

of refugees in that war-torn region. The consequences of these actions by Turkey and its proxies will persist for years to come.

Turkey's incursion poses a direct threat to U.S. national security interests in the region, not the least of which is by facilitating Russian foreign policy ambitions in the region and opening the door for ISIS to reconstitute.

At its inception, Turkey did not take the threat of ISIS seriously enough, and in the early days, ISIS's ability to easily traverse the Turkish-Syrian border bolstered its ability to grow in strength and numbers. Turkey did nothing—nothing—to stop them, did nothing to stop foreign fighters going into Syria. While Turkey has legitimate security concerns from the PKK, its singular focus on extending this feat to the whole Kurdish population risks its ability to effectively confront other terrorist organizations, including ISIS and al-Qaida.

There must be a full accounting by Turkey of these atrocities. That is why I am today introducing an expedited resolution of request for the Secretary of State to inform the Senate in 30 days of the extent of Turkey's human rights abuses in Syria. This resolution invokes statutory authority under the Foreign Assistance Act to require the Secretary of State to assess and report to Congress on Turkey's human rights abuses in Syria. This resolution calls for the administration to provide all available information concerning alleged violations of internationally recognized human rights by Turkey, its armed forces, and associated groups in Syria. It calls for a description of the steps the United States has taken to promote Turkey's respect of human rights in its Syria operations. The resolution also calls for a determination of whether Turkey's actions have resulted in the release of ISIS or other extremists inside of Syria.

I am also working closely with the chairman of the Foreign Relations Committee, Senator Risch, on the Promoting American National Security and Preventing the Resurgence of ISIS Act of 2019, which would impose targeted sanctions on Turkey for its actions in Syria. A similar bipartisan measure passed the House last week, and I urge the Senate to deliberate on the measure. Based on changing circumstances on the ground, we are updating the language to condition sanctions based on Turkey's actions. I hope it will be marked up in the coming days.

For years, the world held out hope that Turkey could be the bridge between east and west—a democratic, secular country that could be a democracy in Europe and a responsible actor on the world stage. I, for one, was always skeptical but certainly supported the sentiment. Today we are the furthest from that dream we have ever been. The most imprisoned journalists in the world—in the world—are not in

North Korea, Russia, or Iran; they languish in Turkish prisons. This doesn't happen in a democracy.

As international pressure mounted following Turkey's invasion of northern Syria, Erdogan threatened to unleash thousands of refugees onto the European Union's shores, a wave like we saw in 2015. These aren't the statements of a rational, responsible actor. Yet where is U.S. policy? The Trump administration was its normal erratic self in recent weeks as it flailed from sanctions on Turkey to claiming victory. The Kurds are the ones who emerged as the clear loser. Erdogan was eager to sign on to the Pence-Pompeo plan because it gave him all he wanted—full control of the Kurdish areas of Syria and *carte blanche* to wipe out swaths of the community.

In addition to claiming victory, President Trump now wants to invite Erdogan to Washington with open arms. Stunning. The photo of Trump and Erdogan in the Oval Office will not only be the nail in the coffin for any Kurdish aspirations to live in peace and security, it will also be the death knell for any credibility the United States hopes to maintain with any combat partners in the future.

President Trump, I urge you to cancel this invitation and side with the bipartisan consensus in the Senate and the House that Turkey, under Erdogan, is no friend to the United States. Do not ruin our reputation further by fawning over yet another authoritarian leader. You want to repair the damage that has been done? Show our commitment to our allies by inviting the Syrian Kurdish leadership to the Oval Office for a meeting on how we prevent a resurgence of ISIS. That is how you protect our interests. That is how you protect our national security.

It is time to challenge Erdogan to live up to NATO's values and to respect the international order. It is time to stop enabling Turkey to be a bad actor. It is time for the Senate to act.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRUZ). The clerk will call the roll. The bill clerk proceeded to call the roll.

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

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

RECESS

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

Thereupon, the Senate, at 12:43 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE SESSION—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the

Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of David Austin Tapp, of Kentucky, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Tim Scott, Roger F. Wicker, John Thune, Mike Rounds, John Cornyn, Cindy Hyde-Smith, Mike Braun, Richard Burr, Thom Tillis, John Boozman, John Hoeven, David Perdue, Kevin Cramer, John Barrasso, Michael B. Enzi, Chuck Grassley, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of David Austin Tapp, of Kentucky, to be a Judge of the United States Court of Federal Claims for a term of fifteen years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. ISAKSON), the Senator from Idaho (Mr. Risch), and the Senator from Nebraska (Mr. SASSE).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The yeas and nays resulted—yeas 83, nays 9, as follows:

[Rollcall Vote No. 343 Ex.]

YEAS—83

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

NAYS—9

Gillibrand	Markey	Schatz
Harris	Menendez	Schumer
Hirono	Merkley	Stabenow

NOT VOTING—8

Booker	Klobuchar	Sasse
Burr	Risch	Warren
Isakson	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 83, the nays are 9.

The motion is agreed to.

The Senator from Iowa.

PRESCRIPTION DRUG COSTS

Mr. GRASSLEY. Madam President, I have a couple of issues on which I want to speak. Trade and section No. 232 would be my second issue. The first one about which I want to speak is commonsense entitlement reform.

In the past year, we have seen a flurry of drug-pricing proposals. I am encouraged by the efforts of my colleagues here in the Senate, especially by Ranking Member WYDEN, by my colleagues in the House of Representatives who agree with this effort to reduce drug prices, and by the President of the United States, who has already been involved for a year and a half in lowering drug prices. All have made lowering prescription drug costs one of the core principles of our efforts and particularly a core principle for this administration.

I have paid attention to each of the pieces of legislation that have been proposed and have looked at their pros and cons closely. However, so far, there is only one bipartisan proposal that cuts prescription drug prices, that protects innovation, that lowers what senior citizens will pay at the pharmacy counter, and that brings along with it entitlement reform. The Prescription Drug Pricing Reduction Act of 2019 is the bill I am talking about. It responsibly reduces Medicare Part D costs.

As with any widely encompassing piece of legislation, there has been some spirited debate surrounding the different provisions of our bill. So I am here today, hoping to clear up some of the confusion surrounding a phrase that I have heard thrown around in this debate—"price setting." Opponents of the legislation criticize the bill for price setting. The scare tactic associated with this claim is centered on one particular policy in our bill—that of matching the growth of government subsidies that drug manufacturers receive to the rate of consumer inflation.

When I set out at the beginning of this year to create a piece of bipartisan legislation that had real and meaningful change, I knew the focus had to be on individual Americans. That is why we kept out-of-pocket costs at a level at which seniors could see relief. That is why we banned spread pricing, which games the healthcare system to the detriment of the beneficiaries and the taxpayers. That is why we created a new way of paying for lifesaving but very costly Medicare drugs. That is why we kept the growth of government subsidies in Medicare Part D to the rate of inflation.

Unlike other proposals, the Senate Committee on Finance's policy does not tie the launch price to an artificially low price. The bill doesn't stop a drug company from recouping its research and development costs, which will lead to more innovation.

What the Part D inflationary rebate does is really quite simple. After launching, if a drug manufacturer chooses to raise the price above the rate of inflation, it has to return the difference for the drugs paid by Medicare. This policy limits government subsidies in order to provide predictability for the Medicare Program. At the same time, it provides protection for the American taxpayer. That is simply all it does. Any subsidies that the pharmaceutical companies would have received from an exorbitant raise in price is then returned to Americans rather than to line pharma's pockets. The inflation rebate incentivizes companies to stabilize their pricing, and the taxpayers' money is used more prudently and more efficiently.

You have all heard of CATO, the research organization and policy organization. CATO is one of the Nation's leading libertarian and free market organizations. It has praised the bill for its significant cost savings for the taxpayers. Does anyone really think a libertarian organization would endorse price controls? In its analysis of the bill, CATO wrote that this bill "would not impose price controls" and "would reduce wasteful Medicare spending." CATO also acknowledged that these "commonsense tweaks to a bloated entitlement program are encountering strong opposition . . . mostly from those who would not make quite as much money off the taxpayers."

