring that agricultural biotechnology is safe. Note I changed the name because GMO has become a pejorative. It is hard to fix that, but that is what it is—agricultural biotechnology. We went to work and passed a bill, 14 to 6. Then we tried to change the bill so that the minority could possibly vote for it. Unfortunately, we were not able to get the required number of votes for cloture.

Back then, it would have been very appropriate, it seems to me, for anybody interested to bring their amendment to the floor. Senator MERKLEY is here. We offered—at least through staff—he tells me he didn't get the message, but I was for all amendments at that particular time. We didn't even get cloture.

Mr. MERKLEY. Mr. President, will the Senator yield for a question?

Mr. ROBERTS. I do not have the time. The Senator from Delaware has yielded to me. I will finish my statement in just a minute, if I can.

Here we are with the July 1 deadline having been met, and here we are with the Vermont labeling law becoming, in effect, the national law. I know there are some for that. There was one Senator from the other side of the aisle, and that was the Senator from Delaware, who went to work to get a reasonable bill. This is a well-crafted compromise. If it is a well-crafted compromise between the ranking member and the chairman with appropriate people like the Senator himself working hard to get support for that, we should go ahead and get this done. I appreciate the willingness of the Senator to work in a bipartisan fashion, and I thank him again.

Mr. CARPER. Reclaiming my time—boy, I am glad I yielded. Thank you so much for those words and for the opportunity to participate in this process.

ISIS

Mr. President, I want to change gears to talk about another battle going on in another part of the world, and it is a battle to degrade and destroy ISIS. Recently on the Senate floor, I heard a couple of our colleagues in the majority, I believe, claim that the President, the current administration, is not doing enough to fight ISIS. However, I say to my friends—and they are my friends, they know that—that the majority are forgetting some of the key facts, and I just want to revisit that.

The truth is, they are taking the fight to ISIS, and we are making serious progress in the battle to degrade and destroy them. As I like to say, it is not time to spike the football. We are

not in the end zone. Maybe we are in the red zone, but progress is being made. I want to talk a little bit about that today.

I want to start by directing my attention to this map. For folks who are trying to figure out what this map says, it says that this is Iraq, a big part of this area here is Iraq. Right down here is Iraq. Right here is Baghdad. That is Syria over here. We have Turkey up here, and Iran is over here on the other side of Iraq.

A couple of years ago, these folks in ISIS decided they were going to establish their own caliphate, if you will, a country. That would be a theocracy guided by their perverted view of Islam, not the view held by most Muslims in the world.

Islam is one of the great religions of the world. The more I learn about it, I am struck by the similarities between the faiths. I am Protestant. I am not sure what our Presiding Officer is, but we are here and are people of different faiths. Whatever your faith happens to be, almost any faith in the world—I don't care if you are Protestant, Catholic, Jew, Muslim, Hindu, Buddhist; even Confucius used to embody and embrace the Golden Rule to treat other people the way you want to be treated. There is a section in the New Testament, Matthew 25, where we read about the least of us: When I was hungry, did you feed me? When I was thirsty, did you give me a drink? When I was naked, did you clothe me? When I was a stranger in your land, did you take me in? When I was sick and in prison, did you come and see me? There is a passage in the Koran that is actually very similar to what we have in the Bible, the New Testament.

Nonetheless, the folks who have this perverted view of Islam launched an effort about 2 years ago in this area that we see here—I am going to call this a salmon-colored area, and the area that is more of a green color is the area that ISIS seized control of 2 years ago, and there are other pockets around these two countries, Syria and Iraq. That is what they took over—rolled right over the Iraqis. A lot of the Iraqi military units fled and left, and the leaders did too.

We had a fight on our hands. The bad guys got within 20, 25 miles of Baghdad, and they got no further. The President of our country has helped lead the way to put together a 60-nation coalition. Some are Arab; some are Protestant or Catholic—mixed religions. A lot of different religions represent the coalition. Some are democracies; some are not. Some have a King or a Queen. It is an interesting group and a diverse group. But 60-some nations were put together.

I mentioned before that I spent a fair number of years of my life as a naval flight officer, 5 years in a hot war in Southeast Asia during the Vietnam war and another 18 years beyond that right up until the end of the Cold War. I had the opportunity to participate in

missions that involved U.S. naval assets aircraft like the P-3 aircraft, which I was a flight crew member of. I worked with submarines, U.S. naval submarines with the U.S. naval ships, and it is not always easy to do that. Communications are difficult. Conditions are difficult. When we tried to introduce and work with units from other branches of other countries' military units, other naval units, it was even more difficult.

Imagine trying to put together a coalition and 60 different nations speaking different languages with different modes of operation, different aircraft, different ships, different artillery and trying to get us all to pull in the same direction to take on this battle. It has taken a while.

You know what is happening now? Here is what has happened. The land that ISIS took over 2 years ago has been cut by almost half—47 percent, almost half. While the area of Syria controlled by ISIS is a lot smaller than the land in Iraq, 20 percent of that land has been recaptured from ISIS.

Last year, Iraqi counterterrorism forces, backed by U.S. air support, scored key victories in Ramadi to the west of Baghdad, 30, 40 miles to the west of Baghdad. And then a place called Tikrit—we remember Tikrit because it is the birthplace where Saddam Hussein grew up. In the last couple of weeks, there was some more good news. Fallujah, which is right here—these three cities, Fallujah, Ramadi, and Tikrit, make up what is called the Sunni Triangle. It is where a lot of Sunnis in Iraq live. It was once controlled by ISIS, and they have now fallen to the alliance, our forces.

As we speak, Kurdish, Iraqi, Syrian democratic forces backed by U.S. Special Forces are training and making preparations to retake other key ISIS strongholds. Here is Baghdad. You go to the north, northwest, up here next to the areas controlled by the Kurds, which are part of Iraq but controlled by the Kurds, and over here—almost due west from Mosul, over here to Raqqa, which is the spiritual capital of ISIS. Those are where the fights are headed next.

For weeks American airpower has conducted scores of airstrikes on these two ISIS strongholds, Mosul and Raqqa, in order to clear the way for our Iraqi and Syrian partners on the ground. We are using F-15 and F-16 aircraft—in some cases, carrier-based and out of the Persian Gulf. We are using drones and A-10s. We are using B-52s, which are being staged in a variety of places, including Qatar and as far away as a couple of thousand miles, I am told, to conduct precision strikes all over the planet to target ISIS.

All in all, the United States and our allies have taken about 25,000 ISIS fighters off the battlefield and killed more than 120 key ISIS leaders since the beginning of this conflict. Recent reports indicate that coalition allied forces kill an ISIS leader every 3 days

on average. Last week, coalition airstrikes killed the ISIS deputy minister of war and ISIL military commander in Mosul.

We haven't done it by ourselves. We have done this with a lot of partners. As I said earlier there are 60 in all. Our President, his administration, and our military folks have built an anti-ISIS coalition that consists of 60 countries, including some you expect to hear, such as the United Kingdom, Canada, France, and Germany, but, frankly, a lot you would not expect to hear about. The coalition also consists of some of Iraq's and Syria's Arab neighbors, such as Saudi Arabia, the United Arab Emirates, Jordan, and Egypt, just for starters. As a result of these partnerships, we have not only taken territory away from ISIS, but we have also cut off its main sources of supplies, its reinforcements, and its funding.

In recent weeks, anti-ISIS forces have surrounded a place called Manbij, Syria, which is up here, just north of Raqqa, and cut off the route through Turkey that ISIS previously used to smuggle oil, money, and move fighters. As of June 29, less than a month ago—maybe a couple of weeks ago—about 300 airstrikes against the Islamic State's oil network in Iraq and Syria conducted over the last 2 years have cut the terrorist group's oil revenues by at least half. It is estimated that ISIS now collects about \$15 million each month, down from \$30 million and \$42 million each month at its peak. Cash reserves held by ISIS have also been hit hard. Over the past year, coalition airstrikes have destroyed \$500 million and \$800 million in ISIS funds—cold cash. Our partnership has helped to keep ISIS from getting reinforcement from outside of Iraq and Syria too.

The flow of foreign recruits has been dramatically reduced from a high of about 2,000 a month in 2014—coming from all around the world to joining the ISIS team—to 200 a month in June. It went from 2,000 to 200 over the course of the last year. About a year or so ago in the United States, we had 10 Americans per month leave the United States to join the ISIS folks. Last month there was about one—one per month. This has happened because people all around—and certainly people in the United States—are learning the truth about ISIS. They don't want any part of it.

In cyber space, over 125,000 pro-ISIS Twitter handles have been taken offline. For every pro-ISIS Twitter handle, there are now six anti-ISIS handles challenging ISIS's twisted ideology and criticizing its actions. That is a real game changer.

At home, the FBI is cracking down on recruits as well. Over the past 2 years, the FBI has arrested nearly 100 individuals on ISIS-related charges.

Just because we have made clear progress on these fronts, it does not mean there is not more work to be done, because there is. There is a lot

more work that needs to be done, and it is not going to be done by us. It is a shared partnership and the United States helps in a lot of ways, but this is not our responsibility alone.

The recent ISIS-related attacks in Turkey, Iraq, Saudi Arabia, and Bangladesh show that ISIS still has the ability to mobilize its followers to carry out attacks on soft targets. The terror attack in Orlando last month serves as a reminder that disturbed and mentally imbalanced young Americans are susceptible to the twisted propaganda of ISIS.

In November, before the Senate Homeland Security and Governmental Affairs Committee, renowned counterterrorism expert Peter Bergen told the committee that “every American who's been killed by a jihadi terrorist in this country since 9/11 has been killed by an American citizen or resident.” Think about that. Every person who has been killed by a jihadi terrorist in this country—in America—since 9/11 has been killed by an American citizen or legal resident. Think about it. The threat doesn't come from Syrian refugees or those who travel here as tourists or on the visa waiver programs. The greatest threat to our country now comes from within—from American citizens and legal residents.

When these young Americans carry out attacks in ISIS's name, much like the Orlando killer appears to have done, they help to project the image that ISIS is all-powerful and ever present.

We need to do a better job of countering ISIS's narrative here in the United States. Right now, ISIS portrays a winner's message, or at least they sought to, even though the results on the battlefield are beginning to show otherwise.

We need to make sure the truth is told about ISIS and all the defeats they are beginning to absorb. They are cowards, not heroes. They are oppressors and killers of Muslims. They imprison and enslave women. They are not protectors of Islam.

As we help the Sunni Arab world free itself from the horror and oppression of ISIS, we must also ensure that the truth about ISIS gets out in order to undermine ISIS's recruitment propaganda. Congress can strengthen our ability to fight the ISIS narrative by empowering the Department of Homeland Security to build partnerships here at home.

The Senate Homeland Security Committee passed legislation that I had worked on, along with others, that empowers the Department of Homeland Security to build partnerships with the Muslim community here and with faith leaders, civic groups, and other nonprofits. These partnerships will help to develop local solutions for countering ISIS messages and to stop the recruitment of young Americans.

I will say in conclusion that the battle to defeat ISIS is far from over, but I think we are on the right track. We

need to make it clear every day that ISIS is not the winning team they present themselves to be. They might have been 2 years ago, maybe even a year ago, but not today. In fact, they are well on their way to becoming a losing team, and if we keep working hard and pulling together in the same direction with our coalition partners, they will be a losing team. All of us, Democrats and Republicans, have a role to play in making that clear to all Americans, especially those who are susceptible to ISIS's silent song. I hope my colleagues on the other side of the aisle will keep that in mind as we go forward.

I hope we can also work together without the partisanship of this election cycle to come up with constructive ways to help enhance the ability of this administration and our military men and women to join with the other 60 or so nations to finally defeat ISIS.

With that, as I look around the floor, I believe one of my colleagues from Oklahoma is poised to address us, and I will yield for the Senator.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Oklahoma.

#### NATIONAL SECURITY

Mr. LANKFORD. Mr. President, this has been a week really dealing with a lot of national security issues, both security here in our country and security around the world. It is a moment when we turn around and look at what is happening internationally. We think about ISIS and terrorism being confined to Syria and Iraq, and we face it here. We lose track that there are countries around the world dealing with this threat as well. What do we do about this, and where does it go from here?

Let me recount the past couple of days. On Wednesday, two suicide bombers carried out an attack in Yemen. On Tuesday, an Indonesian suicide bomber, believed to be a supporter of the Islamic State, attacked a city there, killing himself and wounding a police officer and other security personnel. On Monday, there were three separate attacks in Saudi Arabia. On Sunday, there was a massive bomb explosion carried out in Baghdad that killed over 250 people—one bomb. Later that same day, there was another one, also in Iraq, that killed five people. On Friday of last week, in Bangladesh, our Nation watched in horror as gunmen stormed a restaurant in the diplomatic zone and killed 20. They took those long-term hostages, pledging their allegiance to ISIS.

We forgot what else happened on Friday. Those things happened around the world, but on Friday of last week, many people may not know that the FBI picked up a man named Mohamed Jalloh in Virginia. He was plotting to carry out a Fort Hood-style attack. He is a Virginia National Guardsman who purchased weapons. He had self-radicalized after watching Anwar al-Awlaki's videos. He pledged to ISIS and

planned to carry out a large-scale attack in Virginia. The FBI learned about it and intercepted him before he could actually carry out his attack.

This is a week about national security. There is a lot going on around the world, and we face a lot of threats.

This week has also concluded the security issue of the United States dealing with drug policy. Behind the scenes, in the Senate, there is a long-term argument that is happening right now about whether we are going to have a drug war or a political war. We have a bill that deals with opioids. We are trying to help local law enforcement engage in this opioid conference, but our Democratic colleagues have held that bill up and won't allow it to move through the conference process. While we should be dealing with the fast-moving opioid crisis, we are actually dealing with the gridlock in the Senate.

This is a bill that already overwhelmingly passed in a bipartisan method when it came through originally. It has only been strengthened since that time, and it now goes to conference. We want to be able to finish the conference report so we can continue to fight the drug war here in the United States, but instead we can't fight the drug war because of the political war going on behind the scenes. It is a national security issue.

This is a national security issue. This week we dealt with immigration policy and what should be the simplest, most baseline area of immigration: Should individuals that have been convicted of a felony—even a violent felony—be deported out of the United States if they are here illegally? The argument from the other side of the aisle is this: We should not force communities to deport individuals who have been convicted of violent felonies.

This week a year ago, specifically July 1, 2015, a young lady named Kate Steinle was walking down a pier in San Francisco with her dad. A gentleman walked up to her with a gun and shot and killed her on the pier. There was no connection or altercation. He just walked up and shot her. This man, who was in the country illegally, had already been convicted of seven felonies and had been deported five times.

The San Francisco Police Department was forced to release him and did not give him to the Federal authorities because San Francisco is a sanctuary city. They believe that even if you have been convicted of violent felonies before—if you are in the United States illegally—you should not be turned over to Federal authorities.

This body had a debate on that. This body's debate was this: Do we agree that there should be places in the United States where violent, multicount felons should be kept and protected in communities here even though they are here illegally? Republicans overwhelmingly voted that sanctuary cities should lose some of our Federal support. There should be an in-

centive to say that if someone in your community is a violent felon—these are rapists, individuals who have been convicted of domestic violence, individuals who have been convicted of DUI. Not every person in the country who is here illegally is a violent felon, but for those who are, can't we find the common ground to say that those individuals should be convicted and deported? This body apparently doesn't believe that.

What should have been the most baseline argument about our domestic and national security can't get through this body because we can't agree on the simplest things. It is not all immigration policy. This is just: Should you deport people convicted of a violent felony? Should there be communities in the country where violent felons are protected and kept in the United States even if they are here illegally? If we can't agree on that simple policy, how in the world are we going to agree on any immigration policy?

It has been a week about national security but also the threat of ISIS and the movement of terrorism around the world. We have gridlock here—dealing with basic immigration policy and national security, basic drug policy, and dealing with an opioid conference. It has also been a week dealing with national security in a very unusual way. It can be spun politically, but it is really a national security issue.

The Director of the FBI completed an investigation over a holiday weekend and interviewed former Secretary of State Clinton on the Saturday of the Fourth of July weekend. He then came out after the day of the Fourth of July and said there is a lot of evidence of breaking the rules, there is a lot of evidence of being sloppy and careless, there is a lot of evidence of what he called extremely careless handling of sensitive, highly classified information, but would not recommend a prosecution.

Now, why do I bring this up in a national security conversation? Because it does connect to our national security. It is not just a political issue.

The first calls that I received after that statement came out from Director Comey were from people who have classified clearances. They work in the intelligence community, they work in the U.S. military, they work on our military installations, they are contractors, and they have gone through the extensive process of getting clearance. Those individuals started contacting me with one statement; that is, if I had done what the Secretary of State did—which is to take classified information out of the government computer, move it to my home computer, store it at home—I would have been fired and I would have lost my security clearance. In fact, I had an individual contact me who worked at one of my military installations and who recounted to me a story from just last year. Someone who worked at that particular installation had brought their

phone into work and had plugged it into the government computer so they could listen to music. That person was roundly fired because it put secure information at risk.

This is a national security issue. It is the issue of what is the standard for how we are going to protect our Nation's secrets and whether there is a standard anymore. In a day when we face threats from around the world, in a day when we face threats from all over different regions and from Americans even here who are being self-radicalized, we should at least have the standard that classified information means classified information, and any individual, regardless of their last name, would be held to account. No one in America is above the law—at least that is what we used to say.

The challenge we face now as a nation, with all of the threats, with all of the issues that we face, is, will we just argue about political things here and will political people get special favors, or will we take seriously the national security threats we face from terrorism abroad, from terrorists who are planning attacks here in the United States, from the opioid and heroin crisis we face, the immigration crisis we face? Will we take these things seriously?

I would call this body out to say we cannot continue to just do politics here and not work toward resolutions on things that matter to the American people in the most basic things we face. This is a time we should continue to do the right thing. The American people need to not only see their government working, they need to know their government is actually doing something to protect the Nation—our borders, the drug wars, our national secrets, and our security dealing with radical Islamic terrorism from around the world. Let's confront these issues, not just debate them. Let's deal with them, and let's resolve them. Let's remind the American people that we can get things done to fulfill our basic constitutional responsibility and that we can carry out the law, regardless of a person's last name.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

#### WORKING TOGETHER IN THE SENATE

Mr. ALEXANDER. Mr. President, let me pick up from where the distinguished Senator from Oklahoma ended. This Senate and the House are capable of doing some awfully good bipartisan work that helps the American people, and we do a lot of it.

The Senator from Louisiana—the Presiding Officer today—has been working with the Senator from Connecticut, a Democrat. They have different political persuasions, and they have us very close to passing a very important mental health bill in the Senate—one that passed the House yesterday. They have worked hard on that. We are going to get that done this year. I would like to do it next week, but if not, we should be able to do it in September.

Earlier today, I went to the National Education Association annual convention, where there were 10,000 teachers from all over the country, and they gave the Friend of the NEA Award to Senator MURRAY of Washington State and to me. Thirty years ago, when I was Governor of Tennessee, I would have gotten the “public enemy of the NEA” award. But what they like and what teachers and Governors and chief State school officers and parents like was that last year we came together and fixed No Child Left Behind. We stopped Washington from telling schools so much about what to do and restored that responsibility where it ought to be—with teachers and parents and Governors and legislators. We have been thanked for that because it affects 50 million children and 3½ million teachers and 100,000 public schools. We did our job.

