

Now, we hope our Republican colleagues don't take the cynical track of trying to spin the report's contents to somehow sully the completely separate and ongoing investigation into Putin's meddling in the 2016 election. The DOJ IG report is likely to focus on the conduct of the Justice Department and the FBI in handling the Clinton email investigation in the runup to the 2016 election. Mueller was not appointed at that point. He wasn't a gleam in anyone's eye. So what he is doing is totally independent of what happened here.

Furthermore, when the President says "witch hunt" and somehow blames Democrats for this, well, whatever Comey did hurt Hillary Clinton, and he didn't do the same thing to President Trump, which would have hurt him. He released the details of Hillary's investigation—many of us thought he did that wrongly—but didn't release any details of the investigation into possible collusion of the Trump campaign with the Russians.

So this idea that somehow what Comey did and what Mueller is doing was designed to hurt President Trump and Republicans at Democrats' behest is like "Alice in Wonderland"—it is the opposite of the facts. The investigation into Putin's meddling in our elections and any potential associations between Russian intelligence and the Trump campaign is an entirely separate investigation from what happened with Hillary Clinton.

It would be erroneous to try to use the information in the IG report to discredit the special counsel, but we hear rumblings that some of these very partisan Republicans, led by Chairman NUNES, may try to go down that road. We hope they won't be so cynical or so willing to twist the facts inside out and turn truth on its head, all for political gain.

It is crucial—critical—that Special Counsel Mueller's investigation get to the bottom of what happened and who was involved in Russia's efforts to influence the outcome of the 2016 election.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

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

The assistant bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 5515, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5515) to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Inhofe/McCain modified amendment No. 2282, in the nature of a substitute.

McConnell (for Toomey) amendment No. 2700 (to amendment No. 2282), to require congressional review of certain regulations issued by the Committee on Foreign Investment in the United States.

Reed/Warren amendment No. 2756 (to amendment No. 2700), to require the authorization of appropriation of amounts for the development of new or modified nuclear weapons.

Lee amendment No. 2366 (to the language proposed to be stricken by amendment No. 2282), to clarify that an authorization to use military force, a declaration of war, or any similar authority does not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States.

Reed amendment No. 2842 (to amendment No. 2366), to require the authorization of appropriation of amounts for the development of new or modified nuclear weapons.

The PRESIDING OFFICER. The Senator from Utah.

SUICIDE EPIDEMIC

Mr. HATCH. Mr. President, I rise to address a public health issue that has left in its wake a trail of tragedy and shattered life. The suicide epidemic has touched all sectors of our society, but the problem is particularly acute among LGBT who have experienced bullying and discrimination at every turn. In the most devastating cases, these teenagers even face estrangement from their own families. That is why today, in honor of Pride Month, I wish to devote a significant portion of my remarks to them—my young friends in the LGBT community.

The prevalence of suicide, especially among LGBT teens, is a serious problem that requires national attention. No one should ever feel less because of their gender identity or sexual orientation. LGBT youth deserve our unwavering love and support. They deserve our validation and the assurance that not only is there a place for them in this society but that it is far better off because of them.

These young people need us, and we desperately need them. We need their light to illuminate the richness and diversity of God's creations. We need the grace, beauty, and brilliance they bring to the world. That is why, as we commemorate Pride Month, my message today is one of love for my LGBT brothers and sisters. It is also a call for action to Americans of all political stripes.

Regardless of where you stand on the cultural issues of the day—whether you are a religious conservative, a secular liberal, or somewhere in between—we all have a special duty to each other. That duty is to treat one another with dignity and respect. It is not simply to tolerate but to love.

The first tenet of my faith is to love one another. The same Man who taught this principle also lived it by His example. In an era characterized by rigid social divisions, He broke down barriers propped up by centuries of tradition and cultural belief. In His teachings, He made no distinction between man or woman, Jew or Gentile, sinner or saint but invited all to come to Him—all. He saw beyond the arbitrary differences of group identity to the inherent worth of the individual. He taught that we were all equal because we are all children of the same God and partakers of the same human condition. This Man loved radically, and He challenged all of us to do the same.

If there were ever a time to show our LGBT friends just how much we love them, it is now. In a world where millions suffer in silence, we owe it to each other to love loudly. That is why I am a strong supporter of Utah's Love Loud Festival, among many other efforts to combat suicide and improve mental health in the LGBT community, which is afflicted by these problems. These young men and women deserve to feel loved, cared for, and accepted for who they are. I don't think they chose to be who they are. They are born to be who they are, and we ought to understand that. They deserve to know they belong and that our society is stronger because of them.

Ensuring that our LGBT friends feel loved and accepted is not a political issue; we all have a stake in this. We all have family or loved ones who have felt marginalized in one way or another because of gender identity or sexual orientation, and we need to be there for them.

On a much broader scale, we need to be there for anyone struggling with feelings of isolation, especially those experiencing suicidal thoughts. By no means is suicide a problem exclusive to the LGBT community. In one way or another, this public health crisis has affected all Americans, regardless of color, class, or creed.

Over the last two decades, the suicide epidemic has taken tens of thousands of lives, with suicide rates rising by as much as 30 percent across the country. The severity of this public health crisis was thrown into sharp relief last week with the tragic deaths of Kate Spade and Anthony Bourdain.

In my home State of Utah, the statistics are particularly alarming. Every 14 hours, a Utahn dies by suicide, resulting in an average of 630 deaths each year. The problem is so acute that Utah now has the fifth highest suicide rate in the Nation.

In addressing this topic today, my heart is both heavy and hopeful—heavy

because suicide has already taken so many lives; hopeful because I believe we are on the cusp of a major legislative breakthrough that could turn the tide in the campaign against this epidemic.

As some of you may recall, I joined Senator JOE DONNELLY last year in introducing the National Suicide Hotline Improvement Act—a bipartisan proposal that makes it easier for Americans of all ages to get the help and treatment they need when they are experiencing suicidal thoughts.

Our bill requires the FCC to recommend an easy-to-remember, three-digit number for the national suicide prevention hotline. I believe that by making the National Suicide Prevention Lifeline system more user-friendly and accessible, we can save thousands of lives by helping people find the help they need when they need it most.

The Senate passed our bill with overwhelming bipartisan support in November. Now it is time for the House to do its part. While I am pleased to learn that our legislation is slowly making its way through the House committee process, I call today for more urgent action. Every minute we wait, we leave hundreds of Americans helpless who are struggling with suicidal thoughts. There are literally lives on the line here, and leaving them on hold is not an option. That is why I call on my colleagues in the House to pass, without further delay, our suicide hotline bill. By doing so, we can prevent countless tragedies and can help thousands of men and women get the help they so desperately need.

Before I conclude, I wish to express my heartfelt belief that we can win the battle against suicide, but I would also remind my colleagues that no amount of legislation can fix this problem. No public policy is a panacea for an issue as deep and intractable as the suicide epidemic.

Beyond legislation, however, there are steps we can take to create a society that is kinder, more civil and understanding—a society, in other words, where suicide is less of a problem. It doesn't take a social scientist to tell you that the coarsening of our culture has negatively affected our communities. As the political discourse breaks down, so, too, do the social ties that bind us together. The gradual dissolution of civil society has led to unprecedented levels of loneliness, depression, and despair. In this sense, suicide is merely a symptom of a much larger problem.

Yet, even though there is hopelessness, there is still reason to hope. I firmly believe that by restoring civility to its proper place in our society, we can fight the despair that has seized hold of so many. Civility starts with the words we use. Whether in person or online, we can be softer in our language, kinder in our actions, and stronger in our love. We can combat coarseness with compassion and choose empathy instead of anger.

On an individual level, reclaiming civility entails a fundamental shift in how we view our political opponents. No longer should we see each other as adversaries in a zero-sum game but as allies in preserving the American experiment for future generations.

Restoring civility and respect to the public square cannot be achieved through legislation; ultimately, this is a change that must take place in the heart of every American. Here in the Senate, we can lead by example, which is why I urge all of my colleagues to join me today in recommitting to civility and working to bring people together to help solve these very serious problems that are keeping us apart and hurting our society. There are people out there who really suffer, who don't choose to be the way they are, and we have to be intelligent enough and compassionate enough to help them. So I hope that we will, and I hope that our wonderful country will take these things to heart.

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. MORAN. 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. MORAN. Mr. President, I want to talk about a couple of issues that are wrapped up in the NDAA.

First of all, there is a National Guard issue.

As we all know, the men and women who serve our Nation in the Armed Forces are among the absolute best of us, and I thank the Presiding Officer for his service. When the Presiding Officer and his fellow citizens volunteered to serve, they did so by committing themselves to defending our families, our Nation, and our way of life. Through their service and sacrifice, they earn our respect and our honor. As a grateful nation, we strive to demonstrate that respect to them. Certainly, we should demonstrate our appreciation for our military on Memorial Day and Veterans Day, but, every day, we understand that we can never truly repay the sacrifice that many Americans have made—the ultimate sacrifice.

One of the customary and powerful demonstrations is when we pay our respects through a display of military honors during a servicemember's funeral. These honors include an honor detail that presents an American flag to the deceased's family and includes a bugler, who ceremoniously plays "Taps" and puts a lump in everyone's throat and tears in our eyes. Unfortunately, an Army audit found that in 2014, 88 deserving veterans' funerals did not receive those military honors as they should have. One service without its deserved honors is one too many.

Even more disappointing, based upon a recommendation from that audit, we

learned that the National Guard Bureau has a plan now to eliminate in eight States the coordinator position for the military funeral honors. The National Guard Bureau is claiming a marginal cost savings as the excuse to eliminate these coordinator positions; however, a cost savings is an unacceptable justification, especially if losing these positions leads to more servicemembers not receiving military honors as our final demonstration of respect for their service.

The coordinator position is a vital link between the military and the veteran's surviving family. The coordinator's primary responsibility is to determine the eligibility and appropriate honors for deceased veterans. The coordinator also trains servicemembers who perform military honors, coordinates with units and veterans service organizations within the State, and provides immediate attention to families who are in need of assistance.

Common sense would tell one that if military honors are not being rendered when they should be, as this audit found, the NGB—the National Guard Bureau—should do everything possible to make certain to reverse that terrible outcome. Instead, it is seeking to eliminate the positions that are responsible for handling the care and coordination of military honors.

Even if the National Guard Bureau reverses course, the Military Honors Program deserves protection and preservation for all of those who served. Therefore, I draw attention to an amendment I have offered in this year's NDAA. Amendment No. 2575 would protect the Military Funeral Honors Program in the Army National Guard. This is a bipartisan amendment that has been cosponsored by Senators MANCHIN, CRAPO, and CAPITO. If passed, my amendment would ensure that each State would maintain at least one military funeral honors coordinator, which we hope would reduce the chances of these honors being skipped in the future.

I urge my colleagues and the committee to support amendment No. 2575 for inclusion in the managers' package and allow this amendment to move swiftly in the Senate to help fulfill our promises to our veterans and make certain they receive the appropriate honors they will have earned at the time of their passings.

Another of my amendments, amendment No. 2269—a topic about which I spoke last week—improves upon the Army's force structure stationing process. It has been sponsored by Senator ROBERTS as well as by Senator GILLIBRAND and the minority leader, the Democratic leader, Senator SCHUMER from New York.

Again, I express my appreciation to the Senate Armed Services Committee for its diligence in authorizing appropriations for our Armed Forces in a thoughtful and deliberative manner. This amendment attempts to take the

same approach that the Armed Services Committee is taking today—deliberate. We want the Army to perform in a diligent way its internal process on force structure, to thoughtfully deliberate how and where it makes smart investments. That includes the stationing decisions about soldiers and families, which will have an impact on cost for decades to come. Simply put, the intent of amendment No. 2269 is to increase the rigor, transparency, and congressional oversight of the Army's stationing process regarding changes or growth in force structure.

Both the Department of Defense and the Army are experiencing a much needed period of growth. Our Armed Forces are modernizing and increasing their readiness to be in a position to deter, confront, and defeat potential adversaries in environments that are more complex and more volatile than we have experienced in recent history.

After months of speaking on this topic to Army leaders, such as Secretary Esper, General Milley, and General Abrams, I am convinced that the Army's most senior leaders agree that its current process needs improvement to become more accurate and comprehensive.

As the Army grows and modernizes, more stationing decisions will be made in the future, and the Army ought not miss the opportunity to conduct due diligence in all of their decisions and invest wisely to pay down the costs in the future. With the Army's focus on reform, transparency, and using every dollar wisely, I believe this amendment No. 2269 helps the Army maximize the value of every dollar, operate transparently with Congress, and wisely use resources entrusted to them by the taxpayer. Once again, my amendment seeks to codify the transparency they are seeking and updates to the Army's stationing process that will ensure the Army is making better, more cost-effective, long-term decisions.

The instructions to the Army in this amendment have already been prescribed by the GAO, and the Army's own regulations are based on Army testimony and correspondence where it is made clear that the Army wants to improve their process. For example, with regard to how contiguous and non-contiguous Army training areas are measured, General Milley testified before the Senate Appropriations Defense Subcommittee, of which I am a Member, and said: "It is my belief that they are rated differently . . . because it seems to pass a common sense test," given the geographically distant nature of the training areas off post. The fact that the Army's analysis currently considers these training areas as one in the same eluded many of the Army's senior leaders when we first began this process.

In addition, this amendment codifies Secretary Esper's February 23, 2018, commitment to improving the quality of life for soldiers and their families by considering "community schools

around the installations and the professional licensure reciprocity" in future stationing decisions.

The Army has not incorporated information regarding tax credits, license reciprocity, education, and employment in their basing, so this amendment follows through on the Secretary's intent and guidance to address these factors that are critically important to soldiers and their families. The addition of this amendment in the criteria would encourage States to further support military men, women, and their families.

It is a recruitment and retention factor. We say the Army recruits individuals but retains families. The quality of life families experience when they move from installation to installation is paramount to each soldier's personal decision to continue serving. Our intent with this amendment is to support the Army in making decisions based on fair, open, and comprehensive data, particularly long-term cost factors that will help the Army save in future years. Those savings can be put toward training, supporting soldiers and their families, sustaining our weapons, and increasing the Army's readiness and lethality.

I ask for support on amendment No. 2269. I am convinced these changes will make certain the Army's stationing process is transparent and will help the Army maximize the value of every dollar, while operating more transparently, communicating with Congress, and more wisely using resources entrusted by the American taxpayer. This will pay off in the long term for the Army, their families, and for the taxpayers.

I yield the floor.

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

GUN VIOLENCE

Mr. MURPHY. Mr. President, I come to the floor to mark a very unfortunate date. We are recognizing the 2-year anniversary of the shooting at Pulse nightclub on June 12, and on Sunday, June 17, we are going to mark the 3-year anniversary of the shooting at a church in Charleston. The killer in Charleston murdered nine people attending a Bible study. The killer in Orlando murdered 49 people who were at a nightclub.

I just came from my office meeting with one of the survivors of the Pulse nightclub shooting.

About 93 people are killed every day from guns. That is a mixture of suicides, homicides, and accidental shootings. That means that in the 731 days since the Pulse nightclub shooting, we have had somewhere around 70,000 people killed by guns in this country. That is a statistic that has no comparison anywhere else in the world. In the United States, we have about 20 times the number of people on a per capita basis who are being killed by a gun than the average OECD competitor nation. Something is going on here that is different than what is happening anywhere else.

As my colleagues know, I try to come to the floor every few weeks to talk about who these victims are to give a sense about the lives that are cut short, all the promise that is erased from this Earth 93 times every single day because of what is happening inside the epidemic of gun violence and to try to relate to people how furious this mounting cavalcade of those left behind is by our inaction. Remember, we have done virtually nothing meaningful since the tragedy in my State at Sandy Hook, and thus the slaughter continues.

Melvin Graham's sister, Cynthia Graham Hurd, was murdered in Charleston in that shooting. Earlier this year, he talked about how angry he is that Congress has done nothing meaningful to try to affect the reality of gun violence in this Nation. He said:

You would think that this would be the time. Each time something happens, you think, this is the time we're going to get some action, some movement, some unity in Washington to do something. . . . And each time they have let me down, they have failed me. They've shown me . . . that they simply do not care.

On the evening of June 17, 2015, Dylan Roof walked into the Emanuel African Methodist Episcopal Church and killed nine people. He had a criminal record and shouldn't have had a gun, but because of a loophole in the background checks law that allows for a gun seller to transfer weapons to someone if the background check takes a long time, Roof was able to get a weapon, immediately go to this church, and kill nine people. The reality is, FBI data indicates that over the last 5 years, 15,000 people have been sold weapons who shouldn't have gotten weapons under this loophole. That means 15,000 people are walking around the United States today with firearms who have criminal records because their background check took 3 or 4 or 5 days. The reason background checks take a long time—most of them take about 10 minutes—is some people have complicated criminal histories, like Dylan Roof did. So it simply belies commonsense to say you are going to give a gun to somebody simply because they have a complicated criminal background and it takes a few days to sort out. This is an example of a crime that may not have been committed had our laws been different.

Until October of 2017, the Pulse nightclub shooting, which happened on June 12, 2 years ago, was the deadliest in U.S. history. These massacres that reach that tragic landmark of being the worst in U.S. history don't last for long, given the increasing pace of gun homicides in this country. This was an individual who was known to law enforcement, who had been in the system because of activity on line with respect to his connection with terrorist groups. Had we had a comprehensive no-fly ban in this country that gives the Attorney General the power to put people who are having conversations with terrorist

groups on the list of those who can't buy guns, it is also very possible that Omar Mateen, the shooter in this case, would never have been able to buy a gun, killing 49 people and injuring 53 others. This is another example of our laws being inadequate to meet the moment.

Unfortunately, this country tends to only pay attention to the issue of gun violence when these mass shootings happen. They are truly soul-crushing, community-changing events. Newtown, CT, is never ever going to recover from what happened there.

Every single day, whether or not we see something scrolled across the bottom of our cable news screen about a shooting, there are still upward of almost 100 people dying every single day—people such as Malachi Fryer, who was 6 years old when he walked into a room where a handgun was left unattended on a table. He took the gun back into his bedroom to play with it, and he accidentally shot himself. He was 6 years old, and he had just finished first grade in Elizabethtown, KY.

His school principal said:

Malachi was special in many ways. He had a smile that warmed your heart, a contagious laugh and a positive attitude. He was a little comedian and the classroom was his stage. He loved people and he didn't meet a stranger. Basketball was his pleasure and joy. Our hearts are heavy because a piece of our New Highland family is gone.

Age 6, Malachi is one of the victims of the many accidental shootings that happen in this country.

In my State, Antonio Robinson was recently ready to graduate from Stamford Academy. He was a former cocaptain of the Stamford High School football team. He was standing in an overpass, and he was shot to death. His sister said: He never bothered anybody, so he never thought he had to dodge or hide from bullets. He was on his cell phone standing at an overpass. He wasn't even aware he was about to be shot.

His former coach and sixth grade teacher said:

He wasn't the biggest kid out there [on the basketball court], but he played with a lot of heart and soul. He gave it everything he got.

Another one of his football coaches said that he was "very respectful." He was just an "awesome, awesome kid," just 18 years old. Antonio Robinson is gone.

Ryan Dela Cruz was 17 years old, from Seattle, WA. He was a senior at Franklin High School. He dreamed of a career in the Marine Corps. He and his friends went to a local park one recent Friday night. They encountered another group, words were exchanged, and shots were fired. Ryan Dela Cruz isn't living any longer.

He was described by his high school principal as "a sweet, thoughtful, inquisitive, and compassionate young man. . . . He was determined to commit his life to the service of others."

His father didn't want him to go into the Marines. His father was worried

about the safety of his son, but, increasingly, you couldn't change Ryan's mind. He was committed to serve this country. What Ryan said to his father sticks with his dad. When he raised the issue of Ryan's safety, Ryan said to his father:

Papa, wherever you are, it's God's will. If you die, you die.

Ryan Dela Cruz died at age 17.

Bob Stone was 64 years old when he died. From South Beloit, IL, he was a community pillar, longtime member of the city council, commissioner of the police and fire department. He and his wife Rebecca were known throughout the community because they had put together a festival every year in town. They were the organizers. It started with Rebecca's parents back in 2006, and they kept it up, something to bring the community together.

This story is particularly hard to hear because it is a murder-suicide involving his son Vito. The two of them were in a tent in the backyard. They were spending the night with Vito's two young children. Something happened inside that tent. Vito shot his father and then shot himself. Luckily, the children were unharmed, but for the rest of their lives, they are going to have to deal with the unspeakable, indescribable trauma of that murder-suicide that took the lives of their father and grandfather right in front of their eyes.

The young woman I met with today has gone through one of these traumas herself, having survived the Pulse shooting from 2 years ago, and speaks about that same kind of trauma.

Her life has been fundamentally changed from that day. Relations with her family members have been ruptured. She lost her cousin inside the nightclub that evening. It is a reminder. Researchers tell us every time 1 person is shot, there are likely 20 other people who experience some kind of trauma from that 1 shooting. Take the average of 93 people every single day and multiply that times 20, and that will give us a sense of just over a 24-hour period the catastrophe that happens in families and communities across the country because of gun violence.

Well, today I will not go into the details about all the things we can do to solve this, but I will share a statistic I came upon the other day. My head is full of statistics, trying to explain what is happening when I come to the floor to tell the stories of these victims.

Here is an interesting one. I heard some of my friends say to me: Well, America is just a more violent place. Sure, we have more guns than other places have, but there are a lot of things happening in the United States, different cultures living side by side, people with different backgrounds, which may lead to more episodes of violence.

Here is a really interesting statistic. Let's go back to the OECD countries,

which are what you consider to be the most advanced 20 or so countries in the world. If you look at rates of gun violence, the chart tells only one story. The United States has a rate of gun violence of about 10 people per 100,000 in terms of gun deaths, and there is no comparison. The next highest country is Finland, which has a rate of about 3 per 100,000. The average country is down around 1 per 100,000. We are talking about a rate that is 10 times higher in this country than other countries.

Let's go to another measure of violence because some people will say we are just a more violent country. That actually is not true. We are actually, by other measures, a less violent country than all the rest of these.

Let's take another measure of violence. Let's take a look at assaults. There is a statistic that measures reported assaults in these same countries. When you look at reported assaults, the United States is actually almost last. We aren't the country with the most assaults; we are close to the country with the lowest number of assaults. Belgium has more; Israel has more; Portugal has more, as does Sweden, France, Netherlands, Italy, Switzerland, Spain, Denmark, Germany, Austria, Norway, Ireland, Finland, New Zealand, Australia, South Korea, and the United Kingdom. Only Japan and Canada report fewer assaults per person per capita than the United States.

So it is not that we are a more violent nation. It is that we are, in particular, a nation plagued by one type of violence—gun violence, which tends, of course, to be the most lethal kind, the kind that comes with the greatest degree of cascading trauma.

I know we have important business to do today with respect to the Defense authorization bill. I and my State have important equities in that bill that I hope to advance, but I still think it is worthwhile every now and again to come to the floor and remind my colleagues that even if they don't read about an episode of mass violence today, there will still be nearly 100 people who lose their lives. It is an epidemic that happens only here in the United States and is not explained by the United States being a more violent nation in general. It is simply explained by a nation that has more guns per capita and a Congress that is unwilling to make sure that only the right people get their hands on those weapons.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow my colleague from Connecticut on a topic that has bedeviled and baffled us together almost since the time we became Senators. It is a topic that is heartrending and gut-wrenching for both of us.

I thank him for his leadership and partnership in this effort.

Mr. President, we are here on the 2-year anniversary of the tragic Orlando

nightclub attack. On June 12, 2016, a man armed with an assault rifle and a pistol, with hatred in his heart, stormed the Pulse nightclub and murdered 49 people. This man turned a safe haven, a place of joy and celebration, into an unimaginable nightmare.

On that day, and on so many other days—in fact, virtually every day—all of us who lived through the Sandy Hook massacre firsthand relived the terrible tragedy of that day in our State.

Tonight, coincidentally, Sandy Hook Promise, a group that was formed in the wake of that tragedy and has done so much good work around the country to make our Nation safer, is having its annual dinner. I will be attending and speaking there with many who were involved in seeking to make sense of that tragedy and accomplish specific, tangible, commonsense measures since then.

The Orlando nightclub attack remains the deadliest incident of violence against LGBT people in our Nation's history. We ought to take particular time today to commemorate this national tragedy. We also should think about the epidemic of gun violence, like Sandy Hook, and hate crimes generally across the country—which may not involve gun violence—that plague our Nation daily, the greatest Nation in the history of the world. This scourge of hate crimes and gun violence—often the two go together—is a continuing plague.

In an average year, more than 10,300 hate crimes that are committed involve a firearm. That is more than 28 every single day.

Meanwhile, the FBI tells us that for the second year in a row, hate crime offenses are on the rise in this country, an increase of 6.3 percent from 2015 to 2016, and that increase itself follows a 7-percent increase from 2014 to 2015. These statistics are stunning. They are particularly sad, given the underreporting of hate crimes. We know that many hate crimes are never reported because of embarrassment and fear of retaliation. The real incidence of bias-motivated crimes is likely much higher than even these intolerable numbers tell.

We know that LGBT people are more likely to be targets of hate crimes than any other minority group. I am heartbroken to report that LGBT people are introduced to these instances of violence at a very young age. There is no preparing children for it.

The youth experience of this kind of bias, bigotry, and hatred is extraordinarily high, and it often is manifested in violence and physical harassment in school. Students report being severely beaten and robbed by their peers. One young man recounted being beaten, driven 5 miles out of town, stripped naked, and left to walk home alone.