We all know that Medicare's finances are worsening. The program is projected to become insolvent within the next 6 years if we continue down this very same path. In getting back to my bipartisan bill, the Grassley-Wyden bill will ensure that the Federal Government uses Medicare's budget to pay for lifesaving treatments in a fiscally responsible manner.

This goal is not without precedent. For those who say we are acting in an unprecedented way and are setting prices, I say it isn't setting prices. They forget that throughout the American healthcare system, the government has, at one time or another, set up different ways to constrain high and rising costs.

For example, States have not been allowed to pay Medicaid providers at a rate that has been higher than Medicare's. Another example is in the Medicare Program. Medicare Part A has paid for the operating costs associated with acute inpatient care and has used the inpatient prospective payment system, or what is referred to as IPPS. Congress enacted the inpatient prospective payment system to constrain the growth of Medicare's inpatient hospital payments by providing incentives for those facilities to provide care more efficiently.

Congress also requires that the concept of budget neutrality be applied to a number of Medicare payment systems, including to provider payments. This is simple. In other words, the government says that if one provider gets an increase, another provider is reduced.

Finally, the Center for Medicare & Medicaid Innovation, within the CMS, is required by statute to enforce financial controls on total Medicare spending. The Center can only test different ways to pay for services in Medicare and Medicaid if they are expected to lower costs while they maintain quality. So this idea of using taxpayer dollars responsibly and in a targeted manner exists in many facets of the American healthcare system.

My point is, while some call the inflationary rebate in Part D a price control, I urge all of the Members to consider how Congress is using measures to contain costs currently. Isn't it the fiscally responsible thing to do when Federal taxpayer dollars are being spent by those of us in Congress? Shouldn't we do what we can to contain costs? After all, it is not what hospitals, doctors, and pharmaceutical companies may charge; it is about what the American taxpayer will pay for services. That doesn't fall into the category of price controls. At the markup for my prescription drug bill, even the Director of the independent Congressional Budget Office agreed with me.

I could continue to give examples of budgetary tools in the toolbox that Congress uses in an attempt to be fiscally responsible with regard to Medicare and Medicaid. I could also continue to provide examples of outrageous drug costs. Yet the bottom line is that the Prescription Drug Pricing Reduction Act of 2019 is a win for Americans across the board.

Seniors will pay less out of pocket; taxpayers will know their money is being used appropriately; and drug manufacturers will continue to be able to innovate.

That is why Ranking Member WYDEN and I strove to achieve these things in the very beginning. I urge my colleagues to keep these considerations in mind, and hopefully my colleagues will support this legislation as a way of answering the concerns that constituents express in almost every State. At least in the 99 county meetings that I hold in Iowa every year, doing something about the pricing of prescription drugs comes up. It has to be that way all over the country.

TRADE

Now I want to turn to trade legislation, and I will not be as long on this point as I was on prescription drugs.

When I resumed chairmanship of the Senate Finance Committee in January, I laid out my top priorities for the committee's work.

For international trade, my agenda included reviewing section 232 of the Trade Expansion Act of 1962, which allows the President, without any input

from Congress, to impose tariffs in the name of national security.

For 11 months now, I have been working with other Finance Committee members on both sides of the aisle to establish a separation of powers and checks and balances in the section 232 process. These two basic principles of our system of government are sorely lacking in section 232 as it stands today.

Two of my colleagues on the Finance Committee, Senators TOOMEY and PORTMAN, each filed reform bills that are well thought out, and both happen to be bipartisan. A full quarter of the Senate has cosponsored one or more of their bills, including 10 Democrats, 14 Republicans, and 1 Independent.

Many other Senators have told me that they, too, want to see section 232 reforms reported out of the Finance Committee.

With a strong bipartisan mandate like that, I have been optimistic that Ranking Member WYDEN and I can reconcile the Toomey and Portman bills and hold a markup. More than once I have spoken publicly about my intentions to do just that.

However, every time we get close to marking up a section 232 bill, Senator WYDEN hears from stakeholders who are profiting from tariff production. Meanwhile, I get calls from colleagues who say something like this, and I am paraphrasing: Mr. Chairman, the President won't like us taking away his tariff law, and we don't want to make the President upset.

Well, we hear that a lot, whether we have a Republican or Democratic President, on a whole lot of other issues. But we don't have to listen to the President of the United States. We are Members of an independent branch of government, able to do our own thing—work with the President when we can and not worry about the President when we can't.

Well, allow me to set the record straight on a few things that I have just set before you so far.

First, as I have said before, reforming section 232 is not about President Trump. Reforming section 232 means acknowledging that the 87th Congress handed President Jack Kennedy enormous authority over trade in 1962 at the height of the Cold War. President Trump was merely following that 1962 law.

In the process, he alerted us to the fact that Congress has been too negligent in the past in protecting our constitutional responsibility of lawmaking. Our Founding Fathers were explicit in tasking Congress with responsibility over international trade, and it is time now to rebalance section 232 in line with the Founding Fathers' clear intentions.

Secondly, I have been clear that I am generally not a fan of tariffs, but I also want to make clear that I have agreed to Senator WYDEN's request to introduce a chairman and ranking member's mark that does not unwind section 232

measures on steel and aluminum. Many problems with those tariffs and quotas have been well documented, but I have been in the Senate long enough to know that getting things done requires compromise.

Third, and to all of my colleagues and everyone listening, I don't view 232 reforms as weakening the power of the Chief Executive. I view them as enhancing the effectiveness of the Chief Executive in our country. As the Supreme Court told President Truman, the Office of President and the President himself are strongest when Congress is behind him.

We need reforms to section 232 that will make clearer where Congress stands on national security and trade. Such reforms would also make clearer to our trading partners that when section 232 is used, Congress stands with the President.

Now, with these points cleared up, I hope that Ranking Member WYDEN, members of the Finance Committee, and our House colleagues will be ready to reform section 232.

We have a strong, bipartisan mandate to get to work, and this is likely just the beginning of a great deal of work that needs to be done to review our trade laws.

Senator WYDEN and I have reported bipartisan bills out of the committee successfully in the past, and hopefully we can do it again for section 232.

I yield the floor.

THE PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Illinois. Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

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

HEALTHCARE

Mr. DURBIN. Madam President, I come to the floor today to discuss an issue that is important in my State and I think in every State.

Illinois, which I represent and am proud to represent, is a State with the great American city of Chicago but with many other towns and cities of a variety of different sizes.

I actually was born in downstate Illinois, 300 miles away from Chicago. Between the great city of Chicago and the rest of our State, there are many small towns and rural areas. When you go into these areas and talk about the quality of life and living in a small town or rural America, there are a lot of challenges.

Just a few weeks ago I was in Calhoun County, one of the smallest in our State. We had an assembly of kids in middle school and grade school, and we announced that the local electric cooperative, the Illinois Electric Cooperative, was finally going to bring that level of access to the internet for which Calhoun County—the people who live there and those students—have been waiting for a decade or longer. It took longer for it to reach there.

I am glad the electric cooperative led the fight. Historically, the electric co-

operatives literally brought electricity to rural America. Now they are bringing high-speed internet to rural America, and it is critically important for students to learn, along with all of the other services that many people living in big cities take for granted come with the internet.

That is one example, but another one you run into all the time is the comments of people in smalltown America about access to healthcare. You see, across our State we have millions of people who live in smaller towns, rural towns, who don't have the same quality healthcare nearby, whether it is a hospital or a doctor or even a dentist. Across Illinois, 5 million people live in areas with shortages, and 2 million live in areas without a dentist. Almost all of them live in an area without access to mental health providers—counselors, psychologists.

The consequences speak for themselves. Only 1 in 10 people with substance abuse disorders get the care that they need in these areas, and 43 percent of rural Americans do not have access to dentists—43 percent.

Well, there is a Federal program that has been addressing it for a long time, and, coincidentally, the Presiding Officer from Tennessee is the cosponsor of legislation I am going to address at this moment.

Today there is a Federal program in place called National Health Service Corps. It provides loan forgiveness to entice doctors and other healthcare professionals to serve in places with healthcare needs. In total, 10,000 doctors, dentists, behavioral health specialists, and nurses use the National Health Service Corps and treat 11 million Americans each year in hospitals and community clinics.

We entice them to come to these underserved areas by paying off their loans. As you probably know, doctors and dentists and nurses and others end up graduating with a lot of student loans.

