

to file cloture on these tax protocols. Yet even after this whole journey, our colleague still was not blocked or shut out of the process. He had his opportunity.

A few weeks ago, he had the opportunity to offer amendments to the protocols in committee. They failed on a vote of 17 to 5. Last night, we put two more of his amendments up for votes on the floor; they went nowhere.

Nine years is long enough. In fact, it is far too long—too long for our U.S. businesses to have been either paying needless double taxes or deferring huge amounts of money in dividend payments that could otherwise have been invested right here at home.

Year after year, money that could have been immediately used to hire Americans or make new investments had to either be frozen up or handed over in duplicate taxes—all in large part because one of our colleagues could not accept that one single Senator who hasn't persuaded his fellow Members is not entitled to singlehandedly rewrite international treaties. No wonder all kinds of American employers came out of the woodwork yesterday and urged the Senate to reject his misguided amendments and waste no more time in ratifying these treaties. I don't know why the Senator believes he was close to a breakthrough after his years of effort. Hope springs eternal, I suppose.

Even if he had convinced the administration or his colleagues, the U.S. Government would have had to reopen the treaties for negotiation all over again with the other party, which would almost certainly have brought about changes that they wanted. No wonder President Trump's Treasury Department expressed opposition to these amendments. Treasury told Senators yesterday that going back and inserting these changes could force a years-long renegotiation of the treaties themselves, jeopardize their ratification, and have a significant adverse impact on America's standing among the international community.

I am not quite sure what all these years of heel-dragging will have accomplished—except impose unnecessary taxes on Kentucky employers and deferring investments in the United States. I can't see anything to show for this crusade except hurting American businesses for the better part of a decade, all to no effect. But I am glad we can turn the page this week and get these treaties on the books.

I haven't been able to identify a constituency for which he has advocated, but I know my actual constituents in Carroll County—real people in Kentucky—are sure glad the Senate has taken this important action.

It is the right thing to do for the country. It is the right thing to do for Kentucky workers and all the employers nationwide who have been waiting and waiting for this unfair competitive disadvantage to be removed. I am glad that is exactly what we are doing this week.

MEASURE PLACED ON THE CALENDAR—H.R. 1327

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

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 1327) to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2092, and for other purposes.

Mr. McCONNELL. In order to place the bill on the calendar under the provision of rule XIV, I would object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

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.

EXECUTIVE SESSION

PROTOCOL AMENDING TAX CONVENTION WITH SWISS CONFEDERATION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following treaty, which the clerk state.

The senior assistant legislative clerk read as follows:

Treaty Document No. 112-1, Protocol Amending Tax Convention with Swiss Confederation.

Pending:

McConnell amendment No. 912, of a perfecting nature.

McConnell amendment No. 913 (to amendment No. 912), to change the enactment date.

The PRESIDING OFFICER. The majority whip.

UNITED STATES-MEXICO-CANADA AGREEMENT

Mr. THUNE. Mr. President, after years of economic stagnation during the Obama administration, we are experiencing an economic revival. Thanks to Republican economic policies, the economy has taken off during the Trump administration. Unemployment is near its lowest level in half a century. June marked the 16th month that unemployment has been at or below 4 percent. For 15 straight months—15 straight months—we have had more job openings than Americans looking for work. Right now, there are roughly 1.6 million more job openings than Americans looking for work. That is the largest margin ever recorded. June also marked the 11th straight

month that wage growth has been at or above 3 percent. Before 2018, wage growth had not hit 3 percent in nearly a decade.

Importantly, the benefits of this economic growth are being spread far and wide. Ordinary Americans are seeing bigger paychecks, more jobs, and more opportunities. Over the past 3 years, pay hikes for the lowest income workers have grown the fastest. Huge numbers of new blue-collar jobs have been created. Unemployment rates for minorities have decreased substantially. The unemployment rates for Asian Americans, African Americans, and Hispanic Americans are all at or near record lows.

While our economy as a whole is thriving, there is one segment of our economy that is not fully enjoying the economic growth we have been experiencing. While our Nation's farmers and ranchers have seen benefits from tax reform, years of commodity and livestock prices that are below the cost of production, protracted trade disputes, and natural disasters mean our agricultural economy is trailing behind the economy as a whole.

I am privileged to represent South Dakota farmers and ranchers in the U.S. Senate, and addressing the needs of these hard-working Americans is one of my top priorities.

Recently, I was very pleased to be able to help persuade the Department of Agriculture to move the haying and grazing date to September 1 for this year for cover crops on prevent plant acres. This will allow farmers and ranchers in northern States like South Dakota to sow cover crops without worrying that they won't be able to harvest or graze them before winter weather sets in.