When we hear these stories, we should not be surprised that more than half of LGBT youth feel unsafe in their

schools. We should not be surprised, but we should be outraged. We should be angry that this kind of bias, bigotry, and harassment continues to affect LGBT people. In this great Nation, it is intolerable. Schools should be places where young people learn, grow, and build friendships, free of fear of being assaulted by their peers and becoming the next victim of this unspeakable crime.

Apart from the bias, bigotry, and hate crimes that are the result of this kind of unacceptable precedent, gun violence continues to plague our schools, as well as churches, theaters, and other public places. But the plague of gun violence is not only in the mass shootings, which attract the most attention. It is the one-by-one or smaller groups that account for the 96 deaths every day and 30,000 deaths every year.

These numbers have become so familiar as to be banal. The banality of this evil is itself an insidious disease. It eats away at the moral core of our country. It continues to make us a lesser nation.

Our failure to act makes this Chamber complicit in those deaths. This body cannot avoid its moral culpability for those deaths. The Senate of the United States and the entire Congress are, in effect, aiding and abetting this epidemic of gun violence, which is probably the most deadly public health crisis that plagues our Nation right now.

Imagine if a communicable disease, say Ebola, took 90 lives every day. There would be marches in the streets and demonstrations. The country would react, but it has become so inured to this public health epidemic of gun violence that there is no reaction unless there is a massive incident like the Parkland High School shooting.

Marjory Stoneman Douglas High School became a turning point for this country on gun violence. When young people demonstrate, march, hold vigils, and walk out of schools—in Ridgefield, I attended one of those walkouts, a profoundly moving and important event. I believe these events can provide a turning point that will move this country into a new social change era, a new movement of social change comparable to the civil rights movement and the anti-war movement and marriage equality and women's healthcare, a movement that can truly transform this Nation, raise its consciousness, but also elicit action.

We need not only more words and rhetoric and speeches but also action on the commonsense measures that this body has failed to enact: background checks applied to all gun purchases; tightening the information that goes into the database used in those background checks, even beyond the Fix NICS bill that was a minor change adopted earlier this year; a ban on assault weapons and high-capacity clips; a closing of the 72-hour loophole involved in the background check system for purchases of a gun; and, of

course, the hate crimes or red flag statute that enables police and family to go to a court to seek a warrant to make sure that someone who is dangerous to himself or others will not be permitted to buy or possess these weapons.

These commonsense reforms have been before us for years, and since Sandy Hook, nothing has changed. This body has been inert and reprehensibly unresponsive. We know these measures work. We know from Connecticut's experience that they reduce crime and homicides. We know from our State's adoption of these reforms that we can lessen the number of shootings, as well as deaths and injury. We know what doesn't work: arming teachers in school, a proposal rejected by the law enforcement community, by the education community, and by ordinary citizens in communities around the country.

Connecticut has shown by our experience that these commonsense, sensible measures do work, but they cannot protect Connecticut citizens alone because our borders are porous.

Even a State like Connecticut, with the strongest gun laws in the country, is at the mercy of States with the weakest because guns are trafficked across State borders. So we need national standards and national laws that will protect us in Connecticut and all around the country who are at risk.

The new social change movement, powered and fueled by young people, can break the vicelike grip that the gun lobby has held over this Congress for so many years—indeed, for decades. I have worked on this issue literally for 2½ decades or more. When I was attorney general of the State of Connecticut, I championed and we passed a measure to ban assault weapons, among other reforms. It was challenged in the court. All of the same arguments were raised then legally that are raised now. We defeated them. In fact, I tried the case and argued it in the Supreme Court. Those arguments are as invalid today as they were then—based on the Second Amendment or void for vagueness or equal protection—and they will fail in the courts just as they did in our courts then. I have never felt nearer than we are now to meaningful reform because of those students, because of those young people, because of the outpouring that is riveting America and moving us forward, but it has to be translated and galvanized into votes in this coming election and in elections to come so that the will of the people is heard here and the vicelike grip of the gun lobby is broken.

Walking out of schools and walking into polling places is what is required, and these young people are showing us the path to do it. Even while we work in that arena, organizations like Sandy Hook Promise are showing us how to educate in a totally bipartisan way and raise awareness in our schools and bring people together so that we solve our conflicts peacefully and with words, not conflict.

Scarlett Lewis, whose son Jesse was killed at Sandy Hook, has worked hard on social and emotional learning—another way to bring us together at the earliest of ages. Social and emotional learning has been her mission since Jesse's death, and she has formed a foundation to choose love, to enhance the ethos of teaching young people that they can solve their disagreements and conflicts with words and caring that they can be taught in school.

First, of course, teachers need to be taught and trained how to do that teaching, and that is why I sought an amendment to the reauthorization of the Elementary and Secondary Education Act with her inspiration to build that movement.

There will always be hateful people who want to lash out and destroy. On this anniversary of the Orlando nightclub massacre, we cannot concede defeat, and we cannot relent or relax our efforts. We need to commit to action, not just reflection or rhetoric. Every child who goes to school should do it without fear. Every person who goes to church should have no doubt about the safety of that sacred place or any other house of worship. Anyone who goes to a movie theater or to any other public place should do it without the apprehension that a person with a gun might be in wait.

For our LGBT community, we need a statute like the NO HATE Act that I have proposed—I introduced it last year—which would address the bigotry and bias that continues to plague them, not just in the hateful words but in the violence and harassment they suffer. Enforcement of the laws that exist now is absolutely essential. In fact, enhanced enforcement—devoting more resources to the police, FBI, and prosecutors who pursue these crimes—ought to be a challenge that we meet without question.

On all of these fronts, we should be united. It should be bipartisan. There should be no political division to make America safer, to make sure that we fulfill the vision of our great country that we will live peacefully together and enjoy equally the opportunities that are entitled by all of us.

Thank you, Mr. 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. WICKER. 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. WICKER. Mr. President, I rise this morning to speak in favor of the National Defense Authorization Act. We are currently negotiating with Members of the Republican and Democratic Parties on how to consider amendments. We will eventually get there, as we do every year, because the

NDAA bill has passed Congress—the Senate and the House—and has been signed by the President for 57 years in a row on a wonderfully bipartisan basis. I expect, when it is all said and done, that will happen again this year.

As a matter of fact, I was just speaking to a group of Hawaiians who were gathered together under the leadership of Senator MAZIE HIRONO. Senator HIRONO is the ranking member of the subcommittee that I chair, the Seapower Subcommittee. We were able to make the point and have been able to make the point at several forums about what a bipartisan issue this is, to protect our country through a strong Navy and through the provisions that we will enact under the Seapower title. Of course, this bipartisan exercise is a very important fulfillment of our constitutional responsibility. It is right there in the preamble—to “provide for the common defence.” And that is what our subcommittee has done.

The bill this year authorizes \$716 billion for national defense. This is an increase from last year, and we finally got rid of the notion that we can somehow be a safe and secure nation and have this defense sequestration that had come upon us due to our inability to deal with the budget. Last year we authorized and appropriated \$700 billion for national defense, and this bill would up that a little to \$716 billion. My position is that we need every penny of that. The top line matches the figures we have set in the 2-year budget. That was passed by the House and Senate on a bipartisan basis and signed into law by the President of the United States, President Trump.

Secretary Mattis says this defense spending is essential at these levels to keep America safe and to support our men and women in uniform. Secretary Mattis authored the new national defense strategy, and it prioritizes preparing the Armed Forces for long-term strategic competition with China and Russia. We would like to be on a friendlier basis with China and Russia, but sadly, at this point, we are not. We are in a long-term strategic competition. I believe Secretary Mattis, when he says we need to do this, and the NDAA, which is the subject matter before us on the floor right now, recognize that. Strategy is driving the budget this year, not the other way around.

As I noted, I am chairman of the Seapower Subcommittee. Senator HIRONO is my ranking Democratic member. We both recognize that upholding our maritime interests is becoming more and more critical. We are a maritime nation, and Americans need to understand this. The Seapower title recognizes this. It positions the Navy and Marine Corps to retain superiority over rapidly modernizing Chinese and Russian maritime forces.

I am happy to say that it accelerates the naval buildup toward the statutory 355-ship Navy, which was signed into law as a result of the NDAA last year. The SHIPS Act, which Senator HIRONO

and I both persuaded every member of our subcommittee to cosponsor—every Republican and every Democrat on the Seapower Subcommittee sponsored this. We were able to add the SHIPS Act to the NDAA last year and have it signed by the President of the United States.

The bill this year builds on what we hoped would be the result of the SHIPS Act. It authorizes \$23 billion for building 11 new ships that we didn't intend to build otherwise—an increase of \$1.2 billion above the DOD budget request. The statutory language signed by the President is actually getting us there. It adds over \$1 billion in advanced procurement funding for attack submarines, destroyers, and amphibious ships that will stabilize the industrial base, encourage new suppliers to enter the marketplace, and save taxpayers money in the long run through this mechanism of advanced procurement funding for our attack submarines. It authorizes multiyear contracting—another cost-saver—for our Super Hornet fighters, Hawkeye early warning planes, and two types of standard missiles fired from our Navy ships.

I am pleased with the progress we have made, and I am pleased that our work on the SHIPS Act last year is already paying dividends in terms of getting us much more quickly to the 355-ship fleet.

The NDAA also includes 12 provisions that were contained in a bill that Senator MCCAIN and I authored in response to the tragedies of the USS *John McCain* and the USS *Fitzgerald* collisions. Frankly, there were other mishaps in the Pacific also. In the *McCain* and the *Fitzgerald*, 17 soldiers tragically died because of accidents involving our ships.

Based on studies that we commissioned in this Congress, we came back—Senator MCCAIN and I—and introduced provisions. I will mention five of them today.

They are included in the base NDAA bill.

First, we direct a comprehensive review of the Navy's cumbersome and confusing chains of command. This confusing chain of command in the Pacific has been a problem.

We limit the duration of ships homeported overseas to no more than 10 years. After 10 years of being homeported overseas, forward-deployed ships must now rotate back to the United States more frequently to avoid being overtaxed from constant operations. That is in this bill.

We give forward-deployed ships more sailors. We have had a shortage there, regrettably, inflicted somewhat because of defense sequestration.

We require the Navy to develop a more realistic standard workweek assessment. I know the Presiding Officer understands this from the testimony we have received. The old system led to sailors routinely working 100-hour workweeks. Is it any wonder that our sailors were fatigued and burned out,

with 100-plus-hour workweeks? This NDAA bill, which we must pass and get to the President, would end that. It would also allow the Secretary of the Navy more flexibility in the personnel process to keep talented officers in the Navy and to keep talented officers in the Marine Corps.

One other thing I will mention is that we have the title of CFIUS reform. CFIUS simply stands for Committee on Foreign Investment in the United States—CFIUS. This provision is designed to protect our interests with regard to the designs of China, and it came to us, actually, out of the banking bill. We need to stop China from gaining access to military technology and gaining access to strategically important industries in the United States through buying our companies. China is buying American companies and then getting access to the intellectual property owned by those companies. This is what CFIUS reform does.

NDAA includes the Foreign Investment Risk Review Modernization Act, adopted unanimously by the Senate Banking Committee, and would give the Committee on Foreign Investment in the United States, or CFIUS, more authority to prevent foreign acquisitions of our sensitive technologies.

This is a good bill. It is a wildly popular bill in the military. It provides increased resources for those men and women who strapped on the boats, who put on the uniform and stepped forward voluntarily—not a single person in the military has been forced to do this; they stepped forward voluntarily—to do the hard things so that we can live in peace and prosperity and comfort in the United States.

This is a popular bill in the other body. We are taking their bill and making some adjustments, but we will get that ironed out in conference. We will, once again, fulfill our constitutional duty to provide for the common defense and show that when it comes to national defense and providing security for the people of this great Nation, this is, indeed, a bipartisan determination and a bipartisan exercise.

So I urge us to get moving on this, and I certainly believe—I am convinced—that before the end of the week, we will have an affirmative vote and move this bill toward the President's desk.

Thank you, Mr. President.
I yield the floor.

Seeing no other Members seeking recognition, 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

FAMILY SEPARATION POLICY

Mr. DURBIN. Mr. President, on Monday, in my office in Chicago, I met a

woman and her daughter. The story they had to tell me was heartbreaking. This woman was from the Democratic Republic of the Congo, Kinshasa.

Something had occurred at her home while she was gone, where a child of hers left an iron on. Another child came in, grabbed the wire of that iron, was electrocuted, and died. It was a horrible accident that claimed the life of a child.

That child who died was the nephew of a general in the Army of the Democratic Republic of Congo. When he heard about his nephew dying in this accident, he said he would take care of the situation and that family would pay a price for the life of his nephew.

This woman, a mother of three, went into a panic because her daughter was going to be killed by this general—such a panic that she fled the country. Her journey is almost indescribable: From Africa to South America, up through Central America, finally arriving on a bus at the border, the port of entry in Southern California. She came there and asked for asylum. She was in fear of not only her life but the life of her daughter.

What happened next is what I want to speak to, because what happened next is something that I didn't think would ever happen in America. What happened next was a decision by the Federal Government to take her 6-year-old daughter away from her in California. They said initially that her request for assistance was a valid enough request to go forward to a hearing. But even having said that, they snatched this girl from her mother's arms and removed her screaming to another room. Then, they deported her daughter from Southern California to the city of Chicago—our government.

Was this mother abusing this child? Of course not. Was there any evidence of trafficking involved here? Of course not. Was this woman a terrorist? Of course not.

Why did they do it?

When I heard about it, I called the head of the Department of Homeland Security, Secretary Nielsen, and said: Why would you remove that child from that mother's arms and transport her 2,000 miles away?

She said: Oh, I will look into that. That is not our policy. We don't do that.

Well, historically, our government didn't do it, but it turned out that Secretary Nielsen was wrong. It is our policy—a policy that has been announced by Attorney General Jeff Sessions. He says it is basically going to be a hard approach to those who try to come to this country and ask for asylum, ask for refuge.

So in the first two weeks of the month of May, with this new policy of Jeff Sessions—Attorney General Sessions' policy—658 children were removed from their families and taken to separate places.

Can you imagine the trauma on that child, let alone the mother? The Amer-

ican Academy of Pediatrics tells us that you don't do that to children without leaving some scar, some problem, but we are doing it as official government policy—official government policy of this administration.

Well, I met with the mother and the child. What happened to the mother after the child was removed is just a succession of horror stories. The mother was called in for a hearing while the child was sitting in Chicago. The mother has no attorney. She was not represented. She speaks limited English. She went through a hearing where they denied her request for refuge and asylum. They then said she could appeal the ruling if she wished.

She said: How long would that take? They said: 3 to 6 months.

She said: I could not stand to be separated from my daughter for 3 to 6 months. I waive all of my rights. I am finished. I am finished with this effort.

Well, she was released—the mother was—on another appeal, I might add, by the ACLU. She was reunited with her daughter, and I happened to see them both in my office in Chicago.

When I walked in the room, this woman, who had traveled this great distance to protect her little girl, clearly tensed up when she saw this White man in a suit and tie walk in, and then it was explained through her interpreter that I was not there to hurt her or separate her from her daughter. Her daughter was running around the office while we were talking but never lost sight of her mom the whole time.

This is not an isolated instance. This is not just a little accident that happened on the border near Southern California. This is now the policy of the United States of America, the policy of the Trump administration, the policy of Attorney General Jeff Sessions—to remove children from their mothers.

Of course, it is not cheap. Transporting a child 2,000 miles and putting them in some care facility—even a good one—is not cheap. When my colleague, Senator JEFF MERKLEY of Oregon, recently went to Arizona to see the children who had been separated from their parents, he was denied access. They wouldn't let him see it. He has gone back, and others will go back too.

It is unthinkable that we are holding these children in some situation where we don't want anyone to see them once they have been taken away.

In the southwest part of the United States, reportedly some mothers have been told: Oh, we are going to give your child a bath, and then the child was snatched away.

That is the official government policy of Attorney General Sessions and the Trump administration.

It is hard to imagine that we have reached this point in the history of this country that this is acceptable conduct by our government. It is hard to believe that the rest of the world will look at this and say: Well, that is how

Americans treat people who come asking for help. They take their kids away from them.

Family separation is now the policy of this administration, not family unity.

I am hoping—just hoping—that perhaps some of my Republican colleagues will think this is an outrage as well. Maybe they will step up and speak out. I hope they do. On a bipartisan basis, we should all be standing up for these children who are being separated from their parents.

They say: Well, it is a new approach, a hard approach for dealing with those who come to our border. We have used hard approaches in the past in the United States.

Let me explain two examples. There was a hard approach that was used in this Chamber, in the Senate, in the 1940s, during World War II. Senator Bob Wagner of New York came to the floor and said: I want to give permission for 10,000 Jewish children who are currently in England—safe and away from Nazism and Hitler in Europe—to come to the United States. He called for a vote in this Chamber and he lost. It was defeated—the notion of allowing 10,000 Jewish children to come here for safety was defeated on the floor of this Senate.

The same thing happened during that period of time when the ship the *MS St. Louis* came over from Germany with 900 Jewish people who had heard about the Holocaust, feared it, and wanted refuge in the United States, and they were turned away—turned away and forced to return to Europe, where several hundred died in the Holocaust.

Those are specific examples of things that happened here, in this town, by this government, in one of the most embarrassing chapters in our Nation's history. That was the time when we were also taking Japanese Americans—Japanese Americans—and interning them in camps despite no evidence of sabotage, treason, or wrongdoing.

After that war, America reflected on those incidents I have just described and said: We are going to be a different nation from this point forward. After World War II, the United States said: We are going to set the example where we are a caring, compassionate nation that is there to help when people are in desperate circumstances. We did it over and over again.

Look at the Cuban-American population in the United States. Look at three of my Senate colleagues who are Cuban Americans and tell me that accepting refugees from Cuba was a bad idea for the United States. Of course it was not a bad idea. It was the right thing to do for those who wanted to escape the early days of the Castro regime.

Take a look at those who came over after the Vietnam war, many of whom had risked their lives to fight on our side of that war, asked for refuge in the United States, and we gave it to them. Tell me that was a mistake. We know it wasn't.

Tell me our decision to open the United States of America to Jews living in the Soviet Union who faced oppression was a mistake. I don't think so. I think it was the right thing to do.

The things I have just described—the Cubans, the Vietnamese, the Soviet Jews—define who we are. This Nation—this caring, wonderful, great Nation—defines itself by its policies.

Now look at this policy of family separation. Look at this policy of removing children from the arms of a mother, with no suspicion of any wrongdoing whatsoever, and tell me that is consistent with who we are in America. That is what we face with this family separation policy.

I am joining with Senator FEINSTEIN and several other of my colleagues to prohibit this new policy. We don't have a single Republican cosponsor yet. I hope we do. I hope there is one Republican Senator who will step up and say: This is wrong.

We can enforce our laws, but let's not do it by tearing children out of the arms of their parents and mothers, because that is sad, and that is what is happening now. The family separation policy of this administration, sadly, is not only not right, it is not American.

OPIOID EPIDEMIC

Mr. President, I have had roundtable discussions across the State of Illinois. I have gone from Chicago to downstate, to small towns, to suburban towns, to, of course, the big city of Chicago. What I have found is this: No matter where you go, no matter how rich the suburb, no matter how small the town, you will find the opioid crisis facing America.

This drug epidemic may be the worst in our history. Every day, we are losing 115 American lives to opioid overdose. In the past 3 years, there has been a 53-percent increase in drug overdose deaths in my State. More than 2,400 of my neighbors and the people I represented in Illinois have died because of this crisis.

When we look back at the history, it is hard to understand how we reached this point. We know—when we go far enough back—that the pharmaceutical companies that produced these opioid pills misrepresented, lied to doctors, nurses, dentists, and the American people about the addictive nature of opioids. We know that happened. We also know that it became a big cash cow industry for pharmaceutical companies when more and more Americans became addicted to opioid pills.

Think of this: Two years ago, pharma produced 14 billion opioid tablets in the United States—enough for every adult in America to have a 3-week prescription of opioid pills. That was the reality. They were churning out these pills as fast as they could make them because they knew there was money to be made.

What we learned is that when the pills got too expensive on the black market, those who were addicted moved to heroin—another form of narcotic—which was cheaper and also ad-

dictive and, when laced with fentanyl or taken in overdose, killed the person who was using it.

Fourteen billion pills.

I have introduced legislation to address several aspects of this crisis. There is a lack of access to treatment. Once a family or a person identifies someone in need of treatment, sadly, there aren't many opportunities for good, affordable treatment to stop this addiction and to save their lives. I also want to respond to the childhood trauma that can drive people to opioid use. We see that. I want to improve the oversight of the volume and types of opioids being approved by our government for sale in this country.

We need to do more to prevent addiction and to address this crisis. What are we finally going to do to get serious about this?

First, we have to have the pharmaceutical industry stop making profit—their motive in the production of opioids.

Next, we have to be realistic about where these opioid pills are going.

Downstate in my State of Illinois, in Hardin County, which is a small, rural county, fewer than 10 doctors can prescribe controlled substances—10 doctors in this county. There is a total population of 4,300 people in Hardin County, and there are 10 doctors with the legal authority to prescribe. It is the smallest county in my State.

In the year 2010, pharma sent 6 million hydrocodone opioid pills and 1 million OxyContin pills to Hardin, IL. Seven million pills to a county with a population of 4,300 people were enough opioids for every resident of that tiny, rural county to have a 3-month prescription for opioids. Last year in Madison County, IL, which has a larger population, 17 million opioid pills were sent.

Maybe you have heard of Purdue Pharma, the manufacturer of OxyContin. I encourage my colleagues to pick up *Foreign Affairs* magazine or the *New York Times* or the *L.A. Times* or the *New Yorker*. There, you will read about the family who owned this pharmaceutical company and made a fortune off these opioid pills and addiction, the Sackler family. If the name sounds familiar, it is because they have donated millions of dollars to art galleries and universities across the country—and also helped to fuel our Nation's opioid epidemic. The Sackler family owns Purdue Pharma and is responsible for a lion's share of the opioid crisis we face today.

For years, under the Sackler family leadership, Purdue waged a comprehensive campaign to addict America to OxyContin. They wildly mischaracterized the risks of the drug, falsely claimed that it was less addictive and harmful, and just two pills a day were all you needed for full-time relief. They went on to say that OxyContin should be prescribed for common aches and pains, even when they had internal information proving that these pills were dangerous.

The family promoted the liberalization of direct-to-consumer drug advertising. Ever turn on the television lately and see the drug ads? How do we keep up with these? They are coming at us from every direction. Well, they went on direct consumer advertising with opioids at this point. They enlisted an army of sales reps to swarm doctors' offices with payments, false medical journals, and false promises. As my colleague, Senator CLAIRE McCASKILL of Missouri, has documented, they showered the so-called patient advocacy groups with millions in funding to fabricate a patient perspective demanding more opioids.

In 2007, this company, Purdue, pled guilty to criminal misbranding of OxyContin. So what did they pay as a result? Listen to this. What did this company have to pay for creating the opioid crisis in 2007? Six hundred million dollars. Does it sound like a lot of money? It shouldn't because their sales revenues were \$35 billion. So \$600 million was the cost of doing their deadly business. No jail time for any member of the Sackler family, no Sackler family responsibility, but hundreds of thousands of Americans continue to be killed because of their crisis. As our former colleague, Senator Arlen Specter, once said, it is "an expensive license for criminal misconduct."

Purdue, the Sackler family, and other opioid manufacturers, such as Janssen, Abbott, Endo, and Insys, systematically orchestrated a complex web to deceive the American public, promote their opioids, and avoid liability. This is shameful, it is unjust, and it is well past time for Congress to do something about it. I will soon be introducing legislation to crack down on this corporate misconduct by properly penalizing and preventing the misrepresentation of opioids and requiring drug corporations to provide more information to the Food and Drug Administration on the risk of abuse and long-term effects. I am also examining the influence the pharmaceutical industry is exerting over our regulatory agencies and the medical community by hiring former officials with incentive payments.

In the meantime, here is what we need to do:

First, Purdue Pharma and other opioid manufacturers must testify before the Senate to explain their role in this epidemic. We did this with the tobacco companies and put them under oath years ago. We need to do the same to these pharmaceutical companies.

Second, we must fix the 2016 law that weakened the Drug Enforcement Administration's strongest enforcement tool against this outrageous distribution practice. I support efforts by my colleagues, Senators McCASKILL and MANCHIN, to restore the DEA authority.

Finally, opioid manufacturers have profited off of flooding the market with painkillers and addicting Americans, and they should pay for the need for

treatment their products have created. I have introduced legislation to impose a penny-per-milligram tax on the production of opioids. Big Pharma has to be financially liable for the mess and epidemic they have created.

While we sit on our hands, sadly, in the United States and watch this opioid epidemic grow, an arm of the Purdue company, Mundipharma International, is shamefully exporting its deceptive marketing campaign overseas. Mundipharma, an arm of the Purdue company, is targeting doctors and the public with misinformation they were found guilty of using in the United States.

Meanwhile, the wave of addiction created by the drug industry has ignited a new and deadlier crisis with the highly potent synthetic opioid fentanyl, which is being shipped through the mail in staggering quantities from China to the United States. This rippling effect is causing further deaths in America, straining our resources and exposing major gaps.

I am glad the Senate Judiciary Committee is considering this issue and moving one of my pieces of legislation forward, but we must do more. Our communities across the country are facing the suffering caused by this crisis. We need to do more to hold pharma responsible for this deadly, irresponsible, and many times criminal conduct. Let's start by bringing them to testify under oath before the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I would say amen to the comments of the Senator from Illinois, our Democratic whip. He spoke on two subjects very eloquently—the subject of opioids and the subject of ripping apart families in immigration, both of which require immediate action.