Illinois has more than 550 of these National Health Service Corps clinicians, but fewer than 75 of them serve in rural areas. As we face an opioid epidemic that touches every corner of America—no city too large, no town too small, no suburb too wealthy to have escaped it—we need that kind of professional healthcare across the board in urban areas as well as rural areas. That is why I have teamed up with the Presiding Officer, Senator BLACKBURN of Tennessee, on a bipartisan piece of legislation that we call the Rural America Health Corps Act.

Our bill will expand the current Corps program to provide new loan forgiveness funding for providers who will serve in rural areas in Tennessee, in Illinois, and across the Nation. It provides funding for 5 years rather than the usual 2 to ensure that doctors, dentists, and nurses plant their roots in rural America.

With the National Health Corps up for reauthorization this year, Senator

BLACKBURN and I are pleading with our friends, Chairman LAMAR ALEXANDER of Tennessee and Ranking Member PATTY MURRAY of Washington, to promote this rural focus.

It isn't the only thing I have looked at when it comes to rural America. I recently introduced a bill with Senator ROBERTS of Kansas. Senator ROBERTS is chairman of the Senate Agriculture, Nutrition, and Forestry Committee, and he agreed to include in the farm bill something called the SIREN Act.

The SIREN Act provides funding to support rural fire and EMS agencies with training and recruiting staff and purchasing equipment—everything from naloxone to power stretchers.

I recently visited Nauvoo, IL. Students of history may recognize the name of this town, but Nauvoo, IL, is where a man by the name of Mr. Kennedy came forward and told me about the need for new, modern equipment on their ambulances in this rural Hancock County area.

Because of what he told me, I introduced the bill. It passed as part of the farm bill, and we are going to start making money available in rural parts of America for these emergency management specialists to have the right training and the right equipment to respond when needed.

These bipartisan bills are important for rural healthcare, but we also have to maintain the structure of our key health programs.

Thankfully, Illinois has expanded the Medicaid Program through the Affordable Care Act, which has provided a funding lifeline to keep many of our rural hospitals from the brink of closure. It also expanded health insurance to 1 million people in Illinois.

Ten years ago, when we passed ObamaCare, the Affordable Care Act, too many Americans did not have health insurance.

If you have ever been in a moment in your life when you were the father of a sick child who desperately needed medical care and you had no health insurance, you will never forget it as long as you live. I know. I have been there. It made an impression on me as a young father that I have never forgotten.

So when this bill, the Affordable Care Act, passed and I saw so many Americans finally getting health insurance, I knew it was giving them peace of mind and access to affordable, quality, accessible healthcare.

This week marks the beginning of the open enrollment period to sign up for healthcare under the Affordable Care Act, which ends on December 15. It is vital to make sure that everyone signs up at "healthcare.gov" if you are not currently covered and you want to know what is available to you. Most patients will find the premiums are less than \$100 a month, and if you are in certain income categories you will get a lot of help in making the premium payment.

But the No. 1 thing that I hear from constituents—and it has nothing to do

with what I just mentioned. I listened to my friend from Iowa, Republican Senator CHUCK GRASSLEY, on the floor a few minutes ago talking about an issue that each of us runs into in every State in the Union. Here is the question: If you ask the American people what is the issue that you are concerned about from an economic viewpoint that you think the Congress can do something about, 90 percent of Democrats, 90 percent of Republicans, 90 percent of Independents all come back with the same answer. Do you know what it is? The cost of prescription drugs. People understand that these prescription drugs are so expensive, they are beyond the reach of many people who desperately need them.

Now, there was a Senator from Wisconsin years back named William Proxmire. He used to issue monthly recognitions of the most flagrant, excessive examples of waste in the Federal Government. He called it the "Golden Fleece." Earlier this year, I launched a series of awards to carry on Senator Proxmire's work, with the focus on the pharmaceutical industry, the people who make the drugs.

This month, I had this sign produced. This month, the Pharma Fleece award is going to the drug industry's trade group, PhRMA, and the Trump administration, I am afraid, to give away in the new NAFTA trade bill. What does a trade bill have to do with PhRMA or the price of prescription drugs? It turns out that PhRMA—boy, they are good—managed to slip in a provision in this trade bill that most Members of Congress are not even aware of.

This new trade agreement, as you might expect, involving Canada, Mexico, and the United States, covers a wide range of issues. My farmers are very excited about it. The men and women in labor unions are concerned about it. But it falls far short when it comes to labor and environmental protections. There is a lot of work that needs to be done.

But the one provision that I want to highlight today is tucked inside this sprawling document. It is a provision that guarantees monopoly protection for pharmaceutical companies by blocking competition, generic drug competition. It means that these companies can continue to call for sky-high prescription drug costs.

This is just another example of an issue that the President said during his campaign was a high priority and we all talk about on the floor of the Senate that is being sneaked into this new NAFTA trade bill. Let's remember, the top four drug companies avoided paying \$7 billion in taxes last year—\$7 billion—and were able to buy back another \$30 billion in stock thanks to President Trump's tax reform package. It was very kind to PhRMA, not that they needed it.

Americans already pay, incidentally, the highest prices in the world for prescription drugs, four times what is paid

in Canada or Europe. So why would the administration agree to put a provision for PhRMA to guarantee high prices into the new NAFTA trade bill?

Listen to the story. In 2017, for example, Canadians can purchase a year's supply of Humira—recognize the name? You should. It is the most heavily advertised prescription drug on television, Humira, made by AbbVie, a company in Illinois—it is used for a disease called psoriatic arthritis. Canadians can buy a year's supply for \$20,000—not cheap. You know what Americans pay for exactly the same drug they buy from exactly the same company? Over \$40,000, more than twice as much as the Canadians.

Why? The Canadian Government cares. They said to AbbVie and to Pharma: We are not going to let you overcharge Canadians. We are going to protect our Canadian families and our Canadian healthcare system. The United States doesn't. Often, Big Pharma charges as much as it can get away with by manipulating our patent and exclusivity rules to avoid competition.

Drugs known as biologics, like Humira, Rituxan, and Remicade, are medicines made from living organisms. They are known as biologics. They make up 2 percent of all the prescriptions sold, but they count for 37 percent of the cost of prescription drugs—very expensive drugs.

Those three biologics have all been on the market for more than 17 years, and yet they are still the top seven highest grossing drugs in America due to the fortress of monopoly protections that Pharma has created.

Now, listen closely. Under U.S. law, biologics like the ones I mentioned—Humira is one of them—are given a 12-year exclusivity period once the FDA approves their application. What does that mean? No one can compete with them. They own the market. They set the price.

That means that a cheaper generic competitor cannot be approved by the Food and Drug Administration in the United States for more than 10 years, while the brand-name company is free to charge whatever it wants. Wonder why prices are high? There is no competition.

I believe the standard is too high and have cosponsored legislation to reduce this period to no more than 7 years. Canada's exclusivity period is 8 years. Mexico does not have one.

But now let's go to the new NAFTA trade agreement and look closely at the fine print that PhRMA included in that. The administration wants to enshrine our Pharma-friendly laws by setting a 10-year exclusivity floor for all three countries. It is a virtual guarantee that PhRMA, when it comes to biologics, will be able to charge whatever they wish for 10 years or more in Canada, Mexico, and the United States.

Why is that in the trade agreement? If all of us agree that prescription drug prices are too high, why are we putting

in the NAFTA trade agreement a sweetheart deal for PhRMA so that they can charge higher prices, not just in the United States, but in Canada and Mexico?

This new NAFTA has provisions that will encourage drug companies to obtain excessive numbers of secondary patents that delay generic competition and keep prices high.

So when my farmers come to me and say: Why are you not for NAFTA? And I say to them, if it was just about farmers, it would be one thing. But it is about American families, Canadian families, families even in Mexico paying higher prices for prescription drugs because of the trade agreement that the President wants us to approve. We should be working to bring lower-cost products to market sooner, not allowing Pharma to sneak in a payday into a trade package at the expense of American families.

It should come as no surprise that the main coalition running ads supporting the approval of NAFTA is the pharmaceutical industry of the United States. In fact, PhRMA and BIO, the two largest pharmaceutical associations, have already spent \$30 million lobbying Congress to pass this new NAFTA. Now, we know why.

