their health care. This is beyond hypocrisy. Republicans are expecting women to magically stop the spread of Zika and prevent their babies from developing birth defects, all while denying them access to family planning services.

But Republicans don't stop there. Their bill would also hurt veterans by slashing the Senate's level of funding to the VA by $500 billion. What was that money to be used for? Processing claims of veterans. They wiped that out. It would roll back environmental protections, and the clincher, as we all know, is they would allow the Confederate flag to fly over cemeteries. These provisions are as unacceptable as they are partisan. That is why Senate Democrats rejected the outrageous Republican bill and will do so again.

The Zika threat is growing, but that hasn't changed the Republicans' vacation plans. They need time to unify around Donald Trump in Cleveland but no time for American women. For today's Trump and McConnell Republicans, a public health crisis that is disproportionately dangerous to women isn't worth serious, bipartisan action. Add to that fact that Zika is affecting women by the tens of thousands in Central and South America and the picture becomes even clearer: The anti-immigrant party of Trump and McConnell would rather be on vacation than lift a finger to help.

The National Institutes of Health and the Centers for Disease Control are warning that vaccine research and other efforts to protect Americans from Zika is likely to stop without immediate action from Congress.

A poll released last week by the Kaiser Foundation found 72 percent of Americans want the government to spend more to fight Zika—not less, more. We need to act, and we need to act now.

It is obvious that picking a fight over women's health is more important to Republicans than a bipartisan response to stop the spread of this dreaded virus. Democrats have called on Republicans to work with us to get something done. A 7-week vacation should be delayed. There is no excuse for inaction and partisanship. We cannot afford to waste another day, a week, another month—we have already wasted 4 months—for Republicans to help stop the spread of this emergency. Let us get to work and do it now.

IMMIGRATION LEGISLATION

Mr. REID. Finally, on another subject, Mr. President, Senate Republicans today will promote Donald Trump's anti-immigrant rhetoric with action. This afternoon, the Senate will vote to consider a pair of bills proposed by the junior Senators from Pennsylvania and Texas. These bills follow Trump's lead in demonizing and criminalizing immigrant Latino families.

Senator TOOMEY's bill will undermine the ability of local law enforcement to police their own communities and to ensure public safety. It would deny millions of dollars of critical community and economic development funding to cities and States that refuse to target immigrant families. Senator TOOMEY's legislation would simply create more problems. It wouldn't solve anything. Not surprisingly, it is opposed by mayors, domestic violence groups, Latino and civil rights groups, and labor organizations.

Senator CRUZ's bill is no better. It would enact unnecessary mandatory minimum sentences and would cost billions and billions of new dollars, increasing the prison population and siphoning funding from State and local law enforcement. Worst of all, this sort of partisan, piecemeal approach undermines bipartisan efforts to enact badly needed reforms in our criminal justice system.

One desk over from me is DICK DURBIN, the assistant Democratic leader. He has worked for years on doing something about the criminal justice system. He has been joined by a bipartisan group of people to get something done, but, again, the Republican leader is too interested in doing things that mean nothing than doing something that means something.

By pursuing legislation targeting so-called sanctuary cities, Republicans are legislating Donald Trump's vision that immigrants and Latinos are criminals and threats to the public. Republicans want red meat going into the convention and desperately want to pivot from the epidemic of gun violence plaguing our nation and the epidemic of Zika, but Americans deserve a real solution to our broken immigration system, not political games and dog-whistle politics.

If Senator MCCONNELL wants to bring this legislation forward, we are going to take a serious look at it. Maybe getting on the bill might be the right thing to do. If we get on that, and the Republican leader said he wants a robust amendment process, well, we will be happy to give him one. We will have a number of amendments on guns, we will have a number of amendments on Zika, and we will do something about comprehensive immigration reform. So we are going to take a look at that. We may just get on that bill and find out if we are going to have this robust amendment process, but let's address comprehensive immigration reform, guns, Zika, and other issues. We are happy to do that. This may be an opportunity for us to move forward on those issues.

Will the Chair announce what the Senate is going to do the rest of the day.

RESERVATION OF LEADER TIME

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

STOP DANGEROUS SANCTUARY CITIES ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3100, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 531, S. 3100, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

The PRESIDING OFFICER. The assistant Democratic leader.

LEGISLATION BEFORE THE SENATE

Mr. DURBIN. Mr. President, I see my colleagues from Kansas and Michigan on the floor, and I know they are here to speak on the GMO issue. I will make a brief statement and cut short what I planned on saying so they can take the floor on this important and pending issue.

The Senate Republican leader came to the floor this morning and congratulated the Senate on the fact we passed, on a bipartisan basis, the Puerto Rico legislation necessary to deal with the financial disaster they face. We did that last week, truly in a bipartisan way. The Republican leader said this morning we need to keep our focus on serious issues, but then he comes to us with four bills that he requests we take up during the abbreviated session we have this week and next week, and among those four bills are two he acknowledges are clearly only introduced for the political impact, for the message, they might deliver.

One bill that is being promoted by the junior Senator from Pennsylvania is a bill relating to sanctuary cities. This measure was largely considered and voted on only 8 months ago and defeated in the Senate. Why are we bringing it back today? Well, there has been some candor on the Republican side. The Senator who is offering this measure is up for reelection. He believes this is an important ''message amendment'' that he needs to take back to his home State of Pennsylvania, and he wants to make sure the Senate takes up this measure before the Republican convention, which starts up in a couple weeks. This is a political tactic that is sadly going to eat up the time of the Senate with the same ultimate result. Senator TOOMEY's sanctuary bill will not pass, but it gives him something to talk about when he goes home and perhaps something to give a speech about at the Republican convention.

Going back to the Senate Republican leader's suggestion that we ought to be focusing in a bipartisan way on serious issues, the first suggestion out of the box on a message amendment is clearly being done for political purposes only. The second measure is one that is brought to the floor at the request of Senator TED CRUZ, the junior Senator from Texas. This will bring us back to some debate over immigration, again,

on what is known as Kate's Law and the suggestion by Senator CRUZ that we create a new mandatory minimum criminal sentence.

On its face, this measure is unacceptable and unaffordable. It would criminalize, with mandatory minimum sentencing, conduct that would affect thousands of people who have crossed over the border into the United States undocumented. Of course, the Senator from Texas wants this message amendment during this abbreviated short session before the Republican convention, which I assume he will be speaking to, in order to make his political point.

So here we are with the Republican leader first congratulating us on being bipartisan on serious issues and then turning around and two of the four things he suggests we do these 2 weeks have no chance to pass. One at least has been voted on within the last 8 months on the floor of the Senate, and they have acknowledged they are only offering these amendments to give the Senators who are making the requests a chance to make some political hay in the weeks and days before the Republican convention in Cleveland.

Why? Because the ''presumptive,'' as they call him, Republican nominee for President wants to focus on immigration. As a consequence, those who are lining up behind him, like the junior Senator from Pennsylvania, want to have some arguing points to make to support Donald Trump's candidacy and his position on immigration.

It is a sad reality that 3 years ago, on the floor of the Senate, we actually did something constructive on the issue of immigration. With the votes of 14 Republicans joining the Democrats, we passed bipartisan, comprehensive immigration reform. Sadly, that measure died in the House when they wouldn't even consider that bill or any bill on the issue. We had a constructive alternative, and it passed here in a bipartisan fashion on a serious issue. Yet, since then, the Republicans have stonewalled and stopped every effort to constructively deal with immigration.

The two measures before us, by Senators from Pennsylvania and Texas, should be taken for what they are. They are political posturing before the Republican National Convention. They are efforts so these two Senators will have something to talk about or brag about at the Cleveland convention, but they do not take us to the serious issues we still face; issues such as the GMO compromise, an important issue because of measures taken by some States; issues such as funding for Zika, a measure which passed the Senate 89 to 1 in a strong bipartisan vote and then went over to the House and languished in a conference committee and finally was reported out with no Democratic signatories to the conference report. That measure has been defeated once, and the Senate Republican leader said we will just go call the same measure again, with obviously the same outcome.

We still have questions on funding on Zika, questions about funding on opioid abuse. These are serious measures that should be taken up rather than these so-called message amendments being offered by the other side.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I understand I have 10 minutes reserved, and I ask unanimous consent for 1 additional minute, if I do not finish. I am to be followed by my distinguished ranking member, Senator STABENOW.