So there is mental health, there is fixing No Child Left Behind, and we are working on something called 21st century cures. The House of Representatives has passed it. Again, the Senator from Louisiana has been working on an important part of it having to do with electronic medical records as an example. This has the opportunity to be by far the most important legislation we pass this year, and we will pass it because it is part of Speaker RYAN's agenda; the majority leader, Senator MCCONNELL, wants to pass it; and the President of the United States is interested in it because of his focus on precision medicine and the Vice President's focus on Cancer Moonshot. There is funding for the BRAIN Initiative, which has to do with Alzheimer's. These are breathtaking discoveries which we are on the verge of in America and which would affect millions of people—research for that and then moving them through the regulatory and investment process and into the medicine cabinets.

I saw a Forbes poll the other day that showed that 82 percent of the American people would like for Congress to do more on biomedical research. They agree on that. We are doing that.

So there are three things: fixing No Child Left Behind, mental health, and 21st century cures. Then we get to opioids and we get to Zika. So what has happened here? This reminds me of the Hatfields and the McCoys in the mountains of Kentucky and Tennessee. They fought so long, they forgot what they were fighting about. They just killed each other because that is what their grandfathers did.

We have two issues here of intense interest to the American people, and we are on the verge of a significant step to help. The first is Zika. The Zika virus is terrifying young women in our country. They are postponing their pregnancies. They are afraid to have babies. They are afraid their babies will be born with deformities because we have found that if women have the Zika virus, some women have babies who have deformities when they are

born. There will be a vaccine for that by 2018, perhaps. That is part of the 21st century cures initiative I was just talking about—more money for the National Institutes of Health to speed that along. But between now and then, we need to take every step we need to take to help keep the Zika virus from infecting as many people as we can.

This is a very simple disease. It is carried by a mosquito, and if a mosquito bites you, you get the Zika virus. For many people, it makes no difference, but for pregnant women, it could be a problem. It is July, and the mosquitoes are out, and it is time to eradicate the mosquitoes. The Centers for Disease Control asked us for money, and so we passed \$1.1 billion here, money for Zika. We are ready to pass \$1.1 billion. Because of a small provision the House of Representatives put in that has to do with who is a Medicaid provider in Puerto Rico—there are many Medicaid providers in Puerto Rico who can go about this business in July and August and September to deal with trying to keep the mosquitoes away. Our friends on the other side of the aisle won't let us pass the bill.

Now, let's stop and think about this. This is the Hatfields and McCoys at its worst. This is not the same spirit we had when fixing No Child Left Behind. It is not the same spirit we had working with the President and Speaker RYAN and Senator MCCONNELL on 21st century cures. It is not the same spirit Senator MURPHY and Senator CASSIDY have shown in taking grave differences over mental health and putting them in in a way that we will get some advances on that this year. There is no excuse whatsoever for delaying the spending of \$1.1 billion to help pregnant women and other families avoid the Zika virus this summer. We don't need mosquito control in the winter; we need it in the summer. And we need to pass it now because we leave and go away on our recess and come back in September.

There may be a provision in the bill that some of us would have written a different way. Maybe some of us would like some more money. But the provision that is offensive to some people is a very small provision. There are Medicaid providers all over Puerto Rico who can deal with this part of the money, and there is no excuse for not approving the \$1.1 billion that we are ready to spend for Zika, period, and it is wrong for the Democrats to block that. It is wrong as it can be, and it is not in the right spirit.

I think I have a reputation here for trying to get results. I would say to my friends on the other side of the aisle: Please stop and think about this. This is the Hatfields and McCoys example that the American people really don't like. We are on the verge of doing something that would help a lot of Americans, especially young women, and we ought to do it. We ought to do it today or next week, and we surely



should not go home without having done it.

The other thing we are on the verge of doing well is helping deal with opioids. Again, we are in a Hatfields-and-McCoys situation, apparently. I hope we avoid it, but we may be, and I would like to avoid that as well. We have talked a lot about the opioids abuse. I know what happens in Tennessee. Opioid overdose is killing more people every year than car wrecks or gunshots—car wrecks or gunshots. I had a roundtable in Knoxville several months ago. It was filled with people—judges, parents, doctors, hospital managers. Everybody is overwhelmed with this. They want some help in doing it. We can't fix it from here, but we can support those on the frontlines, and we are doing it. We are making some changes.

We have come back to Secretary Burwell and the President and said: Change the provision on the pain management survey that hospitals are telling us encourage doctors to overprescribe opioids. Well, at first they didn't listen, but to the President's credit and to Secretary Burwell's credit, they did it; they listened and they did it at the urging of Congress.

They have increased the level of prescriptions that treatment doctors can prescribe. That was something Senator PAUL, Senator MARKEY, and Democrats and Republicans in the House wanted to do. We might do more of it, but that was the TREAT Act.

Then we came up with a bipartisan opioid bill in the Senate and in the House. It has contributions from half the Democrats and many of the Republicans. In the House, it passed 400 to 1. In the Senate, it passed 94 to 1. Pardon me, it was 400 to 5 in the House and 94 to 1 here. It has more than 200 groups across the country who say opioid abuse is an epidemic and a crisis, so let's fix it. So we have taken a substantial step to fix it.

Yesterday we approved a merger of what the House did and the Senate did, and both will come to the House and next week to the Senate for approval.

One would think that something that had passed the Senate 94 to 1, when it comes back for approval, would pass again 94 to 1. One would think that something as urgent as dealing with opioid drug abuse—an epidemic, as I said, that is killing more people every year in my State than gunshots, killing more people every year in my State than car wrecks—one would think we would want to do something about it, particularly when we have worked hard and we have a very good package. Two hundred of the advocacy groups in this country who work on opioid abuse like what we have done.

So what is the problem? Well, our friends on the other side say you need to fund it. We are funding it, and they helped fund it. Over the last 3 years, count the last two Congresses where the money was already appropriated, in other words, it is there to spend; count

the amount of money the Senate Appropriations Committee has approved, we have increased funding for opioids already by 542 percent. For those working on their math, that is five times more than we were doing 2½ years ago. Then the House of Representatives came along today and said: We want to go even further than that. That is in the regular appropriations process. That is how we do our business here.

For example, last year, as I mentioned, we fixed No Child Left Behind. The President called it a Christmas miracle. Everybody is happy about it. It doesn't spend a penny. It reformed the education law. We spend the money in the appropriations process.

Every year we pass a Defense authorization bill. It reforms everything that has to do with keeping us safe in the country, but we don't spend a penny. That is in the appropriations process.

We have an energy bill we are going to conference on. It doesn't spend a penny. That is in the appropriations process.

So we are spending money on opioids. We are spending money on opioids. A five times increase over 2½ years, in addition to policy that 200 groups support and that passed the Senate 94 to 1. Now, some say there should be more. I agree. I would like to spend even more for opioids. I would like to see a more significant amount of money for State grants to help with opioids because that is where the bottom line is, but there are a lot of discussions going on about doing that. There is some discussion about doing that in the 21st century cures bill, perhaps. We talked about it and even voted on it last year. Republicans put through a bill in our so-called reconciliation process in which all but five Republicans in the Senate and House voted for \$750 million each year for 2 years for opioids. That is \$750 million each year for opioids. That is \$1.5 billion the Republicans voted for. The President vetoed it because it also repealed ObamaCare. We thought we were getting two good things—repeal ObamaCare and support opioids. Of course, the President disagreed with that. This isn't all on Democrats or Republicans because we have also voted for more money for opioids.

But let's get out of this Hatfields-and-McCoys posture in this last week or 10 days before the convention starts when we are dealing with the lives of so many Americans. Every Senator who talked yesterday at the conference report had some story of someone from his or her State who had died from an opioid abuse—several from one family in several cases. Everyone has that story. Then how can we dare go home next week without having passed a policy that everyone who understands the subject says will help, in terms of prevention and State grants and treatment and a variety of other things, and when we have increased funding by five times over 2½ years—how can we dare go home without having passed that?

Can we continue to talk about even more funding? Yes, I am ready to do that. I would like to do it. I would like to find a way to do it, but that doesn't mean we stop doing what we can do now. So I am on the floor today—and let me just remind my friends on the other side of the aisle, this opioids conference is not a Republican bill. It is filled with Democratic priorities.

Mr. WHITEHOUSE is the lead sponsor, the Senator from Rhode Island. He is passionate about it. There are 44 Democratic Senators who voted for his version of it. Senator WARREN is the lead sponsor for the Reducing Unused Medication Act. It is in the package. Senator DURBIN led an amendment regarding the opioid action plan at the FDA that is included. Senator SHAHEEN and nine other Democratic Senators led the National All Schedules Prescription Electronic Reauthorization which is included. Congressman SARBANES has a bill on expanding access through cold prescribing. Senator CASEY introduced a plan of safe care improvement that was included. Senators BROWN, KING, and MANCHIN are cosponsors of a Healthy Babies Act that was included. Senators BROWN, KING, CASEY, and FEINSTEIN were co-authors in another provision. We all put this together. We all care about it. The people we work for all need our help. We should pass it. We should pass it.

To come up with a lame excuse that we are not funding it when, in fact, we are—five times more over 2½ years—that is not the kind of thing that will gain respect for the U.S. Senate.

I am here today as someone who spends most of his time trying to get results in this body, and often achieves results. I do that only because of relationships with Democratic Members as well as Republican Members. I told the National Education Association today to give PATTY MURRAY a big hand for being the friend of the NEA on fixing No Child Left Behind because it would not have happened without her.

I would say that when we pass the opioids conference, give a big hand to Senators DURBIN and SHAHEEN and Congressman SARBANES and especially Senator WHITEHOUSE, Senator CASEY, and Senator WARREN because they all made major contributions to this, they voted for the funding over the last 2 years, and I am sure they will this year, which will go up at least five times—five times.

So let's put the Hatfields and McCoys back in Kentucky and Tennessee. Let's say young women all over the country are terrified by the Zika virus. Let's spend \$1.1 billion or make it available for the Centers for Disease Control now to help. Let's take this opioids conference report we are on the verge of passing that we are all for, and let's do it and go home. And let's add to the fixing No Child Left Behind, the 21st century cures progress, the mental health progress, our work on opioids abuse, and our work on Zika. That

would be what the American people would expect of us, and I hope that by the end of next week, we find a way to do it.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from West Virginia.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mrs. CAPITO. Thank you, Mr. President, for recognizing me, and I want to thank the chairman of the HELP Committee, the Senator from Tennessee, who has in the Senate made a very passionate argument on why we should be passing the bill that contains the Zika funding but also for the opioid and heroin abuse overdose issue that we have in this country.

He did mention the Hatfields and McCoys more than a few times in reference to Tennessee and Kentucky, and I will throw West Virginia in there because we have a good history of Hatfields and McCoys. We understand a feud, and I don't like to see a feud over these issues either. This is about health care, women and babies, and these are families who are torn apart by this scourge of opioid and heroin abuse.

I would like to talk about the Comprehensive Addiction and Recovery Act, known as CARA, and strongly urge my colleagues to lay down the feud and have common sense. I am going to talk about why this is so very important.

This is a comprehensive step forward. It has been worked on for years. This is not a fly-by-night bill. This is a very comprehensive bill, a national response to the drug epidemic that we see like a fire rushing across America. It expands prevention and education efforts and promotes resources for treatment and recovery. I say often there is no one solution to this problem. There is a spectrum of solutions, and CARA addresses a spectrum of solutions. It helps law enforcement respond, provides resources for treatment, alternatives to incarceration. I know many Senators have been to see and visit drug court programs that have had successful graduations. They have gotten people back on their feet. They operate in West Virginia and many other States.

I was very pleased to see many elements of the Senate-passed bill included in the final conference report. Members on both sides of the aisle and the Senator from Tennessee talked about many of those Members who have worked hard to create the realities of those living with and impacted by addiction. The bill is just a commonsense response so let's have a commonsense vote in response to the commonsense bill.

For me, my personal passion has been the ability to craft several provisions that are included in this conference bill, one that would provide for safer, more effective pain management services to our veterans. Too many of our veterans are having opioid abuse

and opioid overdoses in conjunction with care at the VA.

Another provision from Senator KAINE from Virginia would coprescribe naloxone, a drug that would reverse the effects of opioid overdose with prescription opioids. Another provision would increase access to important followup services. Again, it is another bipartisan amendment to prevent overprescribing. There is also a provision that would improve acute pain-prescribing practices. You have acute pain which is different than having constant pain. What are the prescribing protocols for that? We have too many stories of addiction that started with patients taking painkillers after suffering a minor injury or a minor surgery. Also, there are provisions that would allow doctors to partially fill certain opioid prescriptions. Senator WARREN from Massachusetts and I worked together on this. This helps to limit the availability of unused painkillers.

Lastly, a provision I worked on with my colleague from West Virginia on the House side, Congressman JENKINS, would protect babies who are born exposed to opioids during pregnancy and get them the specialized care they need. We see it in Lily's Place in Huntington, and we need to have this across the country.

In March, we stood together and passed this bill 94 to 1, with broad bipartisan support. CARA has had broad bipartisan support in the House as well, but not one single Democrat signed the conference report. What changed? What happened? I don't know. Out of the blue, after they had already voted for this, they demanded a new mandatory funding—which means a different type of funding out of the Appropriations Committee was not added to this bill in conference. Some apparently believe that without this funding, CARA is not worth passing. I strongly disagree for the reasons I am going to line out. This is not the view of the over 200 treatment organizations that are in favor of this conference report—groups such as the Addiction Policy Forum, the American Psychological Association, the National Association of Counties, the National Association of Addiction and Treatment Providers. These groups are calling for quick action on this conference report. They wrote a letter stating “the report is truly a comprehensive response to the opioid epidemic which includes critical policy changes and new resources.”

The letter continues, “As you know, 129 Americans die each day as a result of a drug overdose and this epidemic affects the public health and safety in every community across the country,” not to mention the devastation, and I have seen it in my own communities, to families all across this Nation. “This bill is the critical response we need.”

As a member of the Appropriations Committee, we all worked hard to ensure our States have the resources they

need to win this fight, and I will not stop in this fight. The appropriations bills we have passed in committee provide substantial new resources. Under these bills, total funding to address heroin and opioid abuse will more than double the 2015 levels.

You can see on this chart that in 2015 it was \$220 million. In 2016, we had a 46-percent increase to \$321 million. In the bill that came out of the Senate Appropriations Committee that had bipartisan support, there was a 46-percent increase to \$470 million. Those are significant resources that can help and will help in the treatment and gets money to our providers and to States for block grants.

Let's look at HHS discretionary appropriations that we passed in the appropriations bill that passed bipartisan. In 2015, we appropriated \$41 million. In 2016, we increased that funding to \$136 million, a 237-percent increase. This problem has been escalating across our country, and you can see it reflected in the dollars we are spending; in 2017, \$262 million, which is a 93-percent increase. These are significant. It goes to problems that help with research, treatment, and community health centers. This is a very significant rise.

Our last chart shows what is in the conference report we are now considering. It goes out of the Senate at 78 million more dollars. The conference report comes back with \$181 million, a 132-percent increase. Again, the urgency of what we are seeing is reflected in the real dollars we are willing to spend, so don't listen to the argument that no money is being spent. It couldn't be further from the truth. This is what has been decided and agreed upon in the Appropriations Committee in a bipartisan way to deal with this very difficult problem.

I think that 94 Members of this body already voted for this \$78 million. Why in the world would we continue this feud that has been created and is bubbling up in a political fashion and turn our backs on a 132-percent increase in this conference report?

As I have shared on the floor several times before, this problem is particularly hard-hitting in the State of West Virginia, the State I represent. Unfortunately, West Virginia leads the Nation in drug-related overdose deaths—more than twice the national average. I mentioned that 129 Americans die every day. That means there are people dying in West Virginia in larger numbers per capita than in any other State in the Union. It also means we shouldn't be taking the time for partisan politics and delay the passage of a much needed piece of legislation.

I say this all the time because I believe it to be true. I hope it is not. I believe we are in danger of losing an entire generation to this scourge if we don't act with force, together, and make sure that we not only fund our programs but that we do the comprehensive approach to it that we see in this CARA bill.

I was on the floor yesterday talking about how we had witnessed Senate Democrats playing politics with critical funding for Zika, and now we are seeing a repeat. I hope we do not go through the same scenario. Let's not play political games with a veteran depending on the VA's ability to help them treat their opioid addiction or the newborn born dependent on opioids or the addict who is willing to seek treatment and needs the help CARA will provide. They do not deserve to be held hostage to a political situation.

I will proudly support the passage of the CARA conference report, and I encourage all of my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, one of the great privileges I have serving in the U.S. Senate is standing up every day on behalf of Montana agriculture. In fact, across the great State of Montana, signs of our State's strong agricultural heritage are at virtually every turn, from wheat and sugar beet fields, to grazing cattle and sheep. It is truly impossible to miss the expansiveness of our State's No. 1 economic driver, and that is agriculture.

Agriculture is more than just an economic driver of our State, it is a way of life for thousands of Montana families. It provides for a safe, reliable, and affordable food supply not only for our Nation but for the world. It supports tens of thousands of jobs throughout the State. Let me say that again. It supports tens of thousands of jobs in the State of Montana.

Over the past several weeks and months, I have heard directly from stakeholders in Montana—from the Montana Farm Bureau, the Montana Grain Growers Association, the Montana Sugar Beet Growers, the Montana Retailers Association, the Montana Chamber of Commerce, as well as researchers at Montana State University, my alma mater, a land-grant university. All demonstrated how their livelihoods would be negatively impacted if a single State on the east coast could be allowed to have such wide-ranging impacts on jobs in Montana, as well as the price we pay at the grocery store.

I believe that a State like Vermont and the junior Senator from Vermont should not dictate the laws that govern our food and affect the prices Montanans pay at the checkout line.

Defenders of Vermont's fringe law and the ideology behind it ignore hardships on agricultural jobs. They ignore hardships on family incomes. They ignore scientific consensus. They ignore the existing transparency tools and the new ones created by this bipartisan compromise legislation.

Montanans were clear that Congress needed to act. While this bill is by no means perfect, its passage is important to prevent increased costs for businesses and higher prices at the checkout stands for families.

I have to say that I am outraged that the defenders of Vermont's law ignore these hardships. In eastern Montana, sugar beets are grown using biotech, and they are an economic driver for the State, and they are the source of thousands of jobs. The sugar beet industry contributes about \$70 million a year to the Montana economy, as well as sugar factories in Billings and Sidney.

As Shane Strecker, the director of the Southern Montana Sugar Beet Growers, put it, "Without biotechnology, the hundreds of jobs Montana's sugar beet industry supports would not exist."

Make no mistake—this Vermont law is an attack on Montana's way of life, it is an attack on Montana's farm and ranch operations, and I am not going to stand for it. I will stand up for Montana and continue to fight to ensure that Montana's agricultural products are not unfairly and arbitrarily discriminated against. As always, I am proud to stand with Montana farmers, to stand with Montana ranchers, to stand with Montana agriculture, and I urge my colleagues to do the same.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Wyoming.

#### WYOMING'S BUDGET

Mr. ENZI. Mr. President, I rise today to talk about the tough situation my home State of Wyoming finds itself in and to urge my colleagues to take a page from Wyoming's book.