HEALTHCARE

Now, Mr. President, I want to speak on something that requires immediate action. There are 130 million Americans in this country who have a preexisting condition. The Affordable Care Act that we passed 7 or 8 years ago guarantees insurance coverage if you have a preexisting condition. Lo and behold, the Trump administration is trying to rip that out of the Affordable Care Act, the law—130 million Americans and almost 8 million just in my State of Florida.

They want to repeal and kill the Affordable Care Act. This is one way to do it because the Trump administration and congressional Republicans and their allies have repeatedly tried and failed to kill the Affordable Care Act but now are trying to dismantle it piece by piece by pulling out economic underpinnings of the law. As a result, they successfully did that and attached it to the tax bill that went through, and we are seeing the results of that. The premiums are going up. Now they want to basically kill the bill by saying that it is not a requirement of the law

that insurance companies cover a preexisting condition.

Let me give you some examples of preexisting conditions: Alzheimer's, cancer, acne. How about simply being a woman? Let me repeat that. Being a woman was a preexisting condition before these protections were put into law—that an insurance company would have to cover you and that your rate had to be fair.

Having faced multiple times the Republicans trying to dismantle this law, the Trump administration is now trying administratively and through the courts to take health coverage away. In my State of Florida, it is almost 8 million people.

Here is what they did. In February, in 20 States, the attorneys general, including in my State of Florida, filed a lawsuit to attack our Nation's health law and all of the key protections that go with it, and that is without any plan to replace it. Just last week, the U.S. Department of Justice sided with these States and went into court and told the court to do away with the law that bans insurers from charging people more or denying them coverage based on a preexisting condition.

This seems absolutely inexcusable to me. If the attorneys general and the administration now supporting them prevail, health insurers across the country will once again be able to charge unlimited premiums for older adults by discriminating against all people with preexisting conditions—discrimination by the insurance companies refusing to offer them coverage or charging them exorbitant premiums simply because of what they call a preexisting condition in their medical history.

As people age, they have more maladies, and almost everybody then has a preexisting condition. The law says that you are guaranteed you can get insurance coverage, even in an individual, single policy if you have a preexisting condition. I gave you some examples. Let me repeat them: cancer, Alzheimer's, maybe just an operation, maybe something like acne. This Senator has even seen, as the former insurance commissioner of Florida elected years ago, an insurance company saying that a rash is a preexisting condition, and therefore they would not insure a person. Then there is the fact that just being a woman is a preexisting condition for which they would not guarantee coverage—just because of being a woman.

Our constituents deserve better. They deserve access to healthcare. They deserve to know they can go to the doctor without being placed at risk of medical debt or bankruptcy, without putting even more pressure on our communities, hospitals, and those of us with insurance. If you don't have that guarantee, what is going to happen? Rates are going to go up. More people will go to the hospital, and it is going to be uncompensated care, and that is going to cause our rates to go up.

This lawsuit by these attorneys general is nothing more than another political attack on our Nation's healthcare law. In my State of Florida, Florida's Governor and the other 19 States that joined the lawsuit are the ones who are behind this, and they need to be held accountable. They are trying get rid of the protections for health insurance if you have a pre-existing condition.

It is not enough to say that the Trump administration is taking deliberate steps to make healthcare more expensive. Now they are trying to take away one of the most important and popular provisions—the ban that prevents insurance companies from discriminating against people with pre-existing conditions.

Why don't we stop these games? Instead, why don't we work together? Let's get together a bipartisan agreement and help our constituents be able to have the healthcare they need, the insurance protection they need at an affordable price.

I yield the floor.

I suggest the absence of a quorum.
The PRESIDING OFFICER. (Mrs. ERNST). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

THE ECONOMY

Mr. LANKFORD. Madam President, I have talked to a lot of Oklahomans who say they would love to hear some good news every once in a while, so let me just pause for a moment and read a couple of headlines and give some good news.

One piece of good news came out of the Oklahoma legislature and out of our research branch. It deals with our finances. Oklahoma's revenues are up 20 percent higher than what was expected. For folks in this Chamber who don't know what is happening in Oklahoma, our economy has been down for a couple of years. We have been struggling through some serious issues in the budget. For our revenues to be up 20 percent higher than what was expected is a surprise but a welcomed surprise. It is a real sign of the turnaround in the Oklahoma economy, and it is very good news for a lot of people. I am grateful to say that it is not isolated news, that this is happening nationwide with there being a real turnaround in the Nation's economy.

I don't often come to this floor and quote the New York Times, but let me do that today. Just a couple of days ago, the New York Times ran the headline: "We Ran Out of Words to Describe How Good the Jobs Numbers Are."

In just the first couple of paragraphs of its story, it read that the real question in analyzing the May jobs numbers released that week was whether there were enough synonyms for "good" in an online thesaurus to de-

scribe them adequately. For example, "splendid" and "excellent" fit the bill. These are the kinds of terms that are appropriate when the U.S. economy adds 223,000 jobs in a month, despite its having been 9 years into an expansion, and when the unemployment rate falls to 3.8 percent—a new 18-year low.

That was from the New York Times. They ran out of words to describe how good the economy is nationwide.

This is from CNN:

There are now more job openings than workers to fill them.

Want more evidence that America's economy needs more workers? For the first time in at least 20 years, there are now more job openings than there are people looking for work.

That came from CNN.

The strong economy that we are facing shows that we have a 44-year low of people right now who are applying for unemployment insurance, of people who are out there who have lost jobs and are looking for jobs—a 44-year low nationwide.

Three million new jobs have been created since November of 2016. Right now, there is a job opening for every jobless person in America. During the height of the recession just a few years ago, there were six people who were looking for work for every one job open. Now there is at least one job open for every single person in America. Unemployment has fallen to 3.8 percent—the lowest in 17 years—and consumer confidence has hit an 18-year high.

There have been remarkable turnarounds that have happened. There has been a nice, strong, steady increase in our economy. What the Federal Reserve has always been afraid of—an overheating economy that moves too fast—has not occurred. It has just been one of steady growth with new individuals participating in the labor force. On top of all of that, even for those individuals who are currently employed right now, the average wages have increased in America by 2.7 percent.

For the individuals who are employed, wages are going up. For individuals who are looking for jobs, there are job openings for every single American who wants a job, and the unemployment rate continues to drop to a 44-year low. That is good news. That is the ability for the American economy to be able to run again as it was designed to run.

Quite frankly, when the tax reform bill was debated at the end of last year, there were a lot of people asking: Is this going to work? Will it really encourage the economy to grow or will it be a sugar high—is what I heard on this floor—of individuals who will be rushing to spend money only to then have the economy fall away and collapse?

What it has shown is, month after month, since tax reform has been passed and implemented, businesses have been hiring; people have been finding work; and wages have been going up by a steady amount. There

has been the opportunity for people to start new businesses. We have seen real growth. Whether that be in State revenues, as in my State, or whether it be for individuals around my State, we are seeing real progress. That is a benefit. Now I encourage people to keep going.

There are a lot of things still to do in our economy, and I am grateful that, recently, the national survey, which is done every year on the best places in America to start a new business, listed Oklahoma City as the No. 1 place in the country to start a new business, a place that is business friendly. That is true for my entire State, where people are welcome to come and start new businesses, to engage, to find new jobs—to open up and find new opportunities.

Speaking of opportunities, my State, along with many other States, has started rolling out from the tax reform bill what are called opportunity zones. It is when we look for areas and designate areas in the State that are not growing as fast as other areas and provide incentives for people—incentives that have been built into the tax bill—in working with the State leaders, where there can be greater investment for people to find jobs, start new businesses, open new businesses. There are additional incentives with which to do that, and we have seen that continue to roll out. So far, there have been 46 States that have designated opportunity zones, and they are rolling out even today.

I am grateful for what is happening in our economy because it is not about numbers and statistics. It is about individual families who have the opportunity to find work. A friend of mine at church recently lost his job. What is interesting about that is, 8 years ago, I had a friend of mine at church who also had lost his job, but it is so different now versus then. Eight years ago, a different friend who lost his job caught me and talked about the desperation of looking, but there was nothing out there. Now a different friend who has lost his job, who is in transition right now, is talking about the opportunities, and he is not in a hurry because he has so many options in front of him. He may start something or he may join somebody else.

It is a good thing that when those moments of crisis come, you have opportunities and the hope of transitioning to another place in order to be able to take care of your family. I would encourage us to continue to work on our economy.

One of my favorite stories that has come out of the newspapers over the last couple of weeks is from the Wall Street Journal. It talks about this economy and talks about hiring, and it mentions specifically that many companies are having a difficult time finding new workers, so they are pursuing a group that they would not have considered a few years ago. They are looking to hire and train felons. These are

individuals who have done their duty to society—who have been in prison, have finished their terms—and they are out and just want another shot. This economy is growing so fast that many of those individuals are getting their next shots to start life all over because companies are reaching out to train and hire people who even have felony records. These are individuals and families who don't need a handout; they need opportunities. Thankfully, they are getting it in this economy.

Whether it is a company in Guymon or whether it is a company in Hugo or whether they are companies all across my great State, people are finding opportunities to work. I am grateful for that and a growing economy.

Madam President, I thank Senator INHOFE and Senator REED for their work on this year's National Defense Authorization Act. It is a big piece of work. It is something that we do every single year, walking through—what is called affectionately around here—the NDAA. It is all of our defense policies. It is what weapons systems we buy. It is how we support our men and women in uniform. It is how we ensure the national security of the United States. It is working its way across the floor, and I am proud of the role my State has played in what is happening to achieve the goals for national security.

The defense bill authorizes a 2.6-percent pay increase for our troops, which marks the largest increase in troop pay since 2010. The bill also increases procurement and funding of the KC-46 tanker, which will be stationed at Altus Air Force Base in Southwestern Oklahoma and maintained at Tinker Air Force Base near Oklahoma City.

The Air Force currently operates an air fueling tanker fleet with an average age of more than 50 years. Since the air refueling tanker plays a key component in our Nation's overall military strategy and our worldwide reach, including our readiness and operational capability, the KC-46A is a very welcomed and long-awaited asset for the Air Force's air refueling capability. They are scheduled to arrive later this year—in just a few months—at Altus Air Force Base so our women and men of the Air Force can step up and be trained and be ready to use that great asset.

The 97th Air Mobility Wing at Altus Air Force Base is responsible for that formal training with the C-17, the KC-135, and now the KC-46 aircraft for the Active Duty, Guard, and Reserve aircrew, while it maintains that Global Reach. Tinker Air Force Base currently supports the depot maintenance on that.

Many of those pilots who end up in that training first start out in Enid, actually. They are being trained in Enid, OK, on some of our smallest training aircraft. They learn how to do it and then, later, transition to Altus to then fly the KC-46.

The bill continues the modernization efforts to be able to continue flying the

B-52 bomber, the sustainment of which is completed at Tinker Air Force Base. The bill includes funding for the Paladin Integrated Management system upgrade, which is assembled in Elgin, OK, and is used at Fort Sill, which is right down the street. The Fires Center of Excellence at Fort Sill organizes, trains, and equips all of the Paladin units in the Army Paladin Integrated Management.

Quite frankly, just about every time I go home or now fly out, I sit next to or nearby some young woman or man who is clutching a folder in his hand as he heads into Oklahoma City to get on a bus and head to Fort Sill so he can do his basic. I always recognize their faces, and I don't have to say anything else to them but "thank you for signing up," because they are always clutching those folders they have been told not to lose, so they just hang onto them tightly. They are heading to basic at Fort Sill. It is an incredibly important facility for us as a nation.

Earlier this year, it was announced that Fort Sill will maintain the long range precision fires and the air and missile defense cross functional teams and will welcome two new brigadier generals to lead these organizations. All around the world people are asking for the assets that are coming out of Fort Sill because people want missile defense and the capability of protecting themselves from incoming threats.

This bill that we are working on also includes funding for the bulk diesel system replacement at the McAlester Army Ammunition Plant. Almost every time you see a guided missile somewhere—in all likelihood, on TV—it was assembled and prepared in McAlester, OK.

The bill provides funding for the aircraft vehicle storage building for the Army National Guard in Lexington, OK. Since September 11, 2001, the Oklahoma National Guard has deployed more than 30,000 soldiers to more than 16 countries—right out of Oklahoma. We are proud to do our part.

Finally, the committee recognized the spaceport in Oklahoma, which some folks missed, but the committee did not. It is home to one of the Nation's longest and widest runways. It is a 13,503-foot-long by 300-foot-wide concrete runway, and it is ready and prepared for our Nation.

The committee noted that the Oklahoma Air & Space Port, near Burns Flat, OK, is the only space port in the United States to have a civilian Federal Aviation Administration-approved spaceflight corridor in the National Airspace System. This spaceflight corridor is unique because it is not within military operating areas or within restricted airspace, which provides an operational capability for space launch operations and associated industries that are specialized in space-related activities.

This is a good bill. There is a lot in it, and it is a long bill. There are

amendments that are still pending as we work through the process, but there has been a good conversation as we have worked through and continue to focus on one of the primary responsibilities of this Congress and of our legislative branch—standing up for the national defense and making sure we take care of that.

There are a lot of things happening in our economy and our Nation because we are secure. If at any moment we let down our guard with our own security, a lot of other things will disconnect. It is a good thing for us to work through the process on this, and I look forward to supporting this bill and continuing to support our national security.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Madam President, I rise today to talk about an issue of deep importance to our country and my fellow Alabamians, and I follow my colleague, Senator LANKFORD, who spoke with such eloquence on national security.

This week, we are debating the National Defense Authorization Act, which funds our Nation's defense programs for the coming year. Like Senator LANKFORD, I want to thank Chairman MCCAIN and Ranking Member REED for their work on this incredible and important legislation, as well as Senator INHOFE. He has done such yeoman's work in Senator MCCAIN's absence.

This bill has tremendous implications for our country, both abroad and here at home. In Alabama, we know all too well about the need for national security and a good economy. From Redstone Arsenal in Huntsville to Fort Rucker, from Maxwell Air Force Base to the Anniston Army Depot and all of our Reserve and National Guard men and women in the State of Alabama—they are on the frontlines. In addition to the tens of thousands of civilians who support their work—Alabama is home to a first-class workforce that supports our national security mission every single day. So it only makes sense that this legislation continues to support the work of Alabamians and includes a well-deserved 2.6-percent pay raise for our troops.

Just as important, it also includes funds for the Missile Defense Agency at Redstone Arsenal in Huntsville. It increases space defense funding, which is so important to our Air Force. It authorizes 75 F-35 Joint Strike Fighter aircraft, some of which will be stationed at Maxwell Air Force Base in Montgomery. It provides what Senator LANKFORD talked about a moment ago—14 KC-46 refueling aircraft. I hope the Air Force will put a few of those in Birmingham for our fantastic Alabama Air National Guard, which supports so many missions around the world.

There are many more resources to ensure that our Nation's defenders are always mission-ready, and we could go on and on.

I am pleased that this legislation takes care of so many of the priorities for our military, our defense, and Alabama. I certainly plan to vote for this bill, and I commend all of those who have worked so hard to make it happen. That doesn't mean there aren't still ways we can improve this bill.

As some may know, Alabama is also home to thousands of talented welders, mechanics, and other trades men and women who build the helicopters and ships that carry our troops around the world to defend the United States and our interests. Not only are these vehicles important for an effective and responsive military, but they also support good American jobs.

One of those ships is the littoral combat ship, many of which are built in Mobile, AL, including the USS *Manchester*, which was delivered to the Navy just last month. The LCS continues to prove its value to our Nation's defense and our military, which is why I am a little disappointed that the bill we are debating this week includes only a single LCS, which is pictured here behind me. Many of them are made in Mobile, AL. Not only did the President reiterate just last week at the Naval Academy his goal of growing our Navy to 355 ships, this program also puts to work about 1,000 different suppliers across 41 States. That translates into countless American jobs.

I have seen these ships being built firsthand, and it is a tremendous production, state-of-the-art. During my first recess State work period back home in February, I went aboard the *Manchester* just before its commissioning, and I saw firsthand how these ships are being made and the incredible opportunities down there. To build ships like the *Manchester*, it takes 4,000 skilled workers to support the effort each day. That is 4,000 American jobs.

Right now, back home in Mobile, they are hard at work on the production lines to build littoral combat ships and the expeditionary fast transport ships, such as the USNS *Trenton*, which recently gave assistance to mariners in distress in the Mediterranean.

By not recognizing the importance of the LCS to our Nation's security, we hurt the long-term viability of the workforce in Alabama and all of the suppliers across 41 other States. To some extent, we don't recognize their importance to our national security, and we are not doing all we can as a Congress to support our national security efforts.

The Navy's future frigate, which Alabama stands ready to support, won't come online for a few more years, so those 4,000 workers in South Alabama need to keep working, not just sit tight and wait to be employed again in 2021. They need to work now. They need to continue the lines to make sure we have seamless transition.

Alabama, American jobs, national security—these are just a few of the reasons I sponsored an amendment to add a single LCS ship to this extremely important piece of legislation.

I would strongly urge my colleagues who will be in conference on this bill to increase the resources for the LCS program in the final package that will come before this body. The House version actually contains three LCS ships. So, as I have said so many times on this floor and in other places throughout this city and in these offices, I hope we can find common ground to build at least one, maybe two, more ships that are so important to our security and the Navy.

Let me be clear. This isn't just about ships; this needs to be considered in terms of long-term goals for our military. We need to build the ships that the Navy needs to do its job, we need to keep our production lines ready to go for future products, and we need to maintain the American jobs that make these efforts possible.

This really isn't rocket science. Our national security strategy and the economic stability of our country go hand in hand. Alabamians are proof-positive of that, given our long history of supplying military personnel and other aspects of our national security to help our military throughout the years.

I urge my colleagues to support my amendment and maintain a robust LCS production posture that supports our national security and economic interests.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

TAX REFORM

Mr. BARRASSO. Thank you, Madam President. As the Presiding Officer well knows, last December, Republicans voted to cut the taxes that American families pay. We simplified the tax system. We made it fairer and cut the rates.

Every single Democrat in the Senate voted against giving Americans this tax relief that they needed—every single one of them. Democrats claimed that only rich people would benefit and that businesses would never share their savings with workers. The Democratic Leader, Senator SCHUMER, actually said that tax cuts such as these only benefit the wealthy and the powerful, to the exclusion of the middle class.

So what happened? What have we seen all across America? The American people know that the Democrats were wrong. The very day the tax bill passed the Congress, AT&T came out and said they were giving their workers a bonus. The company said that 200,000 hard-working employees were going to get an extra \$1,000 each directly because of the tax relief law. Over the next few weeks, more than 4 million Americans got similar good news: They were going to get bonuses too. They learned that they would be getting a bonus or a pay increase because of the tax law.

More than 500 companies have said that because their taxes went down, they were sharing the savings with their workers. In my home State of

Wyoming, these are people who work at places like Home Depot, Lowe's, Walmart, and Starbucks. It is also people who work at small businesses, like Taco John's and the Jonah Bank in Casper, WY. It is people who work at the Bockman Group in Sheridan, WY. That is a local business that specializes in fencing and excavation. I had a chance to meet with all of those people. They said the employees would be getting raises for one reason, and that is because of the tax law. The owner actually said that with this tax cut, he would now move ahead with starting two new businesses this year, employing more people. That means more jobs and more economic opportunities for people in northeast Wyoming.

Another thing that we had a chance to talk about when the tax law was passed was how this would affect people's utility bills. It started happening right away. Americans noted that their utility bills starting going down. There are more than 100 utility companies across the country that have cut the rates they charge for electricity as a direct result of the tax law. And it is not just electricity; it is gas bills, water bills, all of the above.

Look at the number. One hundred and two utilities cut their rates across the country. How much money does that add up to? How much money did people actually save because bills are going down for families all across the country because of the Republican tax cuts? The tax rate cuts amount to a savings of \$3 billion for American families who are paying less money for utilities. That is an incredible savings for American families.

Democrats said the companies would keep their tax savings. Instead, the savings are being passed along to consumers. That is the way it was supposed to work, that is the way it did work, and the benefit for families across the country amounts to \$3 billion in lower utility rates.

Americans are starting to use more energy right now to keep their homes cool this summer. It is that time of the year. These rate cuts are very good news for families all across the country. When monthly bills get cut, they have more money to save, spend, and invest. It is their money, so they get to make those decisions on how they want to use it. That is what happens when we change the tax laws. Washington gets less, and taxpayers get to keep more.

Republicans cut taxes. Working Americans are seeing more money in their own pockets as a result. I hear about it every weekend in Wyoming. People are saying that this tax law has made a specific difference in their lives—their personal lives, for them, their families, and their children. They see it with their neighbors as well. They get more money from their jobs, they pay less in taxes, and they pay less for things, such as utility bills.

People are winning in three different ways because of the Republican tax relief law. A lot of people are seeing more

good jobs now than ever before. The numbers came out last week. People collecting unemployment insurance is at a 44-year low. They don't need the unemployment benefits because they are working. We haven't seen numbers this low since 1973. It is a sign that we have a very strong, healthy, and a growing economy. People are keeping their jobs or getting new and better jobs. If people get laid off or want to change jobs, they can get a new one right away. They don't need to go on unemployment. They don't need to collect unemployment insurance because we have a strong, healthy, and growing economy right now.

The Labor Department said that there are now 6.7 million job openings across the country. That is an alltime high. For the first time ever, there are actually more job openings than there are unemployed people who are looking for work—6.7 million openings, 6.3 million job hunters. So when looking at some of these measures, the American economy isn't just stronger than it was before the recession, it is stronger than it has been in decades.

The Federal Reserve Bank of Atlanta says that we are on a pace for the economy to grow more than 4 percent in the second quarter of this year. They actually say it may be as high as 4.6 percent. It is astonishing.

The American people don't need an economist to tell them what they see with their own two eyes in their own communities. They see that the economy is strong, the economy is healthy, and the economy is growing. All they need to do is look around their hometown, talk to their neighbors, talk to their friends, see how people who might have been out of work now have jobs and job opportunities. They are paying less in taxes, keeping more of their hard-earned money, and they are seeing it in their paychecks. The proof is in the paycheck.

I expect to see it again at home in Wyoming this weekend. Businesses are hiring, workers are getting bonuses, raises, more money in their pockets, more money in their paychecks. People across America are feeling better about their opportunities. The opportunities are there. They are real. They are being grasped by people all around the country. There is confidence. There is an optimism we haven't had previously. There is a positiveness in people's lives, and it is happening because of the policies Republicans are implementing in Congress and in the White House, in this partnership between a President and a Congress committed to cutting taxes, to slashing regulations, to letting people keep more of their hard-earned money. We have no intention of stopping now.

Democrats are continuing to look for ways to slow things down, to block the progress, and to change the subject. They don't want to talk about any of these things. Republicans are looking for ways to keep America growing and to keep America strong. That is what

Republicans in Congress are committed to doing.

The American people expect us to keep going, to keep looking for ways to make America better, stronger, and safer. It is what the American people expect from us, and it is exactly what Republicans are going to continue to do.

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.

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

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

AMENDMENT NO. 2842

Ms. WARREN. Mr. President, I rise to speak in favor of the Reed-Warren amendment.

For months, I have been voicing concerns about the Trump administration's dangerous plans to develop new, more usable low-yield nuclear weapons. Specifically, this Defense bill authorizes the Pentagon to begin developing a new low-yield warhead, which the Trump administration wants to put on our Nation's submarine-launched ballistic missiles. I think this decision is strategically unwise for many reasons.

I am concerned about discrimination and the risk of rapid escalation into a nuclear conflict. As many experts have publicly suggested, Russia may not be able to distinguish between an incoming Trident missile that poses an existential threat to their nation and a low-yield nuclear missile that is intended to serve as more of a warning. That may be a risk this administration is willing to take, but it is not one I can support.

I am also not convinced that additional low-yield nuclear weapons are necessary for deterrence. Let's be clear. Together with our allies, the United States brings overwhelming nonnuclear coercive power to the table, but beyond that, the United States already possesses a significant low-yield nuclear arsenal. In fact, we are in the process of spending billions of dollars to upgrade our delivery systems in order to ensure that our flexible deterrent is capable of reaching anyplace, anytime.

I am troubled by the message that developing new nuclear weapons variants sends to the world about America's commitment to nonproliferation. Our credibility to negotiate with other countries, like North Korea, to demand that it reduce its nuclear arsenal, depends, in part, on the fact that we have long been committed to reducing our own. We must not do anything to jeopardize that progress.

That is not what this amendment is all about. In fact, I offered an amendment in committee to fence the funding for low-yield SLBM until we can better understand the impact of this

new weapon on our Navy and on our obligations as a steward of nonproliferation around the world, but my amendment was not successful.

I understand that some of our military leaders, and some Members of my own party, genuinely believe this new low-yield weapon is necessary. I know my colleagues approach this seriously, and I know people with good intentions can disagree, but that is exactly the purpose of this Reed-Warren amendment. The point is, we should be having this debate right here in Congress. That is where the debate belongs.

The impact of the underlying provision currently in the Defense bill is that the Pentagon will not need to come to Congress to ask for permission to develop a new low-yield nuclear weapon in the future. Instead, they can merely notify that they intend to do so and then proceed on their own. If this Defense bill passes in its current form, Congress will have lost our best opportunity to have a say in how they will develop it, what it will cost, or how and where it will be deployed.

