

If we can commit to continuing to follow the fair and equitable approach that was exhibited when we fashioned the bill in committee, we can pass a farm bill that has a chance to become law. Let's not squander this opportunity.

Our farmers in rural America need this bill. Let's get it passed so that we can provide our farmers and ranchers with the certainty and predictability they need to succeed.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

Mr. UDALL. Mr. President, I rise today to talk about the immigration crisis that this President has generated.

The Nation has seen images of children trapped behind wire fencing and children sleeping on concrete floors. We have seen the tents hurriedly set up to house children separated from their parents. We have seen the video of Jessica, who doesn't know where her mother is and wants to talk to her. We have heard the audio of young children crying out for their mothers and fathers. We have heard the audio of a detention facility staff person telling the kids not to talk to the press, claiming it will hurt their immigration case.

As of June 12, on American soil, over 100 babies under the age of 1 year are being held in detention by the American Government. We think this can't be happening in the United States of America, but it is.

Last Friday, Senators HEINRICH, BLUMENTHAL, and I visited President Trump's tent city in Tornillo, TX, and we toured a Border Patrol station in Clint and El Paso and a port of entry in El Paso. We were turned away from Tornillo on Friday, so I went back Saturday and got inside to see the children. We all went to these government facilities to get answers, but we came up short.

Most pressing, we still don't know when or how all the thousands of children taken from their parents will be reunited. We don't know how children whose parents have already been deported will be reunited. We have parents scared that they will never see their children again.

The confusion, chaos, and incompetence with which the President's zero tolerance policy was executed is only outmatched by the confusion, chaos, and incompetence with which reunification is being handled.

The immediate priority must be to get these children back to their parents as soon as possible. We know we are doing damage to these children

every day that they are not with their families. We know this. Pediatric and mental health professionals all agree. The American Academy of Pediatrics condemned the administration because those doctors know that separating families can result in "irreparable harm." That is a quote from the American Academy of Pediatrics—"irreparable harm" to separated children.

Last weekend, I saw children detained in the tents in Tornillo who were able to talk to their parents only twice a week for 10 minutes. I saw astounding young children—children 3 to 10 years old—who had crossed the border without their parents. I saw families from Guatemala, Honduras, and El Salvador, fleeing violence and persecution, locked in detention at Border Patrol. I met Jade Gabriela, who is not even 2, and her father, detained in El Paso, both of them trying to escape the brutality and gangs in Honduras.

President Trump claims there is a border crisis, but communities on the border dispute this. I am a Senator from a border State, and I dispute this. I represent border communities, and I have been to the border many, many times recently and over the years. President Trump has not. He should come see for himself and see the humanitarian crisis he has created.

Detention facilities for children are overwhelmed. We have heard from a whistleblower in New York that there is not enough staffing at her facility because of all the young children coming in. These internment camp-like facilities—as former First Lady Laura Bush has compared them to—are costing Americans and American taxpayers millions of dollars. The Tornillo tent city costs \$400,000 every day. The President's poorly conceived Executive order directs the Department of Homeland Security Secretary to set up even more family detention facilities on military bases.

Zero tolerance has overwhelmed the U.S. attorney's offices on the border. Now, instead of prosecuting violent criminals for serious crimes, Federal prosecutors are wasting resources, focusing instead on criminally prosecuting mothers and fathers for misdemeanor improper-entry violations. There is a call to take military JAG lawyers away from their more important duties to handle the flood of immigration cases and recall prosecutors from their posts in Indian Country, where they are so sorely needed. All systems are bursting at the seams thanks to the President's made-up crisis, cruelty, and bureaucratic incompetence.

As of today, there is no clear path forward to reunite families. There is no timeline. Tuesday, Secretary Azar of Health and Human Services admitted in his testimony before the Senate Finance Committee that there is no timeline. The Department of Health and Human Services is prohibited under the Flores case from reuniting children with parents who are in detention.

The President wants to keep zero tolerance in place and continue to prosecute and keep parents in detention with their children. Not only is this cruel and un-American, but I think the Federal judge in Flores is going to reject the President's request to allow children to be jailed with their parents longer than 20 days.

The President has doubled down on zero tolerance. Like many of his policies that are hastily implemented and borne of his divisive agenda, there is no plan B if the court refuses, as it should, to allow children to be jailed with their parents.

There is an obvious solution. Successful alternatives to detention have demonstrated compliance rates of 99 percent with court appearances and ICE appointments. These programs are both effective and cost a fraction of what it takes to detain families. Why doesn't the President use these programs and save taxpayers millions of dollars? Because he thinks it doesn't appear tough and takes away his bargaining chip of detained children that he thinks he can use to get his wall.

In the President's rush to gain political traction, he has created a humanitarian and moral crisis within our own borders, the likes of which we have not seen since we interned families of Japanese heritage during World War II.

I can tell you that I will not back down from this fight. More importantly, I can tell you that the American people and New Mexicans are with me. It is the voices of the American people that forced the President to retreat from his brutal family separation policy, and it is those voices that will prevail in the end.

The administration is trying its hardest to hide what is going on from the American people, but the American people are demanding answers. We all must continue to speak out until we have policies in place that make sure families stay together, lawfully and humanely. We need alternatives to detention, and we need to stand up for due process.

As Americans see images of separated children and family detention camps, they turn to Congress, and they turn to the judicial system as well. A Federal judge recently issued a ruling barring family detention and ordering reunification within 30 days, but the Trump administration may fight this ruling—just like they are fighting to overturn Flores, which came out of a Supreme Court case.

RETIREMENT OF JUSTICE ANTHONY KENNEDY

Mr. UDALL. Mr. President, today, Justice Kennedy has announced he is retiring. I had some very strong disagreements with his rulings, especially on campaign finance reform, but I thank him for his service. He was a thoughtful Justice. I am very concerned with the process to replace him.

The majority leader is trying to eliminate advice and consent from the process. We should wait until after the upcoming election. That will be a shorter time than Leader MCCONNELL waited in 2016, the last election year.

I am very concerned with the President's process. He is picking from an ideological list, with a history of personally attacking judges he disagrees with, while demanding loyalty from his appointees. At the same time, this administration is undermining due process across the board—along the border, for minority races or religions, for a woman's right to choose.

The Constitution requires a real advice-and-consent process. The majority leader needs to ensure one. If the McConnell rule was in place in the 2016 election year, it should be in place for 2018.

Given the President's attacks on due process and rule of law, we should let the people speak before we consider his next Supreme Court nominee.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The bill 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.

FARM BILL

Mr. MORAN. Mr. President, I am here on the Senate floor this afternoon to discuss, really, the farm bill but, more importantly, to discuss the current state of the farm economy in the place I call home, Kansas.

Every 5 years, we have an opportunity to develop farm policy, and this is my fourth time, I would guess, in being involved in farm bill discussions and negotiations and the passage of a farm bill. Each farm bill is developed at a time at which agriculture faces unique challenges, and rural America is in a different circumstance. Yet the farm bill is important to us. It is important to Kansans, and it is important to Kansans whether they are farmers or not. This is a way in which we provide certainty, security—a future—for the places that many of us call home.

The challenges farmers and ranchers face today are significant. They are tremendous. The ag economy is struggling, and commodity prices are low. Over the course of the 2014 farm bill—the one we are soon to replace—farm revenues have fallen by over 50 percent, and there continue to be those low commodity prices today.

In addition to low commodity prices, weather has not been our friend in Kansas and in many places across the country, especially in the Midwest with its continuing drought. So you end up with the worst of circumstances—low commodity prices and not much production.

It is important that we pass the farm bill. It is important that we provide certainty. It is important that we provide a safety net to those who struggle every day to feed, clothe, and provide energy to us and the rest of the world.