Last week, Wyoming's Governor proposed cutting \$248 million from the State budget because Wyoming has seen a reduction in revenue. To my friends from urban States, \$248 million might not sound like a lot of money, but that amounts to 8 percent of Wyoming's budget.

The downturn in energy development—particularly coal—reduced Wyoming's revenue last January, when the legislature met, and they had to make cuts. Then new figures came out after the legislature was over requiring the Governor to make cuts to meet the new level of revenue that there is, which is requiring him to make additional cuts of 8 percent.

Around here, we don't make cuts; we reduce the amount of increase a program gets and we call that a cut.

The Governor had a very clever way of prioritizing. He asked every agency to give him a list of the things they are doing and suggest where they would take a 1-percent cut, a 5-percent cut, and a 10-percent cut. Then all he had to do was compare the lists. If it wound up on all three lists, it wasn't that important. If it was only on the 1-percent list, maybe there was some value to that program.

That is the chart Wyoming is using to make their 8 percent cuts. That doesn't leave easy cuts for the Governor to make, but the Governor—while he acknowledged that he didn't like to cut, he did what he is supposed to do, and that is to lead the State.

Unfortunately, the Federal Government has failed to do the same. We all agreed to the Budget Control Act in 2011, which called for average annual cuts that wound up—the one time we have done it—being 7 percent to 9 percent. But you have to remember that is from an increased baseline, not a total cut, and it happened in the fourth quarter of the year because we didn't get the spending bills done in time, which is the norm around here. But if you have to take a 2-percent cut in the last quarter of the year, you are making an 8-percent cut of the money that you have left. That is not far off from what Wyoming faces, and we have a lot more money and a lot more programs to work with to find those cuts at the Federal level. In fact, we have 260 programs that I keep talking about that have expired that we spend \$293.5 billion on. I talked about that enough a year ago that we got that down to \$256 billion, but now we are spending \$310 billion on expired programs.

Wyoming's annual budget is \$1.5 billion, compared to the Federal discretionary budget—those are the program we get to make decisions on—of \$1,100 billion. Wyoming has about 8,500 State employees, compared to about 2.7 million Federal civilian employees. If Wyoming can find a way to cut its budget, the Federal Government should be able to do the same. But instead of leading the way, people in this body and the House and the administration acted like the sky was falling after they agreed to the Budget Control Act. As a result, while Wyoming stays on firm financial footing, the United States has gone from owing \$14 trillion—that is \$14,000 billion—in 2014 to owing \$19 trillion—\$19,000 billion—today, and we are on track to owe \$29 billion by 2026.

Here is where one of the difficulties comes in. We are at \$19 trillion and on our way to \$20 trillion. If you were paying 1 percent interest on \$20 trillion, that would be \$200 billion a year. We are actually paying a little bit more than that already, but the norm for the Federal Government is 5 percent. If that \$200 billion in interest becomes five times that amount, it becomes \$1,000 billion in interest. I just mentioned that we only get to make decisions on \$1,100 billion—actually, it is \$1,070 billion. So if interest rates increase and we pay \$1,000 billion in interest, we would have \$70 billion left to fund the military, education, commerce, roads, everything that the Federal Government does right now.

We have to reverse that course and address the Federal Government's insatiable appetite for spending, which is leading to America's mammoth national debt. I have several ideas on how we can make reasonable but real progress on our debt.

First, we need to take a page from Wyoming's playbook. My home State has acknowledged how much money it has and is making targeted cuts to live within its means.

Unlike the Federal Government, they aren't trying to make the cuts hurt politically so they can get pressure from people to spend more and more. Let me explain. When we had the government shutdown because the spending bills weren't done a few years ago, the Administration shut down the national parks, which, incidentally, raise money for the Federal Government.

In Jackson Hole where the Tetons are, the federal government actually put up barriers so that people couldn't use the parking lot to take pictures. They also put up signs that said you can't park along the road. I had to ask the Park Service where they got the money to put up the barriers and I had to ask them why they put up the barriers to begin with.

They said: Well, we didn't want people putting their garbage there because there would be nobody to pick up the garbage.

I said: That is easy. Remove the garbage cans. There is no cost to that, and nobody will have to pick up any garbage.

But that's not the way the Federal Government does things. They don't look for the easy solution; they look for the most painful one. They even barricaded off the World War II Memorial here during the 2013 shutdown.

We furloughed a bunch of people during that time, but when they came back to work, we paid them for the time they were off. It really cost a lot to try to save a little bit of money and not get our work done on time.

We should learn to cut the worst first, not the best first, because if you cut the best, you have people complaining and they get the money re-instituted.

Governor Mead is making smart cuts. He is proposing smaller cuts for the department of corrections because that agency already saw its budget cut severely in March. The Department of Family Services faces a smaller cut because it serves as the State's safety net. And the Public Defender's Office isn't expected to see any cuts because they are already strapped for resources.

The Federal Government should be doing the same thing and cutting the worst first. I would argue that we should focus on identifying and eliminating the wasteful spending that occurs here in DC before we look to important programs and services in our home States, but this isn't something we should guess at. Like Wyoming, we should require all government departments and agencies to list what they do best and what they do worst, although I have never seen anyone admit to anything they do worst. So I would suggest we do the prioritization system like Wyoming went through where every agency has to list all the programs they do and suggest which ones they would cut at 1 percent, which ones they would cut at 5 percent, and which ones they would cut at 10 percent. That way we could tell which programs

agencies felt were really the most valuable to fund and force agencies to make the easier cuts first instead of cutting the programs we need the most. That way, we can maintain what we do well and cut what we don't. We need to prioritize how we spend taxpayers' dollars, just like Wyoming.

Second, we need to implement my penny plan, which cuts overall spending by 1 percent—that is one cent out of every dollar we spend—and cap future spending so that government lives within its means. If we did that, within 5 years we could balance the budget.

Wyoming is finding a way to cut 8 percent. Why can't this body agree to cut 1 percent each year until our revenue is the same or less than expenditures? I am pretty sure after the first year people would say: You know, that wasn't too bad; we can live with that. And I think they would suggest we do two cents instead of one cent and get this done faster so that the next generation has hope for the same kind of country we have enjoyed.

Lastly, Congress needs to thoroughly consider and review its spending. The Wyoming Legislature considers its spending bills on time because they have created incentives to encourage it, and they use a 2-year spending cycle that provides more certainty and predictability than an annual cycle. Congress should follow Wyoming's lead by forcing timely consideration of regular appropriations bills—spending bills—and locking in that funding for 2 years instead of 1. A biennial process would also allow more time to review the details of proposed spending, eliminate duplication and waste and ensure the elimination of the worst first.

Mr. President, I would like to make one point to differentiate the problem Wyoming faces from the problem we face here. Wyoming is facing spending cuts because of declining revenues from oil, gas, and coal, which provide 70 percent of the State's budget. Those reductions are due to direct actions this administration has taken to make it harder to drill for oil and gas and to mine for coal.

But at the Federal level, we don't have a revenue problem, we have a spending problem. This year alone, we have seen attempts to increase spending by tens of billions of dollars without offsets. We cannot spend our way to prosperity. We definitely need to look at expired programs.

I sit up nights worrying about our Nation's \$19 trillion debt and how it will affect our children and grandchildren. We have run out of money and are living on what we borrow from other countries. If we don't get serious about cutting spending soon, the programs people enjoy and rely on won't just shrink, they will disappear entirely—again, think about my example of what happens if we go to 5 percent interest for this country.

It is long past time for us to apply reasonable constraints on our spending, and if we need a blueprint of how

to do it, we should look to my home State of Wyoming.

Mr. President, 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. MCCONNELL. 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. MCCONNELL. Mr. President, for all Members of the Senate, let me sum up where we are. There are three votes left to be cast. It is cleared on this side of the aisle to have all three of those votes momentarily. If there are objections to the consent request I am about to offer, the three votes would occur at 10:20 tonight. But whether we do it now or we do it then, there are three votes to finish the bill.

This bill is a product of a negotiation between the top Republican and the top Democrat on the Committee on Agriculture, Nutrition, and Forestry which will protect middle-class families from unnecessary and unfair higher food prices, while also ensuring access to more information about the food we all purchase.

Chairman ROBERTS said this bipartisan bill will benefit consumers by greatly increasing the amount of food information at their fingertips, while avoiding devastating increases in the price of food.

The ranking Democrat on the committee, Senator STABENOW, noted that it will prevent a confusing patchwork of 50 different labeling requirements in 50 different States, and it recognizes the scientific consensus that biotechnology is safe.

It is the result of bipartisan work to address an issue that could negatively harm consumers and producers.

The amendments being bandied about threaten to derail this process, and the end result will be a tax on food for middle-class families.

So here is the deal, Mr. President. We need to pass it today. We need the House to take it up and pass it, and we need them to send it to the President to sign it. So the end game is clear. The only issue before the Senate at the moment is whether we do it in the near future or at 10:20 tonight.

Bearing that in mind, as I have said, we are prepared to vote on the Sanders alternative to the Roberts-Stabenow compromise language and to finish up this bill now rather than waiting until time expires at 10:20 tonight.

A bipartisan majority voted to end debate on the bill. Everyone has had an opportunity to be heard. It is time to finish this bill.

Under the regular order, there would be no further amendments on the bill. Under the consent agreement I am about to offer, the opponents would be able to vote on the Sanders alternative.

Therefore, Mr. President, I ask unanimous consent that notwithstanding

rule XXII, there be 20 minutes of postcloture time left, equally divided between the two leaders or their designees; further, that Senator SANDERS or his designee be allowed to offer amendment No. 4948 to the motion to concur with further amendment; finally, that following the use or yielding back of that time, the Senate vote on the Sanders amendment, with a 60-affirmative-vote threshold needed for adoption; and that following disposition of the Sanders amendment, the remaining amendment be withdrawn and the Senate vote on the motion to concur in the House amendment with further amendment with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Oregon.

Mr. MERKLEY. Mr. President, reserving the right to object, the issue before this body is whether there is going to be an opportunity for amendments to be considered and voted upon.

We have heard today that we have three Republican amendments—three Republican amendments that address a prohibition on Federal labeling, that address criminal penalties, that address salmon. We also have three Democratic amendments we would like to have votes on.

Once upon a time—it now starts to seem like a fairy tale—this Senate was known as a great deliberative body. Well, a great deliberative body entertains ideas, discusses them, and votes on them. So in support and honor of the tradition of the Senate to put amendments forward and have them debated and voted upon, we are offering an alternative. I would ask the majority leader to modify his request and to do so in the following fashion: I ask unanimous consent that the following amendments be the only amendments in order to the motion to concur with respect to S. 764 with an amendment: Sanders No. 4948, Leahy No. 4966, Merkley No. 4969, Sasse No. 4972, Paul No. 4947, and Murkowski No. 4954; that there be 1 hour for debate, to run concurrently, prior to votes in relation to the amendments in the order listed; that all amendments be subject to a 60-vote threshold required for adoption; and that upon disposition of the amendments, all postcloture time be yielded back with no intervening action or debate.

The PRESIDING OFFICER. Does the Senator so modify his request?

The Senator from Kansas.

Mr. ROBERTS. Mr. President, it is my understanding the Senator has made a unanimous consent request for six amendments. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. ROBERTS. Mr. President, reserving the right to object, as I go over each of these amendments, each one would undo the carefully crafted compromise that has been put together by the distinguished ranking member, Senator STABENOW, and me, so I must object.

The PRESIDING OFFICER. Objection is heard. The objection is to the modification.

Is there objection to the original request?

Mr. MERKLEY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. McCONNELL. Mr. President, I believe everybody has objected. If not, I object.

The PRESIDING OFFICER. Objections heard in duplicate.

Mr. DURBIN. 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. HOEVEN. 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. HOEVEN. Mr. President, every now and then we have a chance to support a bipartisan bill that tackles a tough issue in the face of stiff, stiff opposition. The biotechnology bill before us today is just such legislation, and I come to the floor to speak in support of its passage.

This measure will avoid a patchwork of State labeling regulations, and in doing so will save families thousands of dollars a year, protect American jobs, and provide consumers with accurate, transparent information about their food. This bipartisan solution is a product of the hard work of Ag Committee Chairman PAT ROBERTS and Ranking Member DEBBIE STABENOW, who have shown real leadership in putting this bill together and are now working to get it passed.

Specifically, the Roberts-Stabenow biotechnology disclosure bill accomplishes three important objectives: First, it protects consumers by immediately ending the problem of having a patchwork of inconsistent State GMO labeling programs that would increase prices; second, it ensures farmers and ranchers can continue to provide Americans with an affordable, reliable, and safe food supply; third, it creates a uniform national disclosure system that will provide consumers with more information about their food products.

This bill will ensure that the Vermont GMO labeling law, which went into effect last week, July 1, does not end up costing American families billions of dollars when they fill up their grocery carts.

Food companies are already having to choose between one of three bad options for complying with the Vermont law and laws from additional States that may follow Vermont's lead: First, order new packaging for products going to each individual State with a labeling law; second, reformulate products so that no labeling is required; or third, stop selling to States with mandatory labeling laws. All of these options will increase the cost of food and

could result in job losses in the ag economy.

For millions of Americans, the GMO or bioengineered food labeling program created by Vermont will impact the affordability of food without improving its safety. Testimony provided by the USDA, FDA, and EPA to the Senate Ag Committee last fall made clear that foods produced with the benefits of biotechnology are safe. Just last week, 107 Nobel laureates signed a joint letter to Greenpeace urging it to stop campaigning against biotechnology and GMOs, stating that "Opposition [to GMO's] based on emotion and dogma contradicted by data must be stopped."

The real risk is that if we don't address Vermont's GMO law, real families will have a tougher time making ends meet. In fact, if food companies have to apply Vermont's standards to all products nationwide, it will result in an estimated increase of over \$1,050 a year per household. For families having a tough time paying bills, this is in essence a regressive tax, and it will hurt the poor more than those with substantial means.

From a jobs perspective, the story isn't any better. It has been calculated that if Vermont's law is applied nationwide, it will cost over \$80 billion a year to switch products over to non-GMO supplies. Those billions of dollars a year in additional cost will hurt an ag and food industry that creates over 17 million jobs nationwide. In my State of North Dakota alone, 94,000 jobs and 38 percent of our State's economy rely on the ag and food economy.

This is a bad time to be making it more expensive to do business in the ag sector. Earlier this year, economists at the Federal Reserve Bank of Kansas City testified that net farm income in 2015 is more than 50 percent less than it was in 2013, and it is expected to go down again in 2016. A State patchwork of food labeling laws will only make this situation worse, as many farmers who rely on biotech crops to increase productivity will be deprived of a critical tool. I know how hard farmers work and how much they put on the line every year when they have to take out an operating loan for crops that may or may not materialize. We shouldn't ask them to feed the Nation with one hand tied behind their backs by taking away biotechnology.

More than just overcoming the problems associated with having a patchwork of State regulations, I think it is important for Americans to know that this legislation ensures consumers have consistent, accurate information about the bioengineered content of their food. This measure creates greater transparency for consumers by putting in place a new national bioengineered food disclosure standard that will ensure products labeled as having been produced with biotechnology meet a uniform, national standard.

As I mentioned, foods produced with the aid of bioengineering are, according to the FDA, EPA, and USDA, safe.

However, many consumers do want to know if the food they are buying is produced using biotechnology, which is why this legislation provides a national bioengineered food labeling standard.

Many of us who sit on the Ag Committee would have preferred a voluntary labeling standard. After all, as has been demonstrated by scientific experts, whether a food contains bioengineered material is not a food safety issue. Yet there are many perspectives on this issue, and in the true spirit of compromise, Senator ROBERTS and Senator STABENOW deserve a great deal of credit for coming up with a legislative solution.

This bill's national bioengineered food labeling standard will ensure that a consumer who buys a food product with text, symbol, or electronic link indicating bioengineered content in, say, North Dakota, for example, is purchasing a product that is held to the same disclosure standards as foods sold in another State—for example, New York or California. Meanwhile, this bill will provide regulatory flexibility to ensure farmers and ranchers can continue to produce affordable and reliable food for the Nation.

We need a solution, and this bill delivers that solution. It helps keep our Nation's food affordable, it supports jobs, and it provides consumers consistent information about bioengineered foods. I urge my colleagues to support this commonsense measure.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

MILCON-VA AND ZIKA VIRUS FUNDING BILL

Mr. TILLIS. Mr. President, I thank my colleague for once again reinforcing why it is so important for us to get this compromise bill—this bipartisan bill on agriculture biotech—to the President's desk so we can move on to take on other matters, and that is one of the matters I want to talk about now.

Again, I know that when we come into this Chamber and are on C-SPAN, sometimes for people who are watching or may be in the gallery, it is hard to understand some of what we are talking about. What I am talking about is a bill that I hope we vote on next week. It is a bill that in two separate measures went to the House with strong bipartisan support. Now it is coming back in what we call a conference report, and we are one vote away from potentially sending this bill to the President's desk. It has two parts. I am going to speak predominantly on the second part, but the first part has to do with funding our veterans.

I come from the State of North Carolina. We have a population of 10 million. Ten percent of our State—nearly 1 million of our citizens—are veterans. We are very proud of our military tradition, and we are certainly proud of those who have decided to call North Carolina their home after their military service. As a matter of fact, I

think everybody in the Senate—Democrats and Republicans—has veterans as a priority. I firmly believe that. That, I guess, is one of the reasons I am stunned that we have reached an impasse in moving forward and providing appropriations that will let us increase funding to veterans.

The bill that we seem not to be able to get consensus on—although we had consensus when we first sent it out of this Chamber—provides critical funding for veterans housing, for their disability compensation, for suicide hotlines, for treatment for PTSD, and for opioid addiction treatment. For all the promises that we are not keeping today, we can help fulfill those promises by providing the desperately needed funding the VA needs.

But instead of working to get this funding done, we are at an impasse now, and I simply don't understand it. To me, some of them may be genuine disagreements with the policy, but in some respects it feels a little bit like scoring political points, and I don't get it.

What I really want to talk about tonight is the other provision of the bill, and that has to do with something that is desperately needed in our Nation. It is funding—and taking seriously—the threat of the Zika virus.

Zika is here. We are in mosquito season. I went hiking this weekend, and I know mosquitoes are out in North Carolina. In fact, they are all over the Nation. We need to work quickly to get a vaccine. We need it desperately. We are told by the CDC we could be 18 months away from having a vaccine for Zika. What we need to do is make sure we are funding research efforts so that we can win the fight against Zika. But I will tell you, we can't do this without providing financial support.

As I said before, the Senate passed a bill earlier this year, and we sent it to the House. Now it is back in the Senate, and it is one vote away from going to the President's desk. The bill spends over \$1 billion to fight Zika in all of its forms, and my Democratic friends voted for this bill earlier in the spring at the same funding level we talked about. There is discussion about spending more, but it seems illogical that we would spend nothing at all. That seems to be the position that my colleagues on the other side of the aisle are taking right now.

We stand ready as Republicans in the majority to provide this funding, but it appears as though, because we have reached this political impasse, we could put Americans' health and safety at risk.

Again, we have a rollcall vote from earlier this year where most of us—virtually all of us—voted for \$1.1 billion in funding. I will talk a little later about what that funding was directed toward. We have Members who voted with us on that bill who are not willing to vote now to send this to the President's desk.