Cover crops help farmers by improving soil health, which improves future yields, and they can save farmers significant money by serving as an important source of feed. That second benefit is particularly important for farmers right now. Due to last year's severe and lengthy winter, feed supplies disappeared, leaving no reserves. Cornstalks—a source of grazing and bedding—will be in short supply this year, and so will the supply of alfalfa due to winterkill. Cover crops will be crucial to alleviating this feed shortage.

If necessary, I will be encouraging the Department of Agriculture to release Conservation Reserve Program acres for emergency haying and grazing this year to further address the feed shortage.

The best source of information about what farmers and ranchers need is the farmers and ranchers themselves. Right now, producers are telling me that what they need more than anything else is market access for their products around the globe. Farmers and ranchers depend on trade. Our Nation's farmers and ranchers don't just sell their products here at home; they sell them around the world. In my home State of South Dakota, we export

a substantial portion of the agricultural products we produce. Right now, though, farmers and ranchers are facing a lot of uncertainty when it comes to trade.

While farmers appreciate the assistance the administration has provided to offset the lower commodity prices resulting from current U.S. trade policies, they would prefer to receive a check from selling their products instead of from the government.

Farmers are deeply concerned that their access to global markets, which has already diminished, will continue to erode, as U.S. agricultural products continue to be replaced by those from foreign competitors.

That is why passing the United States-Mexico-Canada trade agreement and wrapping up the other trade agreements the U.S. is negotiating has to be a priority. I have repeatedly relayed this message to the President and key members of his administration, and I will continue to do so.

While I strongly support the administration's goal of strengthening market access for our Nation's farmers and ranchers, the most urgent need right now is to get farmers certainty about what international markets are going to look like. Agreements with China, Japan, and the European Union all need to be concluded quickly to end current trade and market uncertainties.

We need to pass the already negotiated United States-Mexico-Canada Agreement as soon as humanly possible. This agreement will preserve and expand market access for farmers and ranchers in two of our Nation's most significant agricultural export markets—Canada and Mexico. Of particular interest to the rapidly growing dairy industry in South Dakota, USMCA will expand market access for U.S. dairy products in Canada. The U.S. International Trade Commission estimates that the agreement will boost U.S. dairy exports by more than \$277 million. The agreement will also expand market access for U.S. poultry and egg producers, and it will make it easier for American producers to export wheat to Canada.

Senate Republicans are ready to pass this agreement as soon as the President formally submits it to Congress. We are just waiting for Democrats in the House, who have still not indicated they are ready to take up the agreement despite the significant steps taken to address their priorities. It is high time for the Democrats in the House to make it clear they are ready to approve this agreement and allow our Nation's agricultural producers to start seeing the benefits. I will continue to fight to get USMCA passed as soon as possible.

I am honored to represent thousands of farmers and ranchers in the Senate. I am proud that Republican economic policies have been lifting Americans across the economic spectrum. I will continue to work to get our Nation's

agricultural economy going again so that our Nation's farmers and ranchers can prosper and thrive.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING JOHN PAUL STEVENS

Mr. SCHUMER. Mr. President, last night, we received the news, the sad news, that Justice John Paul Stevens passed away at the age of 99. He was a son of the "greatest generation," a code breaker in the U.S. Navy at Pearl Harbor, a lifelong Chicago Cubs fan, and a Shakespearean scholar. What a combination.

John Paul Stevens was the third longest serving Justice on the U.S. Supreme Court in the Nation's history. The length of his tenure meant the jurisprudence of Justice Stevens left a mark on nearly every area of the law. Just as remarkable as the length of his tenure was its quality.

Justice John Paul Stevens was a champion for civil rights, equality, and accountability, who devoted his life to the ideal of equal justice under the law. He worked to constrain the use of the death penalty, defend abortion rights, articulate the bounds of Presidential power—very needed today—and believed that unravelling the limits on corporate campaign spending "threatens to undermine the integrity of elected institutions across the nation." He was so right.

The fact that Leader MCCONNELL and all our Republican friends lead the charge in allowing so much corporate money—money of the very wealthy—to cascade into our system—well, Justice Stevens is in Heaven reminding them of what they are doing to faith in our democratic institutions.

Stevens was at times an iconoclast. He was willing to buck conventional approaches and have his own views evolve. One constant, however, was his courtesy. During oral arguments, he would begin with the preface: "May I ask a question," as if the counsel were doing him a favor. Out of respect for the respect he paid to everyone who came before the Court, on his last day on the Bench, lawyers and spectators throughout the Supreme Court Chamber wore his signature bow tie in his honor, a more fitting tribute than anything I could say on the Senate floor.