For all the President's talk, this provision in this trade agreement is a Trojan horse giveaway for Big Pharma at the expense of American patients. I guess we should not be surprised, but I will say this: If Members of Congress, Democrats and Republicans, House and Senate, are listening to the people they represent back home about the cost of prescription drugs, they will not fall for this new Pharma fleece.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

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

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

NATIONAL PEANUT FESTIVAL

Mr. JONES. Madam President, it is not often in floor remarks we can often hit a trifecta on topics that are uniquely connected, but I am fortunate enough to have that privilege today. They all center around the glorious peanut. I want to honor the National Peanut Festival currently being held in Dothan, AL, which recognizes the importance of the peanut industry to the State of Alabama and to the United States.

Every year, Dothan hosts the Nation's largest peanut festival to honor local peanut farmers and to celebrate harvest season. The festival began in 1938 and has been held annually each year, except for the years during the hiatus during World War II. This year's festival is a 10-day-long extravaganza with food, fun, and entertainment. You name it, you can find it in Dothan during the peanut festival. It is one of the most popular events in Alabama each

year. In 2017, the festival broke attendance records with over 200,000 people joining the fun.

Unfortunately, my schedule has prevented me from being down there this week, but I wish I had been there. I wish I could go for the end of this because it is a glorious time.

Last week, I introduced a resolution here in the Senate to pay tribute to the National Peanut Festival and the importance of peanuts in our State and the entire country. Over 400 million pounds of peanuts are produced every year in Alabama alone, and nearly half of all the peanuts in America are grown within a 100-mile radius of Dothan, AL, where most of those peanuts are processed. It is no wonder that the city of Dothan—down in southeast Alabama, right in the corner, just right on the border of Georgia and Florida—is known as the Peanut Capital of the World.

The peanut industry is a critical part of Alabama's economy. In 2018 alone, the 400 million pounds of peanuts produced by Alabama farmers was valued at \$118 million. The farm value of the Nation's peanut crop is over a billion dollars. And like all farmers, peanut farmers have their share of challenges. But year after year, the peanut farmers in Alabama and across the country persevere, providing a crop whose importance is often simply taken for granted—well, as peanuts, as it pertains to our overall economy.

But the peanut is an important staple to the agriculture and food industry, thanks in large part to the amazing and extraordinary work of a scientist, an African-American scientist and adopted son of Alabama, Dr. George Washington Carver, who did his work at one of Alabama's great HBCUs, Tuskegee University.

Dr. Carver was born into slavery, but raised by his former master once slavery was abolished. He was forced to attend segregated schools until 1891, when he was accepted as the first Black student at Iowa State University. Only 5 years later, in 1896, Dr. Carver was hired by the great Booker T. Washington to head the Agriculture Department at Tuskegee Institute, now known as Tuskegee University, in Tuskegee, AL.

At that point, peanuts were not even recognized as a crop in the United States, but because of a serious threat to the South's cotton crop from boll weevil infestations, Dr. Carver suggested that Alabama farmers start growing peanuts in the alternate years, which he believed would restore and add nutrients to the barren soil so that cotton could grow the next year.

It worked. He not only was a leading voice for crop rotation but ended up inventing over 300 products made out of peanuts, including peanut milk, peanut paper, and peanut soap—although, surprisingly, he did not invent my favorite, peanut butter, but 300 different types of products made from peanuts.

In 1921, in a highly unusual circumstance in the era of Jim Crow, Dr.

Carver testified regarding the value of peanuts before the Ways and Means Committee of the U.S. House of Representatives—an African-American scientist in front of the U.S. House in 1921. In 1938, again during the Jim Crow era in Alabama, Dr. Carver was the featured speaker at the first peanut festival in Dothan, AL.

Peanuts became more and more popular, and by 1940, they had become one of the top six crops in the United States—all in large part due to the work of Dr. Carver at Tuskegee University. It is not an overstatement to say that Dr. Carver, Tuskegee University, and the peanut helped save the economy of the South.

This is just one example of the extraordinary contributions that HBCUs have made to our country over the years and continue to make today. But, as we have talked about for some time, including with my friend Senator CARDIN earlier today, those contributions are threatened because of the expiration of Federal funding that occurred at the end of September.

I have been pushing for the passage of my bill, the FUTURE Act, which would renew funding for HBCUs and other minority-serving institutions that expired at the end of September. We need to continue to invest in these institutions and ensure they have consistent funding.

We have worked with this bill, the FUTURE Act, to make sure the concerns of others—particularly those who might object to the UC we have asked for on the FUTURE Act—to make sure that this is not some Federal budget gimmick. We have answered those concerns. We have answered all the pay-for concerns. All we are asking for is consistent funding because now planning is as important as the money. Yes, the Department of Education has told HBCUs that the funding would be there through September, but by this spring, those institutions have to plan. They have to start making sure they have the necessary resources for the fall and beyond. If their funding is set to expire at the end of next year, they cannot make those plans, both with teachers and their infrastructure.

We need to continue to make sure those HBCUs are funded consistently and appropriately. Let's make sure we put aside any differences and make sure those funds are available so that our great HBCUs and minority-serving institutions across the country can continue to operate and plan.

We need to honor the legacy of Dr. Carver, which is one of the reasons I was so proud to introduce a resolution honoring the National Peanut Festival and the peanut industry in the State of Alabama. It is a testament to the importance of the peanut and a time to celebrate its history, our State, and the peanut farming way of life.

I am hopeful that with the advancements of peanut allergy research, we can make sure more people have the ability to enjoy what so many of us

can. I understand that peanut allergies are a real problem around the country and around the world for a lot of people. But advances in research that is going on right now—right now—can make sure we break through and that all who want to can enjoy the value and the taste of those wonderful peanuts. I am not going to go through specifics. I could name all manner of products. I won't do that here today, but I thank you for this opportunity.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

ENERGY POVERTY

Mr. BARRASSO. Madam President, I come to the floor today to discuss the global fight to end poverty and specifically the problem of energy poverty.

The numbers paint a very grim picture. Worldwide, 840 million people are living without electricity. They can't cook or heat their homes safely or reliably. In fact, nearly 3 billion people—3 billion people worldwide—still rely on wood and waste for household energy.

What should the United States do to help? First and foremost, I believe we should push multilateral development banks, like the World Bank, to invest in affordable energy projects, which will help these people. The World Bank's mission is to lift people out of poverty—to help lift people out of poverty. That is their mission. Specifically, it seeks to end extreme poverty while promoting shared prosperity.

For 75 years, the United States has been working with the World Bank to help developing countries grow. The United States remains the World Bank's largest contributor. Every U.S. dollar at the World Bank should make a difference for people in the developing world.

The World Bank's new policies, however, lead me to call for a review by the United States of how U.S. dollars are being used. Several years ago, the World Bank decided to stop financing certain projects—specifically, oil, gas, and coal projects. I am concerned the World Bank is now blocking affordable energy development—energy that is needed to make a positive difference for so many people in the developing world. Traditional fuels are a vital tool for escaping energy poverty. Yet, with the policy change in the World Bank, only renewable energy projects qualify for funding. It seems that the World Bank is putting its liberal political agenda ahead of our anti-poverty mission.

The question is, Does the World Bank still want to help the people living in poor nations today? That is the question. If so, they should be helping with the use of abundant and affordable energy resources. If not, then I think the United States must reevaluate our support for the World Bank.

Here is a case in point: The Bank restricts the financing of high-efficiency power stations fueled by coal. Last fall, for example, the World Bank failed to honor its commitment to the country

of Kosovo. The Bank pulled its funding from Kosovo's state-of-the-art, coal-fired powerplant—state of the art—needed in Kosovo. Kosovo faces an energy security barrier to grow. They don't have enough energy to grow the way they are prepared to. Kosovo has the fifth largest coal reserves in the world. Kosovo desperately needs to retire its older facility.

I saw this firsthand last month when I was visiting members of the Wyoming National Guard stationed in northern Kosovo. This decision by the World Bank is simply unacceptable.

What are other countries doing? China and Russia, meanwhile, are dramatically increasing their global investment in identical carbon-based energy projects. The World Bank is saying: Go ask China. Go ask Russia. South Africa, for example, is now working with China's development bank on its coal-fired powerplant. There are serious concerns when our allies work with China and Russia. These include lower standards, dependence on these countries, and undue political influence.

A number of Members in the Senate share my concern. On Thursday, I led a group of a dozen Senators in urging the World Bank to immediately lift these harmful restrictions. My letter to the President of the World Bank, President David Malpass, was cosigned by Senators BOOZMAN, CAPITO, COTTON, CRAMER, CRUZ, ENZI, HOEVEN, JOHNSON, KENNEDY, MURKOWSKI, and THUNE. Together, we are pressing the World Bank to recommit to an "all of the above" energy strategy. Developing countries desperately need affordable, reliable energy.

We say in our letter:

People living in poor and developing nations want and need a stable energy supply. They are looking for power generation that provides energy security, helps create jobs, and improves their lives.

People back home in Wyoming know firsthand the benefits of developing abundant energy resources. The United States is a top global energy producer. Wyoming has played a key role in this success. We have produced our way to a booming U.S. economy, and we have created millions of new jobs along the way. People who are struggling worldwide to survive and thrive in developing countries deserve that same opportunity. As an energy powerhouse, America can help empower our allies and our energy exports.

Global philanthropist Bill Gates said: "Increasing access to electricity is critical to lifting the world's poor out of poverty. Let me repeat. 'Increasing access to electricity is critical to lifting the world's poor out of poverty.'"

Ultimately, the solution to energy poverty doesn't lie in limiting options but in using all available options. In pursuit of its mission, the World Bank must embrace, not exclude, abundant, affordable energy resources.

Let's work together to end energy poverty now for the 840 million people

on the planet living without electricity.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. ROBERTS. Madam President, about a month ago there was a headline in one of the publications that people pay attention to that read: "Senate Republicans Amp Up Pressure for an USMCA Vote." USMCA, by the way, is an acronym for the new trade agreement between Mexico, Canada, and the United States. I initially thought it was "United States Marine Corps Always," but that is not the case. About nine of us came to the floor and pointed out this was imperative, and if we were going to have a new trade agreement to replace NAFTA, if we could at least get some price recovery and also make some progress with regard to Canada and Mexico—historically great trading partners—it might be a good thing to get the USMCA passed. That was a month ago.

We were assured, at that particular time, by folks over in the House of Representatives—our colleagues over there—that they would do everything in their power to see if we could get it done. It is not done. Still, it is not done. Still, farmers, ranchers, growers, and everybody connected with agriculture, and, for that matter, trade, certainly have been waiting and waiting. Times in farm country, as I think most people know, are pretty rough these days. So at least passing USMCA would be something everybody could agree to.

I rise in support of the United States-Mexico-Canada Agreement again—1 month later. It is time to move forward and pass this important legislation now. "Now," that is my acronym for "right away," "yesterday."

As chairman of the Senate Agriculture Committee, I want to talk about not only my producers in Kansas but all producers throughout these United States and across the country. Time and again, we have asked why there is a delay. Farmers tell me, time and again, they wonder what on Earth is going on back there. Well, that is obvious to everybody, with the "i" word being considered over in the House, but even with that, this is a situation where, if that were brought up to a vote, both the administration and House Members—both sides of the aisle—it would pass, more so especially since our Trade Ambassador, Robert Lighthizer, has been working with my colleagues across the aisle over there in an effort to settle labor issues and also environmental concerns.

I have been down that road before with the Honorable Kika de la Garza, the late Kika de la Garza, but a wonderful man who was chairman of the House Agriculture Committee. I was the ranking member and then became the chairman. We worked on NAFTA, writing that bill. We would revert to that bill, but after months and months, there was finally an agreement between Canada, Mexico, and the United States. We were ready to do this, and it had to go to the House of Representatives. Ambassador Lighthizer and Bob—he used to work for Bob Dole, a good friend of mine—had been working with Democrats over time on these two issues. He tells me he is pretty close to a deal—except we are not. Now, Ambassador Lighthizer, on behalf of the administration, is not going to send this deal, if you will, this trade agreement, to the House unless there is a clear intention that it will be brought up. He doesn't want to be held hostage. So the House has to move.

I want to continue to point out that USMCA, this new trade agreement, will not only increase market access for farmers and provide new opportunities for dairy, poultry, for egg producers, for all the commodities we talk about—wheat, corn, et cetera—but it will also address longstanding nontariff barriers that will help our Kansas farmers export wheat to Canada.

That used to be the case with Mexico. The Kansas winter wheat, once harvested, would get on the Kansas City railroad, down to Mexico. They would sell the wheat to Mexico, where they sorely needed it. It was a very good business trade agreement. That has pretty much dried up.

Let me go back to 2017. At that particular time, 110,000 Kansas jobs were supported by trade with Canada and Mexico, and, I am sure, the neighboring States are even equal to that or much more than that.

While many of those jobs are spread across all sectors of the economy, many are tied to the agriculture value chain; that is, farmers, ranchers, and growers, to the consumer.

In total, Kansas exports \$4 billion of products to Canada and Mexico each year—\$800 million from agriculture alone. It is nearly impossible for me to overstate the importance of this trade deal to my home State of Kansas. We are not going to experience price recovery in farm country because of the supply-demand situation worldwide, and we are in a lot of trouble in farm country. The least we could do is consider USMCA, where we know we have the votes to pass it in both Chambers, both in the House and the Senate.

In fact, the call for Congress to get moving on this trade deal has united more people from different political and professional backgrounds than almost any other issue in recent memory, including organized labor. I recently started a web series, if you will, "Trade Tuesday," to give a platform to the many constituents who have voiced

their support to me by saying: "Pat, where on Earth is the UMCSA bill?" We have featured farmers and manufacturers from around Kansas, including Rich Felts. Rich Felts is a great friend of mine, a farmer from Southeast Kansas, and the president of the Kansas Farm Bureau. Rich hit the nail right on the head. He said:

We are an exporting State. We produce much more than we are ever going to consume [in Kansas], and if we want to grow our economy, specifically our economy in the State, we have to export the excess commodity. I think it is easy to say we want trade, we don't want aide, and this is going to be a step in that direction if we can get this passed by Congress.

I could not agree more with Rich on the importance of this trade deal to farmers and producers in Kansas, but it is not only the agriculture industry that is interested in getting USMCA across the finish line. We have also featured Jason Cox, the president of Cox Machine, Inc., a small aerospace company based in Wichita, KS—typical of the small business community of my State. He recently said:

Trade is very important to our business, both on the raw material supply side as well as the selling side. This USMCA is important for us to help lower the cost of raw material that we buy and pass that savings along to our customers so we can get more work and produce more goods [and also jobs].

Look, my colleagues, it has been nearly a year since President Trump and the leaders of Mexico and Canada signed this new trade agreement. It was November 30, 2018. We are running out of time to get this deal done for folks like Rich and Jason and the many other workers whose livelihoods depend upon trade.

There are deadlines. If we get past the deadline, we will go back to the original NAFTA bill, which—as I look back in my public career, I was happy to work with Kika de la Garza, as I said—the former chairman of the House Ag Committee, and he helped me to write NAFTA at that particular time. As a result, the ag sector has grown by leaps and bounds in not only producing enough food and fiber and other products for our consumers but also for a troubled and hungry world.

We need this trade agreement. I sincerely hope my friends in the House can quickly come to an agreement with the administration so that we can all do what is right by our constituents and get this bill passed this year.

I would point out that the ag chairman today in the House is COLLIN PETERSON. He is a veteran. He is a friend of mine. MIKE CONAWAY is the ranking member—same thing. They are for USMCA. It is bipartisan in the Ag Committee over there.

I would also give a shout-out to Robert Lighthizer, who is our Ambassador, who has been meeting constantly day in and day out—trying to iron out any labor or environment portions of this trade agreement where we have some holdup.

We are not going to go anywhere if we continue to insist on these kinds of

requirements. You know, these are sovereign countries. These are our neighbors. For us to try to dictate labor standards and environmental standards for them is a little much, but I understand that is what we have to do.

I don't know, here, what more we can do. I can come to the floor every day. I can just say that we had 9 Senators here before. I think we could get a mutual agreement to say: Hey, let's get this done. Let's separate it from all of the goings-on that are happening in the House of Representatives today.

I hope Speaker PELOSI—she knows about this. California depends on this big time, and, as Speaker of the entire United States—I am not trying to lecture her or point fingers at her, but she knows exactly what the situation is. If she would just send a signal to Ambassador Lighthizer and we would send that trade pack up and we could get a vote, I think it would pass overwhelmingly, and at least we would have something we could claim we are doing in behalf of our farmers, our ranchers, our growers, and everybody who is supported by the agriculture industry.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

PENSIONS

Mr. MANCHIN. Madam President, I come again to speak about what I think of the inequities and unfairness in the system that we have to American workers.

American workers, businesses, and the economy here in the United States are the envy of the world and have been for quite some time. Throughout the history of our country, our citizens have believed that through hard work and dedication, they could achieve the American dream. Unfortunately, that is not always the case, as we know.

Millions of Americans worked hard, played by the rules, and trusted the companies they worked for to keep their end of the bargain. That bargain is their pension. These pensions are modest and what millions of Americans plan to use when they retire in the twilight of their lives.

But for 1.5 million Americans, that security has been pulled out from under them. Why, after working hard for years and forgoing a portion of their paychecks, which they have invested—this is their money matching their employers' for their pension—have they either lost or gotten their pensions cut in half? The answer is the current state of bankruptcy laws.

How does this happen? Every payday, 10.6 million Americans put a portion of their paycheck into a pension account with a promise and trust that it will be there when they retire. These same people forgo pay raises, bonuses, and personal retirement accounts because they believe their pensions will be there until needed.

Unfortunately, that trust is often broken when investment firms swoop in during the bankruptcy process. They cherry-pick at the remains of a company, cannibalizing its most lucrative

assets, therefore putting profits before the people.

Through no fault of the workers in America, companies are able to use their pension money for whatever they want when they declare bankruptcy. Just think about that. All your life, you have been working—20, 30 years or more—and you thought it was always secure. All of a sudden, through the bankruptcy laws, they are able to take your money and use it for whatever they want to now because they declared bankruptcy and went through a procedure.

Under current law, when companies declare bankruptcy, they have the ability to use their workers' pension fund to give their executives bonuses and pay legal costs and debt. I am going to repeat that one. They have the ability to use the workers' pension—your money, workers' money—to give bonuses to the executives, who should be held responsible for the company doing as poorly as it has done to go into bankruptcy, and pay legal costs and debt out of money you put in there for 20 years or more.

For the last few decades, investment firms have manipulated chapter 11 of the U.S. Bankruptcy Code to destroy union contracts, reduce health benefits, and skirt pension obligations to maximize profits. Under current law, investment firms can target companies through chapter 11 bankruptcy, sell off all the company's valuable assets, and leave the pension plan in a worthless corporate shell, while paying handsome bonuses to their executives.

While Congress has sat back and allowed the exploitation that occurs through bankruptcy, millions of workers and retirees have lost their retirement security. Workers and retirees did not set the amount each company contributes to their pension plans, the terms of the plans, or the loopholes in the bankruptcy laws. Those actions were all done right here in the Halls of Congress. As such, it is now the responsibility and duty of Congress to stop the financial engineering and close the loopholes of our Bankruptcy Code.

Let me just talk about one company that affects my State vastly. Last week, the largest private coal company in the United States, Murray Energy, filed for bankruptcy, making it the eighth coal company in the past 12 months to do so. Like so many coal companies before them, they plan to skirt their pension obligations and use coal miners' money to pay off their debts, give their executives bonuses, and pay off legal fees. In the bankruptcy filing, they even labeled coal miners as liabilities.

I don't know about you, but I don't know how any company in good conscience could ever label their employees as liabilities. They are the ones who make the company, but now they are liabilities. That is why they had to go into bankruptcy.

Murray Energy has contributed 97 percent of the money going into the

UMWA pension fund annually. With Murray's bankruptcy filing, the UMWA pension fund will become insolvent even faster. Once the UMWA pension fund becomes insolvent, this crisis will snowball and impact every other multi-employer pension fund in America.

I am going to talk about a couple of cases here to put it in perspective. I think everybody will be able to follow this much easier. I am going to talk about Sears and Roebuck, which we all knew growing up. My mother used to get the catalog way back when, and we used to do most of our shopping there.

This information that I am giving you and I am going to explain comes from a complaint filed by Sears itself in the Southern District of New York in January 2019. This is the old Sears filing against the new Sears—the takeover Sears. This type of financial engineering and exploitation occurred at Sears over the past several years.

After merging with Kmart and being taken over by Eddie Lampert and his hedge fund, ESL Investments, Sears started to buy back its own shares instead of investing in its already run-down stores. Lampert also transferred 235 parcels of Sears' most valuable real estate to an investment trust led by Lampert himself and then leased the properties back to Sears.

In 2017, Sears paid the investment trust owned by Mr. Lampert \$117 million in rent for the use of its former property. Under Lampert and ESL, Sears closed over 3,500 stores, slashed roughly 250,000 jobs, and saw its share price fall from \$193 a share in 2007 to less than \$1. I repeat—\$193 a share in 2007 to less than \$1 a share.

After filing bankruptcy in 2018, Sears no longer possessed enough assets to pay off its creditors—especially its pension obligation. Now those pensions are in the hands of the Pension Benefit Guaranty Corporation, which is Sears' largest unsecured creditor, and it owes the PBGC more than \$1.5 billion.

Recently, Sears Holdings Corporation filed a lawsuit against former CEO Lampert, alleging that he transferred more than \$2 billion of cash and real estate to himself and other shareholders in the years leading up to the retailer's bankruptcy. That has all been done under what they consider legal.

I am going to tell you about one more. This is Friendly's. Friendly's is an ice cream corporation, and this information comes from the PBGC's complaint opposing Friendly's plan for restructuring. I am telling you, this comes from the Pension Benefit Guaranty Corporation, which we run in this country—the Federal Government—and they put this complaint against their restructuring.

The same scheme played out with them in early 2000. In 2007, Sun Capital Partners, Inc., a private equity fund, purchased Friendly's for \$337 million. Trying to weather the great recession, Sun forced Friendly's to close 63 stores and take a loan from one of the firm's

affiliate entities. At that point, Sun Capital was both the owner and major creditor of Friendly's. That relationship gave the firm leverage in its bankruptcy to quickly sell much of Friendly's assets free and clear of any pension obligations to one Sun Capital's affiliate. At the end of the bankruptcy, most of Friendly's assets were owned by Sun Capital affiliate free and clear of any pension plans. Those unfunded pension obligations totaled \$115 million and are being assumed by you and I, the taxpayers, through the PBGC. There is nothing fair about any of this that I just explained, no matter how large or how small.

We are talking about righting a wrong that we have allowed to happen. Back in the 1980s, when the bankruptcy laws were changed, I don't think there was a Member here who intended for these type of shenanigans—this type of robbery and thievery to go on in America. It has happened for far too long, and we have a chance to change it.

As the bankruptcy laws continue to allow this type of exploitation to remain, there is a low-profile government agency that is pivotal to the Federal Government's efforts to protect the pension benefits for thousands of American workers and retirees. The Pension Benefit Guaranty Corporation collects insurance premiums from companies that offer pensions and provides a portion of the lost benefit to protect retirees when a pension fund runs out of money. That is an insurance program that the Federal Government has backed up, and the companies have paid into that thinking they are going to be in good standing.

Overall, the PBGC covers benefits for about 44 million people—44 million workers. However, the PBGC has come under tremendous financial pressure as more and more companies have shed their pension debts through the Bankruptcy Code. According to PBGC, there is a 90-percent chance that the union insurance program will run out of money by 2025, leaving it unable to protect pensioners in need. If the exploitation continues and the PBGC is left holding the check for bankrupt companies, taxpayers will, for the first time in history—we taxpayers will, for the first time in history—be on the hook for pensions that were evasively disregarded in exchange for investment company profit—or robbery, actually.

If the PBGC becomes insolvent, taxpayers will be on the hook—listen to this figure. We, as taxpayers, will be on the hook for \$479 billion over the next 30 years, if we allow this to continue.

That is why I have introduced legislation that will reform our bankruptcy laws. It is called the SLAP Act—Stop Looting American Pensions Act. That is exactly what we have allowed to happen for so long. It would ensure companies can no longer exploit loopholes in the Bankruptcy Code to skirt their pension obligations to workers and retirees. My bill would change bankruptcy laws to increase the priority of workers going into bankruptcy

proceedings so the workers are the first priority, not the executive bonuses and legal fees.

What we are doing for the first time is making sure the wage earner, the worker, is in the front of the line, not the back of the line. Right now if a bankruptcy occurs, I guarantee, all of the different reorganization groups that come in, all the different financial groups will be in the front of the line, and the workers are left with nothing. This reverses that procedure.

It is a sad day when American workers across the country pour decades of their life into a company and are denied their pensions due to corporate greed.

I keep hearing CEOs talk about corporate responsibility. Well, I am so thankful to hear those words, "corporate responsibility." This is a step toward putting those words into action. I would like to see the responsible corporate heads of American industry step forward and help us with this needed change. We have to put our workers at the front of the line, and I would like to see that done sooner than later.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

TRIBUTE TO MAJOR GENERAL JEFFERSON S. BURTON

Mr. LEE. Madam President, I rise to honor Utah's valiant citizen, MG Jeff Burton, adjutant general of the Utah National Guard, and to pay tribute to him for his many years of devoted service to our Nation and to the great State of Utah.

As General Burton closes a long chapter of 37 years of military service, he leaves behind a tremendous legacy as an American patriot and as a true servant-leader. So I would like to take a moment to talk about General Burton today.

From a young age, General Burton knew that he wanted to follow in the footsteps of a number of his family members by serving both his faith and his country. He served a mission for The Church of Jesus Christ of Latter-day Saints on a Canadian Indian reservation, braving harsh conditions that would well prepare him for his future of military service.

As soon as he returned home, he enrolled at Brigham Young University, where he enlisted in the National Guard as an artillery field soldier. He joined BYU's ROTC Program, receiving a commission as second lieutenant in 1984.

He completed tours with the U.S. Army Military Police Corps in Alabama; with the 4th Infantry Division at Fort Carson, CO; and with the 7th U.S. Corps in Germany, where he witnessed the fall of the Berlin Wall.

In 1991, General Burton left the Army and returned home to join the Utah National Guard, where he served in a variety of distinguished leadership positions over the next decade. Chief among them was a position that in-

volved commanding the 1457th Engineer Combat Battalion during Operation Iraqi Freedom as part of the initial ground war in that conflict.

He and his troops were tasked with searching for and eliminating explosive devices, improving Embassy security, and improvising whenever necessary to strengthen security in and around the U.S. Embassy, and of course responding to bombings and other acts of terror. They were often the first ones on the scene of an explosion. In honor of his heroic service there, he was awarded the Bronze Star.

General Burton was appointed assistant adjutant general of the Utah National Guard in 2008, promoted to brigadier general just a few months later, and then made major general and adjutant general in 2012. In this role, General Burton has trained and equipped over 7,000 soldiers under his command and helped them to prepare to respond to challenges in both military life and in their personal lives.

He has prepared them not only to fight our Nation's wars and provide military support to our troops throughout the world but to combat wildfires, respond to natural disasters, and ensure law and order in our communities. Under his leadership, they have performed at an absolutely remarkable and, indeed, exceptional caliber.

When the 100,000-soldier surge in Afghanistan ended in 2012, General Burton was also responsible for overseeing the needs of the soldiers returning home from war. He rose to the challenge, tending to both the physical and emotional needs of those warriors and their families with the utmost care. As he himself has once said, "May we make a silent promise to keep the faith with our battle buddies and wingmen. . . . May we be strong for one another, and unashamedly rush to the aid of those in need. May we remember those who have suffered grievous physical wounds in the defense of liberty, and may we never forget those who have given the ultimate sacrifice within our formations so that we might live in freedom."

General Burton has lived by these words over his long and dedicated career. Every day he keeps a note tucked in the band of his hat. That note contains the list of the soldiers who were killed in combat or during 9/11 under his command. He has led by example, never asking of his soldiers something that he himself has not done. He has led in order to serve, striving always to protect the welfare of his command, of our country, of the U.S. Constitution, and of the freedoms it protects.

So it is only fitting that we honor him today. On behalf of our Nation and all Utahns, I thank MG Jeff Burton for the sacrifices he and his family have made to secure the freedoms we hold dear. I congratulate him on this occasion and wish him many happy years ahead with his wife, Charn, and their children.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

ATTACK IN SONORA, MEXICO

Mr. LEE. Madam President, I now wish to speak briefly regarding a tragedy that occurred just in the last 48 hours—a tragedy that occurred in the northern Mexican state of Sonora, a tragedy in which a handful of U.S. citizens—the precise number of victims still not known—but a number of U.S. citizens were murdered in cold blood. This attack was inflicted in a most gruesome manner and was carried out against a group which included men, women, and children.

My thoughts and prayers go out to the families and loved ones of the victims. My thoughts and prayers are also extended to the administration of President Lopez Obrador in Mexico, whose inauguration I attended just a few months ago.

This is a sobering task to have to identify the source of such a heinous and barbaric crime. I have every expectation, every hope, and every confidence in those who are assigned on both sides of the border to investigate this crime, figure out who did it, and to bring those responsible to justice.

Mexico is a good neighbor to us. We have about \$1.6 billion or \$1.7 billion every single day that crosses over our shared southern border. Mexico has been a good neighbor, a solid trade partner, and a country with which we share many interests. It is a country that desperately needs our prayers right now and our help and assistance.

It has been publicly reported that President Trump and his administration are eager to help President Lopez Obrador in combating and detecting whoever was responsible for this heinous crime and bringing them to justice. I hope and implore the Lopez Obrador administration to accept President Trump's generous offer to help.

This is not an easy task. If, in fact, this was an act, as it appears quite possible to have been, of a Mexican-based drug cartel, this is a big problem. It is a big problem either way. These drug cartels are no small threat to the safety and security of not only the people of Mexico but also the people of the United States.

Think about it. Imagine someone sees in their next-door neighbor's backyard a poisonous snake—a poisonous snake that is big and that is headed toward his property. Is that neighbor going to stop and ignore that snake? In many circumstances, that neighbor is going to take action. He might not wait until his neighbor comes home to give the go-ahead to take care of that snake. Why? Because that snake is headed toward his own backyard where his own children are playing.

This is not something we can trifle with. This is a matter of utmost seriousness for the safety and security of the Mexican people and also the people of the United States.

I applaud the Lopez Obrador administration for its efforts to root out corruption and to bring justice to the drug cartels. This brazen attack within the last 48 hours signals a need to do more. This is why I am so grateful to President Trump that he was willing to reach out and offer the assistance that can be provided by the United States. I urge President Lopez Obrador to accept it and to do so very soon.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CRAMER. Madam President. First of all, I have never come to the floor of the Senate—and previously of the House—as ill-prepared as today, but I want to follow up on something my friend from Utah just spoke about, and that is the attack on the innocent people in the last 48 hours. When I learned of it last night, I was stunned.

I just got off the phone a few minutes ago with the brother and sister of one of the victims. A young mother, Anita Miller, was killed along with her four children. They were in the first SUV that was shot up and burnt. They were on their way to Phoenix to pick up their dad from North Dakota—Howard—who was working on an oil rig as this occurred. I just talked to Howard's brother Kenny and his sister Heather.

All of the Millers and the LeBarons who are victims of this have many, many family members in North Dakota. They have lots of businesses in the State of North Dakota. They are hard-working, faithful people.

It was a hard phone call to make. This was a hard message to deliver. And I didn't really know what to deliver except that I wanted them to know that the people of their country and the United States are hugging the people of their country, Mexico, and that what they have experienced is certainly the personification of evil in the form of these thugs from this cartel, for sure. They are people who kill with reckless abandon. They have no regard for life, even the life of innocent children. But we serve a God who personifies pure good, and the greatest response to pure evil is pure good.

Kenny and I had a particularly long talk regarding his family—what they are experiencing and what is going on. They wanted me to know that they support the United States as well as their country. They wanted me to tell the President that they support what he is doing and appreciate his offer of help to the Mexican Government.

I told them that there is lots of time for talking about the response of one government working with another but that, right now, grief is sort of the emotion of the moment, and remembering their loved ones is important, and we would be doing it as a Congress, as an administration, as a country, and as the State of North Dakota, which embraces these people we know and love so much. We will do what needs to be done, and we stand ready, first of all, to hold them up in prayer and to share their burden with them.

I wanted to express as much as anything that their burden is ours today and that, to the degree we can share a burden like this, we are sharing it. We will react. We will respond in whatever way is appropriate and whatever way we can.

I join Senator LEE in gratitude to President Trump for his reaching out and his offer of assistance. It can't be easy to live in a country or even to rule a country where the cartels are so powerful, where their weapons are as good as, if not better than, the weapons of the police and maybe even the military. It can't be easy to stand up to that, but with good friends and allies and neighbors, perhaps now, perhaps this event and perhaps the grief of these families will be the things that bring two countries together to fight this evil.

I will end as I began and look forward to future days when we speak more thoroughly about it and there is more information on it, but to remind perhaps ourselves as much as anything, the only effective response to pure evil is pure love. As people of faith, we know pure love is personified in our Lord. So tonight, my message to the families in Mexico, North Dakota, and Utah is that we love them. We love them.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

HEALTHCARE

Mrs. BLACKBURN. Mr. President, I wanted to speak for a few minutes today to talk a little bit about rural healthcare and to ask my colleagues for help in protecting the 20 percent of Americans who live in rural areas who are in danger of losing—or may have lost entirely—access to healthcare in their communities.

Since 2010, 118 rural hospitals have shut their doors. Fourteen of those facilities are in my State of Tennessee. Medical practitioners are paying attention to this trend and, more often than not, choose stability in the cities and suburbs over the uphill battle that comes with practicing medicine without access to the funding and modern resources many clinics now take for granted. As a result, rural patients are left to suffer through illnesses or emergencies or sacrifice time, money, and mileage for even the chance of a diagnosis. This system is broken, but this year, I have been able, by working with my colleagues on each side of the aisle, to kind of pick up the pieces around this.

I have a three-bill rural health agenda, which comes at the direct request of smalltown mayors and local leaders who are struggling in my State to keep

these communities afloat. Last week, my fellow Tennesseans, Congressmen KUSTOFF and ROE, introduced House companions to all three pieces of legislation.

I will tell you, I have been talking to Tennesseans, and they want my colleagues in the Senate to know what we should do about this issue. If you have never lived in a rural area, hearing someone talk about driving 20 or 30 minutes to the nearest doctor probably really doesn't seem like a problem to you. But in the country, 30 minutes away translates into miles of driving through isolated areas. Chances are good that you will not even have cell service for part of that drive. There are no EMTs or rapid response teams. And if there is a local doctor, he or she may not have any specialized expertise, which could spell disaster for patients dealing with a complicated diagnosis.

The first component of the agenda is the Telehealth Across State Lines Act, which would lead to the creation of uniform, national best practices for the provision of telemedicine across State lines and set up a grant program to expand existing telehealth programs and incentivize the adoption of telehealth by Medicare and Medicaid Programs. But implementation of telehealth will not eliminate the need for face-to-face interactions between patients and doctors.

This leads us to another problem. Rural communities keep themselves afloat on strapped budgets, which means that plans to open as much as a bare-bones urgent care facility can be derailed by all the startup costs. The Rural Health Innovation Act—the second part of the agenda—features two grant programs. The first one will fund the expansion of existing healthcare centers—such as local nursing homes—into urgent care walk-in clinics. Facilities will be able to use grant money to purchase equipment, hire physicians, physician assistants, nurse practitioners, and other essential staff.

A second grant program will expand rural health departments to meet urgent care and triage needs. This is using programs that already exist, tailoring them to the needs of rural America.

Of course, this points out the third issue: Expanded facilities are useless if there are no medical personnel. I have been working on this problem with my friend from Illinois, Senator DURBIN, and he spoke about this on the floor a few minutes ago. We recognized from the beginning that throwing money and equipment at an updated facility will not convince medical professionals to establish a rural practice, so we wrote the Rural America Health Corps Act to encourage practitioners to set up shop in rural areas. The bill creates a new student loan repayment program that doctors and other medical professionals can take advantage of. In exchange for those loan payments, they will have to agree to serve for at least 5 years in a rural area with a health

professional shortage, but the benefit comes tax-free.

I have spoken to rural communities all across my State. I know Senator DURBIN has talked across the State of Illinois. I will tell you that these bills don't simply address a matter of convenience. My fellow Tennesseans want my colleagues to know they aren't just frustrated with the long drives and unanswered questions. They are worried that their child's cough will turn into pneumonia before they are allowed a full day off from work to drive to a pediatrician. They have no idea what they would do if they were diagnosed with an illness that requires continuous care.

They do, however, know what would probably happen if someone they love suffered a heart attack or had another major emergency. They are very fearful.

If these bills pass, they will no longer have to live with the knowledge that they have been abandoned by our healthcare system. They will have access to healthcare in their communities.

I ask my colleagues to let these people know that yes, indeed, somebody is listening, and I ask them to do so by cosponsoring Senate bills 2406, 2408, and 2411.

I yield the floor.

ORDER OF BUSINESS

Mrs. BLACKBURN. Mr. President, I ask unanimous consent that if the Tapp nomination is confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. 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 yeas and nays are ordered.

All time has expired.

The question is, Will the Senate advise and consent to the Tapp nomination?

The yeas and nays were previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 85, nays 8, as follows:

[Rollcall Vote No. 344 Ex.]

YEAS—85

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

NAYS—8

Gillibrand	Menendez	Schumer
Hirono	Merkley	Stabenow
Markey	Schatz	

NOT VOTING—7

Booker	Isakson	Warren
Burr	Klobuchar	
Harris	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Danielle J. Hunsaker, of Oregon, to be United States Circuit Judge for the Ninth Circuit.

John Thune, Thom Tillis, Chuck Grassley, Mike Crapo, James E. Risch, Cindy Hyde-Smith, Mike Rounds, Lindsey Graham, Shelley Moore Capito, John Boozman, Tom Cotton, John Cornyn, Joni Ernst, Roy Blunt, Roger F. Wicker, Jerry Moran, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Danielle J. Hunsaker, of Oregon, to be United States Circuit Judge for the Ninth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The yeas and nays resulted—yeas 75, nays 18, as follows:

[Rollcall Vote No. 345 Ex.]

YEAS—75

Alexander	Fischer	Peters
Baldwin	Gardner	Portman
Barrasso	Graham	Risch
Bennet	Grassley	Roberts
Blackburn	Hassan	Romney
Blunt	Hawley	Rosen
Boozman	Hoeven	Rounds
Braun	Hyde-Smith	Rubio
Brown	Inhofe	Sasse
Capito	Johnson	Scott (FL)
Carper	Jones	Scott (SC)
Casey	Kaine	Shaheen
Cassidy	Kennedy	Shelby
Collins	King	Sinema
Coons	Lankford	Smith
Cornyn	Leahy	Sullivan
Cortez Masto	Lee	Thune
Cotton	Manchin	Tillis
Cramer	McConnell	Toomey
Crapo	McSally	Van Hollen
Cruz	Moran	Warner
Daines	Murkowski	Whitehouse
Enzi	Murphy	Wicker
Ernst	Paul	Wyden
Feinstein	Perdue	Young

NAYS—18

Blumenthal	Heinrich	Reed
Cantwell	Hirono	Schatz
Cardin	Markey	Schumer
Duckworth	Menendez	Stabenow
Durbin	Merkley	Tester
Gillibrand	Murray	Udall

NOT VOTING—7

Booker	Isakson	Warren
Burr	Klobuchar	
Harris	Sanders	

The PRESIDING OFFICER. The yeas are 75, the nays are 18.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Danielle J. Hunsaker, of Oregon, to be United States Circuit Judge for the Ninth Circuit.

The PRESIDING OFFICER. The Senator from Tennessee.

HEALTHCARE

Mrs. BLACKBURN. Thank you, Madam President.

This weekend, thousands of Tennesseans and, of course, millions across this Nation are going to pause and give thanks for our veterans. Quite frankly, this is something we should be doing every single day.