I am going to submit for the record the list of people who voted for this bill

the last time it was on the floor and are now voting against it. I am not going to spend time today with limited time to go through each of the Members. But it doesn't make sense to me when you have cases reported—5 cases in Colorado—yet we have someone opposing the bill. There are 24 cases in Pennsylvania, and before they supported it, and now they are opposing it. There are 27 cases in Virginia, 26 cases in Maryland, 52 cases in California, and 198 cases in New York, for a total of 671 cases that have been reported to date in the United States. Most of these are travel related, but we have the threat of sexual transmission. Now that we are in the height of mosquito season, we have the real threat of mosquitoes infecting American citizens, and the threat is real. Without going through the whole list, Florida is another example, with 162 cases reported already. It would seem to me that the Senators from Florida would want to get this funding to the President's desk so we can start solving the problem.

Again, Members who now oppose this funding voted for it just a couple of months ago. Again, if you add up the numbers, that is 671 cases solely in the States where Members now are opposing the bill, and the cases are growing. We now seem to be engaged in this political divide, which really is the Senate at its worst, and we are better than that.

I know there are a lot of reasons that have been put forth to oppose it in this version where they weren't against it before. There were some that said it is because we are not funding or we are preventing funding for certain organizations. It is not true. The funding can flow through Medicaid to any organization which provides health services that would be relevant to the disease.

The way you control the population of the mosquitoes that can potentially carry the disease is to kill them—to kill them where they breed. Right now we think, temporarily, for this mosquito season we should do whatever we can to make sure that we kill the potential source of the disease that is transmitted through these mosquitoes. It can be done. It can be done with chemicals the World Health Organization says is safe in so many other jurisdictions. All we are saying is during this mosquito season, before we get a vaccine, we use this chemical—this compound—that can kill Zika mosquitoes and prevent them from transmitting the disease. That doesn't seem like an unreasonable thing to do. For 180 days, allow us to try to dramatically reduce the threat to the population. These are commonsense policies.

The fact that we are having this discussion, the fact that we can't get it, the fact that time is running out and we have to get it done next week is ridiculous. We are well into the mosquito season. There is probably not anybody listening to this or in this Chamber right now that has not been bitten by a mosquito already this year.

Let's do what we have to do to keep America safe. Let's stop the partisan politics. Let's get this bill to the President's desk, and then let's move on to the many other things the American people expect us to tackle while we remain in session.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I yield my hour assigned to me to the Democratic leader.

The PRESIDING OFFICER. The Senator has that right.

The assistant Democratic leader.

Mr. DURBIN. Mr. President, eventually this evening, we will be voting on GMO labeling. As I mentioned earlier, this is the most politically contentious and divisive issue I can ever remember. I have been in Congress for a few years. Whenever this comes up in our caucus, it is going to be a heated argument. It evokes so many emotions, not just among the members of our caucus but certainly with the American people. It gets down to some basic questions.

If you are dealing with a food product that has bioengineered contents or genetically modified content, there are several questions we need to ask. The first question is, Should the consumer know this? Well, 92 percent of Americans believe, yes, they have a right to know if there is GMO content in the food they eat. That is what the polls show—92 percent. That is an overwhelming number when you have lived with polls as long as most of us have.

Then you ask a question, delving into it: Is that because GMO modified food is dangerous to a consumer?

I think the answer is very clear that the scientific analyses of GMO food have not reached that conclusion. They believe—the National Academy of Sciences and others—that GMO food by itself is not dangerous to consumers. That is the scientific evidence. Nevertheless, there is this strong public opinion that people want to know whether GMOs are part of the food that they are consuming.

I have done some research on this, and I am sure every Member has tried to look at this very carefully. The one article that has stuck with me through the entire debate was published in the *New England Journal of Medicine* in August of 2015 last year. It was about a year ago when two doctors, Dr. Philip Landrigan and Dr. Charles Benbrook, published this article in what I think is highly regarded as a nonpolitical professional medical journal, the *New England Journal of Medicine*.

They go through an analysis of GMO in foods. They acknowledge at the outset what I have already said—that there is no scientific evidence of danger if there is GMO content in your food. Then they take it to a different level—an important level, as far as I am concerned. Is there any difference in the way GMO products or plants are grown? The answer is yes, and it was designed to be different. This was inspired initially by Monsanto, a com-

pany that has a major presence in my State. It was designed to create a seed corn that they made and sold that was resistant to an herbicide—that is a weedkiller—Roundup or glyphosate. They were selling the seed corn, which obviously is a source of profit for them and then encouraging the farmers who bought it to use this weedkiller or herbicide in their fields, saying this herbicide would not hurt the corn crop, just the weeds.

These two doctors of the *New England Journal of Medicine* then proceeded to analyze what happened next. What happened was that over time, there were weeds that were becoming more and more resistant to Roundup—stronger, thicker, bigger weeds. To put it a different way, Mother Nature was not cooperating with Monsanto. Weeds were appearing that they didn't anticipate. So they decided to apply even more of this herbicide, this weedkiller called Roundup, to see if that controlled the problem, and it didn't. They had to add another weedkiller—another herbicide—2,4-D, which has a long history in the United States, and then they started combining the two, hoping to stop the weeds with this new combination.

The net result, which these two doctors published in this article of the *New England Journal of Medicine*, was a dramatic increase in this glyphosate—this Roundup, that was being applied across the world. Roundup-ready crops now account for more than 90 percent of corn and soybeans planted in the United States. They go on to say:

But widespread adoption of herbicide-resistant crops has led to overreliance on herbicides and, in particular, on glyphosate.

In the United States, glyphosate use has increased by a factor of more than 250—from 0.4 million kg in 1974 to 113 million kg in 2014. Global use has increased by a factor of more than 10. Not surprisingly, glyphosate-resistant weeds have emerged and are found today on nearly 100 million acres in 36 states. Fields must now be treated with multiple herbicides, including 2,4-D, a component of the Agent Orange defoliant used in the Vietnam War.

The EPA anticipates that a 3-to-7-fold increase in 2,4-D use will be the result of these Roundup resistant weeds. Is that important? I think it is very important. It is important because we know that if you apply large quantities of chemicals to our agricultural fields, you may produce and harvest a big crop, but there is an environmental risk. How much of a risk depends on the chemicals being provided, being used by the farmers.

If GMO foods on your table are not a concern to your family because of scientific analysis, there is another question. Is the method that is being used to grow these Roundup-resistant crops, these GMO crops, an environmental danger to anyone? These two doctors came to a conclusion that it is—a determination in 2015 that glyphosate is a probable human carcinogen and 2,4-D is a possible human carcinogen.

Because of the link between these chemicals and cancer, these two doctors have concluded that labeling is important so consumers know that they are consuming products that on the table are no danger but that may have called for the use of more chemicals leading to more environmental danger. They conclude that there should be labeling. It is a different approach, but it is one that I think is valid, and it comes from a totally nonpolitical source—the *New England Journal of Medicine*.

The question then comes, if we are going to have labeling, what kind of labeling? I mentioned earlier today—and I want to repeat it—that my hat is off to the Campbell Soup Company. They have been around a long time. They put out information in a press release in January of this year announcing that they supported the enactment of Federal legislation to establish a single mandatory labeling standard for foods derived from genetically modified organisms.

They went on to say that Campbell's believes it is necessary for the Federal Government to provide a national standard for labeling requirements to better inform consumers. I agree.

They go on to say that the notion of every State setting a labeling standard is madness. It would be impossible for major food manufacturers to keep up with the variety of different labeling requirements, and it isn't practical in a nation like ours for us to really accommodate that kind of labeling requirement.

Campbell's has stepped forward and said we don't believe that GMOs in our product are any danger to consumers, and we are prepared to declare on our product, in clear words, whether or not they contain genetically modified organisms. I think this is a responsible corporate answer to a vexing problem we faced for years.

I salute Campbell's for trusting consumers and trusting their ability to convince consumers the food they are selling is wholesome. I wish the food industry had followed the Campbell's motto, but the bill we have before us does not. It provides three different opportunities to disclose on food products—mandatory—whether or not they contain genetically modified organisms. One is a simple declaration: GMO, non-GMO. The second is using something that will be developed by the U.S. Department of Agriculture and that consumers will come to learn—a signal or some sort of a sign or symbol as to whether GMO is included.

It is the third approach that troubles me the most. I have said this over and over to the people in the food industry across America who support this approach. I call this the secret decoder ring approach. What it means is, if you are a consumer walking into a store buying groceries for your family, you will be facing what is known as a QR. I am learning as it goes on what this

means. It is one of those little boxes with squiggles in it, which makes no sense to you as you look at it, but it can be read by a computer. That reading would then signal whether or not you receive additional information. I think that is deceptive. I think it is unnecessary, and I think Campbell's has the right approach.

The QR codes would literally have consumers who want to know—and 92 percent do want to know—about the GMOs in their food either use their cell phones on the products they are about to buy in the grocery store or turn to some reader in the grocery store that will give them a page or two of information about the contents. I really believe that is an attempt to obfuscate the situation. I think most consumers will rightly assume that if there is not a clear declaration on the product which shows that it is non-GMO, that it contains GMOs.

I think the food industry is taking an approach which can't be defended with a straight face. Can you really expect a busy consumer—a mother with children in her shopping cart to pull out her cell phone and stop at every can of soup to try to get a reading and then read her cell phone to see if there is a page or two of information about that product? That isn't fair to consumers, and that is why major consumer organizations oppose this bill. It is one of the major reasons I oppose the bill as well.

If there were a declaration, such as a symbol, or straight acknowledgement of wording as to whether the product contains GMOs or is non-GMO, which every seasoned consumer would come to understand, I think that is an honest approach. I don't think it is reasonable or honest to expect a consumer to have to scan a QR code and then have to read their cell phone to determine what is in the product.

Let me conclude by saying I salute those who have taken up this battle. Many have taken this up for many different reasons. It has been a vexing and contentious issue for a long period of time. I do not support State labeling. We have to avoid that. I do support honest disclosures on food products so American consumers who rightly believe they have a right to know have a way of finding that information in a way that is reasonable.

I also want to add that it is my understanding that there is a 2-year delay in terms of imposing this requirement. I don't know why 2 years would be necessary. It would seem to me that if Campbell's can move on this more quickly, the rest of the food industry should be able to do so as well.

I thank the Senator from Oregon, who has been working hard on this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, it is my understanding that either directly or indirectly, the Senator from Oregon

controls the time, but he has agreed to yield up to 10 minutes to me to make some comments. I wish to confirm that.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I do not control the time. I was prepared to speak, but when my colleague requested to go first, I asked if he might keep his comments to a reasonable period.

Mr. TOOMEY. Mr. President, I had the nature of the courtesy slightly wrong, but nevertheless the principle remains, and I appreciate the cooperation of my colleague. I will keep my comments to 10 minutes, especially if the Presiding Officer is kind enough to inform me when the 10 minutes has expired.

#### OPIOD EPIDEMIC

Mr. President, I wish to speak about an epidemic that every one of us knows is raging across every one of our States and is absolutely the case in the Commonwealth of Pennsylvania, and that is the heroin and opioid epidemic. This is excruciating to so many families. I think at this point we all know people who have been victims of this epidemic. I certainly do. We have to do all we can about this issue.

I have the privilege of being the chairman of a health subcommittee on the Finance Committee. In that capacity, I have tried to learn what I can about this epidemic. I have traveled all across Pennsylvania hosting roundtable discussions, field hearings, and getting as much input as I can. What I have learned is that there are at least three things that we could be doing here in Congress to at least help address this terrible epidemic of opioid and prescription drug abuse. None of them is a silver bullet that will end this epidemic, but it can help, and we need to do what we can to help. No. 1, we can reduce the diversion of these powerful prescription narcotics, and there are ways we can do that. No. 2, we can deal with overprescribing because that is a problem. No. 3, we can improve access to and the quality of treatment for people who are already addicted. We have an opportunity to make progress on all three of these really important areas if we will just approve the conference report on the Comprehensive Addiction and Recovery Act. We know it as CARA, the Comprehensive Addiction and Recovery Act, which we will be voting on soon. Let me quickly run through how this bill helps in all three of these areas.

No. 1, I mentioned reducing the diversion of powerful narcotics. The Government Accountability Office estimated that in a single year, 170,000 Medicare beneficiaries were doctor shopping. That is to say they were going to multiple doctors getting multiple prescriptions, getting them all filled at multiple pharmacies, and ending up with a commercial-scale quantity of these powerful, addictive nar-

cotics. And 170,000 is a tiny percentage of Medicare beneficiaries, but it is a big number.

When Medicaid and commercial insurers discovered there were people on their plans doctor shopping, they came up with a device to stop it. It is called lock-in. What they do is, when they discover a person is doctor shopping, they require that person to get their prescription from a single doctor and a single pharmacy so they can't continue the abuse.

This tool does not exist in Medicare. I sat down with Senator BROWN, Senator PORTMAN, and Senator KAINE and wrote a bill that would give Medicare the power that Medicaid and private insurers already use that would allow Medicare to lock in a patient to a single prescriber and a single pharmacy when they discover doctor shopping.

This has broad bipartisan support. The President called for this legislation in his budget. The Pew Charitable Trusts, law enforcement officers, doctors, and seniors groups all support this legislation. It will help stop fraud, help coordinate care, reduce costs, but most importantly, it will save lives. It will reduce the diversion of addictive narcotics onto the streets, and that is something we can do.

This bill that Senators BROWN, PORTMAN, KAINE, and I wrote is in CARA. It is in this legislation. It is a good thing.

No. 2, I mentioned reducing overprescribing. The Centers for Disease Control has found that we are, in fact, overprescribing opioids for many medical conditions, and doctors don't always know this when they are seeing a patient. They don't know that maybe there is another doctor who is maybe providing similar or equivalent prescriptions. There is an electronic database system that would allow physicians to know what a patient has already been prescribed so they wouldn't create an excessive or inappropriate prescription. It is a called prescription drug monitoring program, or PDMP, and it will provide that information, such as the patient's history.

Senator SHAHEEN was the lead on the bill. Senator COLLINS and I joined her on this legislation in order to provide assistance to States to make sure their prescription drug monitoring programs are interoperable across State lines. This is a tool that will help reduce the overprescription and end up making sure we have better care and diminish the incidence of these narcotics getting into the wrong hands.

Finally, I mentioned that we need to improve access to and the quality of treatment. The CARA bill does that in a number of ways. It will establish a demonstration program for evidence-based treatment programs. It will help connect individuals battling addiction with services. It expands access to naloxone, or Narcan, which is a drug that immediately reverses the effects of the overdose and saves lives. CARA will help law enforcement set up heroin



task forces, and it will increase opioid drug disposal sites.

There is a lot here. This is very constructive. The bill has enormous and broad bipartisan support. CARA passed in the Senate 94 to 1. It passed in the House 400 to 5. The conference report we will be considering is substantively the same as the bill that passed the Senate. In fact, it is broader and does more to help deal with this terrible problem. It has the support of all kinds of public health groups. It has Democratic and Republican ideas. It is exactly the kind of thing that we should come together and get done.

I urge my colleagues not to play politics with this one. I know this is the political season and there is a temptation. It has happened with other pieces of legislation. But this is too important. There is broad bipartisan support. It is constructive. It won't end the epidemic, but it will save individual lives and help us make progress for the people we represent.

I hope that very soon we will approve this conference report and get it over to the House so they can approve it and get it to the President's desk. I am sure the President will sign it. That is exactly what we need to do.

With that, I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, I yield 2 hours to the junior Senator from Oregon, Senator JEFF MERKLEY.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Oregon.

Mr. MERKLEY. Mr. President, tonight in this Chamber, we are discussing an issue that is of concern to millions of Americans. It is an issue that goes to the heart of one of the most important concerns to a family, and that is the food that we eat as adults or parents and that we provide to our children. The real heart of the question is, Does a citizen have a right to know what is in the food they are putting into their own mouths or putting on the dinner table for their children?

The simple point that I will argue day and night is that a citizen does have that right. It is the right to have information about an issue related to your family's health and related to the environment. How can you, as a consumer, make responsible choices related to both the health of your family and the health of the environment if you do not have the information at the point you are purchasing a product? That is why we have all kinds of information disclosure rules in America. For example, let's say you are considering buying fish in the supermarket. If the fish is farm-raised, it has to say on the package that it is farm-raised. Why is that rule in place? Well, that rule is in place because people buying the fish often care a lot about whether it is a wild fish or a farm-raised fish. They care in part because it may differ in the quality of the food they are put-

ting in their body and because the way that farmed fish are raised may raise concerns about the environment and they may want to exercise a choice of only buying wild fish. That is why it is on the label.

Why do we put the number of calories on the label? This is an issue citizens care about. Folks often wonder how much that food is going to add to their weight or how much they may need to exercise.

By the way, folks also want to know how much sugar is in a product, how much fat is in a product, how much unsaturated fat, and whether there are peanuts in a product. We answer these questions because consumers care about these issues. It is related to the consumers' health, and that is the key. The consumer has a right to know. Tonight we are addressing a specific issue, which is the right to know whether the ingredients in the food we are eating are genetically modified, has gene splicing occurred to change the makeup of the food we are eating.

Just a little while ago, the Senator from Illinois was sharing a study with this body from the New England Journal of Medicine in which two doctors looked very carefully at this question and they came away with a simple conclusion: It is reasonable, they found, for citizens to be concerned about the impact of consuming GMO ingredients, and therefore it is reasonable for citizens to be able to have this information on the package and they supported labeling.

I know from other studies I have examined, that in areas where glyphosate, a weedkiller, is applied, which is very much tied to glyphosate resistance to genetically modified crops—crops such as sugar beets and soybeans and corn—we have results that show the glyphosate actually ends up in samples of the rainwater because it is dispersed in a spray. We have results that show it ends up in the urine of people who live in these areas, and we know various international bodies have said glyphosate is a probable carcinogen. So if it is showing up in urine, as a parent, you might have concern about a probable carcinogen showing up in that fashion and what impact it might have on your health.

There are those here who say we can't find an established cancer cluster that is directly related so we are comfortable making the decision for the men and women and children of America. We are comfortable denying the right to know. That is why this bill is labeled the DARK Act: Deny Americans the Right to Know.

I am going to go through how it is that this act that is before us tonight—which has been presented as a mandatory labeling bill and is nothing of the such. In fact, it is an effort to guarantee that citizens do not get a label they can use.

So let's talk about these various loopholes in this bill—these Monsanto loopholes. Monsanto loophole No. 1.

One may wonder why I call it a Monsanto loophole. Well, first, Monsanto is the biggest producer of Roundup. That is the commercial name for glyphosate. They sell it across the country, and they sell it along with their seed for GMO soybeans and GMO sugar beets and GMO corn. So they sell the plants to be raised that are tolerant to this weedkiller, glyphosate, and then they sell the glyphosate itself, and that has resulted in a massive increase in the amount of weedkiller applied across America.

That has a variety of impacts that people are concerned about related to the environment. It has an impact because we start to see the emergence of superweeds—which are weeds that because they are exposed so often and there are random mutations, they start to become resistant to glyphosate so you have to apply more of it than you did before—or, as pointed out in this article my colleague from Illinois was reading from a little while ago, you have to start applying a different weedkiller because of the emerging superweeds resistant to the weedkiller Roundup.