Justice Stevens was a great man, a model jurist: wise, fair, compassionate, and caring about the little guy and gal. Our judiciary today needs more like him. There are too many on the Supreme Court who are virtually the opposite of what Stevens stood for. He will be sorely missed.

SENATE LEGISLATIVE AGENDA

Mr. President, on a different subject, it is certainly abhorrent that Leader MCCONNELL has said we should move on from the President's comments this weekend without him even pausing to condemn them, but that is not the only subject Leader MCCONNELL is stifling debate on in this Chamber.

The size of Leader MCCONNELL's legislation graveyard grows with each session. Leader MCCONNELL has stood in the way of progress on a multitude of issues: healthcare, in his legislative graveyard; climate change, in his legislative graveyard; voting rights, in his legislative graveyard; gun safety, in his legislative graveyard; and paycheck fairness, in his legislative graveyard.

When Leader MCCONNELL refuses to even debate these issues and allows them to be amended, he hurts average Americans. He hurts Americans of all color and all creeds. He hurts Americans, whether their families have been in this country for 12 generations or they are new immigrants, new Americans, in this country.

There are so many issues: healthcare costs going through the roof, drug costs going through the roof, and MCCONNELL doesn't let us vote on them—preexisting conditions and the right to be protected if you have one. So if your son or daughter has cancer, the insurance company can't say: "I am cutting you off" and you watch that child suffer and you can't give him or her the healthcare they need. MCCONNELL says: "No debate, no change."

In fact, so many Republicans are silent on the lawsuit that President Trump and 19 Republican attorneys general filed that would get rid of preexisting conditions.

Climate change. We know what is happening to our planet. Ask Senators from anywhere on the coasts, anywhere where we have had disasters, and talk to our farmers in terms of temperatures and predators, natural pests. The world is changing, and we are doing nothing about it. He will not let a single bill on that. There is also voting rights or people are being deprived of gun safety, where thousands lose their lives, and we could close loopholes that 90 percent of Americans support.

HEALTHCARE

Mr. President, there are so many issues. Let me dwell on one of them, healthcare, where Leader MCCONNELL's graveyard hurts every American: immigrant, nonimmigrant, Black, White, Brown, every religion, and every creed. Healthcare is the No. 1 issue in the minds of most American families. Millions of families across the country are still struggling with how to afford healthcare and how to afford prescription drugs, but at the moment, as I have mentioned, the Trump administration is actively supporting a lawsuit that would dismantle the healthcare protections we have today.

The consequences of the lawsuit are mind-boggling: tens of millions—tens

of millions—would lose coverage and see premiums rise. Up to 133 million Americans—close to half of us—who have preexisting conditions would see their protections vanish. Yet Leader MCCONNELL has not allowed this Chamber to vote on whether the Senate can intervene in that lawsuit, let alone on any legislation that would improve our healthcare system. Astonishingly, many Republicans—many Senate Republicans—are publicly rooting for the Trump administration’s lawsuit to succeed, even if it means plunging our country into a healthcare crisis.

CLIMATE CHANGE

Mr. President, as I mentioned, healthcare is far from the only subject Leader MCCONNELL has prevented the Senate from debating. Later today, my friend from Hawaii Senator SCHATZ will host the first hearing of the Senate Democrats’ special committee on the climate crisis, bringing mayors from across the country to talk about how their cities are combating climate change.

This Senate, because of Senator MCCONNELL’s graveyard, will sit on its hands and do nothing, but our cities and States have no choice but to do something. They are closer to the people. They are doing stuff. We will hear about it today.

Climate change is the greatest threat to our planet, and Leader MCCONNELL will not even let the Senate debate the issue. This will go down in history poorly for all of our Republican friends who back that up, which is just about everyone.

We had to form our own committee because Republicans wouldn’t join a bipartisan committee to discuss this. In his time as majority leader, Senator MCCONNELL has brought forward exactly one bill to address climate change, and it was so his party and he could vote against it—a sham, a ruse, a trick, which flopped.

Many Republicans don’t support every Democratic idea to address climate change. I understand that, but Leader MCCONNELL has provided no way for the Senate to even debate the matter. How are we supposed to compromise or make progress if the Senate leader refuses to allow us to debate any legislation? How can America make progress, even when the House moves forward, when the Senate has become a legislative graveyard for so many issues?

On climate change, healthcare, and so many other issues, Leader MCCONNELL’s legislative graveyard is standing in the way of progress for average American families.