A primary motivation for which I asked Kansans to represent them here in the U.S. Senate and to represent them in Congress is the belief that rural America is a place worthy of keeping around for a while longer and I hope a long while longer. But when agricultural interests struggle and when farmers and ranchers are in difficult circumstances, every community across Kansas struggles, and, in fact, the United States of America faces tremendous challenges.

Again, you don't have to be a farmer or rancher in our State, but your community's future depends upon whether the farmers and ranchers are successful. The extended downturn in the economy has forced more and more ag producers to look for off-the-farm income. Many farmers and I would say most farmers in Kansas no longer earn a living solely by farming. Husband, wife, or both have to find off-the-farm income to keep the farm intact.

The Wall Street Journal indicates that 82 percent of income for U.S. farm households is expected to come from jobs off the farm this year. I highlight that because it is that struggle that farmers face every year, all the time, every day, to keep the farm intact.

I visit with farmers and ranchers on a regular basis, and it is apparent that the stress they are encountering is taking its toll. Many farm families are now stretched to the limit of their financial viability.

This week, the Senate has the opportunity to consider and to vote for legislation that will help address the challenges in rural America. The Senate farm bill provides a stable safety net for our farmers and ranchers; protects key risk management tools, crop insurance in particular; and ensures continued access to credit for producers, particularly for our young farmers, which is so important. You cannot borrow money from a bank or from a financial institution in the absence of the safety net that the farm bill provides. You cannot borrow money from a financial institution for a line of credit for your farm to pay for the seed or to buy the fuel in the absence of crop insurance that protects you in the loss or reduction in production on your farm.

I appreciate the strong focus in this farm bill on rural development and on conservation programs. The farm bill is mostly about SNAP, nutrition programs, but the title of the farm bill that is also important to our country is title I, which is the farm program, but you add to that conservation programs, add to that rural development programs, and this is one of the most significant opportunities we have to stand strong, side by side with those who live in rural America.

One of the primary ways that I judge whether farm policy or a farm bill is of

value is the circumstances in which we allow for young farmers, young men and women who grew up on a farm, young people who want to be a farmer—do they have the opportunity to return to their home community, to their family's farm and become farmers? Is that increasing or decreasing? Again, I look at a farm bill and whether it is successful by looking at whether we are increasing the number of young men and women across Kansas and the United States who return to take over family farming and ranching operations.

The McCurry Bros. Angus farm in Sedgwick, KS, is an example of this generational operation that we ought to make sure continues into the future. I just saw and learned yesterday that this year the McCurry Bros. farm is notably celebrating its 90th anniversary. We need more aspects of American life like the McCurry brothers and other farmers and ranching operations where sons and daughters work alongside moms and dads and grandmothers and grandfathers. In agriculture, land, equipment, and livestock are passed down from generation to generation.

I care about farmers and ranchers because they are the economic future of most communities in my State, but I also care about farmers and ranchers because it is a way of life that allows us to pass on values, morals, integrity, and tradition from one generation to the next.

That opportunity to work side by side with mom and dad and the opportunity to work side by side with grandparents is a vanishing thing in our country. Agriculture is a place where it still occurs, and it has been important in the way in which our country has developed—that relationship, that passing of integrity, character, love of life, and understanding what is truly valuable in life. Knowing about farming and ranching and working with your parents and grandparents changes the way you see the world, and in my view, this country needs more of that, not less.

This farm bill is especially important now because of the uncertainty that exists related to trade. With low commodity prices and uncertain export markets now, providing risk management tools and a strong safety net through a farm bill is even more important than ever.

There are low commodity prices, poor weather, and now the uncertainty of where the United States will end up with regard to trade around the globe. We should be clear that no farm program safety net can replace lost exports and lost markets in agriculture. That is why it is critical that we successfully conclude NAFTA renegotiations and avoid a multifront trade war that will have a direct economic consequence for agriculture in rural Kansas.

In meetings across Kansas, sometimes I hear: Jerry, let's just forget the rest of the world. Let's just take care of ourselves.