The argument in favor of the existing provision is that low-yield nuclear weapons should be treated "just like any other weapon," but I would say this to my colleagues: That is not the case. As Secretary Mattis has said, there is no such thing as a "tactical" nuclear weapon and "any nuclear weapon used any time is a strategic game-changer." The truth is, nuclear weapons are not like other weapons, and we should not treat them that way. We should all be able to agree that nuclear weapons are in their own class, and they deserve special scrutiny by Congress.

In fact, we have faced this very question before. Fifteen years ago, there was a similar effort to take Congress out of the debate and out of any question about the use of nuclear weapons. In that case, Senators John Warner and JACK REED offered a bipartisan compromise proposal that said the executive branch could only go forward in the development of new nuclear weapons with explicit authorization from Congress. That proposal passed unanimously, 96 to 0, including votes from 10 of our Republican colleagues who still sit in the Senate today.

The provision in the underlying Defense bill would gut that bipartisan agreement, an agreement that has held for more than 15 years. It was offered at the eleventh hour, behind closed doors, and on a party-line vote.

In contrast, the amendment offered by Senator REED today is consistent with that compromise, and a vote for the Reed-Warren amendment is a vote to sustain that bipartisan consensus.

Regardless of what you think about the development and use of low-yield nuclear weapons, as a Member of the Senate, you should vote to have a voice in that process. That is what the American people sent us here to do, and that is what we owe them.

I would like to thank Senator REED for his decades of bipartisan leadership

in this area, and I urge my colleagues to vote in favor of the Reed-Warren amendment.

I yield back my time.

I suggest the absence of a quorum.

Mr. REED. Mr. President, I believe Senator MARKEY of Massachusetts is here to speak.

The PRESIDING OFFICER. Does the Senator from Massachusetts withhold her suggestion?

Ms. WARREN. Yes, I do.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I come to the floor to speak on behalf of the amendment being offered by my colleagues Senator WARREN from Massachusetts and Ranking Member JACK REED from Rhode Island. I strongly support this amendment, and I want to explain why.

A nuclear weapon is a nuclear weapon, period. They are the only human-made force that could destroy all of humanity in a matter of minutes. They annihilate utterly and completely. The size of the bomb does not matter. Using any nuclear weapon is a step so grave that it is, in and of itself, an act of war. It also invites nuclear retaliation. That is why President Ronald Reagan was right when he said: "A nuclear war cannot be won and must never be fought."

Nuclear weapons are fundamentally different than any other military capability we possess. Congress must have a role in determining when these weapons are developed, how they are managed, and if, Heaven forbid, we must ever use them again.

Oversight is one of the fundamental responsibilities of this body, and on no issue is it more important than nuclear weapons. That is why I support what Senator WARREN and Senator REED are doing. It rightly protects the role Congress must play in determining if and when we as a nation decide to develop more of the most lethal weapons on the planet.

What Senator WARREN and Senator REED are doing is ensuring that Congress must authorize developing new or modified nuclear weapons because that is all important. This authority was written into law years ago. It was a bipartisan compromise that passed 96 to 0. Congressional oversight of nuclear weapons development and deployment has long enjoyed bipartisan support, and it should now as well.

There are many, myself included, who believe we should go even further. As the only Nation to have ever used nuclear weapons against another country, the United States has a special responsibility to lead global efforts to reduce and eventually eliminate the world's nuclear weapons. This is an important issue. I am a realist, and I realize, as long as nuclear weapons exist, the United States must have a credible nuclear deterrent that is safe, secure, and reliable.

Appropriately striking this balance is one of the most consequential issues,

not only for our Nation but for the whole world. It is why, for decades, Congress has played a crucial bipartisan role overseeing our Nation's nuclear arsenal. The debates have been heated. We have not always agreed, but we recognize Congress must be involved. This must continue to be the case moving forward.

So I thank Senator REED and Senator WARREN for their leadership in offering this amendment, which goes right to the heart of the question of what the role of the Congress is on this most important of all issues—the authorization for the development of nuclear weapons in our country.

From the beginning of the nuclear era, when President Roosevelt involved the Congress in the development of the Manhattan Project, until today, it has always been critical that those who are most concerned about this issue, the American people, have their elected representatives in the room.

I thank Senator REED and Senator WARREN for their leadership on this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, let me first thank Senator MARKEY and Senator WARREN for their comments and just state that this amendment is very straightforward and simple. It ensures that Congress has an oversight role in authorizing the development of new or modified nuclear weapons, including low-yield nuclear weapons. It reiterates what Congress does every year in the National Defense Authorization Act. I consider the oversight role of this institution essential for the Defense Department and, in particular, for nuclear weapons.

There are many devastating weapons of war in the world, but nuclear weapons are different. Thankfully, it has been over 70 years since the only time nuclear weapons have been used in war, but because it has been so long, I think many are not fully aware of the awful power of nuclear weapons. On August 6, 1945, the United States dropped a nuclear bomb on Hiroshima. In the immediate aftermath, approximately 70,000 people—mostly civilians—were killed. Tens of thousands more would die of radiation poisoning within weeks. Approximately 80 percent of the city of 350,000 people was destroyed. The second nuclear weapon, dropped on Nagasaki 3 days later, killed 40,000 immediately and approximately 40,000 more people from radiation poisoning in the following weeks. A weapon that can kill more people in an instant than the United States lost in the entire Vietnam conflict deserves close congressional scrutiny.

To provide perspective on the size of these weapons, the bomb dropped on Hiroshima was 13 to 15 kilotons. The bomb dropped on Nagasaki was 18 to 20 kilotons. A low-yield nuclear weapon is defined as a nuclear weapon whose yield is less than 5 kilotons of explo-

sive yield. For comparison, the Massive Ordnance Air Blast bomb, or MOAB, used on an Afghanistan tunnel network in 2017—and featured all across the media as a devastating explosion—is 11 tons, or 0.01 kilotons, about 500 times less powerful than a 5-kiloton, low-yield nuclear weapon. So we are talking about an extremely powerful weapon that will result in thousands of casualties if used.

Two weeks ago, I visited General Hyten, who is the commander of the U.S. Strategic Command at Offutt Air Force Base in Nebraska. We participated in a classified exercise, involving the use of nuclear weapons. Again, the loss of life and destruction was truly sobering. I recommend that all of my colleagues participate in such a war game because it truly brings home the complexity and the essential role the Congress has in overseeing the development of nuclear weapons.

I would like to convey one point that General Hyten made to me at the conclusion of the war game—that his No. 1 job is to ensure that nuclear weapons never be used in the first place and that they act as a deterrent to their use.

With that, let me make a few observations on the amendment before us and why we are having this debate today.

The 2018 "Nuclear Posture Review," released in February, recommends that the United States undertake deployment of a submarine-based, low-yield nuclear weapon. At present, the United States has several low-yield nuclear weapons, but they are deployed from the air.

The principle reasons advanced for this recommendation in the "Nuclear Posture Review" are, first, the development of the Russian doctrine to use low-yield nuclear weapons to "escalate to de-escalate"; second, the inclusion of this doctrine not only in Russian plans but in repeated Russian war games; third, the significant expansion of the number of Russian nonstrategic, low-yield nuclear weapons that are not subject to arms control agreements, together with the Russian deployment of a land-based intermediate cruise missile that violates the Intermediate Nuclear Forces Agreement, or INF Agreement; and, fourth, finally, the development of extensive air defense systems over key Russian areas that could deny access to our current aircraft that would deploy a low-yield nuclear weapon.

The "escalates to de-escalate" strategy presumes that Russia has initiated hostilities in Europe and, after initial Russian success, either NATO forces regain the momentum and the conventional fight is turning decisively against Russia or Russia has secured its desired limited objective and anticipates a decisive counterattack by NATO. In either case, this Russian doctrine calls for a first strike with the use of a low-yield nuclear device to freeze NATO forces. The Russian logic

is that we will not respond with high-yield weapons for fear of initiating an all-out nuclear exchange, and we lack the ability to strike key targets with our airborne low-yield weapons because of their area denial air defenses. Their doctrine assumes that we will accept the existing status of Russian forces, even if they occupy NATO territory, while nonmilitary measures are pursued. This conclusion is contrary to our longstanding commitment to NATO expressed at the NATO Summit in 2016. In the words of that summit, “no one should doubt NATO’s resolve if the security of any of its members is threatened. NATO will maintain the full range of capabilities necessary to deter and defend against any threat to the safety and security of our populations, wherever it should arise.”

Now, given this threat posed by the Russian doctrine, the Nuclear Posture Review proposes that the development of a submarine-based, low-yield nuclear weapon will strengthen deterrence, raise the nuclear threshold, and make Russia refrain from a first use of nuclear weapons since we will be capable of responding in kind to hold all of their critical targets at risk. In short, it will stabilize rather than destabilize nuclear deterrence.

The inherent difficulty in evaluating this recommendation is the realization that deterrence is based upon the perceptions of both parties and the implicit and explicit communication between both parties—in other words, what we are signaling with our words and actions, and whether the adversary is accurately interpreting those signals.

This is an extraordinarily difficult question. I and many of my colleagues have struggled with it throughout our service in the Senate and, in many cases, service in our previous careers. Indeed, experts in the field of nuclear deterrence honestly disagree with respect to the recommendation of this submarine-launched, low-yield weapon. Some feel it is needed; others do not.

I am increasingly skeptical that a response to a low-yield Russian attack by an American low-yield counter-attack will result in both sides refraining from future use of nuclear weapons. In other words, I am skeptical that we will avoid moving upward on the escalatory ladder leading to a larger nuclear exchange.

One important issue is the selection of targets and how that affects our interpretation of Russian objectives and, alternatively, how it will affect Russian interpretations. If the initial Russian target is integral to our military operations, will we see it as “escalate to de-escalate” or “escalate to prevail.” And if we respond in a way that is interpreted by the Russians as something more than a quid pro quo, will the Russians respond again, assuming we are beginning a nuclear campaign?

Moreover, will we cease conventional operations while allied territory is being held by Russia? This is the logic

behind the Russian doctrine, but it contradicts our obligations under NATO. If we press these conventional attacks, especially if we are gaining advantages, the temptation to use additional nuclear weapons by the Russians may be irresistible.

Proponents may suggest that the simple possession of this seaborne low-yield weapon will be sufficient to deter the Russians, but that assertion seems to ignore existing airborne weapons that may be directed at critical targets that are accessible to our air attack and, as such, would accomplish the limited counterresponse that seems to be behind the current proposal. In addition, much of the investments we are making in modernizing our triad—particularly with long-range standoff weapons to replace our aging air-launched cruise missiles, the B-21 and the F-35 with the life extended B61-12 gravity bomb—should by 2030 offset the increasingly complex anti-access/anti-denial environment Russia is capable of.

There are no easy answers to these questions, and answers will change over time as political, military, and economic factors change. That is why I believe it is essential that Congress maintain a central role in the development and deployment of nuclear weapons and why I strongly urge this amendment. This is about Congress’s role, not about a particular nuclear weapon.

In this bill, the fiscal year 2019 National Defense Authorization Act, the request for the development of the submarine-launched, low-yield nuclear weapon is authorized. An amendment, offered in the Armed Services Committee, to require certain reports by the Defense Department before its deployment failed. It was offered by one of our colleagues on the Democratic side. Moreover, the funds are already appropriated for this weapon in the recent Energy and Water appropriations bill. An amendment to eliminate the funding at the full Appropriations Committee failed. So we are on track this year to go ahead with the development of this system, but the question is this: In the future, will Congress retain the right to make critical decisions about the development and the deployment of nuclear weapons?

So the debate today is not about whether the low-yield, submarine-launched ballistic missile will proceed. The debate today is about congressional oversight of the steps ahead on this new nuclear weapon and any other new or modified nuclear weapon.

Back in 1993, during consideration of the fiscal year 1994 National Defense Authorization Act, Congressmen Spratt and Furse included a provision that prohibited research and development that could lead to a low-yield nuclear weapon. Then, in 2002, President George W. Bush conducted a nuclear posture review, which concluded that the Spratt-Furse provision should be repealed because it purportedly had a

chilling effect on the science in the DOE weapons laboratories and might be needed to destroy bunkers containing chemical or biological weapons. As a result, the fiscal year 2004 National Defense Authorization Act, reported out of committee by Chairman John Warner with Ranking Member Carl Levin, included section 3116, which repealed the Spratt-Furse provision.

When the fiscal year 2004 NDAA came to the floor for consideration in May of 2003, there was an exhaustive debate on the issue of this repeal, and several amendments were offered. The first amendment was an amendment by Senator FEINSTEIN and Senator Ted Kennedy that proposed to strike the repeal, and it lost. I, then, offered the next amendment, which allowed research and development to occur but prohibited the final development and production of a low-yield nuclear weapon.

Senator John Warner then offered a second-degree to my amendment, which allowed research and development to occur but required specific authorization for final development and production, and that is the law today. Senator Warner was very clear about the necessary role of Congress. On the floor, John Warner stated:

In the second degree amendment, it is clear that the Congress is fully in charge, working with the Executive Branch. The Congress, and only the Congress, can authorize and appropriate the funds necessary to go one step beyond what the earlier [Reed] amendment has provided.

Well, now, while my amendment failed, the second-degree amendment offered by Senator John Warner passed 96 to nothing. Indeed, there are Members here today—our colleagues in the Chamber—who were there at the time and who voted for the modified amendment, the Warner-Reed amendment.

The John Warner amendment has been uncontested until this year in the fiscal year 2019 Defense authorization bill. An amendment offered in committee—and this is the amendment offered by the Presiding Officer—eliminates the John Warner language requiring congressional authorization for development and deployment of the low-yield nuclear weapon.

Instead, now the administration simply has to submit funding in the Department of Energy budget for new or modified nuclear weapons, not the Department of Defense budget. As such, this could be done through the Secretary of Energy, not necessarily through the Secretary of Defense. Indeed, in a strictly legal interpretation, the Secretary of Defense would have no role in this budget request. In addition, once the information appears in the budget sent to Congress, the executive branch can immediately begin using prior year’s monies, subject to reprogramming guidelines approved informally by the four defense committees and not the full Senate, to begin work on a low-yield nuclear weapon.

I think it is important to note this: Under the present language in the bill

before us, it is the Secretary of Energy who could, at the request of the White House, indeed, conceivably—not likely, but conceivably, even over the objection of the Secretary of Defense—propose in his budget that we begin to develop a new nuclear device. Simply submitting that budget would authorize him to begin reprogramming funds, which would be approved, at best, by a handful of Senators. That is not the kind of consideration we must apply to develop a new nuclear weapon. It is the role of the Senate—all of us—to stand up and to state where we believe this country should be headed.

The threat and power of nuclear weapons has not changed. In fact, in the complex and unstable times of present day, with so many more states seeking nuclear weapons, I think it is imperative that Congress be more involved, not less, in the development and deployment of our country's nuclear arsenal.

Therefore, my amendment simply puts Congress back in the loop, restoring the oversight put in place by the John Warner amendment in 2003.

It is our fundamental duty to review, authorize, and appropriate, if necessary, the programs the executive branch will execute. I would contend that this is especially true, given the nature of nuclear weapons and their capability for destruction. Some may agree with the need for a new, modified, or low-yield weapon and some may not, but everyone in Congress should have a say on the issue.

My amendment simply ensures that Congress is involved every step of the way in the development of any new or modified nuclear weapon. I believe it is critical, considering the awesome destructive powers of this weapon, and I urge my colleagues to support this amendment so we can continue to exercise appropriate guidance on an issue that is existential to the survival not only of the country but of the world.

With that, I yield the floor.

Mrs. FEINSTEIN. Mr. President, I rise today in support of Senator REED's amendment to the National Defense Authorization Act.

The Reed amendment would restore congressional oversight of the development of new, low-yield nuclear weapons.

Since 1994, Congress has limited the Department of Energy's work on low-yield weapons. We have done so for two reasons.

First, many of us believe the true purpose of low-yield nuclear weapons is not to deter nuclear attack, but rather to fight unwinnable nuclear wars. We are only fooling ourselves if we believe nuclear wars can be won.

Second, we already have sufficient low-yield capabilities. They include nuclear cruise missiles and the B-61 gravity bomb. In fact, today, we are modernizing both.

We are developing the LRSO, a nuclear cruise missile, at a cost of nearly \$20 billion, and we are modernizing the

B-61 gravity bomb at a cost of \$8 billion. That is nearly \$30 billion toward new, low-yield capabilities; yet some in this body would go further.

During the Senate Armed Services Committee's markup of the NDAA, Senator COTTON offered an amendment to eliminate all existing restrictions on the development of new, low-yield weapons. His amendment, which passed on a party line vote, would allow the Secretary of Energy to develop new weapons simply by requesting funding to do so.

That is an abdication of our constitutional responsibility to oversee spending on the world's most dangerous weapons. I cannot support this action and will oppose this NDAA if Senator COTTON's amendment is retained.

It was not long ago that we debated this very issue. We would be wise to recall what happened. In 2002, the Bush administration's Nuclear Posture Review urged Congress to loosen congressional restrictions on low-yield weapons. I worked with Senator Kennedy to stop those efforts. With the help of Senator John Warner, we decided that we would allow basic research, but advanced development of new low-yield nuclear weapons would require congressional authorization. That position carried the day by a vote of 96-0 here in the Senate.

Senator REED's amendment before us today would preserve Congress's existing role to oversee the development of new nuclear weapons.

I believe it is absolutely critical that we retain our authority, and I urge my colleagues to support the Reed amendment.

AMENDMENT NO. 2366

Mr. PAUL. Mr. President, one of the most fundamental protections of our Constitution is that the government cannot imprison or punish people without due process or without being charged with a crime and a fair trial. Several years ago, Congress tried to undermine those most basic protections by saying the government could hold someone forever without so much as charging them with a crime under the powers granted to pursue Osama bin Laden in 2001.

The Lee amendment seeks to restore those fundamental protections for U.S. citizens and lawful permanent residents who are captured inside the United States. That is an important step forward, and I will vote for it. However, the Lee amendment still stops short of the protections guaranteed in our Bill of Rights.

The Fifth Amendment to our Constitution says that no person shall be deprived of life, liberty, or property without due process of law. The Sixth Amendment says the accused has a right to a speedy and fair trial. Neither of those is limited to just citizens and permanent residents. My amendment 2795 would restore these protections for all persons captured in the United States.

By restoring these protections, no terrorist suspect would be freed. The

government would simply have to charge someone they believe to be a terrorist with a crime and put them on trial. I have no sympathy for terrorists and want to see them punished and locked away so they can cause no harm. I merely want the government to follow our most sacred charter, our Constitution, to do it just as we have for more than 225 years.

The PRESIDING OFFICER. The Senator from Arizona.

RESPONSIBLE DIPLOMACY

Mr. FLAKE. Mr. President, the events of last week—the baffling, inexplicable attacks on our closest allies by the administration one day and the appalling praise for perhaps the most brutal dictator on Earth the next—are not normal. This behavior is not normal. These upside-down values are not normal.

These actions mistake disruption for dynamism. They are empty bravado for bold displays of leadership. These actions are not serious or sober. They represent the opposite of statecraft, and the implications of such thoughtlessness for America, her allies, and the world could be lasting and grave.

In many ways, the President is a steward of America's foreign policy—shaping it during their time, yes, but also understanding it is based on relationships and norms that have existed since long before they took office and will continue to exist long after they exit the political stage.

Over the past several months, I have spoken of our abandonment of the international rules-based order that we took the lead in establishing. I have spoken of the profound implications of this abandonment, what it means to our economy, to national security, and to our relations throughout the world.

This administration's dangerous dance with protectionism and its unwarranted besmirching of our allies, such as Canada, are illustrative of precisely the kind of harmful implications I feared would become reality.

This is not a matter of one instance of a poor word choice or a single moment of absentmindedness; this attitude of contempt for those nations that share our values and respect for those who do not has been a common thread throughout the administration's actions over the past 18 months.

It is disturbing when the American President and his administration are going on about the "great personality" of the murderous dictator, Kim Jong Un, or how Kim "loves his country very much," while at the same time calling the Canadian Prime Minister "obnoxious, weak, and dishonest" for merely pushing back on imposed tariffs or declaring that the European Union is "solidly against" the United States when it comes to trade policy.

Consistently ridiculing our allies by suggesting they are somehow abusing us, while voicing admiration for despots and dictators, represents a fundamental departure in behavior for American administrations. It represents a

fundamental misunderstanding of our relationship with our allies.

It is understandable that we will have disagreements with our allies, but that does not justify upending the international framework and foreign relations painstakingly constructed and cultivated by previous generations of leaders.

Issues we have with allies ought to be addressed through constructive dialogue, not bellicose taunts or bombastic tweets. Such behavior is beneath the Presidency, and it is destructive to the position of global leadership this Nation holds. It projects to the world not American values but some sort of creep nihilism.

I am astonished to use that word, “nihilism,” to describe the actions of any administration, of any party—much less my own—but it is our obligation to call what is happening by its name.

When we read this week in *The Atlantic*, quoting a senior White House official as saying that the ultimate goal of the administration is to destroy the international order so America will, as a matter of policy, have “No Friends, No Enemies,” then “nihilism” is the only word for it.

If I may echo the sentiments of our absent colleague Senator MCCAIN, I would like to make clear to our allies from the Senate floor that a bipartisan majority of Americans stand with you. We stand in favor of the principles of free trade, which have brought about unprecedented prosperity around the world. We stand in favor of preserving alliances based on 70 years of shared values, which have helped secure equally unprecedented peace and comity among nations. As Senator MCCAIN plainly stated, “Americans stand with you.”

Attacking our friends is not who we are as a nation. It is not responsible diplomacy. It is not helpful to our goals as a nation, and it cannot become the norm, but I fear it is becoming the norm, and that is devastating and it is a reality we must face in this Chamber.

We continue to act here as if all is normal, as if all parties are observing norms, even as the executive branch shatters them, robustly trafficking in conspiracy theories and attacking all institutions that don’t pay the President obeisance—our justice system, the free press. The list is getting longer.

This institution—the article I branch of our government—is not an accessory to the executive branch, and we demean ourselves and our proper constitutional role when we act like we work for the President and that we are only here to do his bidding, especially now.

With the time I have left in this Chamber, I will continue to speak out, and I invite my colleagues who are disturbed by the recent treatment of our allies to do the same, but as vital as I feel it is to speak out, for the record and for history, it is clear that in the face of such an unprecedented situa-

tion, words are not enough. Mr. Madison’s doctrine of the separation of powers tells us it is our obligation to act.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, we will be voting on the National Defense Authorization Act soon, which enjoys a storied history in the Congress. Fifty-seven consecutive years we passed the National Defense Authorization Act in order to support and equip our military. Earlier this month, the Senate Armed Services Committee voted overwhelmingly—25 to 2—to advance this important legislation to the floor.

There are 1.8 million Americans around the world on Active Duty, according to the Department of Defense. The United States has 737 military installations worldwide, and the Department of Defense is the world’s largest employer. Supporting all of these people and facilities is a Herculean task, and the Defense authorization bill is one very important way we do that. It is how we make sure the men and women in uniform are paid, our alliances are strengthened, and that military facilities are properly modernized and maintained.

This bill we will be voting on will support a total of—it is an authorization—\$716 billion for these tasks. Occasionally, people ask: Isn’t that too high a price to pay? Well, \$716 billion is unquestionably a lot of money, but the simple fact is, there is no one who shares our values who can step in and fill the void left by an absence of American leadership. It is American leadership that keeps the world stable—or at least as stable as it is—that helps keep the peace and helps fight the scourge of things like terrorism. There is no substitute for the United States of America.

There are countries I will talk about in a moment—such as China—that want to surpass us both economically and militarily, but it is important for our very way of life and for peace in the world that the United States continues to live up to its responsibilities to lead when it comes to national security.

In my home State, there are roughly 200,000 men and women stationed at places like Fort Hood, Joint Base San Antonio, the Red River Army Depot and Ellington Field. These are the people I think of each year as we take up and pass the Defense authorization bill. They rely on us to supply them what they need in order to do the tasks they have volunteered to do.

One thing this bill will do—and it sounds very modest—is provide a 2.6-percent pay increase, the largest in nearly 10 years for our uniformed military.

Given the state of today’s world, maintaining our military readiness has never been more important or more difficult. The array of national security threats facing the world is more

complex and diverse than at any time since World War II. Our leaders say, the strategic environment has not been this competitive since the end of the Cold War. Simply put, America no longer enjoys a comparative advantage that it once had over its competitors and its adversaries.

Secretary of Defense Mattis and the Department of Defense have admirably crafted the national defense strategy that was delivered to Congress earlier this year. This is a critical first step for the administration to lay out its strategy, but now that strategy must be implemented, and the Defense authorization bill will align our policies and resources in a way that will accomplish that.

This legislation will modernize the military’s rigid, outdated personnel management system to increase the adaptability of the force, increase its lethality, where necessary, invest in emerging technologies to ensure that our troops have what they need in order to be successful, and reform the Department of Defense to empower strong civilian leadership.

I am glad there are two pieces of this bill that are included and that I want to highlight in particular.

The first is called the Children of the Military Protection Act. I believe the Senator from Maine is my chief cosponsor, and I thank him for that. This will close a jurisdictional loophole affecting military installations where minors commit criminal offenses on base. This issue was brought to my attention by an Army JAG officer—a judge advocate general, a lawyer—who was concerned that juvenile sexual assault cases were falling through the cracks when the Federal Government chose not to prosecute because, naturally, this would end up in the jurisdiction of U.S. attorneys and the Federal courts, and certainly their plate is full. This was a particular problem, though, at Fort Hood in Central Texas.

This legislation will allow Federal prosecutors to retrocede jurisdiction to the State; that is, allow the State to step up and prosecute these cases, allowing State-level authorities to take up the case when the Federal Government’s other responsibilities and finite resources prevent it from being able to do so.