Also, we have the evolution of superbugs. Now, what is a superbug? The corn has been modified so then not only is it resistant to glyphosate or the weedkiller, but it also produces a pesticide inside the cells called Bt corn. I think many citizens would want to know more about that. They would be a little bit concerned that there is a genetic code inside every cell of the corn plant that is designed to generate a pesticide within the cell of the corn. And then if they looked into it a little further, they would find out the insect this is attempting to kill is also starting to evolve to be resistant to this pesticide. So not only are they concerned about does this pesticide get generated inside the corn kernel, since the DNA grower of this pesticide is now inside every cell, but what about the evolution of superbugs—bugs which now, because they are resistant to the pesticide inside the corn, are in a cornfield and the farmer has to start to apply other pesticides to the corn as well.

What happens when this pesticide runs off the cornfield? What happens when the weedkiller, glyphosate—Roundup—runs off the cornfield or the sugar beet field? This runoff puts a lot of weedkiller into our creeks and into our streams and into our rivers, and that has an impact on the biology of the streams. So a key concern is the issue of the impact of this type of farming surrounding these particular genetic modifications and its impact on our environment.

In addition, we have another impact where it is heavily applied. It has killed the milkweed, and the milkweed has been the primary food for monarch butterflies so we see a huge crash in the Midwest population of the monarch butterfly. Well, that is reasonable for people to be concerned about.

Just this weekend, I was talking to some friends and we were all relating that when we were kids, we saw monarch butterflies all the time, and this is in Oregon. Now, the population hasn't crashed equally everywhere, but it certainly has diminished greatly, even in my State of Oregon. We were noting that our kids are not even sure what a monarch butterfly looks like. That is how much of the population has decreased.

In a very short period of time, we have had a profound impact on the environment. That is a reasonable concern for individuals.

Here we have a bill that says we are going to label products as GMO in order to address the citizens' concern, except the bill doesn't actually do that, and it has some serious loopholes that serve Monsanto and its various crops very well. So let's look at the first Monsanto loophole; that is, that the definition exempts most of the Monsanto GMO crop. Let's address that a little bit.

What does the bill actually say? Well, it starts with a definition of bioengineering that is not used anywhere else in the world. I will just read it: "The term 'bioengineering,' and any similar term, as determined by the Secretary with respect to a food, refers to food: that contains genetic material"—those key words, "contains genetic material"—"that has been modified through in vitro recombinant techniques."

And I will go to the second loophole in a moment. So it says "that contains genetic material."

Isn't that clever because, you see, here is the way it works. When you take genetically modified corn and you make high-fructose corn syrup, the genetic material is stripped out. So what this definition does is it says that GMO high-fructose corn syrup used in products throughout America is magically no longer considered GMO in the definition in this bill. Furthermore, the same thing with sugar beets. GMO sugar beets produce GMO sugar, except that under this definition, once again, the genetic material is stripped out so the sugar is magically not a GMO ingredient. How about soybeans? The same issue. Soybean oil does not contain genetic material. So this definition, used nowhere else in the world, was written specifically targeted to exempt the three big Monsanto GMO crops and the things that are made from them.

We have looked across the country and many people—many scientists, many groups—have pointed out this shortcoming. The Food and Drug Administration gave technical advice and made it very clear that this definition fails the test of covering these products—high-fructose corn syrup and soybean oil—but here is what another person from outside government said: "This definition leaves out a large number of foods derived from GMOs such as corn and soybean oil, sugar beet sugar, and HFCS"—high-fructose corn syrup. "That is because, although

these products are derived from or are GMOs, the level of DNA in the products is very low and it is generally not sufficient to be detected in DNA based assays."

So here is what happens then. If we were to look at definitions around the world—everywhere in the world—corn oil from GMO corn would be a GMO ingredient. That would be true whether you are talking about the two dozen-plus countries in the European Union or you go south to Brazil or you go around the world to China, but under this definition in the USA, magically, this GMO corn oil is no longer a GMO ingredient.

Soybean oil is covered if it comes from GMO soybeans in the European countries—in Brazil, in China, all around world—but not in the United States.

Sugar from sugar beets, GMO sugar beets. It is a GMO ingredient in every undertaking around the world to provide labels, except in the United States of America under this bill.

So this is a massive GMO loophole. That is not the only Monsanto loophole in this bill. Let's go to the second one. The second one is there is no requirement for a GMO label. You say: Wait, wait, wait. We have heard from the proponents that this is a GMO labeling bill—a mandatory GMO labeling bill. Let me say it again. There is no requirement in this bill to put a GMO label on your product. This is the no label required, no GMO label required bill. So it is a little bit of false advertising or actually a lot of false advertising to call this a mandatory GMO labeling bill.

What the bill says is, there are a couple of options that exist today that people can use voluntarily. Let me show my colleagues an example of that. This is a Mars product. It is the omnipresent Mars peanut M&Ms, one of my particular favorites. Mars has said we want to make sure our consumers know what is in the product so they list all of the traditional things—the serving size and the calories and the total fat, cholesterol, the protein, and the sodium. But our consumers also want to know if there are GMO ingredients so they answer the question: "Partially produced with genetic engineering." It is a GMO product. Now, we don't know from this label which ingredient is the one they are referring to, but to the consumer, that tells them the first important thing they want to know, and the consumer can look into the details elsewhere if they want to explore it more thoroughly.

That is integrity. That is honesty. That is responsiveness to consumer concerns. Why do I say responsiveness to consumer concerns? Here is why: Because across the country there have been surveys of whether individuals want to have a simple label on their product. The answer is, rounding off slightly, 9 out of 10 Americans want a simple label on the product.

Here is something else that is kind of intriguing. This number is essentially the same whether you are a Republican

or a Democrat or an Independent. Think: Here we are in a campaign year—a campaign year where the differences between Americans are highlighted with great emotion, great passion, and great determination that one side is right and the other side is wrong. But here we have an issue where Democrats and Republicans and Independents all agree they want a simple label on the package. It is kind of exciting. It is kind of exciting to have something that Americans completely agree on. Wouldn't it be wonderful to have Congress say: Finally, we found something we can all agree on, and we are going to honor the desire of our citizens of every political stripe to have a simple consumer label on the package.

Well, I would love to state that this Senate, these 100 Members of the Senate, actually are honoring the perspective of their Republican, Democratic, and Independent citizens and that they are determined to make sure that any bill written honors this desire for a simple on-label indication of whether there are GMO ingredients. I would love to tell you that is the case. Wouldn't that be complimentary of this Chamber of 100 Members, this Chamber that I have been so honored to serve in and affectionate toward since I was an intern here 40 years ago?

But something destructive has happened in America. This Chamber seems to no longer care about the opinions of consumers and Americans. They seem to care about one thing: Is there a powerful special interest that I need to toe the line for, that I need to be obedient to, that I need to make sure will help me when the next election comes up?

So we have that powerful special interest that doesn't want American citizens to know what is in the food products, and that is Monsanto and friends—powerful special interests versus 90 percent of American citizens. Powerful special interests, 90 percent of American citizens, and this Chamber tonight is prepared to vote for that powerful special interest instead of the American people.

That is not the way it is supposed to be in our country. In fact, the first three words of our Constitution sum it up: "We the people." The whole idea was that, contrary to Europe where there was this powerful, elite class and monarchies and Kings and Queens who made decisions for the people, here we were going to have a system of government that was responsive to the people. Well, if we are going to be responsive to the people tonight, we will vote down this Monsanto DARK Act, the Deny Americans the Right to Know Act. Unfortunately, I am sorry to say—I am sorry to feed the cynicism across the country—that tonight, instead, you are going to see a majority vote with Monsanto and against the people. Our Founders wrote those three words, "We the people," in supersized font. They put them in really big font so you can

read that part of the Constitution from across the room. You have to get very close up to read the rest. They put those three words in supersized font to remind all of us, the citizens, the legislators, the President, years and years later, decades later, centuries later, that is what our Constitution is all about.

Jefferson summed this up. He said: We can only claim to be a republic to the extent that the decisions we make as a government reflect the will of the people. He said that will happen only if the people, each member of the citizenry, have an equal voice. What he was basically conveying in a powerful way is that in order to have a “we the people” government, you can run a test. This Jefferson test—he referred to it as the “mother principle” of our republic—was that we were only a republic if our decisions reflected the will of the people, and that would only happen if people, each member of the citizenry, have an equal voice.

But today citizens no longer have an equal voice because of a couple of court decisions that have created disproportionate voices, giving multimillionaires and billionaires a very powerful, loud voice and giving ordinary people a very tiny, quiet voice.

The first of these decisions was *Buckley v. Valeo*, 40 years ago. The second was *Citizens United*. These two decisions turn our Constitution on its head. They change it from “We the people,” and they take the word “people,” and they pluck it out of our Constitution, and they change it to the word “powerful”—“We the powerful.” That is what those two corporate decisions do because they allow the very wealthy and they allow powerful corporations to spend unlimited sums in campaigns in America, and that spending corrupts this body so that when this body is making a choice between that powerful special interests and the people, it chooses the powerful special interests. That vote—that type of vote—is being held tonight. You are going to see Members of this body voting with that powerful special interest rather than the people.

So let’s return to this Monsanto loophole No. 2. Essentially, if this bill were a true labeling bill it would do this: This is a poster of a Campbell’s label. Now Campbell’s, like Mars, values its integrity with its customers, so it put a simple label on its soup that states “Partially produced with genetic engineering.” Then it says “For more information about G.M.O. ingredients, visit [our Web site].” And it lists the Web site. Well, that is pretty cool. They are going the extra step. They are not only saying, yes, there are GMO ingredients, but we will give you all the details on our Web site. The customer at the store, at the point of sale, immediately has an answer to the question, and they know where to go for immediate information.

Mars, Campbell’s, and so many other big companies—those that value hon-

esty and integrity with their customers—are answering the questions of customers even though at this point it is not required by law.

Let’s go back again to that Mars label on Peanut M&Ms: “Partially produced with genetic engineering.” Campbell’s says “Partially produced with genetic engineering.” They chose the same phrase even though there is no law that lays it out.

Why can’t we have a bill that says that if there are GMO ingredients you will put below your ingredients list “Partially produced with genetic engineering.” Why can’t we have that? That would be an honest labeling bill.

This is being done voluntarily right now. Under this bill that is coming up, it can still be done voluntarily. But the proponents of this bill aren’t saying it is a voluntary labeling bill; they are saying this is a mandatory labeling bill. This is simply not true. This is a voluntary option.

Another option is to put a symbol on the package—a symbol to be chosen by the U.S. Department of Agriculture. That would be a reasonable way to go. What if we said you either need to put in this phrase and maybe a Web site to go to for more information or you can put in a symbol? Brazil uses a symbol. They use a T in a triangle. Why do they use a T? Because T means transgenic, which means one gene has been plucked out and inserted into another. It is another way of saying bioengineering. We can use Brazil’s approach—a T with a triangle. It is easy to see at the bottom. We can take a B for bioengineering and put it in a circle or we can proceed to put the letters GMO in a rectangle. It doesn’t really matter what the symbol is, as long as it has some connection, and an ordinary consumer knows the answer to the question if a symbol is there that means it is partially produced with genetic engineering.

So a requirement for a phrase or a symbol—that would be a labeling bill. But they are voluntary now, and they are voluntary in this bill.

What is required if you don’t voluntarily put this phrase or voluntarily put a symbol? Here is what is required.

All right. I wonder if anyone in this Chamber can look at this computer code, this box, and tell me if there are GMO ingredients in this product. Well, humans are not very good at reading computer boxes, so I think I can safely say that no one here can look at this box and tell me if there are GMO ingredients. It says to “scan here for more food information.” What type of information would that be? There is no connection to GMOs. It is just any old food information. It could be information about the entire product line of this company. What food do they produce? It could be information about the details of what type of tomato puree it has or about what type of wheat flour or how much there is in it. Or maybe it is a repetition of the other list of how much sugar is there or how much glu-

cose or how much salt or how many calories or so on and so forth—everything that might go into the ingredients. No one can look at this code and know that has anything to do with saying that this is a GMO product. And that is the idea.

So I proposed an amendment. The amendment simply says that instead of saying “Scan here for more food information,” it says “Scan here for more GMO food information” or, alternatively, it could be “Scan here for more information on GMO ingredients of this product.” But see, that would actually be a label. That would be a GMO label. That would actually be honestly labeling the product, and Monsanto is determined that the products not be labeled.

So perhaps we are wondering, what do we do with this code? Just scan it. Well, most Americans have never scanned something with a smartphone. You can get an app and you can put it on your phone and you can take a picture of this, and it can take you to a Web site. That is what they are talking about. OK. That is an obstacle course. It is an obstacle course because you have to have your phone with you. You have to have wireless service in the grocery store. You would have to have a digital plan on your phone. Most importantly, you would have to be willing to take the enormous amount of time that it takes.

If what is on the package is “Partially produced with genetic engineering,” I flip it over, and I see it in one second. I know the answer. I can compare five products in 5 seconds. That is functional for a consumer shopping in a grocery store. Maybe you have 20 things on your list. You spend 5 seconds reviewing products on GMO ingredients. That is 100 seconds.

Here you would probably have to spend one-half an hour to go to five different Web sites and scroll through all the information to try to find the answer—that is, if you had a smartphone and you had an app for reading this and you wanted to spend your digital time doing that. No shopper—no shopper—is going to make use of this in ordinary shopping in a grocery store to make decisions. That is the whole idea. Set up an obstacle course to ensure that shoppers never find out that there are GMO ingredients, not in any fashion that helps them at the point of sale.

Some say, of course, that people don’t have to have a smartphone. We will ask stores to set up a scanner. Well, I found this interesting because when there wasn’t a price on a product that I was shopping for one Christmas, I asked somebody who worked in the store—I said: Hey, what is the price of this product?

And they said: Oh, well, there is a scanner here in the store somewhere, and you can scan the code on this, and you can find out about the price.

They weren’t sure where the scanner was, and they went and checked and found out where the scanner was. They

helped me find the scanner, and the scanner didn't work. They said: We think there is another scanner in the store somewhere. And they checked that out, and it was on the far side of the store—all of which shows you the ridiculousness of this whole scanning option, this whole obstacle course being set up.

What really bothers me the most is that the Members here are presenting this as a mandatory GMO labeling bill when they know darn well it doesn't require a GMO label. That really bothers me. It is deception of the public.

(Mr. ROBERTS assumed the Chair.)

That is not the only problem with this bill. Monsanto was very thorough in the number of loopholes they included. Here is of the third one. The bill prohibits basic enforcement of its own provisions. I know you are thinking it cannot be true that, unlike every other labeling requirement we have which has penalties if you don't participate in it according to the rules, this law has no penalties. Well, I am sorry to say that is the case. There are no penalties in this bill. Isn't that amazing? Even if you ignore this bill completely, the U.S. Department of Agriculture doesn't have the power to tell you not to sell your food in the grocery stores. It doesn't have the power to tell you to recall your products from the grocery stores. It doesn't have the power to levy a fine on you, no. Here is the only thing that comes close to being a penalty in this bill. It says the U.S. Department of Agriculture can audit to determine whether you are complying, and they can release the results of that audit to the public.

So if you choose to not proceed in any way to adhere to this law, you get an audit, and the Department, after a long period of time, says: Well, OK, we are telling the public we audited you and you are not compliant with the law. And you say: Oh, my goodness. That really worries me.

Of course, it wouldn't worry you at all. No civil fine, no impact on the distribution of your products, no recall of your product, no teeth. This is like the old man whose teeth have all fallen out, and all they can do is gum the food. That is what this law is like. They can just kind of gum a little bit, which doesn't worry anyone.

It is kind of amazing the three levels of complete protection Monsanto incorporated into this bill—the three levels of completely betraying the American public, those 9 out of 10 Americans who want a very simple, a very simple label on their food products. Let me put it another way on this enforcement provision. This bill would create the first and only food label without a fine for violators—the first and only food label without a fine for violators.

We have had other food label requirements. I mentioned one that if you have farmed fish, you have to put a label on it that it has been farmed rather than wild caught, and you sell it in a grocery store.

We can look at another that is called COOL, C-O-O-L, country-of-origin la-

beling. COOL is something that has disappeared from the American lawbooks. It has disappeared because of a trade agreement called WTO, the World Trade Organization, something the United States signed up to. In this World Trade Organization, someone can complain that your requirements for disclosure inhibit the entry of their products into the market. So various countries complained that labeling meat, chicken, or pork and beef, specifically—labeling them would unfairly prejudice people against buying their out-of-country beef or their out-of-country pork. I will tell you something. I want to live in a country where an American citizen who wants to support American ranchers can make that decision when they buy their beef, when they buy their steak, when they buy their pork chops. That should be the right of every consumer to choose to buy a product grown in America by red, white, and blue American ranchers.

But we signed a trade agreement that gave away our sovereignty on this issue to an international tribunal, an international tribunal that has no stake in the future of America. It has no stake in our vision, our "we the people" Republic. We gave away our sovereignty and that court said: No, that discriminates. They didn't see it as the consumer right to choose, as simply information that would be provided, no. They said that discriminates and therefore we are striking down the American law.

Our law, our COOL law—it wasn't struck down by a vote on the floor of the Senate, it wasn't struck down by some amendment slipped into a last-minute bill over in the House, it wasn't struck down because a coalition of American ranchers wanted to strike it down, it was struck down by a court that had no foundation in America, but we were controlled by it because we gave away our sovereignty.

By the way, that is something we should be very concerned about when thinking about the Trans-Pacific Partnership because that can have an impact as well on the flow of goods, and I might just take a while to address that, but right now what I wanted to convey is before the WTO court struck down our country-of-origin labeling law, there were teeth in that law, teeth that we put in the law, teeth that were put into the law on the floor of the Senate and on the floor of the House. It provided a fine if you didn't comply. You had to label where the meat was grown. That was great because it meant that people followed the law. But in this case do we have the same fine structure that was in country-of-origin labeling or that affects other provisions like, for example, labeling fish as wild? No, we don't.

We even require labeling as to whether juice is fresh squeezed or reconstituted. Why is that? Because the consumer wants to know, and it is their right to know. In fact, this belief that the consumer right to know about the food they put in their mouth is so pow-

erful—so powerful—that the advocates for this bill put forward the idea that this actually provides that information, that it actually labels it when it doesn't, when it doesn't say it is a GMO product, but it is a kind of testimony as to how powerful that consumer concern is. So there we are with these three fundamental loopholes in this bill that serve Monsanto very well.

You can see now why this is simply a repackaged version of the earlier DARK Act, the Deny Americans the Right to Know Act. That is why some have called this the DARK Act 2.0, because it is simply a rehashing of what we saw previously.

This is representational. It is a quote from a letter to Senators from a group of 76 pro-organic organizations and farmer groups. They are writing specifically about this act we have before us tonight, the DARK Act 2.0, that we will be voting on tonight—this act that tonight we will be voting on that takes away the power of States to put the type of label on the package that consumers want across this entire country.

This is what they said: "We oppose the bill because it is actually a non-labeling bill under the guise of a mandatory labeling bill."

Well, who are these organizations? Let's just give them their opportunity to be recognized.