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. SCHUMER. 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. SCHUMER. Mr. President, I ask that the 11 o’clock vote series start now.

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

The PRESIDING OFFICER. Under the previous order, the amendments to the treaty are withdrawn.

The amendments (No. 912 and No. 913) were withdrawn.

The PRESIDING OFFICER. The clerk will report the resolution of ratification.

The senior assistant legislative clerk read the resolution of ratification as follows:

Resolution of Advice and Consent of the Protocol Amending the Convention between the United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income, signed at Washington on October 2, 1996, signed on September 23, 2009, at Washington, as corrected by an exchange of notes effected November 16, 2010 (the proposed Protocol) (Treaty Doc. 112-1), and a related agreement effected by an exchange of notes on September 23, 2009 (the related Agreement).

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification.

Mr. SCHUMER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET) and the Senator from California (Ms. HARRIS) are necessarily absent.

The yeas and nays resulted—yeas 95 and nays 2, as follows:

[Rollcall Vote No. 210 Ex.]

YEAS—95

Alexander	Gardner	Reed
Baldwin	Gillibrand	Risch
Barrasso	Graham	Roberts
Blackburn	Grassley	Romney
Blumenthal	Hassan	Rosen
Blunt	Hawley	Rounds
Booker	Heinrich	Rubio
Boozman	Hirono	Sanders
Braun	Hoeven	Sasse
Brown	Hyde-Smith	Schatz
Burr	Inhofe	Schumer
Cantwell	Johnson	Scott (FL)
Capito	Jones	Scott (SC)
Cardin	Kaine	Shaheen
Carper	Kennedy	Shelby
Casey	King	Sinema
Cassidy	Klobuchar	Smith
Collins	Lankford	Stabenow
Coons	Leahy	Sullivan
Cornyn	Manchin	Tester
Cortez Masto	Markey	Thune
Cotton	McConnell	Tillis
Cramer	McSally	Toomey
Crapo	Menendez	Udall
Cruz	Merkley	Van Hollen
Daines	Moran	Warner
Duckworth	Murkowski	Warren
Durbin	Murphy	Whitehouse
Enzi	Murray	Wicker
Ernst	Perdue	Wyden
Feinstein	Peters	Young
Fischer	Portman	

NAYS—2

Lee	Paul
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NOT VOTING—3

Bennet	Harris	Isakson
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The PRESIDING OFFICER (Mr. SASSE). On this vote, the yeas are 95, the nays are 2.

Two-thirds of the Senators having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification was agreed to, as follows:

TREATIES APPROVED

PROTOCOL AMENDING TAX CONVENTION WITH SWISS CONFEDERATION (TREATY DOC. 112-1)

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration and Conditions.

The Senate advises and consents to the ratification of the Protocol Amending the Convention between the United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income, signed at Washington on October 2, 1996, signed on September 23, 2009, at Washington, as corrected by an exchange of notes effected November 16, 2010 (the “proposed Protocol”) (Treaty Doc. 112-1), and a related agreement effected by an exchange of notes on September 23, 2009 (the “related Agreement”) subject to the declaration of section 2 and the conditions in section 3.

Sec. 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Protocol is self-executing.

Sec. 3. Conditions.

The advice and consent of the Senate under section 1 is subject to the following conditions:

(1) Not later than 2 years after the Protocol enters into force and prior to the first arbitration conducted pursuant to the binding arbitration mechanism provided for in the Protocol, the Secretary of the Treasury shall transmit to the Committee on Finance and the Committee on Foreign Relations of the Senate and the Joint Committee on Taxation the text of the rules of procedure applicable to arbitration panels, including conflict of interest rules to be applied to members of the arbitration panel.

(2)(A) Not later than 60 days after a determination has been reached by an arbitration panel in the tenth arbitration proceeding conducted pursuant to the Protocol or any of the treaties described in subparagraph (B), the Secretary of the Treasury shall prepare and submit to the Joint Committee on Taxation and the Committee on Finance of the Senate, subject to laws relating to taxpayer confidentiality, a detailed report regarding the operation and application of the arbitration mechanism contained in the Protocol and such treaties. The report shall include the following information:

(i) For the Protocol and each such treaty, the aggregate number of cases pending on the respective dates of entry into force of the Protocol and each treaty, including the following information:

(I) The number of such cases by treaty article or articles at issue.

(II) The number of such cases that have been resolved by the competent authorities through a mutual agreement as of the date of the report.

(III) The number of such cases for which arbitration proceedings have commenced as of the date of the report.

(ii) A list of every case presented to the competent authorities after the entry into force of the Protocol and each such treaty, including the following information regarding each case: