

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber wishing to vote or to change their vote?

The yeas and nays resulted—yeas 64, nays 31, as follows:

[Rollcall Vote No. 5 Ex.]

YEAS—64

Baldwin	Graham	Reed
Barrasso	Grassley	Risch
Bennet	Hassan	Roberts
Blackburn	Hawley	Romney
Blunt	Hoehen	Rosen
Boozman	Hyde-Smith	Rounds
Braun	Inhofe	Rubio
Burr	Johnson	Sasse
Capito	Kennedy	Scott (FL)
Cardin	Lankford	Scott (SC)
Cassidy	Leahy	Shaheen
Collins	Lee	Shelby
Cornyn	Loeffler	Sullivan
Cotton	Manchin	Thune
Cramer	McConnell	Tillis
Crapo	McSally	Toomey
Cruz	Menendez	Udall
Daines	Moran	Whitehouse
Enzi	Murkowski	Wicker
Ernst	Paul	Young
Fischer	Peters	
Gardner	Portman	

NAYS—31

Blumenthal	Harris	Schatz
Brown	Heinrich	Schumer
Cantwell	Hirono	Sinema
Carper	Jones	Smith
Casey	Kaine	Stabenow
Coons	King	Tester
Cortez Masto	Klobuchar	Van Hollen
Duckworth	Markey	Warner
Durbin	Merkley	Wyden
Feinstein	Murphy	
Gillibrand	Murray	

NOT VOTING—5

Alexander	Perdue	Warren
Booker	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 64, the nays are 31.

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 Michael George DeSombre, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Thailand.

The PRESIDING OFFICER. The Senator from Texas.

IRAN

Mr. CORNYN. Mr. President, yesterday evening, Iran launched more than a dozen ballistic missiles against military bases in Iraq, which house U.S. troops.

After General Qasem Soleimani was killed in a targeted drone strike late last week in an act of self-defense and to deter further aggression against America and our allies, our forces were on high alert for an Iranian attack. President Trump and our military leaders emphasized that we would be prepared for whatever response Iran chose to deliver, and by all accounts we were.

If the present circumstances hold, it appears that no U.S. servicemembers were harmed during this attack last night by Iran, which is the best outcome we could have hoped for. In addition,

I am glad no Iraqi troops appear to have been injured or killed in this strike as well.

While the result of this provocation by Iran could have been a lot worse, it does not diminish the fact that the world's leading state sponsor of terrorism has a sophisticated and capable ballistic program. We know that those capabilities only accelerated under the Joint Comprehensive Plan of Action—the so-called nuclear deal during the previous administration—as has the regime's pursuit of their nuclear aspirations.

I am confident that this administration's maximum-pressure campaign, combined with our unparalleled military capabilities, as well as the President's decisive actions that have culminated in the airstrike last week, have prevented a much worse outcome from this attack by Iran.

Last week, I had the opportunity to visit Strategic Command, STRATCOM, in Omaha, NE, where their motto is "strategic deterrence." I think that is an important goal to keep in mind; that is, having the means and capabilities not only of hitting back but a message of deterrence to our adversaries to dissuade them from initiating hostilities in the first place.

President Ronald Reagan had his own notion of strategic deterrence. He called it "peace through strength." I believe that is something the President's actions last week have begun to restore, no less a luminary than former GEN David Petraeus, who said, after the Soleimani attack, that perhaps—just perhaps—this would reestablish deterrence. Indeed, based on the response by the Iranian regime last night, where they obviously targeted uninhabited areas, and they wanted to save face by showing that they were doing something to retaliate but not wanting to escalate, I think General Petraeus is right on. What has happened, to this point, is reestablishing some level of deterrence.

I applaud the President for speaking to the American people this morning and making it clear that, under his watch, Iran will never ever have a nuclear weapon. In my view, this is the single most important policy objective for the United States and our allies in the Middle East.

Deterrence through strength, combined with additional economic sanctions, are designed to encourage and persuade the Iranian regime to rejoin the community of nations, which will help pave the way for a better way of life for the Iranian people and to give up these tools of terror which have characterized the Iranian regime since 1979, since the revolution—exporting that terror to other countries. There was no one more responsible for doing that than General Soleimani, who was taken out in an airstrike last week.

As we move forward, the United States and our allies can't turn back. We can't relieve this maximum-pressure campaign, and we also must re-

main cognizant of the dangers of creating power vacuums in the Middle East.

I also hope our allies in Germany, France, and the United Kingdom will work with us to persuade the U.N. to invoke the snapback provisions under the Joint Comprehensive Plan of Action to restore international sanctions and restrictions on the Iranian regime to further persuade them to join us in negotiations, which will lead to a better outcome for all. It will be helpful if our friends and allies in the UK, France, and Germany will join us in that effort.

While the United States has not purposely sought out further conflict that could lead to an unnecessary loss of life, we need to defend—we must always defend American personnel and our interests in the Middle East.

As the President has pointed out this morning, one of the things that, historically, has given Presidents like Jimmy Carter the determination to declare the blocking of the Strait of Hormuz as an act of war during his administration was our overdependence on energy from the Middle East. As the President pointed out this morning, thanks to the creativity and innovation in places like Oklahoma, Texas, North Dakota, and elsewhere, we are now largely energy independent and self-sufficient. We can now use this as a tool to engage other countries that are completely dependent on countries like Russia, Iran, and others in the Middle East for their energy needs. So this is changing the geopolitics of the world. This is not just the President taking a divisive action against the leading master of terrorism in the Middle East; the geopolitics of the world have shifted, and I hope we will all work together to take advantage of that.

As I said, I appreciate the President's courage and leadership. This must have been no easy decision, to be sure. I continue to be proud of our military leadership and the rank-and-file servicemembers who have worked so hard to protect the United States and our national interests in the Middle East and around the world.

SENATE ACCOMPLISHMENTS

Mr. President, on another matter, I spoke last week on the Senate floor about some of the great things that have been accomplished this last year for our country, including my home State of Texas.

I pointed out that we notched a number of wins for the American military as well as our veterans. We sent much needed assistance to communities devastated by natural disasters, like Hurricane Harvey and others. We confirmed more qualified judges to the Federal bench. We invested heavily in securing America's elections from the sort of interference we saw occur in the last Presidential election, and I am proud to say we strengthened our fight to end the rape kit backlog.

We made strides, big and small, to improve the lives of the American people, and I am eager to add more wins to that list this year.

Unfortunately, Congress is starting this year in a rather inauspicious way, not designed to regain the confidence of the American people and our ability to do what benefits them as opposed to satisfying some partisan political interest.

High on that list of pretty embarrassing developments are the Articles of Impeachment that the House passed. Three weeks after the House said this urgent matter must be pushed through to protect the country and defend the Constitution, Speaker PELOSI is still refusing to send those Articles of Impeachment to the Senate, and we are waiting. Now, I would be happy if she never sent the Articles of Impeachment here and realizes the error of the House's ways, but I don't expect that to happen.

In the meantime, we are going to continue to confirm well-qualified nominees, as we are today, and hopefully we will be able to do work on the USMCA—the U.S.-Mexico-Canada trade agreement—which, as the Presiding Officer knows, we voted out of the Senate Finance Committee yesterday but which has to clear six other committees before it is ready for floor action. Hopefully, we will be able to get that done sooner rather than later.

With an impending impeachment trial consuming most of the oxygen here in Washington, there is not a lot of opportunity, let alone political will, to get actual legislating done.

There is a laundry list of bills we could add to our accomplishments in 2020, but there is an opportunity cost when we are squandering our time on this ill-considered impeachment mania. The time and effort we are spending on that could well be used to pass these other pieces of legislation, but these pieces of legislation wait in impeachment purgatory.

At the top of my list this year is legislation to bring down healthcare costs to the American people, particularly out-of-pocket costs for prescription drugs—something I thought was a high priority for Members on both sides of the aisle as well as the White House.

Over the summer, the Senate Judiciary, Finance, and Health, Education, Labor, and Pensions Committees passed bipartisan bills which deal with everything from high prescription drug prices to surprise medical billing. While we knew there was still additional work that needed to be done, everyone was somewhat optimistic that we could pass some combination of these bills by the end of last year. Unfortunately, that didn't happen.

Negotiations are continuing, but I had hoped we could make progress on some noncontroversial bills in the meantime, like the one I introduced to stop drugmakers from gaming the patent system.

I just read this morning that the manufacturer of HUMIRA, which is an

incredible drug and the most widely prescribed drug in America, is raising their list price by 7 percent. This is a drug that has generic competitors overseas, but they are not approved here in the United States because HUMIRA has gamed the patent system by acquiring more than 120 different patents on this drug, the same one that is being sold cheaper and more widely available in Europe.

The bill I introduced with Mr. BLUMENTHAL, the Senator from Connecticut, to deal with that is called the Affordable Prescriptions for Patients Act. It strikes a delicate balance of protecting innovation while increasing competition. It would be a win for every American who has felt the sticker shock at the pharmacy. This bill is a modest bill, but it represents real progress. Bipartisan support—check that box. I introduced this bill with Senator BLUMENTHAL from Connecticut, as I mentioned, and I am proud to have the support of the minority whip as well as the ranking member of the Health, Education, Labor, and Pensions Committee. This passed out of the Senate Judiciary Committee unanimously.

Well, does it increase the deficit? No, it actually helps the deficit, so we can check that box. The Congressional Budget Office estimates the bill would save the government more than half a billion dollars over the next decade, not to mention what it might do to private insurance costs.

During simpler times, this bill would have been quickly approved by the Senate and sent to the House for their consideration and the President's signature. If we have learned anything these last few years, it is that nothing is simple here in Congress or in Washington.

So, after waiting for months, I came to the Senate floor to ask that the bill be passed. After all, it sailed through the process, and I hadn't heard a single Senator with any substantive objection to the bill. That is when the Democratic leader, the Senator from New York, came down here to block it, and he did it not once but twice. He didn't object on substance. In fact, he admitted it was a good bill. As I said, it checks every box when it comes to good legislation, so it certainly wasn't because it fell short there.

The only reason the Democratic leader objected to this legislation on two separate occasions is because of politics. He has chosen to participate in political games with a bill that is noncontroversial and straightforward, which would stop Big Pharma from abusing the patent system to increase their profits and increase prices to consumers.

At a time when he views his most critical priority as minority leader to oppose the President and, in turn, Senate Republicans, he couldn't stand to see a bill introduced by a Republican actually advance and become law. I am sure his constituents in New York

can't be too happy about that because they are paying the high price of patent gamesmanship too. I can guarantee you that Big Pharma is rejoicing over his obstruction.

Well, as I said just this last week, big drug companies have already begun to announce their price increases. According to their analysis, 445 different drugs have had their prices raised already by an average of 5 percent, and we are only 1 week into the new year.

It is particularly maddening that even consensus legislation is getting caught up in this hyperpartisan environment. But I am hoping that, once this looming impeachment trial is behind us, we can find a way to work together and make some progress.

Another bill that I am anxious to see pass this year is a reauthorization of the Violence Against Women Act, which again has gotten caught up in partisan gamesmanship. Last year the House passed an ultrapartisan bill, which both parties knew would be dead on arrival in the Senate. Our friends, the House Democrats, chose to include a variety of poison pills in order to prove a point and perhaps gain some political advantage rather than to actually get a bill to the President's desk.

Well, that is where Senator FEINSTEIN, the Senator from California, and Senator ERNST, the Senator from Iowa, to their credit, tried long and hard to try to come up with a bill that we could take up here on the Senate floor, but all of a sudden, late in the game, our friends across the aisle walked away from the negotiating table and chose to introduce a near replica of the House's partisan piece of legislation.

Unfortunately, they succumbed to the politics of the moment rather than solving the problem that would actually help support victims of violence and reauthorize that legislation. Despite our Democratic colleagues leaving those negotiations, though, our colleague from Iowa, Senator ERNST, continued to work in good faith on a bill to reauthorize the Violence Against Women Act, and I am proud to be a cosponsor.

I urge the majority leader to put that piece of legislation on the floor and to do it at the earliest possible moment so that we can have a vote, we can have a debate, we can offer amendments, but we can actually get the job done rather than continuing to use this as a political football. It sends more funding and resources than the bill that the Democrats have proposed, and it authorizes the program for twice as long.

It is not just an alternative; it is a better choice for victims of sexual assault and violence. It includes a whole lot more than funding, though. It addresses a number of horrific crimes that are being committed against women and girls around the country, which are not included in our Democrat colleagues' version.

I regret that we were unable to pass a reauthorization for the Violence

Against Women Act, and I hope our colleagues across the aisle will reconsider and come back to the negotiating table and work with us so that we can finally reauthorize this program.

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. President, finally, another priority that I alluded to a moment ago that I hope we can get to soon is to pass the USMCA, the United States-Mexico-Canada Agreement, which will succeed NAFTA and guide our trading relationships with Mexico and Canada into the future.

NAFTA has been a boon for our economy—especially in my State, in Texas—but it is time to bring this more than quarter-century-old agreement into the 21st century. That is precisely what the USMCA will do. It modernizes trade with our northern and southern neighbors and lays the foundation for better economies, more jobs, and greater prosperity for each of our countries.

The process of getting that bill across the Senate floor has been more than a year in the making, but we are making some progress, as I indicated, starting yesterday in the Senate Finance Committee. It was reported out with a bipartisan vote of 25 for and 3 against.

I haven't been shy about expressing my concerns about how this process has played out, especially cutting the Senate out of its negotiating position under trade promotion authority, but I do believe, on net, that this agreement is beneficial and will support it.

So I look forward to getting an opportunity, presumably once Speaker PELOSI sends the Articles of Impeachment over here and it meets its expected fate. Nobody I know expects 67 Senators to vote to convict and to remove President Trump based on the thin gruel presented by the two Articles of Impeachment that were voted on by the House in an ultrapartisan manner.

Once we get past all of that, I hope we can continue along the series of wins for our country in 2020, and I, for one, am eager to work on that. I hope we will be able to chart a path forward on an impeachment trial in the near future so that we can begin focusing on this legislation that will help the American people over the next 12 months and not squander a minute more than absolutely necessary.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

SENATE LEGISLATIVE AGENDA

Mr. DURBIN. Mr. President, I listened carefully to the comments by my colleague from Texas, Senator CORNYN, when he talked about impeachment purgatory and the fact that the Senate is unable to act on critical legislation—many bills that have already passed the House of Representatives—because of the impeachment proceedings.

Well, the impeachment proceedings have not started in the U.S. Senate. So

what is the excuse? Was it the impeachment proceeding that stopped us from considering one bill in the Senate this week? Was it the impeachment proceeding that stopped us from considering one bill in the Senate last week? No, it was the conscious decision of the Senate majority leader, Senator MCCONNELL, the Republican leader, with the Republican majority, not to call a single piece of legislation in the last 2 weeks.

There shouldn't be any surprise among the membership that we did nothing in the last 2 weeks other than a few garden-variety nominations. The fact is, we have done nothing for a long time under Senator MCCONNELL's leadership. Do you know, for the record, how many amendments were actually debated on the floor of the U.S. Senate last year in the entire calendar year? Twenty-two. Twenty-two amendments, six offered by the junior Senator from Kentucky. If I am not mistaken, all of them were defeated, but the point I am trying to make is, 22 amendments in 1 year and now the Republican majority is blaming Speaker PELOSI and the impeachment proceedings for the fact that we do nothing. It doesn't make sense, and it doesn't add up.

We are doing nothing because that is the strategy of Senator MCCONNELL. The House of Representatives has passed hundreds—not a dozen, hundreds—of bills for the Senate to consider, on every imaginable topic: issues relating to healthcare, which we heard about from the Senator from Texas; issues relating to immigration. The litany is long. Within that litany, you would think that Senator MCCONNELL could find one bill—just one—from the House of Representatives to debate on the floor of the U.S. Senate, but we don't do that in the Senate. We no longer debate under Senator MCCONNELL's leadership.

Some people look at this room and call it the Senate Chamber. That is true; it is the Senate Chamber. Now, sadly, it is more the Senate storage facility. We store on the floor of the Senate Chamber the desks of former Senators who actually legislated on the floor of the Senate. It is not a museum because there is still some active business underway, but it is a storage facility.

These desks, if they could only speak, would tell the stories of men and women who stood up on the floor and debated critical issues. I was here for some of it. Issues of war and peace—we don't take those up anymore. If a President wants to go to war in Iran, obviously, his party thinks that we shouldn't interfere with his thought process, though the Constitution states clearly we are supposed to interfere. Congress has the authority, under the Constitution, to declare war.

When issues would come up before us—important issues—in the past, we would debate them at length, whether it was health insurance for Americans, whether we were talking about ques-

tions of the disabled in America being active participants in our society, a time when Senators from both sides of the aisle stood up in this Chamber and, in a lengthy debate, passed the Americans with Disabilities Act. One was Senator Bob Dole, a disabled veteran from World War II and Republican leader; another was Tom Harkin, a Democrat from Iowa. The two of them had a bipartisan measure and a real fulsome debate that doesn't happen on this floor of this Senate Chamber anymore.

For Senators to come here and blame NANCY PELOSI, the Speaker of the House, for our inactivity is laughable. We have failed to move forward because the leadership does not want to call the bill. Senator MCCONNELL has the authority to decide what we will debate on the floor of the U.S. Senate, and he has decided we will debate nothing—nothing.

What a wasted opportunity. If America was just picture-perfect from sea to shining sea, you would say: Well, there is no reason. We don't need a Senate or a House. We know better. There are important issues we should address, issues related to challenges facing families across America; issues of the mounting student debt across this country and what it has meant to hundreds of thousands of young people and their future; the issues involving gun violence in this country, where we still have mass killings yet can't even pass one bill to keep guns out of the hands of convicted felons and people who are mentally unstable; the issue of healthcare.

I certainly agree with the Senator from Texas when it comes to the cost of prescription drugs, the No. 1 concern of families across this country. All Senator SCHUMER has asked for is that we bring this measure to the floor and let Senator CORNYN's good idea be brought to the floor with Senator DURBIN's good idea—and perhaps other Senators' good ideas—and actually have a debate right here on the floor of the Senate. It would be amazing. People would be tuned in all across America saying: You can't imagine; the Senate is alive; it is actually considering measures.

Although, we don't. Twenty-two amendments in one calendar year—it is just amazing that we have reached that point.

POLITICAL PRISONERS

Mr. President, I come to the floor to address three specific issues. One of the first is a matter that I didn't know would actually be part of my responsibility as a Senator, but over the years my staff came to me and talked to me about political prisoners in far-flung nations around the world, men and women literally in jail because they are exercising their right to speak, to be journalists, to assemble, to run for political office.

My staff said: They are forgotten. Nobody knows they are there. They languish in prisons for months and

years and sometimes die there. Nobody even mentions their name. Would you consider coming to the floor of the Senate and saying something, perhaps writing a letter to the Embassy of the country where they are being held prisoner?

I was skeptical as to whether or not that would even be worth the effort, but I have learned over the years it is. I have come to the Senate floor to raise the cases of political prisoners around the world, typically journalists or activists who found themselves jailed for defending basic freedoms we take for granted.

In some cases, with the help of my colleagues on both sides of the aisle, we have seen the release of some of these prisoners. Others still languish.

I bring their pictures to the floor because mentioning their names is important, but seeing them tells a story too. Raif Badawi and Waleed Abulkhair, in Saudi Arabia, and interim Venezuelan President Guaido's chief of staff Roberto Marrero continue to languish unjustly in prison. We continue to press for their release.

I always thought that trying to secure the release of political prisoners was worthwhile because it spoke to our values as Americans. I have had a chance to meet some of them after they were released.

It is an amazing feeling after someone has spent years—literally years—in prison and comes to my office in the Capitol and breaks down in tears in gratitude. It reminds me that they shouldn't be forgotten, and neither should many others.

Unfortunately, this President is too comfortable with these autocratic leaders who imprison people around the world. I wish he weren't.

That brings me to the Philippines, one of our key democratic allies in Asia. Over the Christmas break, I thought my friends were joking with me when they came to me and said: Well, I guess you will not be going to the Philippines soon. I didn't know what they were talking about.

It turns out that in my home State, in Illinois, there are many Filipino Americans. It is one of the largest immigrant groups coming to our country. What an incredible population Filipino Americans are. As I have come to know them, they have strong family values and strong religious values, and they are hard-working folks. They open these little shops and sit in them for 16 hours or 18 hours a day because that is the way an immigrating Filipino sets the stage for their son and daughter to have a better life.

Over the holiday recess, the President of the Philippines, President Duterte, announced that he was banning Senator PATRICK LEAHY of Vermont, as well as myself and Senator ED MARKEY of Massachusetts, from ever visiting the Philippines. I was kind of shocked to see that. I didn't expect that.

What precipitated this reaction? He also, incidentally, threatened to re-

strict the travel of all Americans to the Philippines. For some time, several of us, including Senator LEAHY and Senator MARKEY, have been advocating for the release of Filipina Senator Leila de Lima. Senator de Lima was a former head of the National Human Rights Commission of the Philippines and an internationally recognized human rights champion critical of President Duterte's extrajudicial killings.

What did that lead to? Her arrest and her being sentenced and imprisoned for up to 3 years in jail for speaking out against the current President of the Philippines.

Here is a photo of her being taken to court after she was arrested a little over 3 years ago.

Who is behind her release? Not just Senators LEAHY, DURBIN, and MARKEY and many of our colleagues, but also Amnesty International, the Tom Lantos Human Rights Commission, and the Raoul Wallenberg Center.

Let me read an excerpt from the letter she sent me.

As you can imagine, I may be the one currently in detention, but I am not the only victim suffering in this situation . . . so are the victims of extrajudicial killings and their families, so are all defenders of human rights . . . and ultimately, so are all of us all over the world who defend democracy and rule of law.

Senator MARKEY has a resolution calling for Senator de Lima's release and an end to the harassment of Filipina journalist Maria Ressa, which I am proud to cosponsor and hope will pass the Senate soon.

Last year, Senator LEAHY joined me in an amendment to the State and Foreign Operations bill, denying U.S. visas to those involved in Senator de Lima's politically motivated incarceration. It was our little measure in that appropriations bill that led President Duterte to ban us from ever traveling to the Philippines. There is an easy and honorable way forward. The Duterte regime should stop threatening the travel of Filipino Americans and so many others who travel between our nations and, instead, ensure a quick and credible trial for Senator de Lima or simply do the right thing and release her.

In the end, her freedom and the end of government harassment of journalists like Maria Ressa will be important tests of whether the cherished democratic norms we share with our long-standing Filipino allies will be respected by President Duterte.

#### UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. President, trade agreements are controversial. They come before the Senate and the House infrequently and are usually very hard to pass. It takes months and months of work. One of those trade agreements, which is known as the USMCA, or the United States-Mexico-Canada Agreement, or NAFTA 2.0, is one that I have watched carefully. I voted for the original

NAFTA agreement when I was a Member of the House of Representatives. It was not a popular vote among many people in Illinois, but I felt that it was the right thing to do. I felt that moving the Mexican economy forward, watching it mature, with the creation of a middle class, would mean that it would be a more stable nation and a nation that would consume many goods produced in the United States.

That happened, but it happened at an expense, too, to be very honest. Many companies in the United States saw the low wage rates in Mexico, closed their plants in places like Galesburg, IL, and moved operations to Mexico. Some moved to China and other places.

That displacement of jobs was painful. It was hard to explain to families that this was a transition that ultimately was for the good of all nations involved. If it was your family, you didn't care about the good of a nation. You wanted to know if dad had a job.

The pain we went through over the last 25 years led me into this conversation about the USMCA with some skepticism. I didn't want to be behind any effort that would ultimately result in more American jobs being lost unnecessarily. I am proud to say that this negotiation, unlike many things in this town, turned out to be a bipartisan success.

President Trump presented us with an original version of the USMCA, and many of us took exception to some of its contents. I was particularly worried about one provision in there relating to the price of prescription drugs and some other provisions in the original measure. Then, a fulsome negotiation took place. Democrats and Republicans sat down. The net result was a positive thing. Just this last week, the Senate Finance Committee reported this USMCA by a vote of 25 to 3. I believe this bill—this new measure, this new NAFTA—enjoys broad bipartisan support.

This morning, I went on a conference call with the agriculture leaders of Illinois. I am proud to say we have one of the strongest agricultural States in the Nation and some of the best women and men who farm our land and produce food and fiber for people to consume all across America and around the world. They have gone through some very tough times. The President's trade problems with China have hurt us especially. Our soybean producers have seen a 93-percent decline in their exports of soybeans and soybean products from the State of Illinois. They have paid heavily for the decision in this administration to cut back on renewable fuels and to issue waivers to oil companies so they don't have to blend them in the fuel they sell us at gas stations.

They have seen the decline in the net foreign income, an increase in foreign debt, and we have sent aid payments to them, which they reluctantly accept as just the only lifeline they have to keep their farms in the family.

They are happy to see that we are moving forward on this new trade agreement. A new NAFTA—the USMCA—means the top trading partners of the State of Illinois, Mexico and Canada, will have a new lease on a relationship that can improve as we increase trade among our nations. The three nations will prosper. Our bounty, which we produce in the farmlands of Illinois, will be shared with Mexico, Canada, and many nations far beyond them. It is a step forward for us.

I am glad it was done on a bipartisan basis, and I am particularly happy to see the overwhelming majority of labor organizations in my State of Illinois and in the Nation support the USMCA. It is great to have both labor and business and farm communities together in this effort.

It is far from perfect. This is a bill that moves in the right direction, and I hope we bring it up for consideration and a vote very soon on the floor of the Senate.

#### E-CIGARETTES

Mr. President, for many years, I have had a battle on with the tobacco lobby. It is personal. I lost my father to lung cancer when I was 14 and he was 53. I watched and stood by his bedside for literally 100 days as he languished and ultimately died from lung cancer. He smoked two packs of cigarettes a day.

When I came to the U.S. House of Representatives, I was determined to try to do something about the deaths that were being caused by tobacco products across America. I proposed a measure, which seemed pretty modest at the time, that banned smoking on airplane flights. It was an inconvenience and a mess to get on a plane with the so-called smoking and nonsmoking sections. So I thought: Let's get rid of it once and for all.

It was quite a battle in the House of Representatives. We passed it by a handful of votes, to ban smoking on airplanes. Luckily, I found a great colleague and friend, former Senator Frank Lautenberg of New Jersey, who took up the cause on the floor of the Senate, and we banned smoking on airplanes over 25 years ago.

I didn't know that it was anything more than elimination of an inconvenience while people took airplane flights. It turned out to be much more. It turned out to be a tipping point. People across America said: If it is unhealthy to breathe in second-hand smoke on an airplane, how about trains? How about buses? How about offices? How about hospitals? How about restaurants?

At the end of the day, we know what happened. If someone walked into your home or your place of business and lit up a cigarette, you would look at them and think: Where are you from? We don't do that anymore.

We certainly don't do it without asking permission. But that is what has happened in America.

We had to fight the tobacco lobby every step of the way, and we have had

some success. The number of young people who were using tobacco cigarette products declined dramatically, from over 20 percent to around 8 percent. We were winning the battle because these tobacco companies were recruiting our kids at an early age with a nicotine addiction they couldn't shake later in life.

Guess what happened. The tobacco companies invented a new product that is called e-cigarette, or vaping. If you think I am making this connection up, take a look at the largest vendor of vaping devices, JUUL, and look at the major shareholder of JUUL. It turns out to be Altria, which also turns out to be a major tobacco company.

Now the tobacco companies have decided that since kids don't gravitate toward tobacco cigarettes, they will give them an alternative. The alternative is an e-cigarette, or a vaping device.

You know what has happened, Mr. President, in your State and in my mine? High school kids are taking up this vaping addiction in numbers unimaginable. The latest report suggests that almost 29 percent of high school students across the United States are currently vaping. What they are doing is using pods and flavor pods with nicotine included and using an electronic device to inhale this vapor and blow it out. Unfortunately, in inhaling it into their lungs, they are also inhaling nicotine and developing a terrible addiction.

Students from New York came to my office a few weeks ago, and they said: Senator, don't kid yourself. It is not 28 or 29 percent. It is over 50 percent of students who are vaping today, and they are desperate to buy these flavor pods and to buy these new JUUL devices. When the teacher in a classroom steps out, they are all vaping, right there in the classroom. They do it in the restrooms and the classrooms and the cafeterias and outside the schools. They are doing desperate things to be able to afford these devices.

On September 11 of this year, President Trump and the First Lady held a press conference in the Oval Office. Though I have been critical of this President for many things, I applauded what they said. They recognized this vaping crisis, and they said that we are going to stop it and that we are going to make the moves necessary to make sure that these flavor pods that are enticing children are finally taken from the market.

I couldn't believe my ears when I heard it. Here was President Trump stepping up to do the right thing. Perhaps he and his wife, as a father and a mother of a teenager, understand this better than some. But whatever the reason, whatever the motivation, they came forward with what I thought was the best proposal: End the flavor pods once and for all.

After they made their announcements, the vaping industry went to work. They started buying ads on

FOX—naturally, that is where the President watches television—and they started saying to the people that it was unfair to take away these flavor pods.

Sadly, these flavor pods, when you look at them very closely, are just an enticement for young people to use this product.

Now the vaping industry tries to argue: Well, wait a minute. People who want tobacco cigarettes ought to have vaping as an alternative. It is safer.

Well, marginally it may be, if that were the end of the story. But it turns out that vaping device is also becoming an enticement for young people to use flavor pods and to develop this addiction to nicotine of vaping devices. It is impossible to argue that some veteran smoker of tobacco products is going to be enticed to vaping if he can buy candy flavors, bubble gum flavors, fruit flavors, or other flavors. Can you imagine some 50-year-old who has been smoking Marlboro for years, and says: Man, if I could just get my hands on some Unicorn milk flavor pods, I would give up tobacco and move to e-cigarettes.

We know better. These pods are designed to entice children.

(Mr. ROMNEY assumed the chair.)

We waited to see what would happen after the President's September announcement. We were lucky to have one of our own colleagues, from the State of Utah, who has now taken the Chair, who was present at the meeting with the President on the issue of vaping. I salute him for his friendship and leadership on this issue.

Last week, after delays, President Trump finally announced a plan to ban some of the e-cigarette flavors that are hooking our kids on nicotine. Within 30 days, some flavored e-cigarette pods and cartridges will be removed from the market. This is an important step, but it is not nearly enough. For instance, menthol pods are exempt, so I am afraid kids are just going to move to JUUL's menthol flavor. Further, liquid e-cigarette flavors that are used in open-tank vaping shops are also exempt. The vaping shops are still in business, unaffected by this new policy of the administration. Liquid nicotine is sold in flavors like Gummy Bear, Whip Cream, Sugar Cookie, and Unicorn Milk. These flavors, definitely intended for kids, will stay under President Trump's new policy.

This week's announcement is not what the President said would happen in the Oval Office a few months ago. That is why the public health community and this Senator are so disappointed. We know the President decided to water down the e-cigarette flavor ban. Heavy lobbying by Big Tobacco and Big Vape were behind it. When announcing this new restriction, President Trump said some words that may tell the story. He said:

We have to protect our families. At the same time, it's a big industry. We want to protect the industry.

Protect the vaping industry? It makes sense why these companies

wanted the President to backtrack on his promise. They make a lot of money off our kids. They addict them, and the kids spend money because of the addiction. Why doesn't it make sense for the President to stand up to Big Tobacco and Big Vaping on behalf of our kids across America?