The Center for Food Safety, Food & Water Watch, the Abundance Cooperative Market, the Beyond Pesticides, the BioSafety Alliance, the Cedar Circle Farm & Education Center, the Central Park West CSA, Citizens for GMO Labeling, Crop CSA, Crush Wine & Spirits, Dr. Bronner's, the East New York Farms, the Empire State Consumer Project, the Family Farm Defenders, Farm Aid, Food Democracy Now, Foundation Earth, Friends of the Earth, Genesis Farm, the GMO Action Alliance, GMO Free NY, GMO Free USA, GMO Inside, Good Earth Natural Foods, iEatGreen, the Institute for Responsible Technology, the International Center for Technology Assessment, Katchkie Farm, the Institute for Responsible Technology, the International Center for Technology Assessment, the Institute for Responsible Technology, the Keep the Soil in Organic Coalition, Diesel Lane Farm, Kezialain Farm, the LIC Brewery, Maine Organic Farmers and Gardeners Association, the Midwest Organic & Sustainable Education Service, Miskell's Premium Organics, Moms Across America, the National Family Farm Coalition, the National Organic Coalition, Nature's Path, the Nine Mile Market, the Non-GMO Project.

I am reading all these names to convey how, within just a few days, just a short period of time in which this bill has been brought to this floor in a fashion that completely bypassed committee process in the U.S. Senate, how many have responded. I am only part-way through this list so we will give

respect and voice to all of these organizations: Nutiva, the Northeast Organic Dairy Producers Alliance, the Northeast Organic Farming Association, the Northeast Organic Farming Association of New York, the Northeast Organic Farming Association of New Hampshire, the Northeast Organic Farming Association of Vermont, NYC H2O, Oregon Right to Know, the Organic Consumers Association, the Organic Farmers' Agency for Relationship Marketing, the Organic Seed Growers and Trade Association, Our Family Farms, PCC Natural Markets, the Pesticide Action Network North America, Presence Marketing, Regeneration Vermont, the Riverside-Salem United Church of Christ/Disciples of Christ, Rodale Institute, the Rural Advancement Foundation International, Rural Vermont, the Sierra Club, Slow Food California, Slow Food Hudson Valley, Slow Food North Shore, Slow Food USA, Soil Not Oil Coalition, Sunnyside CSA, the Cornucopia Institute, the Organic & Non-GMO Report, the U.S. Public Interest Research Group, Vermont Public Interest Research Group, Vermont Right to Know GMOs Coalition, and Wood Prairie Farm.

Now, if this bill had gone to committee, there would have been people coming to testify pro and against this all-new definition put here on the Senate floor with no review. They would have analyzed it. They would have educated Members of the Senate about why this new definition was included in the bill. Senators would have been able to ask questions directly of the sponsors, such as, when did you decide to use a definition that excludes the major products from GMO Monsanto crops in America? When did you decide to do that? They could have asked the question: Why did you decide to do it?

Doesn't this mislead the public—pretending to cover GMO products but slipping in a definition that excludes the big three in America—the GMO soybeans, the GMO corn, and the GMO sugar beets? Isn't that a little misleading? They could have asked that question if there had been a committee hearing on this definition. And, in fact, they could have explored it further and asked: Why not use one of the definitions from the 64 countries around the world that have a mandatory GMO labeling bill that actually covers what most people consider to be GMO products?

In fact, here is an interesting point about the definition included in this bill. This definition speaks about recombinant DNA—genetic modification through recombinant DNA—but there is a new technique called CRISPR that changes the genetic code with a completely different technology. Why isn't that included, or would it be included? That is a reasonable thing to ask. What about other new techniques for modifying genetic code? Someone might have asked: Why not include those future techniques rather than excluding them?

In fact, if this definition had been examined in committee, we could have asked another question about something I referred to earlier, which was a second loophole in the definition. But before we talk about that, remember that we looked at the first part of this, which said that it has to contain genetic material. I have already explained how it is that the major products—the oil, high-fructose corn syrup, sugar from genetically modified plants—don't actually contain genetic materials. That is a big loophole.

If this bill had been in committee, my sincere colleagues exploring this could have asked about this second piece of the definition that says that it only refers to a food as "bioengineered" if the modification could not otherwise be obtained through conventional breeding or found in nature. Well, that is very interesting. Why is that in the bill? Is that designed to allow a genetically modified plant, under this provision, to be considered nongenetically modified because it might possibly have been obtained through conventional breeding or is found in nature? I don't know why this was included because there has never been a hearing on this definition.

So here we are, violating a major premise that Americans believe—Americans who are Republicans, who are Democrats, who are Independents. That major premise is that they have a right to know what is in the food they put into their mouths. And this says: Well, you know what, we are not going to define it as GMO, even if it is genetically modified, if it could possibly be found in nature.

I would love to know exactly what executive came up with this phrase and what product they are trying to protect, but we don't know because no one will tell us. I would be interested in having Senator ROBERTS, who leads the Committee on Agriculture, Nutrition, and Forestry, come and tell us where this phrase came from, who suggested it, and why it was suggested.

I will tell you what it makes me think of. I talked earlier about the fact that with the massive application of glyphosate weedkiller across America—in a moment, I will show you how much of an increase there has been—with that massive application on millions of acres across this country, so many weeds have been exposed that, slowly, genetic mutations in the weeds that make the weeds naturally resistant to glyphosate have, in fact, started to spread because those are the weeds that can reproduce because they are not killed by the glyphosate. So we have this growth in superweeds, essentially through natural selection driven by this massive application of weedkiller. Can one say, therefore, that we now have resistance to glyphosate found in nature? We find it in the weeds. The weeds haven't been genetically modified; they have been modified through the driving force of millions of tons of weedkiller applied

across America. The natural mutations that occur in nature have slowly started to spread as those weeds survive and reproduce. So is this another way of saying that the GMO crops—the Monsanto big three—are not actually GMO because they are resistant to glyphosate and can be found in nature? It sure sounds like that is what is going on here.

There is something interesting here as well. This first loophole, which says "contains genetic material" only provides a free pass for the derivatives of the big three crops. By that, I mean the soybean oil that comes from GMO soybean, the sugar that comes from GMO sugar, and the high-fructose syrup that comes from GMO corn. But this second loophole here could be a way of saying that even the GMO corn itself, if you were to eat it as corn on the cob, wouldn't be GMO because it is resistant to glyphosate and is found in nature. I am not sure if that is what drove this because there was no committee hearing; there was no explanation; there was no investigation; there was no testing of what is here.

I made reference to the fact that the massive application of glyphosate is, in fact, changing what is happening in America and producing superweeds, but I thought it would be useful to show how much that has changed.

This chart shows a couple of things. First, let's look at the increased use of glyphosate—and that is Monsanto's Roundup product. It was introduced around 1994 here, and we are talking about 7.4 million, I believe that was—I want to read the notes to be sure I have it right. It is pounds or tons. I thought it was 7.4 million tons. I may be wrong. I may have to come back and correct that. But you can see that as the distribution of GMO seed for sugar beets and corn and soybeans spread across America, the application of this weedkiller increased enormously, until in 2012 we are up to 158.9 million—and I believe that is tons, but I will have to check. It is a massive amount of weedkiller being sprayed all across America.

This note is from the U.S. Fish and Wildlife Service. They say:

The wide-scale adoption of herbicide-resistant corn and soy crops has drastically changed the agricultural landscape. This resistance enables broad and non-targeted application of herbicides that indiscriminately kills vegetation growing around farm fields and in nearby habitat, including Milkweed.

That is a statement from the U.S. Fish and Wildlife Service dated April 25, 2015.

And we see here this massive increase in the application of weedkiller. That certainly supports what the U.S. Fish and Wildlife Service is saying. When they are referring to the fact that the spray affects nearby habitat, that reflects that this spray drifts in the wind and it affects weeds off the field, and one of the things it affects is milkweed. Milkweed is the foundational support plant, the

foundational food for the monarch butterfly. So we see a massive decrease in the monarch butterfly populations. A high here in 1997. In 1997 there was very little glyphosate being applied, and then there was a massive increase, and by the time we get out here—and we don't have 2013, 2014, 2015, but if we did have it, we would see high bars as well—we see the monarch population crashing. Sometimes we use the word “decimation,” meaning one-tenth of a population, but this is in the more broad use of the term because it is far more than a reduction to one-tenth. It is more reduction than that. It is a smaller fraction from this high in 1997 on down to 2015. So that certainly is the case.

Mr. President, I think this would be a good moment to take a pause and reserve the remainder of my time.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

#### A TALE OF TWO CITIES

Mr. KAINE. Mr. President, I rise briefly to offer a tale of two cities. My comments are in a deep and disturbed reaction to the police shootings of Alton Sterling in Louisiana and Philando Castile in Minnesota. The videos of these shootings—one of an African-American father of five selling CDs outside a convenience store and one of a beloved African-American school cafeteria supervisor stopped for a broken taillight—are shocking. All people of good will have to ask—in the words that President Obama uttered an hour or so ago: “What if this happened to somebody in your family?”

The first city is the world of America's police officers. Our law enforcement officers are heroes. While we are told in the Scriptures that the greatest love is to lay one's life down for a friend, police officers risk their lives every day not just for friends but for people they have never even met.

As a mayor and Governor, I came face to face with the danger of police work and went to too many funerals for local and State law enforcement officials who gave up their lives in service to their fellow citizens. Just in February of this year, Prince William County police officer Ashley Guindin was shot and killed on her first day working her beat after service as a Marine reservist and veteran. Police work is hard and dangerous, and we have to be grateful for those who do it.

But here is one glimmer of hope. For a police officer, the threat of death by gun violence is being dramatically reduced even as our Nation's population grows and even as the number of weapons grows. The death of police officers by gun violence hit its peak in the early 1970s. In 1973, 156 police officers in

this country were shot and killed. In the first decade of the 2000s, that number had been reduced to an average of 57 police officers killed by gunfire every year. In 2014, 49 police officers were killed by gunfire. Last year, the number of police officers killed by gunfire had come down to 42. This year, police deaths by gunfire are at the same level as 2015.

We know that one police death by gunfire is too many, and police die in traffic accidents and by other work-related causes that also need our attention and resolution. But the experience of our Nation in the last 40 years—and this is what should give us hope—is this: We have made our police safer from death by gunshot. We have shown we can tackle a problem and begin to solve it, and that should give us hope that we can bring down the number of police killed by gunfire even more.

The second city is the world of people, especially young African-American males shot by the police. In 2015, according to painstaking research undertaken by the Guardian newspaper, 1,010 people were shot and killed by the police in the United States. Young African-American males were five times more likely to be killed by police than White males of the same age. This data suggests that 102 unarmed African-American males were killed by police in 2015. This number was also five times the rate of unarmed Whites killed by police.

How does this number compare to past years? It is nearly impossible to know. While deaths of law enforcement officers have been carefully tracked for decades, the deaths of individuals killed by the police in this country have only recently been counted. At least since the early 1990s, there have been legal reporting requirements at the Federal level for such deaths, but actual data collection was weak, and it has not been until the last 2 years that there has been an effort driven by journalists and citizens to systematically collect this data. Even now, there are questions about whether current data is actually comprehensive.

How did our Nation bring down the number of police killed by gunfire even as the Nation grew and even as the number of firearms in this country increased? Because we cared about it. Because we kept records and resolved to do better, and police departments trained to reduce risks and society supported those efforts with budgets and emotional commitment.

How will our Nation bring down the number of people—especially African-American males, especially young African-American males, especially unarmed African American males—killed by police? We will decide that we must care about it. Again, in the words that President Obama said an hour or so ago, because we will decide that “this is not just a black issue, it's an American issue.” We must decide that we care about it. We must decide that we will keep rigorous records and resolve

to do better, and provide better police training and support those efforts with our budgets and with our emotional commitment.

If we have brought down the rate of police deaths by gunfire, we can bring down the rate of people killed by the police. But we cannot do it unless we care and unless we act.

I yield the floor.

Mr. President, inquiry: We are not in a quorum call; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. KAINE. Mr. President, I yield the remainder of my time under cloture to the Democratic leader.

With that, 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. NELSON. 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. NELSON. Mr. President, I want to say a word on behalf of Senator MERKLEY. He has a very reasonable compromise on this GMO bill. I wish we would get a chance to vote on it because that is what the Senate is supposed to do—debate and to express our opinions and then vote. A bill that is a compromise, that was put together with great intentions, and yet one that did not go through the regular order, as hard as the negotiations were, and all the good intent—it is just a shame that the Senate is sitting here until—the parliamentary rules allow us to run a certain number of hours, which is going to occur somewhere around 10:30 tonight, to proceed to the voting on this bill.

The only expression of those of us who would like Senator MERKLEY to have a vote is that we got to vote on a motion to table an amendment that is unrelated, and it all has to do with the parliamentary procedure. It is a shame that we can't have the substance of a real debate on a real issue facing the country.

#### ZIKA VIRUS FUNDING

Mr. President, as the Senate is biding its time, I can tell you we are not biding our time in Florida on two subjects, the first of which is that in these closing days of the Senate before we recess for the rest of the summer because of the political conventions—we had another 11 cases of the Zika virus yesterday in Florida. There are now well over 250 cases in Florida, and in Florida there are somewhere around 40 pregnant women who are infected with the Zika virus. You know what that means because you have seen the horrible pictures of the babies. When the Zika virus infects a pregnant female, it attacks the growing fetus and stunts the growth of the brain and the head. We are starting to see that now in about six babies born in the United States with microcephaly, three of

whom died at childbirth. You can imagine the tragedies for those families in which this is occurring.

It could all be done if we would go ahead and develop the vaccine. There is a lot of promising research and development on a vaccine, but that means we need to get money through the National Institutes of Health, NIH, to continue the research. We have a Zika bill for supposedly \$1.1 billion that was passed last week in the House, but it is not a serious bill. It has all of these poison pills in it. It has all of these political messages. It is totally partisan. In fact, one of the things it does to fund the so-called Zika bill from the House is to take money from the Medicaid Program in Puerto Rico—the very place that needs it the most right now because 3.5 million American citizens on that island are now at risk of being infected when that mosquito bites or by sexual transmission.

Another part of the bill doesn't allow birth control through Planned Parenthood. Well, isn't that inimical to the very reason that you want to stop the pregnancy so that you don't have this tragedy? Yet the House bill is eliminating those funds.

This is what I hope, and this is what I did this morning. I wrote to the majority leader, Senator MCCONNELL, and asked him if he would take up the Zika bill that we passed in the Senate. It was bipartisan. It was overwhelmingly supported. It was not the \$1.9 billion the President requested, but it was \$1.1 billion. Take that up, send it out of here to the House so that before Congress adjourns at the end of next week, we would have a chance of having this money be there over the summer to continue the assistance to local governments for mosquito control, to continue the research and development of a vaccine, and to help with the medical counseling that is going on and is necessary not just in Florida, not just in Puerto Rico, but Zika is now in more than 30 States in the Union. I wanted to talk about that one thing, which is, in fact, an emergency.

#### CENTRAL EVERGLADES PLANNING PROJECT

Mr. President, I want to tell you about another emergency, and I want everyone to see these photographs. This blue-green algae is surrounding these docks. You can see how it has collected. The brown that you see mixed in with the blue and green is rotting algae.

This photo shows a wave coming up on shore in Stuart, FL. This is the St. Lucie River. You can see how much algae is in the river. What is algae? Algae is a plant. It is a plant that is in water. Algae grows like this. Instead of being naturally balanced in the water column, it grows like this when it is fed a lot of fertilizer.

Where is that fertilizer coming from? Right now it is coming from the excess nutrient-laden water that is being dumped out of Lake Okeechobee by the Corps of Engineers because the water has gotten too high in Lake Okeechobee,

which is a huge lake. This water pressure is now threatening the integrity of the dike around the entire lake where thousands and thousands of people live. In order to relieve that pressure immediately, the Corps of Engineers has opened the floodgates. It has allowed that nutrient-rich water to flow out to the east into the St. Lucie River, which eventually empties into the Atlantic in Stuart, FL, and to the west of Lake Okeechobee and into the Caloosahatchee River, which goes out into Fort Myers. This is obviously a sick river.

What happens when you get too many nutrients in the water? It causes the algae to grow. In order for the algae to grow—it is a plant—it sucks up the oxygen in the water and nothing can live. The fish can't breathe, and it becomes a dead river. That is a dead river. Not only is it dead, but all of the algae has floated to the surface, and now it has all of that brown rot.

Can you imagine what that smells like? Well, as a Florida boy, to me it smells like rotting algae. If you have any kind of a respiratory situation or if you have allergies, go over there and take a deep breath on that dock and all of a sudden you will be coughing, wheezing, and sneezing. There are a lot of environmental medical health effects as well.

What do we need to do? Well, here again, I have written to the two leaders as to what we should do, and I have written to the President about what we ought to do. Ultimately, you don't solve a problem like this until you get a reversal of over three-quarters of a century of diking and draining, and that is called the Everglades Restoration Plan. It has been going on for 20 years, and it is going to go on for another 20 years, but in the meantime, especially when we have emergencies like this, we need to tinker around with that plan.

First of all, we need to get to the Water Resources Development Act, or WRDA, that we thought was going to come up in July and has the bipartisan support of the leaders on the environmental committee, Senator INHOFE and Senator BOXER. It is ready to go. We need to get it on the floor and pass it.

The WRDA bill has the Corps of Engineers authorized plan to continue the Everglades restoration with what is called the Central Everglades Planning Project, which includes four or five projects over a number of years, so you don't have to dump the water to the east and west out of Lake Okeechobee and create situations like this.

There is something else that we can do. We can hold as much water as possible north of the lake in the Kissimmee River basin during the time of the rains that are going to fill up Lake Okeechobee anyway; don't allow the water to go south into the lake.

There is something else that the Corps of Engineers can do. They can send more water south by raising the level of the canals to the south just as

they did a few months ago during an emergency. This is obviously an emergency, and they need to do that.

There is one more thing that can be done. A couple of years ago, the people of Florida voted to amend the Florida constitution to provide for a dedicated source of funding that is already there—it is real estate taxes—and use that money for the acquisition of endangered lands and lands that are needed to preserve the environment. Thus, there is a ready source of funding for the State of Florida if they would appropriate the money to start purchasing lands south of the lake that would become storage areas in a flow way going south and cleansing areas as the water moves south into the river of grass otherwise known as the Florida Everglades.

There are many things that have to be done all together, but what we could do here right now—before we adjourn next week—is bring up the WRDA bill. It is ready to go. It is bipartisan, and it will also include the projects that will start the process of alleviating this problem so that no river in America would have to experience what the St. Lucie River and the Caloosahatchee on the west side of Florida are experiencing now. Lord knows that I hope we can suddenly have a miracle around here and get this bipartisan legislation up and moving.

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

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

#### SHOOTINGS IN MINNEAPOLIS AND BATON ROUGE

Mr. MERKLEY. Mr. President, it seems as though every time we turn around, we have a situation where some individual in the African-American community is shot while in the custody of police, and many in America, myself included, are mourning the death of Alton Sterling and Philando Castile, the individuals who were shot in Minneapolis and Baton Rouge.

The ubiquity of video cameras today has shown the rest of the country what African-Americans have always known: That with shocking and horrifying regularity, African-American men and boys are the victims of police—the very people who are charged with keeping all of us safe.

I don't know what it is like to be fearful for my life during a traffic stop by law enforcement. Unacceptably, however, that is the everyday reality of Black Americans in our Nation. While I will never know this experience firsthand, I stand with communities of color and demand that those who swear to uphold our laws to protect and serve all in America do so equally and that they are held accountable when they don't.

We must also realize that this is not just a police problem; it is an American problem. We need to come to terms with our Nation's long history of racism and the many ways that racism continues to permeate nearly every aspect of our society.

Our country has made enormous progress from the worst days of Jim Crow. We elected an African-American President to two terms, but there is an enormous difference between progress and success, and that difference is measured in Black lives cut short, the resegregation of our schools, health disparities, housing patterns, dropout rates, and incarceration rates.

We will not end the scourge of racism until we understand that racism is not just Bull Connor, firehoses, and dogs. We will never solve the problem if we don't admit we have one.

I was thinking about the situation back in the 1980s when I was working with a friend from across the street. He was actually the brother of the woman who lived across the street. He had come up to DC for a while and was helping me install some windows.

We needed to go to a hardware store but didn't know exactly where the store was, so when we pulled up next to the sheriff's car, I asked my friend to roll down his window and ask the sheriff for directions to the hardware store. He looked over at the sheriff, and he turned back straight ahead. He just looked straight ahead and didn't say a word.

Then I looked over and I saw the two sheriffs, and I saw the gun mounted between them at an upward angle. It was a shotgun or a rifle. But, as I looked to the right past him, I saw the absolute fear on his face. There was absolutely no way he was going to roll down his window and ask the sheriff—the sheriff in the car next to ours—for directions. To me it was just a casual interaction among folks getting a little bit of help, which was to him a potential life-threatening situation.

Nobody in our society should live in fear of our public safety officials. Of course, I celebrate that the vast majority of our public safety officials treat everyone equally, but we need for 100 percent of our public safety teams to treat everyone equally. That small fraction that doesn't is responsible for an enormous number of lives cut short, and that is unacceptable, and we have to change that. We have to talk about it, and we have to wrestle with it.

So, once again, it seems like this is the case every week or so. We have another death that seems like it should have been possible to avoid, and sometimes these deaths are very clearly ones of intentional infliction. We have to work hard together to change this.

Mr. President, I thought it would be worthwhile to consider a little bit about the organics provision in the bill we are considering tonight. Now, there are several organics labeling provisions, and the sponsors of the bill said this is very wonderful stuff. I know

that we only have one organic farmer that I am aware of in the Senate, and that individual is the Senator from Montana, JON TESTER. I have heard him speak to this issue. I know that he feels that the bill does not do for organics anything that the organic community doesn't already have. That is my understanding of his perspective.

So it is important to call attention to the fact that many organic organizations across the country, despite the language that has been placed in this bill, are strongly opposed to it. They believe that if you are going to put out a bill that is a mandatory GMO labeling bill, it has to actually have mandatory GMO labeling in it. So let me read this from Andrew Kimbrell, executive director of the Center for Food Safety. Andrew says:

Organic organizations, farmers and companies rightly fear that this bill could change important regulations governing the federal organic program including those prohibiting the use of genetic engineering in organic. They also refuse to be part of a sham labeling bill that blatantly discriminates against low-income, rural, elderly and a disproportionately high number of minority Americans.

Then let me read this as well:

Organic organizations, farmer groups and companies around the nation representing millions of organic consumers and thousands of organic farmers have voiced their opposition to the discriminatory and deeply-flawed GMO labeling bill being offered. Thirty-six major organic groups have signed on to a letter sent by a national coalition of consumer, food safety, farm, environmental, and religious groups to all members of the Senate earlier this week. The groups condemn the so-called compromise bill which could be devastating to the organic standard.

Organic groups that have signed on to this letter include the following: Beyond Pesticides, Consumers Union, Center for Food Safety, Dr. Bronner's, Equal Exchange, Farm Aid, Food and Water Watch, Genesis Farm, Good Earth Natural Foods, Katchkie Farm, Keep the Soil in Organic Coalition, Kezialain Farm, Maine Organic Farmers and Gardeners Association, Midwest Organic & Sustainable Education Service, Miskell's Premium Organics, the National Grocers Coop, the National Organic Coalition, Nature's Path, the Northeast Organic Dairy Producers Alliance, the Northeast Organic Farming Association, the Northeast Organic Farming Association of New York, the Northeast Organic Farming Association of Vermont, Nutiva, Ohio Ecological Food and Farm Association, Organically Grown Company, Organic Consumers Association, Organic Seed Alliance, Organic Farmers Agency for Relationship Marketing, Organic Seed Growers and Trade Association, Our Family Farms, PCC Family Farms, PCC Natural Markets, Rural Advancement Foundation International, the Organic & Non-GMO Report, Sunnyside CSA, and Wood Prairie Family Farm.

So these are organic organizations, farmer groups, and companies from

around the Nation that are representing millions of organic consumers and thousands of organic farmers who are voicing their opposition to the bill that we are considering in this Chamber tonight.

So I thought that was worth noting.

It is very important because one of the items that the proponents of this bill have said is that they have put some wonderful stuff in there for organic farmers. If there is wonderful stuff, why are the organic farmers saying that this bill could change important regulations governing the Federal organic program, including those prohibiting the use of genetic engineering or organic?

That is right. You heard that it is actually possible that this bill would enable those growing GMO crops to label their crops organic—how completely absurd. What hall of mirrors have we entered into with the twisted definitions in this bill that GMO crops could be labeled organic because of this bill?

Now, let me turn to why we are here on the floor waiting for these 30 hours to run out. We attempted to strike a deal earlier today simply to have amendments voted on. In fact, get this: We agreed to vote on every single Republican amendment—every single one. We asked for the ability to vote on some Democratic amendments as well.

Now, that is what the Senate used to do. This body was known as a deliberative body because people were actually here arguing with each other, debating with each other, offering amendments, debating the amendments, voting on the amendments, voting on the bills—almost always by simple majority. That is why this was a deliberative body. The Members brought the power of their life experiences into this room. They brought their intellect, their knowledge, their reading, and their wisdom into this room. They brought the stories of their constituents, the experiences from the front line in America into this room. They debated, and they argued, and they voted.

That Senate is the opposite of what we are experiencing here at this moment—a Senate where the majority leader refuses to allow any amendments on these bills to be debated or to be voted on.

Now, the unanimous consent proposal that I put forward a couple of hours ago said there are three Republican amendments that have been filed. Let's vote on all of them. One of them is from my colleague who is sitting in the chair, and that amendment puts a prohibition on Federal labeling. Now, I tell my colleague that if that was up, I would be voting against it, and I would be happy to explain why. He would be happy to explain why it is a good amendment, and that is called a debate. That is called a discussion. The vote is a decision in which we are all bringing our best insights to bear. But, unfortunately, we are not debating the amendment of my colleague on a prohibition on Federal labeling because the



majority leader refused to allow him to bring it up. He rejected the unanimous consent request that would allow the amendment of my colleague who is sitting in the chair to be considered.

We agreed that the amendment of my colleague from Kentucky, Senator PAUL, could be considered. His amendment seeks to clarify and make sure that there are no criminal penalties in this labeling law. Well, I would be happy to vote for that amendment, because there are no criminal penalties and there shouldn't be any, and if we want to put an exclamation point behind that through this particular amendment from my colleague, I would be fine with that. If he were allowed to bring up that amendment, maybe he would show some other aspects of it on the floor—some other ways that reverberate and some other ways that I don't actually recognize when I read his amendment.

But he can't fill us in on the details of what his amendment would do because he is not allowed to bring it up. Even though he is a Republican, he is not allowed to bring it up, even though the Chamber is governed by a Republican majority. His own leader refuses to allow him to have his amendment brought up and debated. In fact, we agreed for another Republican amendment, the Murkowski amendment, on the labeling of genetically engineered salmon to be brought up and debated—an issue we have wrestled with here before. We have probably all heard most of the pros and cons. But perhaps in the formulation of this amendment, there are some new aspects that would have been brought to bear that would have influenced us to support it or to oppose it.

But this Republican amendment can't be brought up because the Republican leader rejected a unanimous consent request that would have allowed all of these amendments to be brought up. In fact, there were only three Republican amendments, and we agreed to hear all of them and, in exchange, we asked for three Democratic amendments.

I see that my colleague Senator BLUMENTHAL has arrived to speak. I think I will come back and explain what those Democratic amendments were a bit from now.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

#### SHOOTINGS IN LOUISIANA AND MINNESOTA

Mr. BLUMENTHAL. Mr. President, I thank my colleague, Senator MERKLEY, for his very powerful arguments for improving this law. I wish to speak about the GMO labeling act. But before I do so, I wish to speak separately about concerns that are on the hearts and minds of every American today after the shootings that we have seen in Louisiana and Minnesota. These are incidents that weigh on our hearts and our minds as we watched—literally watched—the videos that have been played again and again and again on TV around the Nation.

I echo President Obama's eloquently expressed concerns shared by many Americans after the recent tragic shootings in Louisiana and Minnesota. My heart breaks for the families and communities. I agree with President Obama that acknowledging we must do better in no way contradicts our respect for law enforcement.

As a former prosecutor, a U.S. attorney, and attorney general of my State for 20 years, I worked with law enforcement officials closely for more than two decades. I worked with them with great admiration for their courage and professionalism. I understand and appreciate the challenges they face every day, their selflessness in the line of duty, and their commitment to keeping our communities safe, often at great sacrifice to themselves.

Tragedies like the deaths of Philando Castile and Alton Sterling threaten to undermine trust and understanding between law enforcement and the communities they serve. That is why I fought to pass the Death in Custody Reporting Act—bipartisan legislation which requires States to report to the U.S. Department of Justice information regarding individuals who die every year while in police custody or during the course of an arrest. I have also supported funding to help local law enforcement agencies cooperate and collaborate more closely with communities and build trust by purchasing and using body-worn cameras, which have been shown to reduce citizen complaints by as much as 88 percent.

We have much more to do in effectively assuring justice for communities of color. We must have an honest conversation about the role of race in society, not just in the disparities in the criminal justice system but in our economy, our media, and our communities. Words alone are insufficient. We must act. I will continue to work with my colleagues in Washington, across the country, and Connecticut to bring Americans together and make our society more just for all.

As a separate part of the record, if there is no objection, Mr. President, I would like to continue our discussion about the GMO labeling bill. I regret very sincerely the absence of an opportunity to offer these amendments that might improve this bill and enable us to provide the American people with what they need and deserve—the best possible legislative product this body can provide, a legislative product that matches the desires of 90 percent of Americans to know more about what they are eating, the 15,000 Connecticut people who have corresponded with me, and the many individuals, activists, and advocates who tell me they believe they have a right to know what is in their food when it comes to GMOs.

The science is beyond my advocacy, but the consumer protection issue is one all of us are experts on. We all know we need better and more information, and so to make access to that information more difficult and cum-

bersome and even costly for Americans flies in the face of what we regard as free and open and fair markets and free enterprise. It is more than just about the doctrines of deceptive and misleading marketing which the good guys in the world of business certainly want to avoid. It is about providing more information, as much accurate information as possible, because consumers have a right and a need to know. Throwing roadblocks in the way of that right doesn't do justice for them. They deserve better.

So I will continue this fight. We are near an hour now where we will vote. I greatly respect the dedication of my colleagues who have worked hard on this measure. My very distinguished and able friend from Michigan Senator STABENOW is now with us. She and I are in agreement, my guess is, 99 percent of the time, and I respect as well our colleague Senator ROBERTS, chairman of the Agriculture Committee, but the issue here is supremely important to the health and well-being of Americans—not just today, not just children and families at this moment but for years and decades to come. While the science may be debated, the consumer protection issue is beyond doubt. Let's open information to the American consumers, make it more available, not less so; remove the obstacles, not create more hurdles; reduce the costs, not raise the expense; and provide the access that Americans need to full and fair information about GMOs that may be in their food.

Thank you, Mr. President, and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Thank you, Mr. President.

I couldn't agree more with my friend from Connecticut. I think probably 99 percent of the time we are voting the same way. There are good people on both sides of this discussion. There is a lot of emotion, and I think this issue around information and GMO labeling is really a proxy fight in many ways for those who support biotechnology, those who don't, and those who want to debate pesticides and other important issues that don't relate to labeling but have come into this situation.

I think what we need to focus on is the fact that, A, people have a right to know information, how do we make sure it is done effectively, and at the same time we certainly don't want costs to be going up as was indicated. I know if we have 50 different labeling laws in 50 different States, that means the cost of putting those labels on and manufacturing and to grocers and so on, it is going to go up and not down, which is why there was great concern in the House when the bill was passed there a year ago.

So the question for us is, How do we make sure costs don't go up? How do we ensure we have a right to know? And how do we make sure we believe in the science and respect the science?

The FDA has said very clearly, in rejecting petitions to label under human health and safety laws, petition after petition, they have said the science does not show risk to human health.

So looking at the National Academy of Sciences and the FDA and others, both world medical groups as well as those in this country, it is clear this is not a health and safety issue, but it is an information issue, and I believe it needs to be addressed, which is why the FDA, which handles the information and marketing, is the place where this belongs because the FDA does not believe it is in their jurisdiction related to science around food safety.

So we know if we go back a moment—let me just say, before talking about labeling, I believe in supporting all sorts of agriculture. When I chaired the Agriculture Committee and we started working on the 5-year farm bill a number of years ago—it is hard to believe we are halfway through it right now—but I said it was very important that we support all parts of agriculture and not pit one group against the other, which is one of my concerns right now in this whole debate, pitting one side against the other, because we didn't do that in the farm bill. We created great increases in organic research, organic checkoff and marketing as well as traditional production agriculture. We did some very exciting creative things for local food hubs and urban agriculture that had not been done before. We said we were going to support all of agriculture.

I believe, from a consumer standpoint, if we give choices, then consumers will decide. We know also that the fastest growing sector of the food sector is organic, which is non-GMO, by the way, and one of the things we do is strengthen that label and make it clear for the public to know they are purchasing organic and a non-GMO product.

We came out of the farm bill with all parts of agriculture working together and we won a good farm bill. I think probably one of, if not the most, progressive farm bills we have had, supporting all parts of agriculture because we weren't pitting one group against the other, which, unfortunately, that is what this debate has become right now.

When the House almost exactly a year ago passed a bill to preempt States—I know Vermont passed a State law. When the House voted to indicate there shouldn't be 50 different States with 50 different labeling laws and passed a preemption, they included only voluntary labeling, and consumers called that the DARK Act because it wasn't a required mandatory labeling of information and transparency. So the House bill, with the voluntary process, came here and I opposed it. I opposed it at every turn and indicated we had to have a mandatory system of information and of labeling for consumers that should be done in a way that does not stigmatize biotechnology, and it should be done in a

way that does not set up more costs for consumers by 50 different States with different labeling laws adding costs for grocery manufacturers and grocers and so on, which is what would happen if we had 50 different laws.

I went through this at one time back years ago when we were debating fuel economy standards when California passed its own fuel economy standard for automobiles. As other States looked at that, they were trying to push the Federal Government—rightly so—and the industry said: We can't have 50 different standards for fuel economy. So we said: OK. You are right, but that means you have to have a national standard on fuel economy, and that is where we ended up.

So the people of Vermont, first of all, should feel very good that what they have done has created this situation to get us to a national labeling program, but here's what happens if we do nothing right now. We have a couple of choices. One is that Vermont has a GMO label. We have two other States that are waiting to see if States around them pass labeling laws that at some point may come into this, but that is basically who is getting information. We talked about everyone should have information. Right there. Those are the folks who have labeling laws.

There were attempts on the west coast to pass labeling laws, and those were not successful so this is what we have.

Now what we are proposing is that everybody will have information, people in my home State of Michigan, people across the country, everybody will get information and there will have to be a mandatory label. We give three choices on food that contain GMOs, not voluntary but a mandatory labeling system. So what do we do and how is it different than what happened in the House?

Well, first of all, as I have indicated, a national mandatory labeling requirement, and I will talk more about that in a moment.

Secondly, in Vermont and at the State level, meat, eggs, cheese, and dairy are exempt—totally exempt. So someone called it the Vermont meat loophole. So we said: You know what. That is not acceptable. So we added 25,000 more food products under this law that we would be voting on tonight. On this bill, 25,000 more food products will be labeled for people to know whether they are getting GMO ingredients.

Next, the organic label. I have to say the organic trade organization was extremely effective in the efforts in passing the farm bill. They came to me with four different items they were interested in including. It was tough to get all four of those. I didn't think we actually could get them in negotiations. After our tough negotiations, I appreciate that we actually were able to achieve all four requests of the Organic Trade Association.

Even though they would prefer to have one kind of label, like Vermont,

they understand this was a very big step forward for the organic community. It was a step forward to get mandatory requirement and accountability. And I very much respect and appreciate the fact that when they were able to achieve all four items they felt were critical for organic farmers, they indicated they were very supportive of that and what we are doing here.

Then we made sure that State and Federal consumer laws were protected, so that the label is preempted, having a label, but enforcing penalties if there is fraud or misinformation or something else related to the label—those enforcement mechanisms are maintained. So that is where the enforcement comes from.

The only way we are like the House is that we prevent a patchwork of 50 different labeling laws. But everything else we have done builds on and strengthens the public's right to know as it relates to GMO ingredients.

One of the big debates: OK, there are three different options. Vermont has words on the package, and we have some companies now that are doing that. They are going to indicate—regardless of what we do, they want the definition settled and they want a national policy, but based on consumer demand, they are going to proceed to have words on the package. I believe we will see more and more of that happening in the marketplace, companies responding to consumer demand.

The other option we give is a label, an on-pack symbol. We don't specifically say "GMO" in a circle, but something like that.

The third option we give is an electronic label. Some people say QR code, which actually came from the auto industry and stands for quick response code—when they were tracking labels and checking parts and other parts of the system, which actually has worked very well. But the fact is that some kind of electronic label—and technology is changing every day. Apps are changing every day. So there will probably be other options that are talked about other than a QR code.

But the reality is, just as a number of groups right now that care about food and the environment have their own apps that give consumers information, this is the other option. You would be able to take your phone—by the way, according to Nielsen, 82 percent of the public has a smartphone—82 percent, not 10 percent—and we are expecting that to be more like 90 percent very shortly. You are able to scan, and immediately it will come up on the front—immediately, not hidden somewhere, not two or three clicks to get there, but you will immediately get information, yes or no, on whether there are GMOs. In fact, when you see whatever the code is, you are probably going to have a pretty good hint by that as well.

So why do that? Well, some in the food industry would say there is a desire to make sure that when people are

given information about genetically engineered or genetically modified foods, that they actually get information such as “The National Academy of Sciences says this is safe for human consumption.” That is the reason.

I think there is another reason for this, and the reason it has been suggested in other forms is so that people really do get more information about their food. The reality is that the No. 1 question people ask is about food allergies. It is very difficult to find that out right now. Going forward, I think we can create an effective, user-friendly electronic label that will give people “yes” or “no” on not just GMOs but on food allergies.

The next question was about antibiotics in meat. There are multiple questions people have that need to be answered, not just one. There are multiple things people are interested in.

Despite the emotions around this debate, I think probably in the future we are going to see effective uses of our technology to give us more information in a user-friendly way.

The other thing we do is say that the USDA has to review accessibility of broadband, accessibility of the technology before this starts, that they have to do that right away. They are required to and are given the authority to be able to put additional scanners in stores, so that if somebody doesn't have a phone, they can take the can, put it up to the scanner, and it will give them information about food allergies or GMOs or whatever. The first thing that comes up has to be GMOs.

The USDA is required to look at accessibility because there are legitimate issues around accessibility that need to be addressed, and that is one of the things they are given the authority to address, and we need to make sure that continues to be addressed.

But the final thing I will say about this is that companies, consumers, stores, grocery stores will drive this. Once we say this is it—we have companies right now saying: Great. Three options. We are doing this one because that is what our customers want.

We have stores, great stores like Whole Foods, that say: You know what, you can have three options, but we are only going to allow an on-pack symbol or words in our store.

That is going to drive the marketplace. The marketplace is going to be driven by those who are involved—by consumers, by the companies, by others who make sure they are giving people the information the way they want it.

Let me say just a couple of other things. I mentioned 25,000 additional food products in the stores. Anything that is a GMO product, package, frozen, that includes some meat in it—we are going to be adding to the information consumers will have access to. I will give an example. Right now, fettuccine Alfredo is labeled in Vermont, but if you put chicken in it, it is not labeled. To go on, if you have

a vegetable soup, it is labeled, but if it is beef vegetable soup, it is not. If there is even beef broth in it, it is not. I don't know how that makes sense, and yet that is the law under Vermont. I think people should be asking for more than what is going on in Vermont. Cheese pizza is labeled in Vermont, but if you put pepperoni on it, it is not, even though it still has GMO ingredients. So 25,000 additional products will be labeled because people have a right to know.

Let me finally indicate again that we have strengthened the “USDA Organic” label. This is no small thing. This is very important. The public needs to know, has the right to know, that USDA Organic also means non-GMO and that that is a choice you have right now, to be able to make sure you are getting the products that have the kinds of ingredients you want.

Again, I appreciate the emotionalism. In all honesty, I have to say this debate has gone in a lot of directions. A lot of things have been said that I certainly don't agree with. I question a lot of the things that have been said in terms of a factual nature. I also think we have gone into a lot of other tangents on things, debating other kinds of things and using the debate about the label as a proxy for a broader debate about biotechnology in the public. I appreciate and I respect that debate. Even though I disagree with things that are said, I respect that; that is why we are here.

I also will say in conclusion that we have a responsibility to govern, and governing means that you have to come together and work together. If we are going to get things done, it has to be bipartisan, or it doesn't get done. That is just a fact.

So if we are going to do something that is meaningful, that makes sure all of the country has the opportunity to have information and a national standard and the maximum amount of products labeled and that will protect the organic label in all of the country—by the way, the organic protections we have are not in the Vermont law. So if we are going to make sure all the provisions I talked about are not just available in some places but everywhere, that means we have to come together and work together. That means rough-and-tumble negotiations, tough negotiations. These are some of the toughest negotiations I have ever been in, and we have to be willing to have some give-and-take.

In the climate we are in today, I know it is a lot easier to go to your corner and point fingers at the other side and to develop conspiracy theories and to create situations and say things that, frankly, are extremely disparaging about people's motives and so on, and that is unfortunate. But we also know that we are people of good will; that is why we get things done. We may disagree on this one particular issue, but we are a group who gets things done when we work together,

when we respect all opinions, when we fight as hard as we can to get as much as we can for what we believe in and then stand together to be able to move forward.

Debating is great. It is not enough. People expect us to actually get things done. And contrary to what was done in the House, we have a mandatory national labeling system with 25,000 additional products than what is currently being labeled in Vermont or proposed in other States. We strengthen the organic label. We protect consumer laws to be able to enforce when there is fraud or there are other mislabeling issues. And at the same time, we make sure that citizens across the country, not just in one part of the country, are getting their right to know in a way that provides accurate information.

I thank everyone. I thank my partner, Senator ROBERTS. I appreciate the debate on all sides. I hope we are going to be coming to a conclusion shortly so that we can move on and actually implement and share information for consumers about how to access very important information not only about GMO ingredients and labeling, but I believe there are other important pieces of information for consumers to have as well. I think we should be looking for ways to make sure consumers get all of the kinds of information they are interested in as it relates to their food.

Thanks again for everyone's hard work and patience this evening as we have held everyone later this evening.

I would finally say one thing, if I might, and that is that I have worked in the last 24 hours to do everything I can to help my friends on the other side of this issue be able to get the votes they are interested in as it relates to amendments. Unfortunately, there was not agreement on how to do that. There was an offering two different times on amendments, to have an amendment vote on an important amendment, and folks opposed to the bill did not feel they wanted to do that, that that was enough. I respect that, but we now are at a point where we really need to come to a close and move forward on this important bill.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### DEFENSE APPROPRIATIONS BILL

Mr. MCCONNELL. Mr. President, this evening, both sides will have an opportunity to take the next step and begin debate on the fiscal year 2017 Defense appropriations bill.

President Obama's announcement yesterday about our troops in Afghanistan only underscores the Senate's need to take up and pass the Defense appropriations bill right now. Although I support a high level of force to train and equip the Afghan forces and conduct counterterrorism operations, the President's announcement reminds us of the need for this bill.

The President made a commitment to our allies, and Senate Democrats

must join us in meeting our commitment to the force. The training to prepare forces for deployment to Afghanistan, the weapons they will carry, the spare parts and fuel consumed in training, and operations and the ammunition needed to execute their missions, not to mention their basic pay, is funded through this bill.

Our all-volunteer force does not shrink from this commitment, and this Senate shouldn't fail our duty to provide for them. This funding is for current operations, for combat readiness, and for the commitment announced just yesterday by President Obama.

Last month, the Secretary of Defense made a long-term commitment, stating that "the United States will remain the most powerful military and main underwriter of security in the [Asia Pacific] region for decades to come." He made that commitment knowing our allies and the Chinese were listening to analyze our Nation's intentions and our plans. These promises cannot be upheld if we fail to fund the weapons systems, munitions, training, and personnel required to balance against China's plans to expand its sphere of influence in the region.

We have a near-term and long-term need to pass this bill, and commitments like these made by the administration cannot be met—cannot be met—if our Democratic friends block this critical funding.

I would remind everyone that at a time when we face an array of terror threats around the globe, we cannot afford to put politics above support for our soldiers, sailors, airmen, and marines or our efforts to move the appropriations process forward. So I was troubled by a letter I received earlier today from Democratic leaders implying they might actually block this bipartisan bill and, with it, critical funding to provide for our warriors and provide for our national defense.

They called for regular order, but I will remind my colleagues this bill is the epitome—the epitome—of regular order. The Senate passed the authorizing legislation—the National Defense Authorization Act. The bipartisan bill respects the budget caps in place. And it was reported out of the Committee on Appropriations with the support of every single Democrat and every single Republican on the committee.

As the top Democrat on the Defense Subcommittee himself has said, "This defense bill takes a responsible approach to protecting our country—honoring the bipartisan budget deal in place," and the senior Democrat on the committee said of this bill that she is "happy to support" the bill.

There is no excuse to filibuster this bill. Everybody in the committee supported it. It is consistent with the budget agreement reached last year. So I would urge all my colleagues to support moving forward to debate this important legislation they say they are in favor of.

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, we are as patriotic as the Republicans. We support our military just as much as the Republicans do. We are led by a number of stalwart people, not the least of which is the ranking member on the Committee on Armed Services, JACK REED. JACK REED is a West Point graduate, a man who everyone respects—Democrats and Republicans—and he is a man of integrity. He is going to vote against moving forward on this bill. BARBARA MIKULSKI, the matriarch of the Senate, someone who is respected worldwide for her integrity and the work she has done in the Senate, will vote no.

We need a strong defense, and we acknowledge that, but we also understand that a strong defense is more than the Pentagon. The Pentagon would tell you that. They do not like the OCO funding that is being talked about, whispered about. To have a strong defense means more than the Pentagon, I repeat. It means making sure the Department of Homeland Security is well financed. We want to make sure the Drug Enforcement Administration is strong and well financed. We want to make sure the FBI is an agency that we take good care of. There are a lot of other entities we are concerned about.

The Republican leader, I am stunned, is concerned because we sent him a letter yesterday; four Democratic leaders sent him a letter. We simply said that it is important we not be given a little dance step on this matter. We all know what they are trying to do here. We have a defense bill, it is an appropriations bill, and once that is done, the appropriations process will be wiped out, and we will be at the mercy of the Republicans in some form or fashion. With the defense bill done, everything else will be pushed away someplace else.

I want to read just a few things. Time doesn't run out until 10:22, and I understand that, but I want to read a few things from the letter we wrote to the Republican leader. The letter was sent by me, DURBIN, SCHUMER, and MURRAY. Here is what we said, among other things:

Without strong, public assurance that you are committed to honoring the core tenets of the bipartisan compromise—including fair funding, parity, and a rejection of poison pill riders—through the completion of the full appropriations process, we will no longer be able to support proceeding to new appropriations bills.

For example, the House has passed a Defense Appropriations Bill that uses a budget gimmick to hand out extra taxpayer dollars for the Pentagon, with no equivalent support for domestic security and other initiatives important to the middle class. Similarly, during consideration of the fiscal year 2017 National Defense Authorization Act, Senator McCAIN offered an amendment to authorize an additional \$18 billion in overseas contingency operations—

This is the gimmick—

funding only for the Pentagon, a clear violation of the parity principle. Senators Reed of Rhode Island and Mikulski offered a com-

peting amendment to increase OCO funding by \$18 billion and provide a matching \$18 billion to invest in security at home by providing funding for law enforcement and the Department of Homeland Security, invest in job creating infrastructure and scientific research, and address national emergencies like Zika, opioids, and access to clean drinking water. However, the amendment fell on a largely party-line vote.

The willingness of Republicans to consider the McCain amendment and to reject the Reed-Mikulski amendment, combined with the reported desire of Senate Republicans to offer an OCO amendment to the Defense appropriations bill sends a deeply troubling signal about your willingness to appropriate by the parity principle. Further, this unbalanced approach does not truly keep Americans safe or protect our interests abroad. Without sufficient funding for the vital national security work done by local law enforcement agencies, enforcement of sanctions and cutting off terrorist financing, and counterterrorism, we hinder a coherent national security policy.

And here is the last paragraph of this letter.

We urge you to publicly give your word that all appropriations bills considered in both chambers and sent to the President for his signature will comply with the principle of fair funding, parity, and a rejection of poison pill riders. If you cannot give us such assurance, we will be forced to oppose proceeding to future appropriations bills until you agree to keep your promises and honor our agreement.

This is signed by REED, DURBIN, SCHUMER, and MURRAY.

So Mr. President, we really want to do the appropriations bills. We have had a little trouble, as you know. We have had this situation with the veterans bill. It brings back a Zika bill that has been formulated not here. We passed a very good Zika bill. It wasn't as much money as I wanted—\$1.1 billion in emergency funding. It passed here by 89 votes. What do we get back from the House? What do we get back from the House? They whack Planned Parenthood. They have to do that. That is the only thing they can get out of the House Republicans. They cut \$500 million from veterans, and that money is to be used for processing claims. We really need help with those. There is \$500 million they take from ObamaCare, money from Ebola. And, of course, they have to do something about the EPA. You have to do something there or let's do something with the Clean Water Act.

So that is all in this bill. What we sent to the House you wouldn't recognize in what we have back here. The Zika mosquitoes are still out floating around. And then, to make this bill even more strange—what we got back from the House—they stuck in a provision that said we can fly the Confederate flag in veterans cemeteries. How about that.

So is there any reason we should be suspect about what is going on around here? Of course we are. And unless we hear something publicly from the Republican leader today, just as I indicated, that he publicly give his word that all appropriations bills considered

in both Chambers and sent to the President for his signature will comply with what we have talked about—fair funding, parity, and a rejection of poison pill riders—if we don't get that assurance, we are going to have move to go to a different plane, and it is just unfair to do anything else.

All we need is the one example of what we have just been through—Zika funding—which has all the craziness I just talked about. So if we want to talk about political games, this is a picture-perfect example of what happened on the veterans bill, and we are concerned the same thing would happen on what we are doing right now.

So I am going to recommend to all my Senators that, until we have a public assurance from the Republican leader, we should vote no on this cloture vote.

The PRESIDING OFFICER (Mr. HOEVEN). The majority leader.

Mr. MCCONNELL. Mr. President, one thing my good friend the Democratic leader always used to remind me of when he was the majority leader is the majority leader always gets the last word. So I will take advantage of that tonight.

For anyone who may still be watching C-SPAN 2 at this late hour, let me suggest the Democratic Party ought to be renamed the “dysfunction party.” When they were in the majority they didn't function and when they are in the minority they do not function.

Let's just take a look at the last couple of weeks. A Zika MILCON bill goes through here with every Democrat supporting it, and then all of a sudden they do not like it. A CARA bill goes through here with not a single Democrat opposing it, and then they refuse to sign the conference report. And now what the Democratic leader is saying is that the Republican Senate needs to guarantee what the democratic House will do as a condition for passing a bill through the Senate that every single Democrat on the Committee on Appropriations supported. It came out of committee unanimously.

This is the definition of dysfunction. So, apparently, what we will witness here shortly is our Democratic friends, all of whom on the committee supported the bill, preventing us from taking it up because they want us to get a guarantee from the House as to what the House result will be. That is not the way it works. The way you pass a law is the Senate passes a bill, the House passes a bill, and you negotiate with each other and with the administration.

So the hour is late and the die seems to be cast. It is my understanding that when I yield the floor, we will be going to a vote; is that correct, Mr. President?

The PRESIDING OFFICER. There is 7 minutes remaining postcloture.

Mr. MCCONNELL. It is my understanding, Mr. President, that Senator MERKLEY—

Mr. REID addressed the Chair.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. I don't know how long the Democratic leader wants to go on with this, but let me remind him of what he always reminded me—that I will have the last word.

Mr. REID. I have no doubt that is the case.

The PRESIDING OFFICER. The minority leader.

Mr. REID. I ask unanimous consent that when we finish our remarks, Senator MERKLEY be recognized for up to 2 minutes to make a motion.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The minority leader.

Mr. REID. Mr. President, I do have to say this. To call the Democratic Party the party of disunity—look at what is going on with my Republican colleagues. Look at what is going on. They are the party of Trump. So don't call us dysfunctional.

The example given by my friend the Republican leader that we supported the bill dealing with Zika—we sure did. We had 98 votes. I mentioned that in my remarks. Of course we did, because it was emergency funding. It wasn't as much money as we wanted, but we accepted it because of the work done by Senators MURRAY and BLUNT. But what have we gotten back from the House? It isn't even in the same category of the world. It is something totally different.

So I say to my friend the Republican leader and to all of his colleagues: Please don't try this—that the Democratic Party is the party of disunity—when you are being led by Donald Trump.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I see the ranking member of the Appropriations Committee on the floor. I would recount to everyone that I said to her weeks and weeks ago that we will devote as much time as it takes to try to get back to a regular process and move appropriation bills across the floor. So we have devoted an enormous amount of time to try to get the appropriations process functioning again here in the Senate.

I don't understand why the Democratic leadership refuses to honor what I think are the wishes of the majority of the Democrats on the committee who have been supporting these bills—most of which have come out of committee on an overwhelmingly bipartisan basis and this particular defense bill, unanimously. They don't even want to go to it and let the Senate function.

But I know the hour is late. That is the final observation I intend to make tonight.

I understand Senator MERKLEY is going to make a motion.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, we have had a lively debate over this bill. I have argued today that it is deeply flawed in several key ways. This was emphasized in an editorial in the New York Times this morning. It said:

The biggest problem with the Senate bill is that—instead of requiring a simple label, as the Vermont law does—it would allow food companies to put the information in electronic codes that consumers would have to scan with smartphones or at scanners installed at grocery stores. The only reason to do this would be to make the information less accessible.

Another problem is that the bill might not cover some kinds of genetic engineering. The Food and Drug Administration warned that the bill “would result in a somewhat narrow scope of coverage”—for example, food that includes oil made from genetically engineered soybeans might not need to be labeled.

We have amendments to fix these things. If one really believes in a mandatory GMO labeling bill, these amendments would be allowed to come up and be debated. We offered to agree for every Republican amendment filed to be debated and voted on. We asked, simply, for three amendments on the Democratic side, in balance to all the Republican amendments being considered, and that was objected to by the majority leader.

So let me just close by saying that I will offer a motion to take away the roadblock to amendments put in place, and that is McConnell amendment No. 4936. I will move to table that amendment so that amendments—Republican amendments, Democratic amendments, six amendments, three on each side—can be considered so we can truly debate and fix the problems that are in this bill.

I also want to close by thanking my colleague from Michigan, who has done an incredible effort. She will be so relieved to have this bill completed. We have debated many, many times. Really, there is so much we agree on—a single national standard that will work across this country, a single national GMO standard. She has made the case that we are achieving that. I responded: Not quite, and we need to still fix the bill. That is the type of debate we should have on the floor of the Senate, and it is why we should allow amendments.

AMENDMENT NO. 4936

Mr. President, I move to table McConnell amendment No. 4936, and ask for the yeas and nays, so that we could consider amendments such as those presented by my Republican colleagues and my Democratic colleagues.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator from South Carolina (Mr. GRAHAM), the

Senator from Nevada (Mr. HELLER), the Senator from Utah (Mr. LEE) and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Delaware (Mr. COONS) are necessarily absent.

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

The result was announced—yeas 31, nays 62, as follows:

[Rollcall Vote No. 122 Leg.]

YEAS—31

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

NAYS—62

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

NOT VOTING—7

Boxer	Graham	Vitter
Coats	Heller	
Coons	Lee	

The motion was rejected.

CHANGE OF VOTE

Mr. SCHUMER. Mr. President, on rollcall vote No. 122, I voted nay. It was my intention to vote yea. Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome of the vote.

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

(The foregoing tally has been changed to reflect the above order.)

VOTE ON AMENDMENT NO. 4936

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4936.

The amendment (No. 4936) was rejected.

VOTE ON MOTION TO CONCUR WITH AMENDMENT NO. 4935

The PRESIDING OFFICER. Under the previous order, the question now occurs on agreeing to the motion to concur in the House amendment to S. 764 with amendment No. 4935.

The yeas and nays have been previously ordered.

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 Indiana (Mr. COATS), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Utah (Mr. LEE) and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Delaware (Mr. COONS) are necessarily absent.

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

The result was announced—yeas 63, nays 30, as follows:

[Rollcall Vote No. 123 Leg.]

YEAS—63

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

NAYS—30

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

NOT VOTING—7

Boxer	Graham	Vitter
Coats	Heller	
Coons	Lee	

The motion was agreed to.

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 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. 524, H.R. 5293, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

Mitch McConnell, Tom Cotton, Shelley Moore Capito, Mike Crapo, Thad Cochran, Jerry Moran, Richard C. Shelby, John Hoeven, Lamar Alexander, Orrin G. Hatch, Daniel Coats, Pat Roberts, John Barrasso, Bill Cassidy, John Thune, 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 H.R. 5293, an act making ap-

propriations for the Department of Defense for the fiscal year ending September 30, 2017, 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 legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Utah (Mr. LEE) and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 44, as follows:

[Rollcall Vote No. 124 Leg.]

YEAS—50

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

NAYS—44

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

NOT VOTING—6

Boxer	Graham	Lee
Coats	Heller	Vitter

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 44.

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

The majority leader.

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

MORNING BUSINESS

Mr. MCCONNELL. 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.