This is, as I said, a bipartisan priority that Members of both sides of the aisle should rally behind.

Our children who live on military bases must be protected at all costs, and when they are sexually assaulted, their juvenile assailant should not escape justice because of the constraints of the status quo.

The second piece of legislation I have introduced and that I am pleased has been included in the NDAA—the Defense authorization bill—involves how we address future threats to our national security. I have spoken quite a bit about China recently. My friend from Maine, who serves on the Intelligence Committee, as do I—we hear

quite often about the challenges confronting us from our rival China. But that country bears mention again right now because of its connection to the Defense authorization bill.

The chairman of the House Armed Services Committee, Chairman THORNBERRY, has recently said that it is in “the Indo-Pacific region [where] the United States faces a near-term, belligerent threat armed with nuclear weapons and also a longer-term strategic competitor.” He has described that as being a threat to the United States in the Indo-Pacific region where we face a near-term belligerent threat armed with nuclear weapons—that would be North Korea—along with a long-term strategic competitor, and that would be China, that Chairman THORNBERRY is referring to.

That is why this year’s Defense authorization bill, among other goals, prioritizes military readiness in that region and strengthens key partnerships. It promotes stability and security in the Indo-Pacific region through exercises with our allies, and it maintains our policy of maximum pressure on North Korea as we seek to negotiate the denuclearization of the North Korean peninsula.

But another main provision in this legislation that has to do with the Indo-Pacific region in particular, which I have cosponsored, along with Senator FEINSTEIN, the senior Senator from California, is known as the Foreign Investment Risk Review Modernization Act, or FIRREA. This legislation will allow us to better intercept threats to our national security posed by China when its companies masquerade as normal corporate actors. But it has been well documented that China is intent upon not only stealing our intellectual property, but also acquiring the know-how to build dual-use technology in China and thus undermine our industrial base here in the United States. They do so by evading current law, by mergers, acquisitions, and joint ventures. This legislation will modernize the review process led by the Secretary of Treasury to make sure that foreign investments in the United States protect our national security.

This is not intended to discourage foreign investment. Foreign investment is a good thing. But when countries have an explicit strategy to try to acquire cutting-edge technology that has military applications, it obviously is a concern to our national security.

As I said earlier, the Defense authorization bill is important for many reasons that hit closer to home. For example, in Texas, this bill has traditionally authorized needed improvements at Texas military facilities. We have an all-volunteer military. That means we have to not discourage people from entering the military or being retained in the military. One of the ways we do that is by making sure that we maintain improvements at our facilities, as well as provide updated aircraft, ships,

and ground vehicles. All of these have Texas implications too.

So when I vote yes on the Defense authorization bill soon, I will be thinking of these servicemembers—my constituents back home who proudly wear the uniform of the U.S. military—as well as all of those troops stationed overseas. I encourage all of our colleagues, let’s make sure we get this NDAA, the Defense authorization bill, across the finish line as soon as possible.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I wish to commend the Senator from Texas for his leadership both on the juvenile justice provision of the National Defense Act, and also, very importantly, on foreign investment. We often hear around here testimony about all-of-government efforts. What we are facing is an all-of-society effort from some of our competitors—principally, China. Their private sector and their public sector are sometimes indistinguishable when it comes to investments. That is why this modernization act that the Senator from Texas has taken the lead on and has included as an amendment in the National Defense Authorization Act is vitally important to national security.

I just want to thank the Senator for his leadership on a very important issue and commend the work of the committee in including it in the bill. Like the Senator, I look forward to supporting this bill. I think it is important on many levels, but since the Senator is on the floor, I wanted to commend him for his leadership on these issues.

FOOD LABELS

Mr. President, I come to the floor today to talk about a regulatory issue. It would be easy to joke about it, and I will probably not be able to resist a few puns along the way, but it is very serious.

The Food and Drug Administration is reviewing food labels. They want to make them more understandable. They want to make them more informative to people when they are purchasing food in the grocery store. They have increased the font size on the calorie serving size, the number of servings in a container, and this all makes sense. But there is a place where the proposed rule of the FDA goes off the rails, if you will, and that involves maple syrup and honey, which the agency is suggesting should have on its label “added sugar.”

Well, maple syrup and honey essentially are sugar. And in pure maple syrup, in pure honey, which we produce in our State and other States in the Northern Tier, nothing is added. To add the phrase “added sugar” to maple syrup and honey makes no sense and is indeed confusing to the consumer because if you read a label that says “maple syrup” and it says “added sugar,” your natural assumption is somebody has put more sugar in there. That is what you would take from that.

Indeed, that is what this label requirement that has been proposed would do. It would actually undermine the good work that has been done by the maple syrup industry and the honey industry over the years to explain to consumers the difference between pure honey and pure maple syrup and other products that have other things in them and may have sugar added.

This is a photograph of where maple syrup comes from. This is a maple tree, and the farmer is tapping it. These tubes all lead to a maple house. Making maple syrup is not easy. It takes 40 gallons of sap to make one gallon of syrup. That is why we call it liquid gold. It is a wonderful product. It is a pure product. There is nothing that is added between the tree and the jar that you buy in your grocery store if, indeed, it is real maple syrup. Nothing is added.

Last week, I visited a wonderful guy in Maine who is known as the Bee Whisperer, and he—or rather his bees—makes honey. We were out in a back field where the hives are. I said: How many bees are out there? He sort of scratched his head and said: About 3 million. Bees are in the hives in this back field of the Bee Whisperer up in Maine and when the honey comes into the combs, they scrape the wax off the top. The wax is created by the bees, by the way, so it is a totally natural product. The honey then comes out, and here it is coming out into a jar.

This is pure honey. To add to this label “sugar added” makes no sense because it is not. There is nothing added, except what the bees produce.

So this is a case where I think what we are talking about is a well-meaning attempt on the part of this agency, the FDA, to inform consumers, but, in the process, what they are really doing is misinforming them.

Honey comes from the bee to the jar—nothing in between. Maple syrup comes from the tree to the jar—nothing in between. Nothing is added. The only thing that is added by this proposed regulation is confusion, and confusion is the whole thing we are trying to avoid here.

We are not adding sugar. Sugar isn’t added into maple syrup and into honey. If you put “added sugar” on the label, it will make the consumer think that this isn’t a pure product, and it will undo 50 years of effort to make the public understand the difference between pure maple syrup and pure honey and something that may indeed have some added ingredient.

MaryAnne Kinney—by the way, MaryAnne’s husband is the guy that was tapping the tree that I showed a minute ago—is a State legislator in Maine, and she is also a maple producer, and she is in Washington this week spreading the word about this issue. I just want to add my voice to it because this would have a significant impact on these industries nationwide. These are important businesses. In

Maine, maple syrup is a \$20 million-a-year business.

I have to admit that one day years ago, when I was the Governor of Maine, we used to tap a maple tree in the front yard of the Governor's residence every year. It was a ceremonial event. The press was there. I went out one year to tap that tree, nailed one of these guys into the tree, and then the sap dripped out into the bucket. This is the old fashioned way. The new way is what I showed before; the tubes run right to the sugar house.

The press was there, and they said: Governor, what do you think of Vermont maple syrup? I said: Vermont maple syrup? Are you kidding me? We use that in cars in Maine; we don't eat that stuff. Well, it started a war with the Governor of Vermont, which we settled amicably, I might add.

Maple syrup is important to us. I think this is would be a funny issue if it weren't so serious for producers. As a matter of fact, when you say they are going to put "added sugar" on a label for maple syrup, most people think it is kind of funny, but it is not funny to the industry.

So I can't resist, Mr. President: I am hoping for a sweet ending to a sticky mess and that the FDA this week will do the right thing.

I yield the floor.

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. ROUNDS. 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. ROUNDS. Mr. President, as a member of the Senate Armed Services Committee, I am pleased that we as a committee have once again come together in a bipartisan fashion to advance the National Defense Authorization Act, or NDAA, which I believe is a vital piece of legislation for our national security.

I thank the chairmen and ranking members in both the House and Senate for their leadership—Senator INHOFE—and the Members on both sides of the aisle who have continued to work together on this very important Defense bill.

Congress as an institution continues to come together each year to show our troops and their families that they have our full support. The Federal Government's No. 1 responsibility is to provide for the defense of our Nation.

This year's NDAA, the John S. McCain National Defense Authorization Act, honors our chairman, who has dedicated his life to serving our country. Few people are more passionate about our troops and our military readiness than Chairman MCCAIN, and the courage he has exhibited during his years of service and in his current battle has inspired all of us. I am pleased we were able to put together legisla-

tion bearing his name that builds on last year's efforts to provide adequate tools so our forces can fully rebuild our military and adequately address the challenges they face.

The most important capability we have is our people, the men and women in uniform who defend our Nation and the families who give them the strength to do so. That is why I am pleased that this year's NDAA includes a 2.6-percent pay raise for our troops.

We are also fortunate that the leader of our Armed Forces, Defense Secretary James Mattis, has provided us with a national defense strategy that clearly articulates the current and emerging threats we as a nation are facing. This strategy focuses on the central challenge facing our Nation: the reemergence of long-term strategic competition with our near-peer competitors, such as Russia and China. It is our duty to provide Secretary Mattis and all of our troops with the tools they need to execute this strategy.

The world is more dangerous than at any time since the Cold War era. China and Russia are both strategic competitors. Great uncertainty still remains on the Korean Peninsula. Iran continues to threaten Middle Eastern stability. Our forces remain engaged in combat in Afghanistan and are conducting counterterrorism in multiple areas of operation.

Our superiority in the maritime, air, ground, space, and cyber domains—once taken for granted—is constantly challenged by our strategic and regional competitors.

Even more concerning, the threat of sequestration and repeated continuing resolutions has prevented our troops from being fully equipped to prepare and defend against these threats. As a result, modernization, readiness, and sustainment have all suffered.

It is our duty to provide funding stability and avoid arbitrary budget caps that constrain defense spending below that which is required to protect our Nation. Failure to provide adequate, stable funding disrupts planning, impacts responsible obligation of critical funding resources, degrades readiness, and inhibits modernization, and there have been disturbing real-world consequences.

The high operational demand with an insufficient fleet, overburdened maintenance infrastructure, and an erosion of training all were factors in a string of recent Navy surface fleet incidents. The Marine Corps and Air Force have had their own serious readiness issues with the F-18 and the B-1 fleets, which experienced multiple class-A accidents, some of which caused the loss of life. The shortage of pilots in every service is a strategic readiness concern that must be addressed.

Our sailors, soldiers, airmen, and marines deserve the very best in training and equipment. This year's NDAA does that by providing a total of \$716 billion in fiscal year 2019 for national defense.

Voting for this vital legislation is not—I repeat: not—an act of budget-

busting. In fact, in 2010 we spent \$714 billion—just \$2 billion less than this year—on national defense, but a dollar went a lot further back then. Adjusted for inflation, this bill actually authorizes more than \$110 billion less than in 2010 buying power. We are slowly digging ourselves out of a hole that has hollowed our Armed Forces. The real budget-busting is being done with mandatory spending, and we don't even vote on mandatory spending.

Since the Cold War, the stakes for failing to take decisive action have never been higher. This legislation will enable our Armed Forces to continue taking necessary steps to rebuild and restore our national security.

As an example, in the Navy—this year's NDAA builds on last year's bill to improve ship and aviation readiness and the infrastructure necessary to support the fleet, which directly addresses a significant problem the Armed Services Committee has examined in multiple hearings this year. Significantly, it improves the Navy's capacity to execute maintenance in naval shipyards by continuing to grow the workforce while investing in shipyard infrastructure, including facilities, equipment, and information technology. This increase in workforce will help the Navy to meet scheduled ship maintenance, support additional ships, and reduce the backlog that has accumulated from over a decade of increased operational tempo.

Similar plans to restore readiness will be executed across the force so long as we honor our commitment to invest in a complete life cycle acquisition system.

As chairman of the Cybersecurity Subcommittee of the Senate Armed Services Committee, I am pleased that the NDAA includes important provisions that take steps to address the serious cyber threat our Nation faces. This includes providing the Secretary of Defense with the authority to conduct military operations in cyber space, developing a program to establish cyber institutes at educational institutions, and investing in cyber programs in the defense industrial base. These are important steps we can take to defend the Nation in the cyber domain.

I am also glad that the bill we are considering today includes strategic measures that I offered to improve officer personnel management and increase the capabilities of our training ranges throughout the Department of Defense to better support the objectives outlined in the national defense strategy. Today, a number of our personnel and training systems are outdated and fail to provide our forces with the tools they need on the modern battlefield. This bill changes that.

While we champion this year's bill, we must also extend our view beyond fiscal year 2019. We must be prepared for the future while reacting to the present, especially as it relates to funding. For the past 3 years, I have served

as a member of the Senate Armed Services Committee, bearing witness to potential challenges that could threaten our national security if we do not address arbitrary budget caps placed on our defense. These arbitrary budget caps have forced the kinds of false choices that are potentially so devastating for our Armed Forces.

We must also avoid the false choice of paying for readiness while assuming risk for modernization or vice-versa. We cannot let the pursuit of the perfect modernization solution prevent us from implementing mature technologies—to address short-term capability gaps—now, today.

The bill we are considering today avoids these choices.

In closing, I thank Chairman MCCAIN, Ranking Member REED, Senator INHOFE, and my other Armed Services Committee colleagues and everyone on staff for their work on this year's NDAA.

I look forward to getting this bill to the President's desk in a timely manner as we continue our strong tradition of coming together on a bipartisan basis to support our troops and their families so that they can continue to keep us safe.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

CONGRATULATING MITCH MCCONNELL AS THE LONGEST SERVING SENATE REPUBLICAN LEADER

Mr. BLUNT. Mr. President, I begin today by congratulating my friend, the senior Senator from Kentucky, Mr. MCCONNELL, on becoming the longest serving Republican leader in the history of the Senate.

This is an institution where somebody once wisely, I think, observed that there are only really two rules. Unanimous consent and total exhaustion are the way the Senate has in the past reached conclusions. That would not be and is not an easy group to lead. But I think Senator MCCONNELL, more than any other Member of the current Senate, appreciates and understands the institution in ways that very few people do. He used the skills of understanding the uniqueness of the Senate. There is no other legislative body designed, as this body was, to be sure that the minority is heard and to be sure that the time we take is adequate for points of view to be put out there.

During that time, in the past year, Senator MCCONNELL has led our conference and the Senate in delivering the biggest tax overhaul in three decades, confirming a record number of circuit court judges, and overturning unnecessary regulations that were holding the economy back, and that is not easy to do.

Every Member of the Senate comes here on their own. They come here working for the people who elected them. In many ways, we have 100 independent contractors who understand their bosses—the people they work for—and the States they come from

better than anybody else on the Senate floor does. Now, that is not a bad thing. That is an indication of bringing democracy to a place that has only 100 Members and always has almost 100 different points of view.

Senator MCCONNELL has earned the confidence of his colleagues. He has led the Senate in a good way. I am proud to call him my friend. He was the Senate whip when I was the majority whip in the House, and I am grateful for the 11 years, 5 months, and 11 days of steady leadership he has given.

Now, Mr. President, with the Democratic and Republican leaders, the majority and minority leaders, both doing what they need to do, the work of the Senate continues.

This is the 57th time the Senate has dealt with the National Defense Authorization Act. It is the only bill that we pass as an authorizing bill every single year, and I think that is highly appropriate. The No. 1 job of the Federal Government is to defend the country, and we give that issue a different level of time on the Senate floor every year than we do anything else.

The national security threats facing the United States today are more complex and more diverse, certainly, than at any time since World War II and maybe at any time ever. The United States hasn't seen the kind of strategic competition we see from other places. We haven't seen the diversity of opposition that democracy faces today. Frankly, our competitive advantage is not what it once was. Our advantage on the battlefield is not what it once was. It is still better than anybody else but not as overwhelmingly better as we were at one time.

For us to continue to be successful, we have to maintain that military advantage. We have to counter our potential adversaries. As Senator ROUNDS just mentioned, we have to look at the new potential of cyber warfare, being sure our cyber advantage, our technological advantage, can't be disrupted because someone else has developed a way to get into our systems better than we developed ways to defend them. That is not an acceptable conclusion. We need to work to defend an international order that has advanced our security, that has advanced our prosperity, and that our allies and partners are an intricate part of. This requires us to be sure we are always ready.

Secretary of Defense Mattis and senior leaders of the Department of Defense have spent a lot of time crafting the national defense strategy. This bill makes it possible for us to pursue that strategy. This is not a bill where the Members of the Senate pretend to be the master strategists of our defense, but it is a bill that allows the Members of the Senate, with oversight, with responsibility to the people we work for, to be sure that plan not only makes sense but is supportive.

In the National Defense Authorization Act, there is a total of \$716 billion.

Half of all the discretionary money we spend, we spend on this topic. This would be another time to repeat my observation earlier that this is our No. 1 priority as the Federal Government or we wouldn't be spending half of all the discretionary money we spend on this.

We need to be sure we keep faith with those who are serving, to be sure they have the best resources, the best equipment, the best training that is possible.

Importantly, the authorization bill provides our servicemembers with a pay raise, a 2.6-percent pay raise. That is the biggest pay increase in a decade, and it needs to happen. It authorizes crucial multiyear procurement authority to keep our lines of defense production open. You have to have more than a 12-month commitment to build things like the F/A-18 Super Hornets that are made in St. Louis. We have been using those aircraft at a high volume of use, part of flying package after flying package. The Middle East has impacted our use of those planes and others.

This is a bill that says: OK. We need to be sure we are looking forward not just for 12 months but for a multiple series of months to allow that line and the great men and women who work on it to keep it going.

The NDAA invests in emerging technology, and we do all we can to assure that our troops have what they need to make their mission successful. This bill makes significant investments in research and engineering to be sure that, again, we have the cutting-edge military technologies, and we have the cutting-edge ways to defend those military technologies.

It is hard for me, when we come to this bill every year, not to make the point that we want to be sure Americans are never in a "fair" fight; we want to be sure they always have all the advantages anytime they engage to protect our freedoms.

This bill recognizes the critical importance of our allies and our partners around the globe who fight together with us, who have shared responsibilities with us. This bill provides support to counter what we see the Chinese doing in the South China Sea or what we see the Russians doing as they look to—and obviously resent the success of NATO—both economic and defense of those NATO countries. It continues the fight against ISIS and terrorists in Afghanistan.

We are hopeful—I am hopeful we have some language in this bill where, as opposed to an annual designation that recognizes those who have been wounded and injured in the service, we could make that an annual Silver Star Service Banner Day. I am grateful for the work those families do every year, and I hope we can continue to honor them in this bill.

This would, frankly, be a perfect bill to honor families of those who have been injured and wounded in service, as it also recognizes the incredible service

of JOHN MCCAIN. I can't think of anyone whose life of service to this country is more exemplary, is more determined, is more vigorous than his commitment to the people who serve but also to the taxpayers we work for.

The John S. McCain National Defense Authorization Act is named for the chairman. He has given so much of his life to our service. This is a bill that I hope appropriately honors his service, as I also hope it appropriately does what we need to do to honor our No. 1 priority—the defense of America. I yield back.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I couldn't have said it as well as the Senator from Missouri. This is the John S. McCain reauthorization bill and obviously he is deserving of much more than that.

AMENDMENT NO. 2842

Since we are going to have the votes in just a few minutes—two votes—let me make a couple of comments, and then I will yield to the Senator from Rhode Island. I believe the first vote we are going to have is going to be the Reed amendment, and I do oppose it. This amendment would require congressional authorization for the development of nuclear weapons for one simple reason we already require. Congress is already required to authorize the development of nuclear weapons in each year's authorization and appropriations bill.

The debate is not really about the authorization; it is about the "Nuclear Posture Review." The "Nuclear Posture Review" calls for the United States to develop a low-yield nuclear capability, which some in Congress are against. That is fine. That is what this vote is on. We should debate it. We have debated it in the past, certainly in our committee we have, and that is the reason it is on the committee and would have to be taken off on the floor, if that is the desire of the majority of Members. That is not my desire. That is what we did.

The Armed Services Committee considered an amendment to limit low-yield authorization, debate its merits, and voted it down by a bipartisan vote of 16 to 11. There is certainly support for it.

Let's be clear. The purpose of developing the low-yield capability is the same as our entire nuclear enterprise—deterrence. According to the NPR, Russia believes we have a gap in our nuclear capability because we have no low-yield nuclear warheads. As a result, they may perceive that limited nuclear first use, including low-yield weapons, would present the United States with two bad choices in response: escalate or do nothing. Since neither response would be acceptable, Russia may see this as an opportunity to gain strategic advantage through the use of nuclear weapons. We must correct this Russian misconception.

Simply put, the NDAA authorizes the development of low-yield capability to

make nuclear use less likely, to preserve and enhance deterrence. That is what this is all about. I heard arguments—and we debated this for many hours in the committee, and it is one that I think we ought to have every capability the Russians have, and of course we will not have that unless we have the low-yield capability. I would hate to have our country in a position where the only choice we have is to do nothing or to use the high-yield equipment that we don't want to use.

I will save my remarks on the next amendment, the Lee amendment, until after this so we can give Senator REED the opportunity to visit about his amendment.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first, let me thank the Senator from Oklahoma for his graciousness in allowing me to respond.

As I read the language of the bill, the language we had in place since 2004 was stricken. That language prohibited, essentially, the production and development of a low-yield nuclear device without congressional authorization. In addition to that, the language that was inserted in the bill that is before us now creates a process, whereby in order to begin work in production and development of a low-yield or perhaps even any type of nuclear weapon, the Secretary of Energy simply must submit the request in the budget, at which point they can begin reprogramming funds that already had been appropriated to start moving forward with the development of not only the low-yield nuclear weapons we are talking about now but in the future, additional ones. The essence of my amendment is clearly to get to the point where we are considering going forward with any new proposal by the administration. I will emphasize, too, the way this language is crafted in the bill, it is the Secretary of Energy—it is not the Secretary of Defense—that puts it in his budget. Once it is in his budget, then they can begin to move money around. It could be for this submarine launch system or it could be for a system we have had in the past. We had nuclear field artillery in 1950s and 1960s. It might not be, frankly, the Secretary of Defense or anyone else. It might be the President or the NSC that decides to do that. I am simply saying we have had for a decade or more the responsibility, the obligation, to authorize new nuclear weapons and specifically low-yield weapons. That is why we have to include in this bill a specific authorization for this proposed submarine low-yield nuclear weapon.

If the language existed as is in the bill now, next year I don't think we would have that requirement. The Secretary of Energy could simply put it in his budget and then say: It is ready to go. I am moving money around. I am going to get ahead and create a new low-yield device—maybe not a submarine device, maybe a short-range

rocket for the U.S. Army or a field artillery piece, which the chairman from Oklahoma understands because we were both in the service when they had those. This simply says, we as the Congress have the obligation and responsibility to say the provide oversight and authorize any such system. That is why we are on the floor today with respect to this low-yield submarine weapon system, because if we did not stand up and authorize it, it could not be constructed.

As we go forward, I think we still would have to have that congressional responsibility, particularly in a world that is becoming increasingly complicated by nuclear weapons not just from the major powers but by rising powers by many countries.

I urge my colleagues to support the amendment. It simply maintains the status quo and says, if we are going to develop a new weapons system, come to us. We can debate it. We approve it or we don't approve it, but the American people can rest assured that this is not something that has been simply moved through the administrative channels of any Executive, this President or any other President.

With that, I will ask for support.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. In just a moment, it is my intention to table the Reed amendment. I want to say this. This is the way things should work. We have debated this. We have debated it in committee. I have heard his very logical remarks and positions, and he has heard mine. We have an honest disagreement, and I think this is a better example than some of the things we heard recently from some of our colleagues.

Mr. REED. I thank the Senator.

Mr. INHOFE. Mr. President, I move to table Reed amendment No. 2842 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 121 Leg.]

YEAS—47

Alexander	Cassidy	Daines
Barrasso	Corker	Enzi
Blunt	Cornyn	Ernst
Boozman	Cotton	Fischer
Burr	Crapo	Flake
Capito	Cruz	Gardner

Graham	Lankford	Sasse
Grassley	Lee	Scott
Hatch	McConnell	Shelby
Heller	Moran	Sullivan
Hoeben	Perdue	Thune
Hyde-Smith	Portman	Tillis
Inhofe	Risch	Toomey
Isakson	Roberts	Wicker
Johnson	Rounds	Young
Kennedy	Rubio	

NAYS—51

Baldwin	Hassan	Nelson
Bennet	Heinrich	Paul
Blumenthal	Heitkamp	Peters
Booker	Hirono	Reed
Brown	Jones	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	McCaskill	Udall
Donnelly	Menendez	Van Hollen
Durbin	Merkley	Warner
Feinstein	Murkowski	Warren
Gillibrand	Murphy	Whitehouse
Harris	Murray	Wyden

NOT VOTING—2

Duckworth McCain

The motion was rejected.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 2366

Mr. LEE. Mr. President, I wish to speak for a moment about an amendment I offered, the Due Process Guarantee Act amendment. This is based on a bill Senator FEINSTEIN and I have introduced together. It has one purpose: to protect American citizens and lawful permanent residents on U.S. soil from being apprehended here and indefinitely detained.

In Federalist No. 84, Alexander Hamilton appropriately referred to arbitrary unlawful imprisonment as one of the favorite and most formidable instruments of tyrants. If our country is to make sure that it avoids this mistake, our country needs to undo a decision that was made in section 1021 of the National Defense Authorization Act passed by this body for fiscal year 2012, which is still in effect today.

This amendment does one thing, and it is very simple. It simply says that if you are a U.S. citizen or a lawful permanent resident, you may not be indefinitely detained on U.S. soil without trial, without charge, without access to a jury or to counsel. These are not radical concepts. These are simply fundamental American concepts. These are concepts required by the Constitution itself.

It is not too much to ask to suggest that we should have a vote on this year's National Defense Authorization Act, given that it was a National Defense Authorization Act passed 7 years ago that put this in place to begin with. In the following Congress, a virtually identical version passed by a supermajority vote of 67 votes. For reasons I have never been able to understand, it was stripped out in the conference committee later.

Today we have the opportunity to undo the wrong that was placed into law then. We must prohibit indefinite detention of American citizens appre-

hended on U.S. soil. That is what this amendment does.

We should be voting on it. We should not be blocked from getting a vote. I, therefore, implore you, with all the energy I am capable of conveying, to vote no on this motion to table.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I want the same 30 seconds.

I implore you all to understand the difference between fighting a crime and a war. The Senator's amendment, as drafted, applies outside the United States.

Remember Anwar al-Awlaki, the American citizen who hid with al-Qaida in Yemen? We killed the guy. If we had captured him, the last thing I would have wanted him to hear is, "You have a right to a lawyer," because he is now part of the enemy force.

The case law is very clear here. You had saboteurs from Germany marry up with American citizens in Long Island to commit sabotage in America. In re Quirin, the Court held that an American citizen who joins the enemy force can be an enemy combatant under law of war and tried by the military.

We have a case where a man was held at Charleston for 5 years—Mr. Padilla, who sided with al-Qaida. The court said it doesn't matter if you are captured in the United States. Your activity matters.

Here is what I want. I don't want to read these guys their Miranda rights because they are recruiting in our own backyard. American citizens are high on the list of al-Qaida and ISIS to use against us. When we capture them, I don't want to read them the Miranda rights.

We don't have to hold them indefinitely. If an American citizen is suspected to join the enemy, let's have a hearing about whether or not they have given up their citizenship. That way, we don't have to read them their Miranda rights and lose the ability to interrogate a person who has joined the enemy.

What you are doing is incentivizing ISIS and al-Qaida to find an American because they have protections other people would not have in their own backyard. It is insane to say America is not part of the battlefield. Ask people in New York if America is part of the battlefield. Ask people in the Pentagon if America is part of the battlefield. If you think America is not part of the battlefield, vote with him. If it is, table this amendment.

Mr. LEE. Mr. President, I ask unanimous consent for 30 seconds to respond.

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

Mr. LEE. Mr. President, this bill does not apply to people apprehended outside the United States. It does not apply to you at all if you are not a U.S. citizen or a lawful resident on U.S. soil at the time of your apprehension. This should not be controversial. This, in

fact, is made noncontroversial by the Constitution itself.

I urge you to vote no on this motion to table.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I move to table Lee amendment No. 2366 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

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

The result was announced—yeas 30, nays 68, as follows:

[Rollcall Vote No. 122 Leg.]

YEAS—30

Blunt	Grassley	Rounds
Boozman	Hyde-Smith	Rubio
Burr	Inhofe	Sasse
Capito	Isakson	Shelby
Corker	Johnson	Sullivan
Cornyn	Manchin	Thune
Cortez Masto	McConnell	Tillis
Cotton	Perdue	Toomey
Donnelly	Portman	Wicker
Graham	Roberts	Young

NAYS—68

Alexander	Gardner	Murkowski
Baldwin	Gillibrand	Murphy
Barrasso	Harris	Murray
Bennet	Hassan	Nelson
Blumenthal	Hatch	Paul
Booker	Heinrich	Peters
Brown	Heitkamp	Reed
Cantwell	Heller	Risch
Cardin	Hirono	Sanders
Carper	Hoeben	Schatz
Casey	Jones	Schumer
Cassidy	Kaine	Scott
Collins	Kennedy	Shaheen
Coons	King	Smith
Crapo	Klobuchar	Stabenow
Cruz	Lankford	Tester
Daines	Leahy	Udall
Durbin	Lee	Van Hollen
Enzi	Markey	Warner
Ernst	McCaskill	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wyden
Flake	Moran	

NOT VOTING—2

Duckworth McCain

The motion was rejected.

The PRESIDING OFFICER. The Senator from Connecticut.

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

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

HEALTHCARE

Mr. MURPHY. Mr. President, we have begun the period of time in the year when insurance companies start to declare what their intention is with regard to rate increases, and the news is not good for American healthcare consumers.

I am going to be joined on the floor today by a few of my colleagues to talk

about what the impact of these radical increases in premiums is going to be for our constituents. The news is not good, but, frankly, it is no surprise because for a year and a half now, the Trump administration has been waging a very deliberate assault on the American healthcare system, trying to sabotage it as retribution for the country not agreeing to overturn the Affordable Care Act, which now enjoys widespread popularity across the country. This deliberate campaign of sabotage—beginning the first day Trump got into office with an Executive order, leading up to these last 2 weeks in which the Trump Justice Department is trying to rule that protecting people with preexisting conditions is unconstitutional—has had an impact. It has had an impact.

I want to quickly run through what we have seen thus far with respect to premium increases all across this country as a result of the Trump administration's and Republicans' campaign of sabotage.

First is in Maryland. The highest increase we saw in Maryland—these were announced about a month ago—was one plan announcing a 91-percent increase—in 1 year, one time, a 91-percent increase. It is almost a doubling of premiums for a PPO plan in Maryland that was primarily being used by people with preexisting conditions, people who were sick.

The reason this plan is going up by 91 percent is because, as the Trump administration and this Congress take steps to move healthy people off of insurance plans to either no insurance at all or to junk plans, only sick people or people with preexisting conditions are left on plans like the CareFirst PPO plan. A 91-percent increase. Who in Maryland with any kind of middle-class income can afford a 91-percent increase?

Virginia is not much better. In Virginia, at about the same time, one plan asked for a 64-percent increase. Again, I don't know many families who are making \$30,000 a year who can afford a 1-year, 64-percent increase in premiums.

Remember, overall, medical inflation in this country—meaning on a percentage basis, the amount of increase in medical costs from year to year—is about 6 percent. So if you were just passing along the costs to your consumers, the rate should be somewhere in the neighborhood of 5, 6, or 7 percent. Instead, in Virginia, it is 64 percent.

Senator MERKLEY is going to talk about Oregon, but premiums in Oregon are going up by double digits—14 percent.

Washington State is looking at a premium increase of 30 percent. The Kaiser plan in Washington is asking for a 30-percent increase. The statewide average is right around 20 percent. Kaiser, in Washington, says: "The rate changes shown are primarily driven by the claims experience of the single risk pool, medical inflation, and projected

changes in the risk profile of the membership due to the elimination of the individual mandate." That is the change that Republicans made to the Affordable Care Act.

You are actually in decent shape in Maine, so I will give you the good news too. In Maine, you are only seeing a 10-percent increase in premiums—just slightly above the rate of medical inflation.

In one of the more popular States in the country, New York, the news is catastrophic—a 39-percent increase in premiums in the largest health insurance plan in New York. Fidelis, which is on the State healthcare insurance exchange, is asking for a 39-percent increase.

Let me read to you what the New York Department of Financial Services said about this requested 39-percent increase:

With respect to the individual market, the single biggest justification offered by insurers for the requested increases is the Trump Administration's repeal of the individual mandate penalty. The individual mandate, a key component of the Affordable Care Act, helped mitigate against dramatic price increases by ensuring healthier insurance pools. Insurers have attributed approximately half of their requested rate increases to the risks they see resulting from its repeal.

It is not as if the Republicans in this body didn't know what was going to happen. The CBO said that rates will go up by at least 10 percent in the first year if you repeal that part of the Affordable Care Act and 13 million people will lose insurance. That is what happens when rates go up by 40 percent. Some people just cannot afford to pay it. So whether the number is 39 or 91 or 64, these rate increases that are happening because of this campaign of sabotage by the Trump administration are simply unaffordable.

Before I turn this over to Senator MERKLEY, let me quickly run through what I am talking about.

In January 2017, President Trump signs an Executive order telling all his agencies to dismantle the ACA, despite the fact that Congress didn't repeal the Affordable Care Act and never would appeal the Affordable Care Act.

In April of 2017, he cuts open enrollment in half for the Affordable Care Act just to try to make sure that fewer people can sign up for health insurance.

In May, Republicans start voting to try to take insurance away from 23 million people. Actually, one of the proposals would have taken insurance away from 30 million people. In December of 2017, they finally settle on legislation that takes insurance away from 13 million people and drives costs up by at least 10 percent.

In February of this year, the Trump administration starts to allow insurance companies to expand the use of junk plans. These are plans that cover very little. They might not cover prescription drugs or mental health or addiction care, but they are cheaper, so

healthy people tend to move to these plans, leaving the sick people on the plans that are now going up by 39 percent.

The final cherry on top is that right now as we speak, the administration is making an argument before the Supreme Court that the remaining scraps of the Affordable Care Act that the Republicans left are unconstitutional.

The protection for people with preexisting conditions, which Trump promised over and over and over again to keep—Lesley Stahl pinned him down in a "60 Minutes" interview and asked: You are going to keep protection for people with preexisting conditions, right? You are going to keep the part of the Affordable Care Act that is wildly popular, aren't you?

He said: Yes, I am going to keep that part.

In fact, he has now instructed his Department of Justice to break precedent and argue the unconstitutionality of a statute of the United States, that statute being the portion of the Affordable Care Act that protects people with preexisting conditions.

Believe me, insurance companies are paying attention to this unending withering assault on the Affordable Care Act and the American healthcare system. That is why we are seeing these big premium increases.

We want to make sure that our colleagues understand what is happening here and that the American public understands what is happening here. These increases in healthcare costs are unprecedented, but they are not surprising, given what this administration and what this Congress have been doing.

With that, I yield the floor, seeing that Senator MERKLEY is ready to speak.

Mr. MERKLEY. Mr. President, I thank my colleague for letting us come down to talk about the trumped-up healthcare prices in America. It is trumped up because the prices are going up specifically because of the policies of President Trump and his team. The sabotage is at full speed.

Long before the sabotage occurred, in 2017, here on the floor of the Senate, we had five different versions of trying to wipe out healthcare for American citizens. They varied in range from wiping out healthcare for 22 million Americans to wiping out healthcare for 30 million Americans.

How is it that in a "we the people" republic, people can come down here and vote to wipe out healthcare for millions of people across this country? Quite simply, we have a team in power that believes in government by and for the powerful and the rich. They have healthcare, so they don't care about the rest of us, but we should be here fighting for the ordinary citizen in America. What is more important to peace of mind than the knowledge that if your loved one gets sick or injured, they will get the healthcare they need and you will not go bankrupt in the

process? That is why this is so important to Americans.

Just by a little bit, just by a thin, one-vote margin, we defeated those efforts to destroy healthcare last year, in 2017. We thought, thank goodness the people have triumphed for once in this Chamber. But no sooner than that occurred, then we had a tax bill—a tax bill that itself was written by and for the wealthy and well connected rather than the people. It borrows \$1.5 trillion and gives most of it to the wealthiest of Americans.

Embedded in that terrible assault on the finances of America, that terrible failure to address the fundamentals of things that enable families to thrive—healthcare, education, living-wage jobs, and good housing—embedded in that was pulling the plug on the insurance pools. What does that mean? It means that the healthiest can jump out of the pool, and when they do that, they leave sicker people, and the price goes up. The price goes up, so more of the healthy people jump out of the pool, and the price goes up. This is known as the insurance death spiral. For ordinary citizens, it is known as double-digit increases in the cost of your healthcare policies brought by these Republicans and Donald Trump with this deliberate effort of sabotage.

The sabotage didn't end with pulling the plug on the insurance pools, no. Then we had the effort to undermine the marketplace, where people can compare policies and get policies that abide by the healthcare bill of rights, the Patients' Bill of Rights, things like, yes, you can buy a policy at the same price as everyone else even if you have preexisting conditions—that healthcare bill of rights. It is the healthcare bill of rights that allows testing and screening because an ounce of prevention is worth a pound of cure.

What is Team Trump doing? Well, they cut the enrollment period in half. They cut funding for outreach by up to 92 percent. They slashed the budget for advertising—so people wouldn't know that there was an open period and would miss the opportunity to get a healthcare plan—by 90 percent, 9 out of 10 dollars. They put up anti-marketplace propaganda. They periodically proceeded to shut down the website so people would get frustrated while trying to sign up for insurance. That is a real winner—make it hard for people to sign up for healthcare. Just how bad does it have to get—this attack on ordinary Americans by this administration, making it difficult, sometimes impossible, for people to sign up for hours at a time, right in the middle of an open enrollment period. They are wiping out the cost-sharing subsidies, so healthcare will be more expensive for people who have the least means.

Then we have even more. We have the junk policies—these junk insurance policies that make you feel good, they are very cheap, you can buy them, and they are good for filling your filing cabinet, but when it comes to actually

getting healthcare when you are sick or injured, they don't pay for anything. That is a junk policy. It is really a predatory policy to try to say to people: Here, buy this, and you have insurance—but you don't really, not when you need it. That really is another assault on an ordinary American about the peace of mind of having healthcare when you are injured or when you are sick.

So there we are. We thought this assault had gone as far as it could possibly go.

Someday the people in this country will rise up in an election and proceed to say: We really do believe in that vision of our Constitution, that “we the people” vision of our Constitution of the United States of America; we believe in that vision, and we want an elected body that believes in that vision.

But a new assault came just days ago in which the President—who promised to make sure that every healthcare policy was cheaper than it was before, and that turned out to be a lie; the one who said that every person will be covered, and that turned out to be a lie; the one who said that whatever happens, I will absolutely make sure we continue to protect Americans who have preexisting conditions, and they will get the same or better treatment than they have now—issues an order that says: We are not going to defend the requirement that people with preexisting conditions can get healthcare at the same price as everyone else. What is this called? This is called a sellout. This is called a deception. This is called a whopper. This is called an assault on ordinary Americans when it comes to healthcare.

This is why insurance rates are going up all over the country. We are seeing double-digit increases in every State, even my State, which tried to protect ordinary people by wiping out and barring those junk plans but was assaulted by the rest of the sabotage. This isn't limited just to Connecticut and my State of Oregon; it is State after State after State, including the State of Virginia.

Before my colleague from Virginia speaks, I yield to my colleague from Oregon, the senior Senator from Oregon, who knows this issue so well and who has been in this Chamber fighting for peace of mind in healthcare for year after year after year. This is why we must come together as a nation and repair our healthcare system to have a simple, seamless healthcare system that does right.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I don't want to make this a cake-tossing contest, but I also want it understood that my colleague from Oregon has done an invaluable service to the country by showing the importance of what is happening at the border, where there is an effort in effect to traumatize children and separate kids from their parents. I

look forward to working with my colleague when we do some work on it in Oregon. I certainly don't want to hold up my friend from Virginia, and I appreciate Senator MURPHY.

Before I came to the Congress, I was codirector of the Oregon Gray Panthers, a senior citizens group, for about 7 years. Back then, we were talking about ways in which to move forward on healthcare, to advance the rights of our people, to improve the quality of life in this country. There was often a bipartisan coalition to do that, to make those advancements.

In the last year, however, there has been an unprecedented effort to turn back the healthcare clock. We see it with the effort to sell junk insurance, which, in effect, involves the Trump Health and Human Services Department saying to States: Well, it is really pretty much OK to discriminate; just don't be too obvious about it. Then we saw the effort to strip away the Medicaid guarantee of nursing home coverage for older people.

Now, Senator MURPHY, Senator KAINE, and my colleagues are here on the floor to talk about the Trump administration's efforts to unravel the current law that bars insurance companies from beating the stuffing out of people with preexisting conditions. That is the way it used to be, folks. If you had a preexisting condition and you weren't healthy or wealthy—and that is what you face if you have a preexisting condition—you were really in bad shape. If you are healthy, you pay your bills—and you don't have bills. If you are wealthy, you pay the bills. But millions who have preexisting conditions would just get clobbered with premium hikes, so they couldn't get coverage at all.

Finally, we said in the Affordable Care Act: We are actually going to start moving the clock forward, and we are going to bar insurance companies from discriminating against those with preexisting conditions. This is particularly important for the 67 million women under 65, an enormous number of women in this country who have a preexisting condition, and they have, over the last few years, counted on the healthcare protections I just described in the Affordable Care Act as a healthcare safety net, as a backstop—protections that say they can't be charged more because they need maternity care and other essential services, protections that say they can't be denied coverage due to a preexisting condition, and that means everything from ovarian cancer to asthma. Every year, those who switch jobs or stop working, perhaps to take care of a loved one—and women often perform those roles—now have the assurance that they can have the mobility of being able to move up in the workforce if they live in Virginia or Connecticut or Oregon and they see the opportunity to get a better job. If they have a preexisting condition, without these protections, they are locked in. They are locked

into the workforce. What we are saying is that we want these protections to stay so that women and all Americans have the opportunity to secure advancements when they have the skills and talents to move on to another job.

These fundamental healthcare rights will disappear if the President and the Republican State attorneys general are able to unravel the law of the land.

This is really a head-scratcher, folks. It is one thing for an administration to say to Senator KAINE or to Senator MURPHY that they want to come to the Congress, they want to come to the appropriate committees—my colleagues serve on one of them, and I serve on the other—and say: We want to pass a law that changes preexisting condition policy. We wouldn't be for it, but at least that is a legitimate debate. They are not talking about doing that. They are not talking about coming to Congress.

Do you know why they are not coming to the Congress? Because they know their effort to unravel preexisting condition policy would not have a pulse up here. They wouldn't be able to get any traction for it. So what they are doing is going through the back door. They are trying to use a very complicated legal process—and it is going to be very hard to follow—about the Supreme Court and the purchase requirements and the tax and the like. But make no mistake about it, this is an effort to unravel the law of the land to deny protections to women—protections that ensure that if they have a preexisting condition, they don't have to go to bed at night in pure panic, worried that they could wake up in the morning and they could lose everything.

I will have plenty more to say about it. This is especially important because it escalates the Trump administration's campaign of healthcare discrimination against American women. This is really going to take a toll on 67 million women under 65—people who, as I have said, without this protection are going to go to bed at night, in my view, with an enormous fear and an enormous sense of uncertainty of what is ahead, where they could lose everything.

With that, I thank my colleagues for their courtesy and Senator MURPHY for bringing these efforts to the floor so frequently.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I would also like to rise to talk about this important issue of healthcare.

I have heard my colleagues, Senator MURPHY, Senator MERKLEY, and Senator WYDEN, and I know Senator MURRAY will speak in a minute. We are focusing on the great damage this administration is doing to the healthcare of Americans.

I thought maybe I could inject just a little bit of good news into this discussion. The good news I want to describe

is positive advances that are still taking place because of the Affordable Care Act, despite the best efforts of the administration to kill the Affordable Care Act.

Because Senate colleagues joined together on the floor nearly a year ago to defeat efforts to repeal the Affordable Care Act, even as the sabotage has been going on, there has been an advance in my State that is very significant. Two weeks ago, my State legislature, after a 4-year debate, decided to become the 33rd State to accept Medicaid expansion.

Mr. President and my colleagues, if you want to know whether what you do in this Chamber matters, that vote in August of last year that preserved the Affordable Care Act enabled my State to embrace Medicaid expansion, and in one stroke of one vote, 400,000 Virginians have the ability now to have healthcare maybe for the first time in their lives. That is nearly 5 percent of our population.

These are working-age adults, most of them—many of them—working multiple jobs, but they have not been able to afford health insurance. But because this body saved the Affordable Care Act, we were able to, in the stroke of a vote, provide health insurance to 400,000 people—people who now know they can be taken care of if they get injured or if they are in an accident. Even if they are completely healthy, they have peace of mind and don't go to bed at night with the anxiety of what is going to happen to my family if I am in an accident or what will happen to my wife if she gets ill.

The Affordable Care Act is not just holding in the face of this sabotage effort by the Trump administration; it is actually still advancing in places like Virginia. A number of other States have referenda on the ballot to do exactly what Virginia just did. We do not need to stand still; we need to defeat sabotage, and then we need to move ahead.

My colleagues have stressed the various ways in which the Trump administration has tried to undermine the healthcare of Americans, and I don't need to go over them at length: limiting enrollment periods, limiting marketing, eliminating the individual mandate, and injecting uncertainty over the payment of cost-sharing. All of those things are leading insurance companies to increase rates. When they announced rate increases in my State recently, some insurance companies want to increase rates by as much as 64 percent.

The good news is—at least if there is any good news—they are not being shy about explaining the reason. They are telling us exactly the reason they are increasing the rates. They are increasing rates because of specific, identified policies of this administration to punish Americans and raise their health insurance costs. That is what the insurance companies are stating.

As Senator WYDEN mentioned, now Republicans are in court with the ad-

ministration to try to defeat the protection the Affordable Care Act gave to people with preexisting conditions. These are not just a few people in my State or nationally; these are tens of millions of Americans, Virginians who have cancer, diabetes, or even lesser conditions that in the past—and potentially in a Trump administration future—could get kicked to the curb as a result.

I want to tell my colleagues one story about preexisting conditions because it is my family's story. Then I will conclude because I want my Senate colleague from Washington, who has been a leader on this effort, to offer her perspective.

When we think about preexisting conditions, there are all kinds of them, but some people don't know how broadly this definition has been used by insurance companies to basically deny anybody coverage if they can think of a single reason or a simple reason to do so.

I am not going to get into my own family's medical history, but I just want to tell you this. My wife and I have three children. There are five of us. I would submit that we have to be virtually the healthiest family in the United States because the only hospitalizations for the five of us in our lives, as a family of five, have been three childbirths, with my wife being in the hospital three times to deliver healthy children.

Right after the Affordable Care Act passed, when the ban on discriminating against someone with preexisting conditions was going into effect, for the first time, neither my wife nor I had a job with an employer that was offering a group plan so we needed to try to buy insurance on the individual market. My wife is a super diligent consumer and made numerous calls, and two insurance companies turned us down because of preexisting conditions. One was a preexisting condition of mine, though not serious enough ever to put me in a hospital, and one was because of a preexisting condition of one of my kids, also not sufficient to put that youngster in a hospital.

In both instances, the insurance company said: Well, we will write a policy for some of your family, but we will not write it for all of your family.

Safety tip: Do not tell my wife you will write an insurance policy but not for one of her three kids. That is not a good thing to do.

When my wife heard that, she said: I want to know whom I am speaking to because what you are suggesting to me is against the law.

No, it is not against the law. It is company policy. We can turn your child down, Ms. Holton. We can turn your child down.

No, you can't. Put a supervisor on the line.

The supervisor got on the line.

My wife said: This is now against the law. You cannot turn my child down because of a preexisting condition.

After some “backing-and-forthing” and the ruffling of pages, I guess, in an insert in the employee manual, the employee said: You are right. We can’t turn you down. We apologize. That policy that we told you could be for four can now be for five.

If this can happen to a family like mine who had never even had a hospitalization for any illness or injury, other than delivering a child—this was happening over and over again—why would this administration want to return to those days? It is shocking and heartless, and we are going to do everything we can in the court and in Congress, as well as together in dialogue with the public, to make sure this important protection is not ripped out of the hands of American families.

Congress needs to act to stop the Trump administration sabotage, to preserve the Affordable Care Act. I hope we will take up the Murray-Alexander bill. It will stabilize the insurance market through provision of reinsurance, through guarantee of cost-sharing payments. There is no reason we can’t take this up. Then we need to move ahead even further on proposals like the bill I have with Senator BENNET, the Medicare-X bill, to make sure every person in this country can buy a Medicare policy, a policy developed by Medicare on the individual insurance exchange, if they choose.

I am glad to be joined together with colleagues who are so passionate about protecting the healthcare of American families. Based on the results in Virginia, which avoided Medicare expansion for years only to finally wake up and realize we need to do it, I know we will prevail in this effort because it is what the American public wants us to do.

Mr. President, I would love to yield the floor to my colleague from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I wish to thank my colleague from Virginia for his personal, compelling reason why what the administration is doing is so wrong. That could happen to anyone, and does happen to everyone, and I so appreciate that.

I thank my colleague from Connecticut for bringing us together today to highlight this. There is so much going on in the country, and we don’t want this to get lost because it will impact every single family.

We are here today to talk about President Trump’s ongoing effort to sabotage healthcare for literally millions of families in our country. As we talked about last week, the Trump-Pence administration showed, once again, that there is no limit to how low and how baseless they will go to appeal to extreme Republican donors and their special interests.

President Trump’s Department of Justice announced it will ignore years of precedent and abandon its duty to defend our laws in court. It will aban-

don our laws that prevent insurers from denying people with preexisting conditions coverage or charging people more because of their gender or raising premiums without limit for seniors.

This decision also makes it clear President Trump is ignoring the lessons he should have learned last year. Around this time last year, Republicans were trying to jam through the President’s partisan healthcare bill, filled with proposals that would have scrapped those patient protections, spiked premiums and healthcare costs, imposed an age tax on our seniors, gutted Medicaid, and thrown our entire healthcare system into chaos.

The TrumpCare bill ultimately failed as people across the country stood up, spoke out loudly, and made it very clear they didn’t support President Trump’s sabotage agenda. President Trump didn’t listen. Instead, he has continued to undermine healthcare for our families at every available opportunity, and Republicans have been lockstep with them the entire way; like when President Trump expanded loopholes to allow junk insurance plans that don’t include important consumer protections; like when congressional Republicans jammed through a partisan tax bill to undermine our healthcare laws; like when President Trump announced radical new restrictions on Federal family planning funding based on ideology that would result in less access to healthcare for millions of women across the Nation and a gag rule that will interfere with providers’ ability to talk about the full range of reproductive health service with their patients. Those steps were all designed to make it harder for women and families to get the care they need.

Last week, President Trump’s administration took yet another step to undermine the healthcare system. In a nearly unprecedented move, the Trump administration announced it would no longer defend the Affordable Care Act in court. The Trump administration announced it would abandon the parts of the law that prevent healthcare discrimination against women, against seniors, and against those with preexisting conditions. That decision goes against years of legal precedent. It goes against, for sure, the wishes of families across the country who want their government to care about patients, not partisan politics. It even goes against the promises of many Republicans who claimed they were going to fight for those important patient protections.

Republicans may not be listening, but I have to tell you, families across the country have been speaking up loud and clear. They want us to fight for them and for their healthcare policies that can help them get the care they need. While President Trump and Attorney General Sessions have never fought for patients—as their latest decision makes abundantly clear—Democrats have never stopped fighting for them, and we are not going to stop now.

We remain dedicated to working toward commonsense solutions that help bring our healthcare costs down and begin to fix some of this damage that has been done by President Trump. We actually had a bipartisan deal that would have accomplished that goal, but, unfortunately, Republican leaders made very clear from the start they are not interested in lowering premiums, they are not interested in stabilizing our marketplace, and they are not interested in fixing this problem. Instead, they are interested in helping special interests, they are interested in donors, and they are interested in catering to the extreme right.

Despite their move to throw a wrench in our important bipartisan work, I want you to know Democrats are at the table, and we will be here all of August ready to work to fix this for families in Washington State and across the country. I hope, going forward, cooler heads will prevail and Republicans will return to the table and join us on finding solutions to lower patients’ costs and strengthen healthcare in our country rather than continuing to help President Trump sabotage it. That is what the people in my State want. I know that is what families across the country want.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I have always said our Nation’s current healthcare system is in need of repair. That is why we keep coming back to try to fix it and make it better. Every West Virginian deserves access to quality, affordable healthcare, and I am very concerned our country is at risk of moving backward instead of forward.

When people ask why I voted against repealing the healthcare law, I always say it is because we need to make sure those with preexisting conditions don’t go bankrupt paying for basic healthcare. Most people today, if they don’t have insurance, and especially those who have had preexisting insurance, are one healthcare crisis away from bankruptcy. What is happening today is an unfortunate political move. The only reason this lawsuit is moving forward is because my friends on the other side have failed more than 50 times trying to repeal it. On top of that, the tax cut bill that just went through had this in it, repealing basically the mandate on healthcare, which throws it into turmoil and is why we are in a lawsuit right now.

Right now, 20 State attorneys general, including the attorney general of West Virginia, are suing to allow insurance companies to once again deny coverage to West Virginians with preexisting conditions. Every single time they voted for repeal, this is exactly what they were trying to achieve.

What makes this worse is we have a bipartisan compromise, led by Senator ALEXANDER and Senator MURRAY, with 12 Republicans and 12 Democrats. This bill includes important steps that will

help reduce healthcare costs for West Virginia families, and this agreement shows what is possible when we put people before politics. What we did is, after the last repeal on the floor failed, we got together and put a fix in. We have a reinsurance program. We have a way to maintain and try to educate people on how they would use their healthcare, their newfound wealth in healthcare, in a more effective and efficient way.

This is what we should be doing, but, no, there is a political promise to repeal so we keep fighting every angle there is that is being thrown at us. Now there is this last one going through the court system—and having also the judicial system being involved to stop this horrible scourge on the people of my State and all across the country.

Let me tell you how many West Virginians are impacted. In a State with a little over 1,800,000, this one move right here affects 800,000 West Virginians. We are talking with people who have all types of things that could exist. They could have a child with a heart defect, asthma, you name it. They are going to be able to say: I am sorry, preexisting. We are not going to insure you or the cost will be so high you can't afford it.

We are impacting too many West Virginians. On Monday, I asked them to share their stories with me and my office—people, real people with whom you can put a face, a name, a story, and also have some empathy for. I am going to read a few letters, if I may. I have one from Kim Kramer from Parkersburg. She said:

Dear Senator MANCHIN,

Again, I find myself writing to plea for a sane policy related to healthcare for my family, my friends, my community, my country and myself. When healthcare policy is centered around quick profits at the cost of the long term health of citizens, a medical tsunami is sure to follow.

I live with my adult son who was born with Down Syndrome. He is 33 and I am 60. He is healthy for now but does have a couple of pre-existing conditions and risk factors which could very possibly need attention as he grows older. The mere thought that I would have to pay out of pocket for his healthcare due to policy changes in the years to come is mind boggling. Perhaps today his care is not directly on the table, but it has been this past year and will most likely be again.

I am at pre-retirement age. I work full time and am in good health. But I take medication to maintain a healthy blood pressure. That is already a pre-existing condition. Medicare is still down the road for me. As a nurse, I know the importance of screening for certain conditions.

But removing coverage of pre-existing conditions puts me in a very real catch 22 situation.

If I go for recommended health screenings and a condition is found, I would be covered by my current insurance. If my employment situation should change, as is possible for any of us, then I would have a pre-existing condition that would either not be covered or would make my premium so high that I would have to wonder if I will be able to provide for other basic needs like appropriate housing.

Many in my family, my circle of friends, my community and state would be in this terrible predicament.

Any diagnosis would be a barrier to treatment in essence. No insurance company apparently wants to cover sick people! Makes me wonder why we would call it insurance at all!

Perhaps in Washington, too many of you have lost touch with the very real stress and anxiety that is created when healthcare accessibility is unobtainable.

Do any of you understand what it is like to live wondering when the medical tsunami will come? Because not having healthcare coverage is like that. You hope that the wave won't strike but it's just beyond the horizon and you have no idea if or when it is coming, or how to survive it.

The current mandate for coverage of pre-existing conditions assures better health and prevention treatments; better outcomes and decreased expenses. It gives us all some peace of mind if we become ill and allows us to focus on getting healthy.

Please care about our people.

Please keep mandated coverage of pre-existing conditions.

Thank you.

I have Katelyn from Elkview.

Dear Senator MANCHIN,

I am a 22 year old West Virginian who grew up in northern Kanawha County near Clendenin. I was diagnosed with anorexia when I was 13, and have struggled with it for years. I am thankful that the ACA created provisions that will allow me to remain on my parents' health insurance until I am 26, but worry that my pre-existing condition could prevent me from getting insured in the future.

Losing health insurance would mean me losing access to my mental health medication as well as making it really difficult to access further treatment should I have a relapse.

I also worry about how lack of coverage for my preexisting condition could prevent me from affording care in the future. I hope to devote my life to public service, which is very fulfilling but does not pay well enough for me to afford to pay high medical bills. This is something that particularly worries me as I get older and am thinking about whether I will be able to afford to start a family.

I hope that you will continue to defend the Affordable Care Act, particularly its provisions that protect people with preexisting conditions and women's health generally.

Larry from Lewisburg writes:

Shortly after being diagnosed with cancer in my mid-forties, the health insurance company I paid for coverage went bankrupt. Faced with a preexisting condition, I was uninsured until I began receiving Medicare, about 20 years later, even though I had been therapeutically treated and had no symptoms or return of tumors for most of that time.

An adult stepdaughter has MS, epilepsy, and multiple other health challenges. She works full time, and the end of preexisting condition insurance protection would be life-threatening.

My final letter is from Marie-Claire from Bruceton Mills, who writes:

Dear Senator MANCHIN, my daughter was diagnosed with lupus shortly after ObamaCare became reality. I was able to secure affordable health insurance for her from that day forward [because of the Affordable Care Act].

Lupus is an autoimmune disease that can—and eventually will—affect any part of the body at any time.

An insurance company faced with underwriting my daughter simply will not insure her—ever—unless mandated by our government to cover preexisting conditions. Simple as that.

She has had multiple late night trips to the emergency room that would have bankrupted her had she not been covered.

Please do not forget her when you tell stories on the Senate floor.

This is not about Democrats or Republicans; this is about all of us. We all face this in our States, that of moving down this pathway because of not enforcing this part of the Affordable Care Act, when we have a fix—truly, a Democratic-Republican fix, bipartisan—led by LAMAR ALEXANDER, our Senator from Tennessee, and PATTY MURRAY, our Senator from the State of Washington.

This is a shame. This is a tough place, especially when you have solutions to fix the problems that challenge all of us. That is all we are asking for. Please be considerate of these people. Please do not throw caution to the wind or throw the baby out with the bath water and 800,000 West Virginians who would lose their insurance.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to address the national defense authorization bill that is under consideration and that we will probably be wrapping up this week.

First, I will address an amendment that Senator CORKER and I have filed. It is an amendment that is related to the topic at hand, which is our security, because it is an amendment that would restore to Congress the authority to have the final word on the deployment of tariffs—taxes on American consumers—when purchasing goods that originate overseas, tariffs that are implemented, imposed, with the justification that our national security depends upon it. These are often referred to as the “section 232 tariffs” because of the section of trade law that authorizes these tariffs.

The short version is that I think we ought to be having a debate and a vote on whether this responsibility that the Constitution clearly gives to Congress should be restored to Congress. It is my view that it should be. Senator CORKER and I have sought a vote on this. At this point, it appears that despite bipartisan support for this amendment, we may not be able to have a vote, but I think we should. I also think we should seriously consider continuing debate on the national defense authorization bill until such time as we are able to address this important amendment.

AMENDMENT NO. 2700

The other amendment I will discuss is an amendment I have offered which will get a vote. It will get a vote tomorrow, and I urge my colleagues to support this. Let me start by reminding my colleagues of something that I

hope we all learned a long time ago, and that is the very first provision of the U.S. Constitution after the preamble, the very first operative portion of our Constitution.

Article I, section 1 states: "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives." I can't think of a more clear, succinct, straightforward, and unambiguous way to make the point that writing laws is in Congress's domain, is Congress's responsibility.

In the course of writing laws, sometimes we delegate some of that authority. Sometimes we delegate it to our staff members. We ask them to do the drafting. We are still responsible because we are Members of Congress. Sometimes we delegate it to the executive branch, and we call that rulemaking. We authorize the relevant agencies or Cabinets to develop the rules that will implement the legislation, but I would argue strenuously that that is still part of the legislative function. As such, it is a delegation, but it should not be an abdication of our responsibility. Congress should accept the responsibility for this rulemaking, and we should be accountable for it because that is part of our job.

That brings me to the Defense authorization bill, specifically to title XVII. There is a section called the Foreign Investment Risk Review Modernization Act. This is a dramatic expansion of the authority given to CFIUS under existing law. CFIUS is an acronym that stands for the Committee on Foreign Investment in the United States. There is this big expansion of authority that CFIUS gets. Part of the way in which this underlying bill, the National Defense Authorization Act, expands CFIUS's authority is by the huge delegation of legislative authority it grants the administration. It grants the administration enormous discretion to develop the rules by which this expansion of power will be implemented.

Let me explain briefly what CFIUS is all about. CFIUS—this Committee on Foreign Investment in the United States—is charged under existing law with reviewing foreign investments in America, foreign-based companies that choose to or wish to invest in an American company. If there is a national security concern involving the investment, if there is a risk that is identified, then CFIUS—this committee—is charged with recommending that the President block the transaction if it is considered to be a threat to our security.

Under existing law, the President has the authority, in fact, to block such a transaction. For instance, if a Russian company were attempting to purchase Lockheed Martin, which is a big defense contractor and a big supplier of very important, sensitive, and advanced military equipment to our armed services, our Armed Forces, in

such a case, CFIUS would take, I think, a pretty quick review of that and recommend a no. The President would almost certainly block such a transaction.

We understand there is a sensible need for this committee to exist and to do its work. So let's get back to the underlying legislation before us.

Under existing law, under current law, the range of transactions that CFIUS can review for this purpose of determining whether it is a threat to our national security is pretty narrow. It is fairly narrow. I think there are legitimate concerns that it is too narrow, especially considering aggressive and even hostile acts that are taken under the auspices of the Chinese Government to acquire sensitive American technology. As I say, there is this delegation of authority to broaden that.

I would argue that this rulemaking—the decisions that CFIUS will make as it implements and develops these rules that we are going to empower it to develop—is really going to decide which kinds of transactions will be permitted to go forward and which ones will not. The rulemaking—not so much the legislation itself but the subsequent rulemaking—is going to really set the scope of CFIUS's review and its process.

There are many rulemakings required of the CFIUS committee through this legislation. Here are a couple of examples.

A passive investment by a foreign-based entity—a passive investment in a U.S. company—is meant to be excluded from a CFIUS review. That would be allowed. That would not be subject to a review. Yet, guess what, CFIUS gets to define what constitutes a passive investment. That is a pretty big power.

A second example is that of critical infrastructure and technology companies. Those are the companies that we are concerned about, right? Critical infrastructure and technology companies are the ones that have sensitive technology that we might not want to have fall into hostile hands. That is the category in which there is an automatic trigger for a CFIUS review.

Guess what. CFIUS is going to write the rules to decide what constitutes a critical infrastructure and technology company. I don't know what it is going to conclude. I am pretty sure that if you are the manufacturer of a chip that goes into a very cutting-edge military application—that almost certainly would be a technology company we would want on the list. Yet it says critical infrastructure. What about a power company that produces electricity that feeds into our grid? What about a company that provides a municipal water supply? What about a supplier to one of those companies or a consultant to one of those companies? I think you could ask a lot of interesting questions about what kinds of companies ought to qualify, and we have delegated that. That will be decided by someone else. That will be in the rulemaking process.

Then there is the case of who must submit a form to CFIUS for a transaction, who must go under CFIUS review, and there is some criteria in the legislation.

The final catchall is that CFIUS will have the authority, as it sees fit, to require these reviews for other transactions. What could be more broad and sweeping than that? Basically, CFIUS can itself decide to write the rules in such a way that it will have the power to review any transaction it wants.

This is really remarkable in terms of how much power is being delegated to the executive branch to write these rules.

The rules could be written in a way that they are written too broadly, and if they are too broad, it could have a chilling effect on foreign direct investment in the United States. It is a huge source of jobs and economic growth when foreigners bring their capital to the United States and invest it here because America is one of the most attractive places in the world to invest.

On the other hand, if they write these rules too narrowly, it could be that CFIUS will not have sufficient authority, and transactions that we ought to be blocking will not get blocked because the rules will have been written too narrowly.

There is no Member of the Senate who can know in advance whether the rulemaking is going to strike the right balance. That is what we need here. That is what we want. What we want is the right balance so that we are stopping the transactions from bad actors but permitting the transactions from harmless sources that will help our economy.

Since we can't know in advance whether this rulemaking will be done in the appropriate fashion, why wouldn't we insist on the responsibility of overseeing this and, in fact, on having the final say to make sure that this is done properly, that the right balance is struck? In fact, isn't that our responsibility under the constitutional authority and responsibility given to us?

This is what my amendment is all about. My amendment would simply require Congress to approve the major rules—not every last rule but all of the important, major rules that CFIUS would develop—pursuant to this legislation that we are probably going to pass later this week. Congress would have to approve it before it could go into effect. It would be approved by a simple majority vote, and it would not be subject to a filibuster. There would be a strict time limit so that Congress would have to respond quickly when the rules are finished, and if Congress were to reject one of the rules, CFIUS could modify it so we could get to a conclusion.

My amendment does not give Congress the power to consider individual transactions—that shouldn't be in our domain—and it doesn't authorize Congress to review every rule, as I say, only the major rules, which is to say

those which would have a big impact on our economy.

So what are the practical consequences if my amendment were to be adopted? It would simply ensure that the administration would work with us as they were adopting the rules. Knowing that they needed to pass these rules in the House and the Senate, they would consult with us and say: Hey, this is what we are thinking in terms of how we define critical infrastructure and sensitive technology, and here is what we are thinking about what would constitute a path of investment. In all of the other cases in which they were making big decisions they would run them by us. We would have a dialogue, and we would get to a place where there was an agreement. That is what would happen, and, actually, that is exactly what should happen.

I have heard some concerns expressed about my amendment. Some have said: Well, wait a minute. If you get your amendment passed, Congress will never approve of these rules.

I couldn't disagree more. Congress is about to vote overwhelmingly. We voted in committee unanimously to grant CFIUS this broad new authority. The Members of this body overwhelmingly think that we should broaden the range of transactions subject to CFIUS review. Why wouldn't we support sensible rulemaking that would allow CFIUS to do what we have asked them to do? So I think it is extremely implausible that Congress wouldn't support this.

Others have suggested: Well, you don't really need this because you have the CRA, or the Congressional Review Act, as a mechanism that allows you to repeal a rule if Congress doesn't like it.

The CRA wouldn't work in this case at all because the CRA requires the President to sign a bill repealing a recently passed rule. What President is going to sign a bill repealing a rule or regulation that his administration just passed?

The CRA works when there is a change of administration. When the Trump administration came in, working together with Congress, the President and we repealed a number of regulations from the previous administration. But a President isn't going to sign a law repealing his own regulations.

So I want to appeal to my colleagues, maybe for different reasons, to support this legislation. For my Republican colleagues, 39 of us are cosponsors of the REINS Act. The REINS Act would require congressional review of every regulation throughout the entire government. Every time a major new rule is passed under the REINS Act, Congress would have to vote before it would go into effect.

If the REINS Act that 39 of my Republican Senate colleagues have cosponsored were the law, we wouldn't have this conversation because this legislation would come automatically under the REINS Act and automati-

cally require that major rulemakings would come back for a vote. So I can't for the life of me understand why Republicans who support the REINS Act wouldn't support this, and I hope all of my Republican colleagues will.

I would appeal to my Democratic colleagues, as well, for the simple, fundamental reason that this is our responsibility. We should accept the responsibility that the Constitution assigns to us. That is No. 1, first and foremost. But, also, let's be honest. A big majority of our Democratic colleagues voted against confirming several of the members of CFIUS. A big majority of Democrats voted against confirming the Treasury Secretary, Mr. Mnuchin. They voted against confirming Attorney General Sessions. They voted against confirming Secretary of State Pompeo. Those three individuals are on CFIUS, and the Treasury Secretary is the chairman of it. So if my Democratic colleagues have such serious reservations about the work product that would come from these individuals that they voted against confirming them, one would think they would want the opportunity to have some say on their work product. That is what this is about. So I can't imagine that my Democratic colleagues would take the position that they must not have any say over the Trump administration's rulemaking. They have never suggested so much confidence in this administration that they would want to forego that opportunity. So I would hope that my Democratic colleagues could join me in this as well.

What this comes down to is that I think we should accept responsibility for the work we do and the work we delegate. Let's make sure that this really important and necessary expansion of CFIUS authority is done right. The way we do that is that we make sure that Congress has the final say over the rulemaking.

I urge my colleagues to support the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, as everyone in this Chamber knows, passing the Defense authorization bill is a tradition that has taken place without interruption for 56 years. That means that, regardless of political party or the disagreements we may have on other issues, we can agree on this: the importance of a strong national defense.

This year, we consider the National Defense Authorization Act against the backdrop of a changing world. America faces challenges from nations seeking to upend our rules-based international order. These nations aim to undermine the United States and her allies and disrupt the American-led system of international commerce and security that has been the foundation of global prosperity since the end of World War II.

America is at a crossroads, and as we look out at the forces that threaten

our security, we need to be ready to defend our way of life. In Europe, a newly emboldened Russia under the control of Putin seeks every opportunity to exert its malign influence, undermine democracies, flaunt international law, and bully our NATO allies. In Asia, expansionist China is working to coerce its neighbors, invest millions in military modernization, construct illegal artificial islands, and challenge American leadership across the globe. In short, we have reentered an era of great power competition.

If we value our security and our prosperity, we must be prepared to support the men and women of our military so that they are able to win in this environment. Earlier this year, Secretary of Defense Jim Mattis presented Congress with a national defense strategy. This blueprint for the Nation's defense thoroughly emphasizes the fact that interstate competition is now the focus of our U.S. national security. The priorities laid out in the NDS provide a road map for confronting these challenges head-on. Now is the time to fund them.

That is why I am proud to stand before you in support of the fiscal year 2019 National Defense Authorization Act. With this legislation, we take important steps to ensure that our Nation's defense is ready to deter and defeat great-power adversaries. This year's NDAA provides \$716 billion in fiscal year 2019 for the national defense—a direct investment in building an agile, capable force that is prepared to take on the threats of the 21st century.

This authorization closely aligns with the core tenets of the NDS. It provides keen investments in modernization priorities to help America defeat threats identified by Secretary Mattis and position our forces to be more lethal against our major foes. First and foremost, this legislation fully supports the sustainment and the modernization of our nuclear forces.

I serve as the chair of the Subcommittee on Strategic Forces, whose jurisdiction includes nuclear forces, missile defense, and the national security of our space programs. The subcommittee increased investments in each of these areas in order to speed the development of next-generation capabilities and to meet the unfunded priorities of the military service branches and of our warfighters.

Additionally, the bill before us today fully supports the administration's 2018 "Nuclear Posture Review," which charts a responsible path forward to make sure that our nuclear forces continue to deter strategic attacks on our homeland and also to assure our allies. Across all spectrums, this legislation helps to support the needs of the warfighter and the goals of our national security.

At sea, the fiscal year 2019 NDAA includes over \$23 billion for shipbuilding, to fully fund 10 new combat ships and accelerate funding for several future

ships so that we can continue to ensure free navigation across the world's oceans. On land, it authorizes more than \$1.5 billion to procure 135 Abrams tanks and authorizes \$190 million to prototype the next-generation combat vehicle, which is \$70 million more than the administration's request, to ensure that we are prepared to fight and that we are prepared to fight and to win. In the air, it ensures that our forces are ready by authorizing nearly \$400 million for the RC-135 family of intelligence, surveillance and reconnaissance platforms, which are proudly headquartered at the 55th Wing, at Offutt Air Force Base in Nebraska.

Though the threats of today are pressing, we must continue preparing to meet and defeat the adversaries of tomorrow. That is why this legislation makes significant investments in building the future force.

To keep our military a step ahead, this NDAA authorizes an increase of more than \$600 million above the administration's request for science, technology, and testing programs, including \$75 million for university research conducted at innovative locations like the University of Nebraska. All told, the fiscal year 2019 NDAA provides a wide spectrum of investments that will help our military to stay ahead and to ensure that we never have to face an adversary with equal capabilities.

Just as importantly, this bill demonstrates the belief of the Senate that the most important asset in our arsenal is not a weapons platform but the men and women who wear the uniform. With that in mind, the fiscal year 2019 NDAA provides a 2.6-percent pay raise for members of the Armed Forces, and it authorizes nearly \$146 billion for military personnel, including costs of pay, allowances, bonuses, and benefits. We all know that meeting the challenges of tomorrow means having the best talent. It also means having a process in place to incentivize career progress and retain those uniformed servicemembers who excel in their fields.

That is why this legislation also makes important, much needed reforms that will modernize our personnel system. For decades, the personnel management system has remained stagnant. Now, with the reforms included in this bill, we have the opportunity to bring the system in line with the changing needs of the modern military. The fiscal year 2019 NDAA lays the ground work for new career flexibility and provides additional opportunities for the highest performers to advance, opening doors to allow the best and the brightest to take on tomorrow's leadership roles.

At the end of the day, we must be prepared to face an uncertain future. This bill is about ensuring America's security in a volatile world. As the national defense strategy made clear, our Nation is faced with "a security environment more complex and volatile

than any we have experienced in recent memory."

I think all of us in this Chamber can agree that this environment requires us to stand united and to stand ready as a nation. For that reason, I am proud to say that this year's Defense authorization bill expands our capabilities across every domain to meet these threats. Ultimately, passing this legislation is about fulfilling the promise we made to our men and women in uniform to give them the best tools to wage the most effective fight and to ensure that America is never out-matched on the battlefield.

There may be much uncertainty in this world, but you can count on this: There is no more professional, dedicated, or lethal fighting force in the world than the U.S. military. Let's vote to keep it that way.

I thank the Presiding Officer.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Arizona.

TRIBUTE TO JOHN MCCAIN

Mr. FLAKE. Mr. President, as we consider this year's National Defense Authorization Act, I rise today to honor my esteemed colleague and friend Senator JOHN MCCAIN. As a member of the Armed Services Committee for the past 32 years and as chairman for the past 4, Senator MCCAIN has worked tirelessly to steer this essential legislation through the U.S. Senate.

Under Senator MCCAIN's leadership, the NDAA has authorized pay raises for troops, invested in modern equipment and advanced training, has helped to restore military readiness, and provided America's allies the support needed for security missions around the globe.

We all know Senator MCCAIN has been a fixture in the Senate during every NDAA debate. Wagging his finger and raising his voice, he mustered the rest of us to support and defend our troops. He made it a priority to reduce wasteful spending and crack down on waste, fraud, and abuse.

Year after year under Senator MCCAIN's leadership, the Senate Armed Services Committee has identified billions of dollars in unnecessary spending in the Department of Defense, and because of his efforts, we have reinvested savings in providing critical military capabilities for warfighters, meeting the unfunded priorities of our service chiefs and our combatant commanders, and supporting critical national security priorities.

The fact that Congress has approved the NDAA legislation every year that he has been involved in this process speaks to his ability to unite his colleagues around what matters most.

While Senator MCCAIN is missed here—his physical presence is missed—his influence and legacy will remain for years to come in this body and, certainly, with this important legislation.

NOMINATIONS OF SUSAN BRNOVICH AND DOMINIC LANZA

Mr. President, I would like to say a few words about a nominee who was reported to the floor last week, Susan Brnovich. Judge Brnovich has been nominated to be a district judge for the District of Arizona in Phoenix, a seat that badly needs to be filled.

Judge Brnovich is absolutely the right person to fill this seat. She has spent her entire legal career representing the people of Arizona and Maricopa County, and for that, I thank her.

Upon confirmation, Judge Brnovich will join the district court bench in Phoenix alongside another highly qualified Arizona nominee, Dominic Lanza, whom the Judiciary Committee reported to the floor in April.

Mr. Lanza will fill another seat on the Arizona district court that has remained vacant for far too long. He, too, is the right person for the job.

Just 2 weeks before the committee considered Mr. Lanza's nomination, he and his colleagues at the U.S. attorney's office coordinated with Federal and local law enforcement in Phoenix to raid the homes of backpage.com's owners. They seized the backpage.com website and indicted those responsible for trafficking young girls online through the company's website.

Thanks to Mr. Lanza's efforts, among others, backpage.com is no longer operational, which means the largest online human trafficking scheme in the country has been shut down.

Unfortunately, after being reported favorably to the floor 2 months ago, Mr. Lanza's nomination has stalled on the Senate floor. I see no reason that a man who helped shut down backpage should be languishing on the floor for what should be a unanimous vote.

I see no reason that my friend, Judge Brnovich, who has dedicated her career to representing her fellow Arizonans, should face the same fate. I urge my colleagues to promptly confirm these two eminently qualified individuals and allow them to take their seats on the Federal bench.

With that, I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

(Disturbance in the Visitors' Galleries.)

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

Mr. INHOFE. 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. INHOFE. Mr. President, it is my intent—and I will be doing it—but I want to give a chance for Senator PAUL to be on the floor when I do this.

As we have said over and over again, Senator REED and I have worked very closely in trying to get these amendments in place. I can remember in

years past, when there were people who objected to any amendments, we ended up without amendments, so we had to pass a bill that didn't have an open amendment process on the floor.

We wanted an open amendment process on the floor. I am talking about "we" being the Democrats, Republicans, and the leadership on both sides of the aisle. We have committed to that. We have tried to do that.

Unfortunately, under Senate rules, one Senator can stop and object to moving on an amendment. If that happens and continues, the same thing will happen. I can remember four times in the past when we ended up without any amendments at all because one person objected.

It is our intent to open it up so that people can offer their amendments, vote them down, vote them up—whatever we want to do.

Right now, we have several amendments, and I would like to make a motion to adopt them en bloc. These amendments are amendments that have been cleared on both sides. There are 10 of them. All 10 are germane amendments.

They are Ernst amendment No. 2289, Schatz No. 2441, Bennet No. 2617, Shaheen No. 2686, Heitkamp No. 2695, Lee No. 2723, Hatch No. 2755, Cruz No. 2598, and Tester No. 2818.

These 10 amendments are all germane. They cleared on both sides.

I ask unanimous consent that these amendments be called up en bloc.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Reserving the right to object, the right to trial by jury is a most precious and ancient right. A few minutes ago on the Senate floor, 68 Senators voted to give a vote on the Senate floor on whether anyone captured and accused of a crime would get a trial by jury. It is in the Bill of Rights. Over two-thirds of the Senate voted for it—enough to pass a constitutional amendment. We voted for it, and one person is denying a vote on this.

The senior Senator from South Carolina does not believe the Bill of Rights applies to people accused of a crime. Think about that. This is not about me. This is about one Senator from South Carolina who so much objects to the Bill of Rights that he doesn't want it to apply to people accused of a crime.

So, yes, I do most strenuously object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I do regret this.

Let me repeat what was just objected to. There are 10 amendments that are cleared on both sides. Democrats are all for them. Republicans are all for them. I suggest the junior Senator from Kentucky is for all these amendments too.

If we don't have these amendments, what amendments will we have? What good does it do to offer an objection to

these amendments that are all germane just because he is upset with some senior Senator from another State?

I am thinking now: Where do we go from here? I am going to offer another bloc of votes as soon as we have some that are all germane and agreed to on both sides. When that happens, I am hoping there will not be an objection. I am hoping to break this logjam.

If not, then what is going to happen is that we are going to end up voting for this bill. We know it is going to pass. It has passed for 57 consecutive years. It is going to pass, but it will pass without the amendments of those individuals who have wanted an open amendment process, which I have wanted, which my Democratic colleague has wanted, and we have made that effort for a long period of time.

I am concerned. I think that it could end up that we will have—it is not as if we haven't had amendments. In our committee, we had some 300 amendments that we actually considered. We went through the amendment process. We have had a lot of input from other Members, but again, we are committed to an open amendment process. So far, it looks as if we are not going to get it.

I just ask that whatever is causing my good friend from Kentucky to object to these amendments will be satisfied by some change. If he wants a vote on his amendment, let him go and pursue it. I hate to hold this bill hostage.

I just got back from being with our troops all over the world. I was in CENTCOM, in EUCOM, in AFRICOM, talking to our troops who are over there. They know that their pay raise is in this bill. Their benefits are in there. This is one thing we need to do.

If there is one thing that needs to be done, it is this bill. I think maybe there is something wrong with a system that says: If I can't have my way to get a vote on my amendment, I am going to kill everybody else's amendments. That is what I am afraid may be happening now.

I am hoping my friend from Kentucky will reconsider and allow us to adopt amendments. It has nothing to do with an amendment the Senator from Kentucky has.

The PRESIDING OFFICER. Objection is heard.

The Senator from Arkansas.

Mr. COTTON. Mr. President, I ask unanimous consent to have a colloquy with the Senator from Maryland.

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

Mr. COTTON. The Senator and I have done a lot of work together on an issue that is a genuine threat to our national security; that is, the threat of Chinese telecom companies stealing our technology, infiltrating our telecom networks, and hacking into the data not just of our government or our military but also private citizens.

Earlier this year, I asked the Directors of all four major intelligence agencies—the CIA, the NSA, the FBI, and

the DIA—if they would use products made by Huawei or ZTE. None of them raised their hand. I said: Well, that may be unfair. You are the leader of an American intelligence agency. What about members of your family, your neighbors, your friends, church members? Not a single one of them recommended that they would use a Huawei or ZTE product.

I hope all of you up in the Galleries are not using a Huawei or ZTE product. If you are, you might want to go out and buy a different one, and that is because these companies are dangerous to our national security and to your privacy.

Huawei and ZTE are nothing more than extensions of the Chinese Communist Party. Huawei's CEO was an engineer for the People's Liberation Army. The company's livelihood consists largely of a steady stream of government contracts, and its greatest claim to fame is shamelessly stealing the secrets of American companies. That is why it is under investigation by the Department of Justice for that and for violating sanctions against Iran. ZTE is no better. They broke our laws by doing business with North Korea and Iran and then lied about it to U.S. investigators. That makes it a repeat offender.

That is why General Nakasone, the new Director of the NSA, committed at his confirmation hearing to educating all of our allies about the threat that companies like Huawei and ZTE pose to the civilized world.

Given this history, I suggest it would be reckless to let Huawei and ZTE infiltrate their products into our country's critical communications infrastructure. Whether it is routers, switches, or any other kind of equipment, allowing them to do so would give the Chinese Government a backdoor into our first responder networks, our electric grid, and a lot more than that. That is why the Federal Communications Commission proposed a rule to prohibit the use of the Universal Service Fund to buy equipment from these firms and why I and a number of other Members have urged the Department of Agriculture to do the same thing with our U.S. funds.

These companies have proven themselves to be untrustworthy, and at this point, I think the only fitting punishment would be to give them the death penalty; that is, to put them out of business in the United States. The only reason Huawei is the second largest smartphone maker in the world and ZTE the fourth is because we have let them run wild for too long. We have given them access to our markets even as they have broken our laws and abused the rights of our citizens. If we refuse to do business with them, things would change very quickly, believe me.

For these reasons, Senator VAN HOLLEN and I offered our amendment that was adopted earlier this week. It would prohibit all Federal agencies from buying any kind of equipment or services

from Huawei, ZTE, or any related companies. It would also prohibit any American company from receiving U.S. taxpayer dollars in the form of grants or loans should they use Huawei or ZTE products. Finally, our amendment would reinstate the original denial order for the purchase of American goods and services on ZTE to hold it accountable for breaking our laws.

I would say that I don't see this amendment as contradictory or harmful to the administration's strategy when it comes to China and North Korea. If anything, I think it is complementary. This administration, after all, originally imposed the death penalty in the form of a denial order against ZTE. After Xi Jinping pleaded for life without parole, so to speak, the administration agreed to a very tough series of actions.

This is the first real, concrete action the United States has taken against Huawei and ZTE, but I and the Senators in this Chamber believe the death penalty is the appropriate penalty. Just as our maximum pressure campaign brought North Korea to the table, strengthening our sanctions on ZTE will show China that we are finally serious about stopping its theft of our intellectual property and preventing it from infiltrating our communications network and from violating the privacy rights of our citizens.

If we weaken sanctions against ZTE, we will signal to China and to the rest of the world that they can act contrary to our sanctions with impunity. That is a message we cannot afford to send, and that is why I am pleased the Senate agreed to include our amendment in the National Defense Authorization Act.

I would like to conclude by turning to the Senator from Maryland, with whom I have worked in such a constructive fashion on this matter—not only on this legislation but also in the Senate Banking Committee—and ask him how he sees the threat posed by Huawei, ZTE, and companies like them.

Mr. VAN HOLLEN. Mr. President, I want to start by thanking my colleague, the Senator from Arkansas, for his longtime leadership on a range of important national security issues, including his attention and focus on the threat posed by Huawei and ZTE, which, as he explained, are two Chinese telecommunications companies that pose a risk not just to our security but also to the privacy of American citizens.

This is a threat that is here and now, and it is not one we have not been aware of for a long time. I think it is important to look back because this didn't sneak up on us overnight.

If you go back to the year 2012, the House Intelligence Committee sounded the alarm on Huawei and ZTE in a bipartisan report that stated that "China has the means, opportunity, and motive to use telecommunications compa-

nies for malicious purposes" and that "based on available and classified and unclassified information, Huawei and ZTE cannot be trusted to be free of foreign state influence and thus pose a security threat to the United States and to our systems."

That was a House Intelligence Committee report in the year 2012. Since then, the evidence has grown even stronger.

We know that the Government of China exercises significant control over its telecommunications firms and that ZTE and Huawei have close and very longstanding ties to the government. We also know that China is one of the world's most active perpetrators of economic espionage and cyber attacks in the United States.

In 2015, the FBI issued a report on Huawei making it clear that the Government of China relies on signals intelligence to spy on American citizens. American intelligence officials have long warned that Beijing could harness this technology to steal data, eavesdrop on conversations, or carry out cyber attacks.

We had testimony recently—in February—from the leaders of the top U.S. intelligence agencies. Senator COTTON referenced the testimony of the FBI Director and others, and I want to expand on the testimony of FBI Director Chris Wray, who said:

We're deeply concerned about the risks of allowing any company or entity that is beholden to foreign governments that don't share our values to gain positions of power inside our telecommunications networks. That provides the capacity to exert pressure or control over our telecommunications infrastructure. It provides the capacity to maliciously modify or steal information. And it provides the capacity to conduct undetected espionage.

That is why part of this amendment contains the very important provision that the Senator from Arkansas mentioned that would prohibit U.S. taxpayer dollars from being spent to purchase any equipment from Huawei or ZTE. The Pentagon recently prohibited the sale of these devices on U.S. military bases. The FCC has also proposed steps to discourage American companies from using products from Huawei and ZTE. It stands to reason—and it is totally consistent with that sentiment—that we make it clear that U.S. Federal Government agencies should not be purchasing this equipment that threatens our national security.

One of those companies—ZTE in specific—not only represents the kind of threat that we have been discussing but also has been a repeated and flagrant violator of U.S. law. They were caught a number of years ago for cheating, and instead of coming clean, they tried to cover it up, cheated again, and they were caught again.

Here is what the Department of Commerce said in its report about ZTE just this past April. It said that they engaged in "a multi-year conspiracy to violate the U.S. trade embargo against Iran to obtain contracts to supply,

build, operate and maintain telecommunications networks inside Iran using U.S. original equipment" and that ZTE was "illegally shipping telecommunications equipment to North Korea in violation of the Export Administration Regulations."

The Commerce Department went on to explain that ZTE—finally, after getting caught multiple times—"admitted to engaging in an elaborate scheme to hide the unlicensed transactions from the U.S. Government by deleting, destroying, removing, or sanitizing materials and information."

In fact, it turns out that they were violating our sanctions regime against not only Iran and North Korea but also Sudan, Syria, and Cuba. In fact, they had elaborate flowcharts at ZTE showing exactly how they were going to do this. Then, when we confronted them and they said they were going to come clean, instead they rewarded their top executives with bonuses. That is why, when the Secretary of Commerce issued the sanctions and imposed the blocking order on the sale of U.S. telecommunications components to ZTE in April, he explained that the message ZTE sent from the top was essentially to evade and then lie about what they were doing with respect to U.S. sanctions.

Well, it is very important that we send a message, and we need to send a message consistent with what the Secretary of Commerce did last April. It is very important, as the Senator from Arkansas said, that we let countries know we mean what we say. They are a flagrant violator of those sanctions laws, and we can't let them off the hook with a slap on the wrist because if we do that, it will undermine our credibility with respect to our sanctions on North Korea, which are very important in focusing the attention of North Korea on the goal of denuclearizing the Korean Peninsula. It will send the wrong message to countries around the world that if we catch you and you cheat again and we catch you, you can just cut a deal that ends up being a slap on the wrist.

That is why I am very pleased to join with the Senator from Arkansas in offering this bipartisan amendment. In addition to the two of us, there are a number of other Senators—a bipartisan group—supporting this legislation. I am glad it has been incorporated in the legislation.

With that, I want to turn it back over to the Senator from Arkansas and ask him whether he has any further thoughts on this very important issue before us today.

Mr. COTTON. Mr. President, I thank the Senator from Maryland for his remarks and once again for working together in such a constructive fashion. As he said, we have had a number of Senators from both parties sponsoring our amendment. I think that reflects the concern that both Republicans and Democrats alike have about the threat that Chinese telecom companies like

Huawei and ZTE pose to our national security and to our citizens' privacy. Our amendment is an important first step to ensure that they are not doing business with the Federal Government or any firms that are relying on U.S. taxpayer dollars and also that ZTE in particular faces the stiffest penalties possible for its recidivist behavior in violating sanctions and lying to U.S. investigators.

We still have more to do, and I suspect we will be back together either in the Senate Banking Committee or on the Senate floor to try to protect our citizens' safety and their privacy from companies that are in essence arms of the Chinese Communist Party. We will be working together in the coming months, as this bill moves forward to be reconciled with the House of Representatives, to ensure that this very important language stays in the bill in its final version and then gets passed into the law.

Mr. VAN HOLLEN. Mr. President, if I may, I just want to emphasize that final point made by the Senator from Arkansas, which is that it is going to be very important that we keep this provision in the Defense authorization bill as it winds its way through the process. I am confident that there is a bipartisan commitment to doing exactly that because we cannot back away at this point. Backing away would send a very bad signal to ZTE and Huawei and other violators of our sanctions or any of our other adversaries who are considering violating U.S. law and U.S. sanctions.

Mr. COTTON. I couldn't agree more with that. In fact, the House version of the National Defense Authorization Act does include language that is similar, not identical, to our language. To my knowledge, it passed without any objection in the House from either Democrats or Republicans—again, just showing how widespread our concern in Congress is with Chinese telecom companies, like Huawei and ZTE.

So I am confident that working together with the Senator from Oklahoma, the Senator Rhode Island, and our House counterparts the final version of this bill, which we will vote on later in this year, will have very tough language that will move us in the right direction, protecting our citizens' safety and privacy.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. PERDUE. 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. PERDUE. Mr. President, I ask unanimous to call up amendment No. 2870 to amendment No. 2282.

The PRESIDING OFFICER. Is there objection?

The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, reserving the right to object, Senator COTTON from Arkansas and I were just on the floor these past 15 minutes explaining why this bipartisan provision is in the managers' amendment to the bill. It is because of the threats posed by Huawei and ZTE. With respect to ZTE specifically, it is because of its multiple flagrant violations of U.S. law. Removing that provision would send a very bad signal, not just to ZTE, not just to China but to anybody else around the world watching that they can violate U.S. sanctions law with impunity. We shouldn't be doing that.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Georgia.

Mr. PERDUE. Mr. President, I don't disagree that we need to send a strong message to people doing business with the United States. However, the Commerce Department has imposed a severe fine in the ZTE case—a \$1.7 billion fine—in addition to penalties and compliance measures on ZTE, including the firing of its entire board and all senior executive leadership. That is not dissimilar to a commerce violation right here in the United States. If someone violates the rules and laws of our land, there are fines, penalties, and compliance measures that go along with that.

In regard to these harsh penalties, Secretary Ross has just said: "the strictest and largest settlement fine that has ever been brought by the Commerce Department against a violator of export controls."

The Commerce Department has leveled a harsh but justified penalty.

I agree that we need to send a strong message, and I think this does just that. However, the current NDAA managers' package would trample on the separation of powers and undercut the Trump administration's authority to impose these penalties. My amendment would prevent this year's NDAA from limiting the export control authority of the Secretary of Commerce.

I don't dispute the threat that ZTE products pose, but, remember, the majority of the chips used in ZTE products are made right here in the United States. Our government should not use products from ZTE, Huawei, or any other company with such close links to the Chinese Government.

The underlying NDAA still prohibits the entire government from purchasing ZTE products, but we should not tie the hands of the administration to enact penalties as it sees fit, particularly in these times of aggressive actions by foreign players.

Mr. President, I ask unanimous consent that it be in order to call up amendment No. 2870 to amendment No. 2282.

The PRESIDING OFFICER. Is the Senator restating his unanimous consent request?

Mr. PERDUE. Yes.

The PRESIDING OFFICER. Is there objection?

Mr. DONNELLY. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Indiana.

Mr. DONNELLY. We heard my colleague from Maryland and my colleague from Arkansas; therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Indiana.

Mr. DONNELLY. Mr. President, I rise to discuss my efforts on the Senate Armed Services Committee, on behalf of the people of Indiana, to craft and advance a defense bill that supports Indiana's role in our Nation's defense and protect America's security interests and defense-related jobs.

Before I get to that, though, I want to take a moment to acknowledge the chairman of our committee, my friend Senator JOHN MCCAIN. He is an American hero. I hope as he watches the Senate do its bipartisan work on this year's NDAA, the John S. McCain National Defense Authorization Act, he knows that all of us here are thinking of him back in Arizona and wishing him the best in his battle. When we think about JOHN MCCAIN, we think about a fighter. We think about the epitome of a man who defends our freedom every single day. I am proud he is our chairman, and I am proud he is my friend.

Now I want to talk about provisions I secured in the national defense bill that we are considering, efforts I supported, and an amendment I filed.

I am proud of the many contributions Hoosiers make to the safety and security of our Nation—most especially those brave men and women who volunteer to put on the uniform in service to our country.

I am also proud of the thousands of working men and women who go to work in the dark every day to manufacture the highest quality products and equipment that support and protect our warfighters. From humvees and transmissions to satellites and aviation braking systems, Hoosiers know a key strength of our military is the technological and quality advantage that American manufacturing gives to our warfighters.

In fact, it is with those friends and neighbors in mind that I want to talk about the importance of ensuring that the equipment used by our Armed Forces and the jobs—the moms and dads who go to work every day to build that equipment—stay right here in America.

One of the provisions I pushed hard for and was included in the bill requires the examination of the F-35 supply chain in order to ensure that key manufacturing capabilities are not being sent abroad, jeopardizing the backbone of America's future Air Force.

Workers at the Honeywell facility in South Bend, IN, currently manufacture components for the braking mechanism for the F-35 airplane—one of the most

technologically advanced aircraft ever built. I am told that next month, the last raw forging shipment will come to the facility for Hoosier workers to manufacture these components. Honeywell is planning to send that manufacturing work for the F-35 overseas to a plant in Turkey.

While Turkey is a member of NATO, it is on a concerning path of crumbling democratic norms, and it is in the process of purchasing a missile defense system from Russia. That is not the kind of place where we should be manufacturing critical components for one of the most advanced warfighting machines in our arsenal, particularly when we have trained, experienced, talented, patriotic, devoted American workers in South Bend, IN, who want to continue doing this work protecting our men and women and keeping our Nation safe.

What is more, if the U.S.-Turkey relationship deteriorates further, I am concerned our country will not have access to a critical component of our most sensitive aircraft or missile or radar. We don't currently know what future threats to our supply chain will emerge. This Congress and the American people should know the answers to those questions. I believe my provision will help us get to the bottom of it and find those answers.

Another provision I authored that the Senate Armed Services Committee adopted as part of this bill would ensure that our Nation retains key national security capabilities within the Federal workforce.

I also fought to keep key sectors of our defense industrial base robust and secure from threats, such as tampering and counterfeit parts. That work happens at the Naval Support Activity Center in Crane, IN.

In addition, another measure I supported that is included in this bill ensures that companies that provide products crucial to our national defense are not purchased by a foreign adversary like China. When it comes to our national defense work, I believe it is critical that our policies encourage companies to invest in American workers and communities at home and penalize those that ship work to foreign countries. That is why I proposed an amendment that is simple and clear: Federal defense contracts, funded by American taxpayers, should go to companies that employ American workers.

My amendment, which is based on my End Outsourcing Act, would allow contracting officers to take into consideration a company's outsourcing practices when awarding Federal contracts. It is common sense. Our Federal tax dollars should go to companies that invest in and support American workers. When defense work is shipped from American companies to other countries, it can hurt our national defense, our workers, and our communities.

Finally, I want to highlight a provision that has been mentioned by my colleagues that I strongly supported in

this bill that helps protect American telecommunications security, which is an important part of our national security.

Specifically, this bill includes a provision that prohibits the Department of Defense from procuring, obtaining, or renewing contracts that utilize equipment or services from China's Huawei Technologies or ZTE Corporation. Huawei is reportedly being investigated by the Department of Justice for potentially violating U.S. sanctions laws as it relates to Iran. ZTE sold sensitive technologies to Iran and North Korea in violation of U.S. sanctions laws.

I am concerned about the administration's recently announced deal to roll back penalties against ZTE, and I think this measure in the Senate, in our national defense bill, would be an important step toward helping safeguard our telecommunications industry's security.

I am hopeful the Senate will soon pass the national defense bill. It is bipartisan. It is not Democratic, it is not Republican; it is American. It is an example of what we can accomplish together. I am proud it will help protect our national security and American jobs, and it also includes a number of provisions that are vital to Indiana.

I would like to close by again saying how honored we are that this is the JOHN MCCAIN Defense bill. What an extraordinary chairman he has been for us. We wish him well. We hope he is getting stronger every single day, and we look forward to seeing him in the Chamber soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

MORNING BUSINESS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

CALLING FOR THE RELEASE OF PASTOR ANDREW BRUNSON

Mr. TILLIS. Mr. President, I am coming back to the floor, sadly, to make a speech that I promised to make every week that I am in the U.S. Senate as long as a pastor from North Carolina, who has been in mission in Turkey for almost 20 years—until his release from a Turkish prison.

Before I get started with that, I want to thank Senator DONNELLY for his comments because I think we share a common concern with respect to the Joint Strike Fighter Program. That is something I am going to suggest in my discussions.

I also thank, in advance, Senator SHAHEEN, who has worked with me, on a bipartisan basis, to highlight the concern we have for a man who has been in a Turkish prison for 614 days.

Pastor Brunson was arrested in October of 2016 for nothing more than being a missionary. I went to Turkey about 2 months ago and visited him in a Turkish prison, after almost 17 months of being in prison, without any charges. They brought charges against him that are some of the most bogus excuses for evidence you could possibly imagine. I am certain that if it were somebody with these charges in the United States in a jail system or prison system, they would be released the day the charges were filed.

This is Pastor Brunson. He is a little over 50 years old. Since he has been in prison, he has lost 50 pounds and has spent almost 17 months in a prison cell designed for 8 people that had 21 people in it, that entire time without a single formal charge levied against him.

Pastor Brunson is a Presbyterian minister from Western North Carolina, an area called Black Mountain. He was swept up in the arrest that occurred after the illegal coup attempt that I think was inappropriate and that I would probably oppose because I think there is a peaceful way to change regimes, but Pastor Brunson wasn't one of the people who caused the coup. If you went to that courtroom like I did and spent 12 hours in that room, you would have heard absurd charges from over a dozen secret witnesses, many of them in prison, talking about the food that somebody may have eaten, which is a preferred food of a terrorist organization, or the fact that a light was on in a small church in Izmir for hours, and certainly there had to be something bad going on.

That is the nature of these charges. I am not making it up. This man is doing everything he can to have the truth be heard, but I actually believe this is not about a judicial process. This is not about valid charges. This is about a political hostage.

I will tell you the day I absolutely confirmed that this pastor became a political hostage. It is the day President Erdogan had the audacity to make this statement. President Erdogan believes that there is someone in this country who was involved in the coup attempt. We have reached out to Turkey and said: If you can process a valid basis for extradition—we have an extradition treaty with Turkey—we would be happy to consider that, based on the merits of the case, and we still would be, but the President had the audacity to say: We can just short circuit all of those by you trading your pastor for our pastor. President Erdogan clearly demonstrated that he has the authority to release this illegally and improperly imprisoned American, who has been in prison for 614 days, but he chooses not to.

Now, on a bipartisan basis—I should tell my colleagues that one of the reasons I find this so insulting is because Turkey has been a NATO ally since 1952. We have to understand what being a NATO ally means. What it means is the greatest, the most powerful Nation