The fight is not over. Fewer than 4 percent of adults use e-cigarettes, while 30 percent, at least, of high school kids across America are using them. Now the FDA—with a new leader, Dr. Stephen Hahn—has to come off the sidelines and do their job to protect the kids. By court order, all e-cigarette companies will have to submit applications to the Food and Drug Administration in May if they want to keep their devices and flavors on the market. If they do not submit an application in May, they will have to come off the market immediately. The FDA must enforce this fully. For companies that do submit an application, the FDA has up to 1 year to decide whether they stay in the market. The FDA must reject the applications of any vaping products that are clearly designed to appeal to children, period. And if they are significantly used by children, they should be taken off the market.

I have told Commissioner Hahn that the FDA must evaluate these applications based on science, not anecdotes. What matters is that e-cigarette companies prove their health claims, which, to date, they have never been able to do. Do e-cigarettes actually help smokers quit cigarettes? Are they actually safe? Or are they, in fact, hooking children on nicotine? Those are the important questions that should be answered with science, not with politics.

There are ways to preserve e-cigarette access for adult smokers without allowing an entire generation of kids to be hooked on nicotine. This means getting rid of all of the flavors, taking illegal products off the market immediately, and rejecting e-cigarette applications that fail to show a strong public health benefit.

To date, the FDA has not been as active or aggressive as it should. For the sake of our children and the families who love them, it is time for the FDA to get off the sidelines and make sure that we do everything in our power, including in Congress, to make certain that this epidemic—and the FDA came up with the word—this epidemic of e-vaping and e-cigarettes comes to an end in America.

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.

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.

#### NOMINATION OF ELENI MARIA ROUMEL

Mrs. BLACKBURN. Mr. President, for 3 years now, I have been hard at work

alongside an administration that prioritizes filling vacancies on the Federal bench with smart, dedicated, constitutionalist judges. When I am at home in Tennessee, that is what people tell me they want to see—constitutionalist judges, not activist judges.

I know that I have sounded like a broken record in my reiterating just how important it is to keep these judicial nominations moving through the Committee on the Judiciary and moving to the floor, but I will tell you this: I think it is a message that needs to be repeated day in and day out because the American people and, as I said, Tennesseans know that this should be a priority, for this is how we continue to protect freedoms from generation to generation.

Since 2017, we have confirmed over 180 nominees, and even in the face of partisan bickering, we have no plans at all to slow that pace. We were in the Committee on the Judiciary today, hearing again from the nominees whom we will move forward and bring to this floor for confirmation. I want to shine light on a court that doesn't get a whole lot of attention, but let me tell you that we would be in real trouble if we did not have this one.

I have come to the floor to support President Trump's latest nominee to the U.S. Court of Federal Claims—Eleni Maria Roumel.

I first met Eleni when she joined the nonpartisan Office of General Counsel for the House of Representatives. During her 6-year tenure, Eleni advised those of us who were members of the Energy and Commerce Committee as we faced some challenging and high-profile legal matters and as we looked at laws that were going to affect the American people and how they lived their lives every single day.

The Energy and Commerce Committee in the House has wide jurisdiction. Of course, energy policy, commerce and trade, healthcare, manufacturing, pro sports, privacy, and the internet all come under that jurisdiction. So Eleni served us well in providing advice. I witnessed her commitment to bipartisanship as she served both sides of the aisle with the same quality of representation. She did it all while she was pregnant with her son, John, who is now 2 years old, and as someone who has been a working mom, I know the challenges that this presents.

From her time as a truly excellent student at Tulane Law, to her work in the private sector and beyond, Eleni's professionalism has elevated her above the rest of the pack.

She practiced intellectual property law and earned a promotion to partner as she represented both pro bono clients and publicly traded Fortune 500 companies.

She taught and mentored students as an adjunct professor at Charleston Law School.

She solidified her reputation as a lawyer committed to the rule of law in

her work handling government oversight of Federal agencies. These cases were vital to the safeguarding of the separation of powers and emphasized the supremacy of the Constitution as what it is—the law of the land.

In her 19-year career, she has appeared before 20 different Federal courts, including the U.S. Supreme Court, and just last year, she was elevated to the role of Deputy Counsel to Vice President MIKE PENCE.

I am truly honored to have supported Eleni Roumel's nomination to the Court of Federal Claims. She will be an excellent role model on the bench, especially to young women in the legal profession. I encourage my colleagues to take a look at her resume, get to know her, and then join me in wholeheartedly supporting her confirmation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MEASURE REFERRED—S. 3155

Ms. COLLINS. Mr. President, I send a bill to the desk and ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 3155 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. COLLINS. I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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