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

AGRICULTURE BIOTECHNOLOGY

Mr. ROBERTS. Mr. President, I come to the floor to talk about a topic and a bipartisan bill that will affect what consumers pay for their food, the grave threats of worldwide malnutrition and hunger, and the future of every farmer, every grower, and the future of every rancher in America. That topic is agriculture biotechnology.

We have all heard about our growing global population, currently at 7 billion and estimated to reach over 9.6 billion in the next few decades. Tonight, 1 in 9 people—that is roughly 800 million people—worldwide will go to bed hungry. Around the world, impoverished regions are facing increased challenges in feeding their people. Show me a nation that cannot feed itself, and I will show you a nation in chaos. Goodness knows, we have had enough of that.

We have seen too many examples in recent years where shortfalls in grain and other food items or increases in prices at the consumer level have helped to trigger outbreaks of civil unrest and protests in places such as the Middle East and Africa. In light of these global security threats, today's farmers are being asked to produce more safe and affordable food to meet the demands at home and around the globe. At the same time, farmers are facing increased challenges to their production, including limited land and water resources, uncertain weather, to be sure, and pest and disease issues. However, over the past 20 years, agriculture biotechnology has become an invaluable tool in ensuring the success of the American farmer in meeting the challenge of increasing yield in a more efficient, safe, and responsible manner.

For years now, the United States has proven that American agriculture plays a pivotal role in addressing food shortfalls around the world. We must continue to consider new and innovative ways to get ahead of the growing population and production challenges. In addressing these issues, we must continue to be guided by the best available science, research, and innovation.

If my colleagues have heard any of my previous remarks on this topic, they have heard me say time and again that biotechnology products are safe. My colleagues don't have to take my word for it. The Agriculture Committee held a hearing late last year where all three agencies in charge of reviewing biotechnology testified before our members. Over and over again, the EPA, the FDA, and the USDA told us that these products are safe—that they are safe for the environment, safe for other plants, and certainly safe for our food supply. Since that hearing, the U.S. Government reinforced their decisions on the safety of these products.

Last November, the FDA took several steps, based on sound science, regarding food that is produced from biotech plants, including issuing final guidance for manufacturers who wish to voluntarily label their products as containing ingredients from biotech or exclusively nonbiotech plants. More importantly, the Food and Drug Administration denied a petition that would have required the mandatory on-package labeling of biotech foods. The FDA maintained that evidence was not provided for the agency to put such a requirement in place because there is no health safety or nutritional difference between biotech crops and their nonbiotech varieties.

A recent report from the National Academy of Sciences ''found no substantiated evidence of a difference in risks to human health between current commercially available genetically engineered crops and conventionally bred crops.''

Just last week, 110 Nobel laureates sent an open letter to the leaders of Greenpeace, the United Nations, and all governments around the world in support of agriculture biotechnology, and particularly in support of golden rice. Golden rice has the potential—has had the potential and has the potential—to reduce or eliminate much of the death and disease caused by a vitamin A deficiency, particularly among the poorest people in Africa and Southeast Asia. These world-renowned scientists noted that ''scientific and regulatory agencies around the world have repeatedly and consistently found crops and foods improved through biotechnology to be as safe as, if not safer, than those derived from any other method of production.''

Furthermore, the laureates said:

> There has never been a single confirmed case of a negative health outcome for humans or animals from their consumption. Their environmental impacts have been shown repeatedly to be less damaging to the environment, and a boon to global biodiversity.

There has been a lot of discussion about agriculture biotechnology lately, and that is a good thing. We should be talking about our food. We should be talking about our farmers and producers, and we should be talking to consumers. It is important to have an honest discussion and an open exchange of dialogue. After all, that is what we do in the Senate—discuss difficult issues, craft solutions, and finally vote in the best interests of our constituents.

The difficult issue for us to address is what to do about the patchwork of biotechnology labeling laws that soon will

wreak havoc on the flow of interstate commerce of agriculture and food products in every supermarket and every grocery store up and down every Main Street. That is what this discussion should be about. It is not about safety or health or nutrition; it is all about marketing. If we don't act today, what we will face is a handful of States that have chosen to enact labeling requirements on information that has nothing to do with health, safety, or nutrition.

Unfortunately, the impact of those State decisions will be felt across the country and around the globe. Those decisions impact the farmers who would be pressured to grow less efficient crops so manufacturers could avoid these demonizing labels. Those labeling laws will impact distributors who have to spend more money to sort different labels for different States. Those labeling laws will ultimately impact consumers, who will suffer from much higher priced food. When onpackage labels force manufacturers to reformulate food products, our farmers will have limited biotechnology options available. This will result in less food available to the many mouths in our troubled and hungry world.

It is not manufacturers who pay the ultimate price; it is the consumer—at home and around the globe—who will bear this burden, unless we act today.

I am proud of the critical role the Department of Agriculture has played and will continue to play in combating global hunger. Farmers and ranchers in Kansas, Michigan, and all across this country have been and are committed to continue to doing their part. And those of us who represent them in the U.S. Senate should do our part to stand up in defense of sound science and innovation. We should stand up to ensure that our farmers and ranchers have access to agriculture biotechnology and other tools to address these global challenges.

The proposal put forth by my distinguished ranking member Senator STABENOW and me provides that defense of our food system and our farmers and ranchers, while at the same time providing a reasonable solution to consumer demand for more information. That is what the bill does.

Our amendment strikes a careful balance. It certainly is not perfect from my perspective. It is not the best possible bill, but it is the best bill possible under these difficult circumstances we find ourselves in today. That is why, I say to my colleagues, it is supported by a broad coalition of well over 1,000 food and agriculture industries, and that sets a record in the Senate Agriculture Committee. They include the American Farm Bureau Federation, Grocery Manufacturers Association, and the U.S. Chamber of Commerce, just to name a few.

I urge my colleagues to not merely support cloture on a bill this afternoon but to support your broad range of constituents who benefit from its passage.

Passing this bill benefits farmers and ranchers by providing a mechanism for disclosure that educates rather than denigrates their technology.

Passing this bill benefits manufacturers by providing a single national standard by which to be held accountable, rather than an unworkable system of many more State standards.

Finally, passing this bill benefits consumers by greatly increasing the amount of food information at their fingertips but does so in a way that provides cost-effective options to avoid devastating increases in the price of food.

Passing this bill is the responsible thing to do. It is time for us to act. I urge my colleagues to join us in doing just that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first I wish to thank the chairman of the Agriculture, Nutrition, and Forestry Committee. We had some tough negotiations on this issue, and I think we have come to a place that makes sense for farmers and the food industry, as well as consumers. So I wish to thank Senator ROBERTS. We worked together on a bipartisan basis on issue after issue after issue coming before the committee, and I am sure we will continue to do that. I don't think we have an economy unless somebody makes something and grows something. That is how we have an economy. And we worked very hard to come to a spot where we can actually get things done because that is what people expect us to do. It is great to talk, but people want us to actually solve problems and get things done.

So today I rise to discuss an important bipartisan agreement—a hard-fought, tough negotiated agreement that the Senate will soon vote on regarding the issue of GMO labeling. This bill is frankly very different from what passed the House of Representatives about a year ago, I think now, and from what we voted on in March. I thank Senator ROBERTS and his staff for working in a bipartisan way to get us to the spot where we are now.

As everyone knows, I have opposed voluntary labeling at every turn. I don't think it is right to preempt States from having labeling laws and replace it with something that is voluntary. There needs to be a mandatory system, which is what this bill does.

I worked to keep what was done by activists known as the DARK Act from becoming law three different times here in the U.S. Senate. Throughout this process, I worked to ensure that any agreement would first recognize the scientific consensus that biotechnology is safe; second, to ensure that consumers have the right to know what is in their food; and third, to prevent a confusing patchwork of 50 different labeling requirements in 50 different States. And while this issue stirs strong emotions in all scientific debate—I certainly understand that—the fact is, this bill achieves all of those goals. For the first time ever, we will ensure we have a mandatory national labeling system for GMOs.

Unfortunately, in many ways this debate has served as a proxy fight about whether biotechnology has a role in our food system and in agriculture as a whole. I think that is really fundamentally what the debate is about under this whole issue.

When we wrote the farm bill back in 2013, I made it a top priority to support all parts of agriculture. It was very important to me to say that consumers need choices and that we need to support every part of agriculture, and that is what we did in a very robust way. We made important investments and reforms that helped our traditional growers—conventional growers—and we made significant investments in organics, in local food systems, small farms, and farmers' markets in a way we have not done before as a country. We did this because we recognized that it takes all forms of agriculture to ensure we continue leading the world with the safest, most affordable food supply.

That is why, when I hear friends who oppose this bill denying the overwhelming body of science that says biotechnology poses no human health or safety risks while believing the very same National Academy of Sciences that tells us that climate change is real, I have to shake my head. I believe in science; that is why I know climate change is real. I believe in science; that is why the same people—the National Academy of Sciences and over 100 Nobel laureates last week—and when the FDA tells us that biotechnology is safe for human consumption and that there is no material difference between GMO and non-GMO ingredients, I believe science.

In fact, as was indicated earlier, over 100 Nobel laureates signed a letter to Greenpeace last week asking them to end their opposition to GMOs over a strain of rice that will reduce vitamin A deficiencies that cause blindness and death in children in the developing world. I stand with the scientific evidence from leading health organizations like the American Medical Association, the National Academy of Sciences, the FDA, and the World Health Organization, which all say that GMOs are safe for consumption. I find it ironic that those who challenge this science have latched onto comments from the FDA—an agency that has found no scientific evidence that biotechnology threatens human safety—as some type of credible challenge to this agreement.

In talking about comments from the FDA, I find it interesting that they omit the first paragraph, which was, by the way, that they don't believe from a health risk safety standpoint that GMOs should be labeled and which is why they have consistently said no to labeling and would, not surprisingly, interpret a biotechnology definition in the narrowest way because they don't believe that GMOs should be labeled.

So I stand before colleagues and this Chamber today to say enough is enough. I have been through enough of these debates in the past to know that sometimes, no matter the amount of reason or logic, someone is not going to change their position. I understand that. But I remember Senator Daniel Patrick Moynihan of New York, who used to say that everyone is entitled to their own opinion but not their own facts. So in that spirit, let's talk about the facts.

For the first time, consumers in all 50 States will have a mandatory national GMO label on their food. Right now, if we do nothing, those who get labeling are Vermont and potentially a couple of other States in the Northeast. When we vote, if we vote yes, everyone will have the opportunity to get more information about their food as it relates to GMOs. While many want to hold up the Vermont law, the fact is that law ensures that a little more than 626,000 people have information about their food. There are nearly 16 times more people in Michigan, and they deserve the right to know as well. That is why this mandatory national labeling system is so important.

Let's talk about what we are saying—not in a voluntary way as passed the House but requiring one of three choices—three well-regulated ways for companies to disclose information. Some have already chosen what they are going to do and have said: We're going to continue to do on-pack words, like Vermont. There are significant companies that have said: We want certainty. We want this law passed, but this is what we are doing.

We also give a choice of an on-pack symbol, and this is not the specific, but it is the idea of what it would be. We have some major retailers in this country who have said: Regardless of what happens, we are only going to get products on our shelves if they have the first—which is words—or a symbol. So the marketplace is definitely going to drive where this goes, and consumers will continue to drive it.

But we also know that an electronic label makes sense if it is regulated in a specific way to make sure that consumers can have access. We also know there are those who want very much to make sure they not only share information that there are GMO ingredients but also important things, such as the National Academy of Sciences saying they are safe for human consumption. So there is some context around this. It is not scare tactics; it is fact based.

Let me also say that we know consumers want other kinds of information than just whether or not there are genetically modified ingredients in their food. The No. 1 issue I am told consumers ask about is food allergies. We know others are concerned about antibiotics in meat. There are a whole range of issues people care about. For me and the world of smartphones and electronics, going forward, it makes sense from a consumer standpoint to have a universally accepted platform where you not only get information about GMOs but whether you should be concerned about your food allergies and what is, in fact, in the ingredients. Right now I have friends who have to go to a book in the back of a store to figure out what is going on in terms of food ingredients. Having something that is accessible to all of us who are using these phones would make sense, and that is what we are talking about.

So we have three different options, and the companies or stores, if they put them in, will drive what the options are.

Let me debunk a little bit of this whole question on allowing an electronic label. First of all, Nielsen tells us that 82 percent of American households right now own a smartphone. It is so interesting to me that the people expressing outrage about technology are using their smartphones in order to tweet that or are going to Facebook and other social media—a socially accepted way for us to be communicating together. So 82 percent of American households own a smartphone, and we are told by Nielsen that very quickly will become 90 percent.

For someone who doesn't have a smartphone—or maybe they are in an area where there is concern about broadband, which concerns me, in some rural areas—we make sure that before this is implemented, the USDA has to survey areas where this is a problem and make sure there is more accessibility with additional scanners in the store and additional opportunities for people to be able to get the information and to be able to use this if they don't have a smartphone. They might want to be able to put the can up to a scanner. That is another option as well.

Let me also say that more and more, using smartphones and electric labels is very much a part of our lives. We have those doing it for food information right now. You can scan to get a price right now on a can. We have all kinds of apps on our phone, from paying bills, to going through the airport, to connecting with friends. This is very much about the future and how we are going to find out all kinds of information. So it is not unreasonable that, in order to help consumers get information not just on GMOs but on food allergies and other kinds of important issues, we would look at electronic labels in a way to do that. This is an idea that came from the Secretary of Agriculture looking at all of the different requests to their Department for information.

I appreciate some of the concerns about the electronic label, but this is not about hiding information because we will be working to make sure there is accessibility in the store for that information. And going forward, we have virtually everyone at some point using their smartphone to communicate—to do business, to do banking, to communicate with friends, and so on. I think this will become less and less of an issue as we go forward.

Let me also say one more time that one of three things must be done. Major companies have already said that while they want the certainty of a national law so they can plan—and we don't see disruptions for our farmers and for our grocery store owners and others—they will simply do on-pack words or an on-pack symbol. But there are three choices available. You must do one of those in order to make information available, and I fully expect that consumers will engage with companies to advocate as to which one of those they want to see happen.

Let me talk about something else that has not been focused on enough. We have been talking about how to label, which is only one piece of it. Another piece of this is the fact that the bill in front of us ensures that around 25,000 more products will be labeled than are labeled in Vermont or any of the other States we are talking about. Around 25,000 more products will be labeled, and consumers will have the opportunity to know what is in those products. This has really been glossed over, and I think that is very unfortunate. Right now, in Vermont, anything with meat, eggs, cheese, dairy—including broth or anything that has any bit of meat in it—is automatically exempt. This agreement gives consumers information about 25,000 more products that contain meat when the product also contains GMO ingredients. So 25,000 more products—that is good for consumers and families who want to know.

To be clear, this bill has the same tough standards as the European Union and many other countries when it comes to livestock. However, unlike Vermont, this bill doesn't provide the full exemption for a GMO food product just because it contains a trace of meat as an ingredient. What does that mean? In Vermont, you walk in—if it is a cheese pizza, it is labeled; a cheese pepperoni pizza is not labeled, even though it has GMO ingredients. In Vermont, vegetable soup is labeled; vegetable beef soup is exempt, even though it has GMO ingredients. In Vermont, a fettuccine alfredo—I'm getting hungry for lunch—fettuccine alfredo is labeled; fettuccine alfredo with chicken and broccoli is exempt, even though it has GMO ingredients. Now, somebody tell me why that makes any sense from a consumer standpoint. We fix that in this bill.

The next thing we focus on is making sure that we maintain and strengthen the organic label, something not done in other versions of the bill. As we know, organics have always been non-GMO. Those families who wish not to buy products with GMOs—those who have wanted to buy products with no GMOs—will always have that option. But for many consumers it is a bit unclear. People question: Well, does ''organic'' mean the same thing as ''non-GMO''? To make it clear, among a number of changes we are making to

strengthen and protect the organic label, this agreement ensures that organic producers can now display a non-GMO label in addition to the USDA organic seal. This is also important information not in any other bill and important information to give consumers choices about the food they eat.

Let's talk now for a moment about the definitions that have been talked a lot about in terms of biotechnology. First of all, let me say it is the USDA, not the FDA, that is the sole agency that will implement this mandatory national labeling system. They are the ones given the authority to label everything that contains GMOs on the grocery shelf, and that is what this label and definition does. While we saw a lot of fervor last week about comments from the FDA, it does not change the fact that USDA will implement this mandatory national labeling system—not the FDA, which doesn't believe it should be labeled and has the most conservative view on what a biotech definition is.

As I said before, it is rather ironic that labeling advocates who clung to these statements when the FDA sent out a memorandum of technical assistance have missed or refused to also indicate that the FDA has repeatedly denied petitions to label GMOs. That is why this is going through the USDA from an information and marketing standpoint and not the FDA—because there is not scientific evidence to put it into the FDA as a health risk.

Furthermore, we have heard from many opponents who say the definition in this agreement does not match any other international definition of ''biotechnology.'' The fact is, the definition of ''biotechnology'' varies greatly among the 64 countries with mandatory labeling laws. Our definition is in line with many of those countries and even has the potential to cover more foods. For example, the European Union's definition of ''biotechnology,'' which applies to food produced in 27 countries, clearly does not include gene editing or other new technologies. This agreement we will be voting on provides authority to the USDA to label those things. Japan only requires labels on 8 crops—33 specific food products—and exempts refined sugar. Our bill provides authority to the USDA to label refined sugars and other processed products.

When people point to international laws, let's really look at the details of those laws before we start holding those laws as the gold standard for GMO labeling laws.

I reflect on the statement from Senator Moynihan. Everyone is entitled to his or her opinion but not his or her own facts.

This bill creates the first-ever mandatory national GMO labeling requirement. We cover 25,000 more foods than are labeled in Vermont or the other States.

We protect and strengthen the organic label, which is non-GMO and makes it a clear choice for consumers.

We preserve and protect critical State and Federal consumer laws. That is where this will be enforced. One of the major areas of negotiations was to make sure that while there was a preemption of the capacity to label, it did not bleed over into the capacity to enforce fraud or inaccuracy or other issues that relate to labeling. We have been very clear—the enforcement will come from Federal and State consumer protection laws.

Finally, we are preventing a patchwork of 50 State labeling laws that—as in every other area of international commerce—we as a country have said does not make sense.

So we can nitpick this agreement around the edges. Certainly, in any negotiation, there are always things you would like to see in an agreement that are not there. Certainly, in any bipartisan agreement, that is going to be the case. But this bill moves us forward with a commonsense approach that for the first time guarantees consumers who want to know if their food includes GMOs the ability to know, while at the same time creating certainty for our food producers, our farmers, our manufacturers, and our grocers.

I urge colleagues to come together to look at the facts, to look at the science, and to support this bipartisan agreement. We have an opportunity to really get something done—not just talk but to actually get something done that is positive. I hope we will do that.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). 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.

REMEMBERING ABNER J. MIKVA

Mr. DURBIN. Madam President, Monday, the Fourth of July, was the 240th anniversary of the creation of the United States of America. It was a day on which we celebrated this great Nation. We celebrated our great leaders, but in Illinois we lost one of our best in the passing of Abner Mikva on the Fourth of July.

Abner Mikva was a friend. In addition to that, he was an extraordinary individual. His record of public service is unmatched. I can't think of anyone off the top of my head who did so many distinguished things in the legislative branch of our Federal Government, serving in the House of Representatives; serving on the U.S. Circuit Court for the District of Columbia in the judicial branch; and serving as general counsel to President William Clinton in the White House in the executive branch. Abner Mikva combined them all.

The highlights of his life are an amazing story of a young man going through law school who decided in 1948 that he wanted to get involved in politics. Judge Mikva got his start when he walked into the 8th Ward headquarters in the city of Chicago in 1948—back in the day when the Democratic organization of Chicago was a powerful operation. Here he was, a young man, a young law student who was inspired by the candidacies of Adlai Stevenson for Governor of Illinois and Paul Douglas for the U.S. Senate, and he wanted to do his part.

What transpired when he made that effort has become legend in Chicago.

Abner Mikva showed up. A ward committeeman saw him at the door and said: What can I do for you?

He said: Well, I am looking to volunteer.

The ward committeeman said to Ab Mikva: Who sent you?

Abner Mikva said: Nobody sent me.

The ward committeeman said: We don't want nobody nobody sent.

He then said to him: Are you looking for a job?

Abner Mikva said: No, I am not really looking for a job.

The ward committeeman said: We don't want nobody who ain't looking for a job.

The ward committeeman then said: Where are you from, kid?

He said: I go to the University of Chicago.

The ward committeeman made it clear: We don't want nobody from the University of Chicago.

That was Abner Mikva's introduction into politics. You would think he would have been discouraged by that, but he was not. He went on to graduate from the University of Chicago Law School, to clerk for a U.S. Supreme Court Justice, and then to practice law in the city.

In the 1950s, he decided to run for the Illinois House of Representatives. He ran against the same political organization that turned away his efforts to be a volunteer, and he won. He came to Springfield, IL—my hometown and the capital of our State—to the Illinois House, and found some kindred spirits. One of them, Paul Simon, who eventually served here in the U.S. Senate, was Abner Mikva's closest friend in the Illinois House of Representatives. State representative Tony Scariano was another independent who had come to the Illinois House to try to make a difference. The three of them roomed together—Mikva, Jewish religion; Paul Simon, Lutheran; and Tony Scariano, Catholic. They called their gang the Kosher Nostra, and they set out to try to change the government of Illinois. But even more than their contributions legislatively, politically they created a force in Illinois—both downstate and in Chicago, which made a big difference in the history of our State.

Abner Mikva went on to be elected to the U.S. House of Representatives, where he served with distinction until he was appointed to the district court for the District of Columbia. He had a tough congressional district. He started off on the South Side of Chicago, around Hyde Park. Eventually, when he saw the demographics changing, he

picked up and literally moved north to the Evanston area, which was the base for his political operations in the new congressional district. He moved his entire operation up north and inspired the kind of followership and devotion that politicians dream of. If you were part of the Mikva organization in his district, you took it personally. I can recall people saying with a straight face that they were part of the Mikva operation but decided to move out of his district. When they broke the news to the coordinator, of course, the coordinator insisted that before they could move, they had to find someone to replace them as precinct volunteers to help Ab Mikva get reelected to the U.S. House of Representatives, which he did sporadically. He lost a couple of times, but he won as well. The time came when he was appointed to the Circuit Court of Appeals for the District of Columbia, the second highest court in the land, where he wrote many important decisions relative to the basic rights of people under the Constitution.

He was my friend. I was introduced to him by Paul Simon, my predecessor here in the Senate. I think of the two of them as my North Star, when it comes to issues of integrity, independence, and progressive values. I was lucky to know Ab Mikva throughout my congressional career in the House and Senate and to have Loretta join me when we had dinner with Ab and his wife Zoe in Chicago several times over the last several years after his retirement.

Ab Mikva received the Presidential Medal of Freedom from President Barack Obama, and one of the reasons was that they were close personal friends. It was Ab Mikva to whom Barack Obama went when he was interested in a career in politics, and Mikva counseled him in terms of what he needed to do. He suggested that he should listen more carefully to African-American ministers so he could put a little more life and emotion into his speaking style. Obviously, President Obama took that lesson to heart. It was Abner Mikva who stood by Obama in his early days, running for the U.S. Senate and then running for the Presidency. He was always his right-hand man, willing to offer advice and connect him with the right people on the political scene. Their friendship endured until Ab's passing just a couple of days ago. I know the President feels, as I do, that we have lost a great friend and a great supporter in what he was able to achieve.

He also had a friendly and happy way about him. He enjoyed life. He used to engage in poker games that included Supreme Court Justices and Federal judges, some of whom will surprise you. William Rehnquist would play poker with Ab Mikva. Those were two men from opposite ends of the political spectrum, and they still had a chance to get together and to get to know one another.

He left an enduring mark on America's legal system. There were so many people who started off as clerks for Abner Mikva and turned out to be amazing contributors to the American political scene. One of his former clerks sits on the U.S. Supreme Court. Elena Kagan was a clerk for Judge Mikva and then went on to the highest Court in the land. That gives you an indication of the quality of the people who worked with and for him. His law clerks went on to serve Justices William Brennan, Thurgood Marshall, Harry Blackmun, and Lewis Powell.

The New York Times once branded Abner Mikva as ''the Zelig of the American legal scene.'' One brilliant young lawyer actually turned down a Mikva clerkship, and that was Barack Obama, who did find another way to contribute to this Nation.

In 1997, Judge Mikva and his wife Zoe founded the Mikva Challenge, a program I have become acquainted with and worked with over the years. Abner Mikva and Zoe tried to engage young people in politics, and they did it on a bipartisan basis. If a young person wanted to volunteer for the Republican Party, they would find a way for that person to become a part of the campaign and work in an office so they could see firsthand what politics and government was all about, and, of course, they would provide similar volunteers for the Democratic candidates. These young people would see their lives transformed and changed by this Mikva Challenge. I have met them, and many times I wondered what their future might hold, but knowing full well that some of them would be in public service, much as Abner Mikva was during his life.

Just a couple of months ago, there was a special luncheon to celebrate Abner's contributions to public service and the Mikva Challenge. At the time they made the decision—and I hope they carried it through—to make this a permanently funded foundation-supported effort that will survive Abner and Zoe and will live on for many decades to come.

Some years ago, Judge Mikva told a reporter that it was important for a society to have heroes. He said:

> You have to have live heroes. . . . It is not enough to be exposed to George Washington in grade school or Abraham Lincoln in high school. You have to have somebody who you can identify with in the here and now, who makes the institutions we are trying to preserve worthwhile.

I am very proud to join the Alliance for Justice and many other groups that have stood up and acknowledged the amazing contributions that have been made by Abner Mikva and Zoe during the course of Abner's life. I am particularly honored to have counted him as a friend. He would call and give me words of encouragement so many times when we were going through some tough decisionmaking. I can't tell you how much it meant to hear from him personally and to know he approved of what I was doing. He was always, as I said, my North Star and hero in political life. With his old buddy, Paul Simon, his old roommate in the Illinois House, they probably inspired this Senator as much as any two people who have been living during my tenure in public service.

I stand today in tribute to a great man and a great American. Abner Mikva of Illinois made this a better country and Illinois a better State.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

REMEMBERING ELIE WIESEL

Mr. CRUZ. Madam President:

I remember: it happened yesterday, or eternities ago. A young Jewish boy discovered the Kingdom of Night. I remember his bewilderment, I remember his anguish. It all happened so fast. The ghetto. The deportation. The sealed cattle car. The fiery altar upon which the history of our people and the future of mankind were meant to be sacrificed.

I remember he asked his father: ''Can this be true? This is the twentieth century, not the Middle Ages. Who would allow such crimes to be committed? How could the world remain silent?''

And now the boy is turning to me. ''Tell me,'' he asks, ''what have you done with my future, what have you done with your life?'' And I tell him that I have tried. That I have tried to keep memory alive, that I have tried to fight those who would forget. Because if we forget, we are guilty, we are accomplices.

And then I explained to him how naive we were, that the world did know and remain silent. And that is why I swore never to be silent whenever, wherever human beings endure suffering and humiliation. We must take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormenter, never the tormented. Sometimes we must interfere. When human lives are endangered, when human dignity is in jeopardy, national borders and sensitivities become irrelevant. Wherever men and women are persecuted because of their race, religion, or political views, that place must—at that moment—become the center of the universe.

Elie Wiesel spoke these words as he accepted the Nobel Peace Prize in 1986. He was a living testimony to the vow ''Never forget.'' Although he endured the unspeakable darkness of Auschwitz and Buchenwald, his defiant light burned ever brighter as he dedicated his immense talents to providing a voice for not only the Jewish victims of the Holocaust but also for the voiceless, the condemned, and the forsaken around the globe. Elie tirelessly reminded the world that the savage horror of the Third Reich was not an aberration in the past that was defeated in World War II. He knew that the potential for such genocidal evil remains with us in the present, and he warned that we must always be on guard against it. Now, that little boy who was always with him must always be with us.

I was blessed to know Elie and his incomparable wife Mary personally. They have been powerful and fearless voices for justice no matter the cost. It is humbling to encounter the true greatness that is embodied by Elie and Mary.

When Israel's Prime Minister Benjamin Netanyahu addressed a joint session of Congress, it was one of the

great privileges of my life to host Elie Wiesel and join him on a panel, together discussing the profound threat imposed by a nuclear Iran.

A nuclear Iran, I believe, is the single greatest national security threat facing America. Elie shared that view. ''Never again'' is a critically important phrase. After the victory of World War II, it might seem like a comforting affirmation of fact that humanity had evolved and a horror like the Holocaust could never happen again, but ''never again'' is something more. Elie Wiesel was a living testimony to the fact that ''never again'' is a sacred vow. It is a promise that we will not take this for granted, but we will be ceaselessly vigilant because we know that while the evil of anti-Semitism was defeated once in World War II, it was not eradicated. To assume in our sophisticated modern age that we somehow transcended evil would be a tragic mistake.

We have seen the face of evil this year in the savage ISIS terrorists who are targeting Jews, Christians, and Muslims—murdering regardless of faith. We see it even more clearly in the Islamic Republic of Iran, which is seeking the world's deadliest weapons and the means to deliver them to make good on the many threats to annihilate not only the nation of Israel but the entire free world. These are not empty words uttered by an ayatollah without consequence. They are not simply words to placate a domestic political audience. These are articles of faith with the Iranian leadership, and they have backed them up with 35 years of violent hostility towards Israel and the United States.

Last year, the world marked the 75th anniversary of the liberation of Auschwitz, and we remembered the unspeakable atrocities of the death camps. We cannot afford a nuclear Auschwitz. We all know that Iran's terrorist proxies—Hamas, Hezbollah, and the Palestinian Islamic Jihad—have engaged in vicious terror attacks against our Nation, and already too many of our citizens have been killed and maimed. We know that the danger posed by Iran is not a thing of the past. Their intention is to use these weapons of destruction.

This threat should not be a partisan issue. This threat should unite us because that is the only way we will be able to defeat this threat, and defeat it we must because Iran's threat is not only to wipe us off the map but to erase us from the historical record all together. Think about that for a moment. The stated objective of the Ayatollah Khamenei is a world without even the memory of the United States of America, the Great Satan, as they call us—or even a memory of Israel, the Little Satan, as they call Israel.

Together we can stop that threat, just as we did in World War II. Together we can stand up and repudiate this catastrophic Iranian nuclear deal that sends billions of dollars to Islamic terrorists committed to our murder. Together we can look evil in the eye and call it by its name, and we can do what we must to ensure that the vow of ''never again'' is fulfilled.

Elie Wiesel left an extraordinary legacy. His memory is a blessing, an inspiration, but it is also a challenge to keep his legacy burning in our hearts. Our prayers go out to Marion and to all of Elie's loved ones. May he rest in peace, but may every one of us rise to answer the call to truth and justice that Elie Wiesel championed each and every day.

KATE'S LAW

Madam President, there is a second topic I wish to address on the floor today.

Last week, as many of us were looking forward to Independence Day and vacations with our family, fireworks, hot dogs by the grill, another family was mourning a loss—the loss of a daughter, the loss of a life, and a loss that should never have occurred. Last Friday was the 1-year anniversary of the senseless killing of a vivacious 32-year-old young woman, Kate Steinle. She was shot as she was walking arm in arm with her dad on a San Francisco pier. After the bullet tore through her, she collapsed to the ground, crying out, ''Dad, help me. Help me.'' She died 2 hours later.

As the father of two daughters, I cannot imagine the anguish and the heartbreak that was going through Mr. Steinle as he held his dying daughter.

Her murderer was an illegal alien, and he wasn't just any illegal alien. He was one who had already been deported five times. On top of that, he had a long rap sheet that included up to seven felonies. What was he doing on that San Francisco pier? He should never have been there, and if he were not there, Kate Steinle would be alive today.

Just a few months before killing Kate, this illegal alien was released from the custody of the San Francisco sheriff's office, even though Immigration and Customs Enforcement, the Federal agency responsible for deporting illegal aliens, had requested he remain in custody. The Federal Government said: Keep this criminal illegal alien in custody. And the San Francisco sheriff said: No, we will release him to the public. The San Francisco sheriff's office refused to honor that request because of a so-called sanctuary city policy that prohibits the San Francisco sheriff's deputies from cooperating with Federal immigration enforcement officers. Local cities are putting in place policies that prohibit local law enforcement from working to keep our country safe.

The sad truth is, Kate should be alive today, but she isn't because the Federal Government failed her. It has failed to secure the border. It has failed to faithfully and vigorously enforce the immigration laws that are on the books. It has failed to strengthen those laws to deter illegal aliens like Kate's killer from coming back over and over and over again. It has failed to enforce the law against sanctuary jurisdictions—which now number in the hundreds all across America—that aid and abet illegal aliens evading deportation.

The President of the United States is the officer charged by the Constitution with the sole responsibility to faithfully execute the law. When his administration tolerates and encourages lawlessness, is it any surprise that terrible things happen? We must put an end to this administration's lax enforcement of our immigration laws, which threatens the safety and security of the American people, and we should begin by putting a stop to sanctuary cities, which this administration has been unwilling to do on its own. A real President, faithful to the Constitution, would end sanctuary cities by cutting off money to any jurisdiction openly defying Federal immigration law.

That is why I am a proud cosponsor of Senator PAT TOOMEY's Stop Sanctuary Cities Act, which would withhold Federal grant money from cities that refuse to cooperate with Federal immigration enforcement officers. Cities that flout Federal law should not be rewarded with Federal taxpayer dollars.

We must also address the persistent problem of aliens like Kate's killer who illegally reenter this country after deportation. That is why I introduced, exactly 1 year ago, an earlier version of Kate's Law. Unfortunately, no action was taken on that bill until it was incorporated into Senator VITTER's Stop Sanctuary Policies Act. Senate Democrats voted in virtual lockstep to defeat the bill. Last fall, I went again to the Senate floor and asked for unanimous consent to pass Kate's Law as a stand-alone bill, but the senior Senator from California—the very State where Kate's senseless murder occurred—stood on this floor and objected.

Today, I thank the Senate majority leader, MITCH MCCONNELL, for scheduling a vote on Kate's Law and a separate vote on stopping sanctuary cities, for giving this body another chance to address the problem and to listen to the people. The time for politics is over. We should come together and protect the American people. It is a time to confront the sobering issue of illegal aliens, many of whom have serious criminal backgrounds and yet are allowed to illegally reenter this country with impunity.

Kate's Law would do three things. First, it would increase the maximum criminal penalty for illegal entry from 2 to 5 years. Second, it would create a new penalty for up to 10 years in prison for any person who has been denied admission and deported three or more times and illegally enters the country. Finally, and most importantly, it would create a 5-year mandatory minimum sentence for anyone convicted of illegal reentry who, like Kate's killer, had an aggravated felony prior to deportation or had been convicted of illegal reentry twice before. This class of illegal aliens has a special disregard and disdain for our Nation's laws. Violent criminals keep coming in over and

over and over again, and all too often these illegal aliens have criminal records that go back years or even decades.

For example, in 2012, just over one-quarter of the illegal aliens apprehended by the Border Patrol had prior deportation orders. That is an astounding 99,420 illegal aliens. In fiscal year 2015, of the illegal reentry offenders who were actually convicted—that is 15,715 offenders—the majority had extensive or recent criminal histories. At least one-third had a prior aggravated felony conviction, but even though the majority of offenders had criminal records, the average prison sentence was just 16 months, down from an average of 22 months in 2008. In fact, more than one-quarter of illegal reentry offenders received a sentence below the guidelines range because the government sponsored the low sentence.

Clearly, we are failing to adequately deter deported illegal aliens from illegally reentering the country, especially those with violent criminal records. That is why we need to pass Kate's Law. We must increase the risk and the penalties for those who would contemplate illegally returning to the United States to commit acts of murder.

I thank all the leaders in this body. I thank leaders like Bill O'Reilly for shining a light on this vital issue. This vote ought to be an easy decision. Just ask yourself this: With whom do I stand?

I hope my colleagues, Democrats and Republicans, will choose to stand with the American people, the people we should be protecting, rather than convicted felons like Kate Steinle's killer.

It is worth noting the city of San Francisco—bright blue Democratic San Francisco—voted out the sheriff after the murder of Kate Steinle. All Americans, regardless of being a Democrat, Republican, Libertarian, Independent—all Americans deserve to be protected, and we need a government that stops allowing violent illegal aliens to prey on the innocents.

If our Democratic colleagues make the choice to put politics over protecting innocent Americans by refusing to enforce our immigration laws, the consequences of that are a mess. Doing so is quite literally playing with people's lives. This isn't hyperbole. Unfortunately, it is a fact.

Tragically, Kate's death was not just an isolated occurrence, as much as we all wish that were the case. Just last week, an illegal alien killed three innocent people and wounded a fourth outside a blueberry farm in Oregon. According to ICE officials, the illegal alien had been deported from the United States an astounding six times since 2003.

Enough is enough. Stop letting in violent criminal illegal aliens who are murdering innocent Americans. This should bring us all together. How many more of these terrible acts must we endure until Congress acts? What does it take to break the partisan gridlock and actually come together and protect the American people? The votes this afternoon will help answer that question. I very much hope we will not wait one day longer.

I urge my colleagues to stand together united against lawlessness, to stand against dangerous criminal illegal aliens who flout our laws, and I urge each of us to hear the words of Kate Steinle, ''Help me, dad. Help me, dad.'' That was a cry that went not just to a grieving father, but it is a cry that should pierce each and every one of us and move this body out of slumber and into action, to help and stand with the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. TESTER. Madam President, before we start, do I need unanimous consent to speak for 15 or 20 minutes?

The PRESIDING OFFICER. The Senator is free to speak.

Mr. TESTER. I thank the Presiding Officer.

GMO LABELING BILL

Madam President, I come to the floor today to speak out against the GMO labeling bill we will be considering a little bit later this week or next week and to raise concerns for the millions of American families who want to know and who have the right to know exactly what is in their food. I have come to the floor before to endorse GMO labeling legislation and to oppose efforts to keep folks in the dark when it comes to what they feed their families.

This is an issue that impacts each and every one of us. Every day, there is nothing more important than choosing the food we eat. Food provides us with nutrition and energy. Good food helps our kids grow strong and helps us remain healthy as we get older.

I strongly believe that when folks decide what food to purchase, they do so and should do so with all the information available to them. Unfortunately, Members of this body want to keep folks in the dark. They don't want consumers to know exactly what is in the food they are eating.

This fight is nothing new. In 2013, I was on the floor fighting against a piece of legislation called the Monsanto Protection Act, which gave blanket immunity to major seed companies whose products had been or could be a target of litigation. Earlier this year, I was in this Chamber to fight against the DARK Act, which trampled on the rights of States and consumers alike at the request of the food industry.

Once again, the Senate GMO labeling bill provides major food corporations with an out where they can hide behind a complex QR code to prevent folks from knowing if their food contains genetically modified organisms. It brings into question the very question of bioengineering, and it raises concerns about the growing influence agribusiness has on this body.

The bill before us raises all these major concerns and many more. Besides keeping folks in the dark and besides telling States they cannot write their own consumer information laws, this bill gives the U.S. Department of Agriculture complete authority to unilaterally interpret and implement the controversial provisions of this bill.

To make things worse, this is not a collaborative bill. This bill provides corporate agribusiness with handout after handout, but it really doesn't do a thing for family farm producers and the small mom-and-pop shops, the operations that are the backbone of our farming economy. Quite frankly, it undermines the work of organic producers, and it ignores the folks who purchase organic products. To me, it is clear that this is a one-sided bill—a bill that benefits multinational corporations at the expense of family farmers and ranchers.

To be more specific, I want to talk about four major problems I have with this bill.

First, this bill mandates that companies that use genetically engineered ingredients disclose that information on the packaging. On the surface, this looks like a step forward, but as we dig a little deeper, the bill allows companies to meet this mandate in three ways: a written label on a package, which would be fine; a symbol created by the USDA, which could also be fine; but then we have this—a QR barcode that folks have to scan using their smartphones to figure out whether there are genetically modified ingredients in the food they are going to buy. Yes, this bill allows companies to meet the disclosure requirement with this—a QR barcode. If you can tell me what that says by looking at it, you are a much smarter man than I.

The bill before us today specifically mandates that the words next to the QR code say ''Scan here for more food information.'' Those are the words in the bill. So if folks want to know if their cereal contains commodities that originated in a lab, rather than read it on a package clear as a bell, rather than read the words on a package, they will first have to know that the QR code will provide them with information about whether that product contains GMOs and not just more marketing information or a coupon. They would have to know that the phrase ''more food information'' means information about GMOs—maybe, maybe not. Then they would scan that code into their phones. Hopefully they will have cell service in that grocery store, but what happens if they don't? That is not transparency. That is not the consumer's right to know. They could not tell.

If they somehow know what the phrase ''more food information'' means and they are fortunate enough to have Wi-Fi in their grocery store, they will be directed to a Web site, and then maybe they can learn about what is really in the food, potentially genetically engineered products, although it is not clear what else they will have to read about or where that information will be hidden within that Web site.

Other companies—maybe those that aren't as big as the big international agribusinesses—will be allowed to hide that important information behind an 800 number. A mom or dad who wants to know what is in their child's soup or bread will have to call many different 800 numbers in the aisles of the grocery store or scan many of these QR codes. Anybody who has ever gone to a grocery store with a small child in tow knows that is not going to happen. Quite frankly, it is probably not even going to happen if you don't have a small child in tow. Between these ridiculous QR codes and the 1–800 numbers, mom or dad could easily end up standing in a grocery store for hours scanning each individual product with a smartphone or dialing an international call center just to find out basic information about what they are going to eat.

This is completely ridiculous, a nightmare for consumers, and an illusion of transparency. What if companies were allowed to use QR codes instead of basic nutritional information? What if you had to scan a barcode to find out how much fat is in a bag of chips, how much protein is in a can of beans, or how much vitamin C is in a jug of orange juice, and the only clue you had was ''Scan here for more information''?

It is interesting. When I go to a store and buy orange juice, I buy orange juice that is not made from concentrate. That is my choice. I can read it right on the package. I have to tell you, I don't know if that orange juice is any better than stuff that is made from concentrate, but it is written on the package, so I can determine what orange juice I want to buy.

So if you don't want to buy food or if you want to buy food with GMOs in it, you get to scan this little doodad up here, this QR code, and then maybe, if you hit the right Web page, you can find out what is in the food. We did this as a Senate. We did this to allow people to know what is in their food, and we actually think this is an effective method to let people know what is in their food. How would folks in Congress react if lobbyists and dark-money campaigns began pushing to get all nutrition labels off our foods, the same way this bill hides origins of our food? I can tell you there would be a ton of folks here on the floor. They would be raising big hell, rather than just a handful who really aren't afraid of Monsanto or the other massive food corporations.

Hiding massive information behind barcodes and 800 numbers is totally unacceptable. The Senate should not be in the business of hiding information from consumers.

When I grew up, I was told the consumer is always right. We should be empowering those consumers, those American consumers, with more information about the food they purchase, not with less. Don't take it from me—9 out of 10 consumers say they want labeling required for genetically engineered foods. What is the problem with that? It is already done in 64 countries.

When you bring up the issue of consumer rights, of the ability of individuals to have some idea where their food comes from, you are told that GMOs are perfectly safe, but that response completely misses the point and insults every single person who has ever asked about the source of their food.

What this is really about is consumers' right to know—not with a Mickey Mouse QR code, not with a different 800 number on every package of food you pick up, but with simple words that say that product contains GMO or it doesn't. That will allow the consumer to make his choices. That will allow mothers and fathers around this country to be empowered, not to be controlled.

Sixty-four countries, including places you would never ever think of as having transparency—places such as Russia, China, Saudi Arabia—require GMO labeling.

If this bill passes, we are going to say—and it had 68 votes the last time it came to the floor—that we have GMO labeling. That is a joke. We have a Mickey Mouse GMO labeling law.

So why is the United States the only developed country in the world that doesn't require an easy-to-read GMO label on its food or an easy symbol that signifies it? There is a one-word answer: money. Here is an example. In 2012, California's Proposition 37 would have required GMO labeling. Opponents of that labeling bill spent $45 million to defeat that proposition. Supporters of that labeling bill spent about $7 million. In fact, Monsanto alone spent $8 million. They outspent the supporters alone. That was in 2012.

In 2013, Washington State had an initiative called 522 that required GMO labeling. More than $20 million was spent in opposition. About $7 million was spent in support of the campaign, with $1.6 million coming from Washington residents.

These campaigns and lobbying organizations have spent nearly one-half billion dollars to prevent commonsense labeling standards, and we have caved to that. If these companies are proud of GMO products, they should label them and make it a marketing tool. Instead, they are spending hundreds of millions of dollars to defeat commonsense measures that 90 percent of the public of this country supports because they are afraid the word ''GMO'' would hurt their billion-dollar profits.

I am not asking for a skull and crossbones on the package. This isn't about the safety or health of these products. It is about transparency. It is about the public's right to know. It is about putting families ahead of corporations. It is about valuing the consumer's right to know over lobbyists in their slick suits and their influence here. They are denying consumers an easy-to-read national GMO label standard. Why? They are denying folks the transparency they need to make the best decisions for their families. It makes no sense to me.

The second issue I have with this bill is the way it changes the definition of GMOs in a way that will not be good for consumers. To me, it is pretty simple. If a crop is found to develop in nature, then God had his hand in making it. Products that have been genetically modified or engineered in a lab, well, those products are made by man. They are genetically engineered. In this bill, the definition of GMO is very different. This definition is very dangerous, and it will be a major mistake if it becomes a new national standard.

As the bill currently reads, the term ''bioengineering'' requires food to contain genetic material that has been modified by rDNA techniques, and for which the modification could not otherwise happen through conventional breeding or be found in nature.

That sounds harmless enough, but there are some huge problems with this definition. First, rDNA techniques are not the only way we modify plants and animals. Scientists can use cell fusion, macroinjection, gene deletion, gene editing, and that is just what has been invented today. Tomorrow there will be other things they can do to manipulate the genes.

The problem is, the definition requires the food product to contain genetic material that has been modified by rDNA. That is it. There are a handful of products that are so refined, the final product would not be listed as GMO, even when the original plant is GMO—soybean oil, high-fructose corn syrup, to give an example.

So as not to get in the weeds too far, organics certify a process. They certify the process a plant goes through. If you don't have water-soluble fertilizers, if you don't spray it with herbicides, and you have a soil-building program and good crop rotation and all those kinds of things, you can get certified as being organic. That would mean, the way I read this—and I am not a lawyer, but I will bet you we will find out in courts because we will have a lot of lawyers with smiles on their faces if we get this passed—you could take GMO corn, for example, raise it under organic standards, because the oil does not show it is modified rDNA, and it could be organic. That means Roundup Ready soybeans, corn, could ultimately be excluded from labeling of the GMO QR code.

Folks will be purchasing products they think are GMO-free, when nothing could be further than the truth. I am not talking about obscure products. I

am talking about very common ingredients. This is a huge loophole and one that was created on purpose. And why? Because if you control the food supply, you control the people.

In this country right now, we have very limited competition in the marketplace. When you sell your grain or your cattle, it doesn't matter. There is not much competition out there because there are just a few major multinational agribusiness companies that are your market. So that is controlled. You buy inputs for your crops—fertilizers, sprays—there are just a few companies. There is no competition in that. They haven't had control of the seed until recently, and now they are getting control of it in a big way.

The farmer always had control of his own seed. He was always able to keep his own seed and use it the next year—not anymore. This bill will promote that going into the future, and we ask why people are leaving rural America. We ask why towns are drying up. We ask why farms are going away. All we have to do is look at this body and you can answer those questions.

The GMO labeling bill—this GMO labeling bill—will exclude some of the most prevalent GMO products in our marketplaces. Do you think that was done by accident? I think not.

The second part of the definition refers to modifications that can be found in nature—extremely vague, and it also threatens transparency. But you know what. There are some natural gene modifications that happen in bacteria—not plants, not animals, in bacteria. Under this definition, that provides another unnecessary loophole that will impact consumers because it says it is OK if it is found in nature.

So we have a QR code and we have a really bad definition. By the way, they could have used the other definition—the one that is standard across the world. They chose not to. They put this definition in and said: Oh, the good thing about this is, it only applies to this bill. So it is OK. Don't worry about it.

The third problem I have with this bill is, it gives the USDA incredible rulemaking power. It allows them to determine what percentage of GMO ingredients would be on the label. It gives the Department the power to establish a national standard with that information. If that isn't enough, the USDA then will design all forms of food disclosure, whether it is text, symbol, or electronic digital link. The Department also must provide alternative labeling options for small packages. Finally, the agency must consider establishing consistency between the labeling standard in this bill and the Organic Food Productions Act of 1990.

Now, why in the heck would that be in there? For the very same reason I talked about earlier. You could literally have a GMO plant be raised under organic conditions, and because of this bill, it could be certified organic.

All of this power we just talked about would be given to unelected bureaucrats in an office building here in Washington, DC—quite a large office building. They are going to make the decisions, and we in production agriculture are going to have to live with it.

The last point I want to make is how this bill is going to negatively impact the organic industry. I know folks have come to the floor to talk about how it is going to be great for organics. The truth is, the organic industry is one of the bright spots in agriculture, quite frankly. For the last 30 years, it has grown between 10 and 30 percent a year. As a matter of fact, it grew 11 percent last year, with $43 billion in sales. That isn't much in terms of the overall food system, but to organics it has moved quite impressively along.

So I would ask: What good does this bill do for organics? I will tell you what it does. It states that products not required to label GMOs don't automatically qualify for non-GMO status. Why not? I mean, that is kind of a given. It also states that organic certification is a means of verifying non-GMO claims in the marketplace.

Look, I have been through organic certifications. This farm is organic. I have been through organic certifications now for 30 years next year, and I can tell you one of the first questions the inspector asks when he comes on the farm is this: Where did you get your seed and is it GMO? Because GMOs are flatly—flatly—forbidden in the organic system.

So what they are saying is what we already have; that organic certification is a means of verifying non-GMO claims. The fact is, if I used GMO plants, I would not be organic and neither would anybody else in production agriculture who uses GMO plants. So that is a biggie—gives us what we already have.

It clarifies that the narrow definition of GMOs and biotechnology in this bill—remember that definition we had up a minute ago—is only applicable to labeling—only applicable to this bill—and not other relevant regulations, like the organic rule, which is what we already have.

This bill falls drastically short. I know there are trade organizations, such as the Organic Trade Association, and I know there are big companies out there that have said: This is perfect. Go ahead and move forward. I am telling you they haven't read the bill. They haven't looked at the requirements. They haven't looked at hiding behind a QR code. They haven't looked at the definition and what its real impact could be. They haven't looked at giving the USDA incredible latitude. Then, when it is all done, we have to live with it.

In the end, the result will be that this country will have a different production system, I believe. I hope this has positive impacts on production agriculture. As I look at legislation we pass around here, I ask myself: Is this going to help revitalize rural America or is this going to continue the relocation of people and smalltown America going away?

I have said many times on this floor, this is a great country, and one of the reasons it is great is because we have had a great public education system and we have had family farm agriculture. I believe, if we lose either one of those, this country will change and it will change for the worse. I think this piece of legislation is not a step in the right direction for family farm agriculture.

Look, this is a picture of my farm. My grandfather came to this area from the Red River Valley in 1910. When he came out, the place didn't look like this. It was grass. In fact, this wasn't his homestead. He traded my great uncle a team of horses for this place. There wasn't anything there. There used to be an old house that sat here, the homestead shack. It was a pretty nice old house. That is what he built first.

Then, after he patented in 1915, he built this barn in 1916. Now, you have to remember, back then they had nails and hammers. That is it. They didn't have any pneumatics or hydraulics. He and his neighbors got together and built that barn in 1916. It was colder than old Billy out, but they had to have that barn because that barn was where they had their animals. It was farmed with horses then. Unfortunately, 2 years after he built it, a tornado came through, a cyclone, and flattened it. He built it again in 1919. He rebuilt the doggone thing. He just got out there, didn't have anything but a bunch of grass, and put all this money—and that is a pretty good-sized barn. By the way, that blew down so he rebuilt it.

Then, in 1920, they had a drought and he had to move back to North Dakota because they were starving to death. My mom was born back in North Dakota that year, in 1920, and then they moved back a couple years later. They survived the Dirty Thirties. My folks took over in the early 1940s. Dad built that butcher shop. That is where this happened. We put up the shop here, which is equivalent to this. This is where we take care of our equipment now.

This farm today is 1,800 acres. It was 1,200 acres for a good many years. We were able to add another 600 acres to it 20 years ago. This farm is about one-third the size of the average farm in Eastern Montana and has supported two families for its entire life, with the exception of the first 20 years and with the exception of when my mom passed in 2009. My dad passed 5 years earlier.

It is a great place. It is part of who I am. It is bills like this—not the Dirty Thirties, not the Great Depression, not the attack on Pearl Harbor, not the mass exodus of the 1980s—that will remove my family from this farm after over 100 years.

So when we take up pieces of legislation like this and they are not good pieces of legislation—and we all think this is a great country. It is a great country. We just celebrated our 240th anniversary. When we take up pieces of legislation like this and say ''It will be all right; things will get better,'' guess what. Things don't get better. And things aren't getting better in rural America. The reason is that we are getting swallowed up by agribusiness. We don't make a move anymore without agribusiness. Let me give an example. Take your product to the marketplace; you have a couple of people who will bid on it. Go buy your inputs; you have a couple people who will buy it. It will not be long, folks, before we will be paying taxes on the land, and we will be providing the labor, and the profits will go to the big guys—the guys who can never get enough. This bill will help facilitate that happening.

I fully anticipate that, come Monday or whenever we vote on this, there will be enough votes to pass this because a lot of the folks have read the propaganda put out that you have to have this kind of stuff to feed the world. That may be true. I have never thought that, but it may be true. But the truth is, shouldn't the consumer at least know what is on the food they are eating? Shouldn't they at least have a clue? Shouldn't they at least be given that right in the greatest country in the world? Shouldn't we have more transparency than Russia, not less?

We will see what happens on Monday or whenever we vote on the GMO bill. I do appreciate Senator STABENOW's work on this bill. Unfortunately, it falls woefully short on what we need in this country as far as transparency on food.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I am here to talk about the sanctuary cities legislation and the GMO labeling issue, which Senator TESTER was so eloquent about. If ever there should be a leader on this Senate floor telling us the truth about the GMO labeling bill, it is he because he deals with this. As he explained, he has worked the family farm for a long time—and his family, for generations. Unfortunately, at this point, it is big agribusiness that is influencing this. I am more hopeful than he is that we can stop the bill.

But let me talk about the fact that we have an immigration crisis in this Nation. Part of it is because we turned away from a very important bill, a bipartisan bill, in 2013 that was comprehensive immigration reform—bipartisan, passed by a huge number of Senators, and it died in the Republican House. That is No. 1. No. 2, we have the Supreme Court that is deadlocked on the immigration issue, and Senators on the other side of the aisle will not even bring up President Obama's Supreme Court nominee for a hearing. They will not do their job. So the House Republicans killed immigration reform that was comprehensive back in 2013, and the Senate Republicans are deadlocking the Supreme Court for partisan purposes. It is a nightmare that can be rectified only in this election that is coming up.

Today we are going to be facing a vote on sanctuary cities legislation instead of taking another vote on the comprehensive immigration bill, which would have added 20,000 more Border Patrol agents, increased surveillance, and hired additional prosecutors and judges to boost prosecutions of illegal border crossings. The measure would have made clear that serious or violent felons will never, ever get a pathway to citizenship or even legal status. That bill would have brought families out of the shadows, taking away the fear of deportation, or being separated from loved ones, or parents being sent back, leaving kids who were born here alone. Sanctuary cities are important because it leads to cooperation with the local police, and it leads to reporting crimes in the communities.

The fact is, the sanctuary cities bill before us will increase crime and make our communities less safe. It would undermine the trust that has been developed between police and immigrant communities, setting back efforts to protect victims and put criminals behind bars.

Let us be clear. The sanctuary cities bill of Senator TOOMEY—for some crazy reason—cuts Community Development Block Grant funding, which can be used by the police to buy equipment, rehab a police station, fund special anti-crime initiatives. Why would anyone ever get rid of funding for our law enforcement when they are under siege? The bill also cuts Economic Development Administration grants, which foster job creation and attract private investment.

I know this sanctuary cities bill is another piece of political garbage. I want to be clear because, at the end of the day, it will increase crime in our communities. I was a county supervisor. I served proudly, and I know how important local grants are to the local economy. So to punish communities by taking these funds away because they don't decide that Uncle Sam has a right to tell them what to do is the dumbest idea ever. Let's make communities safer by passing real immigration reform—comprehensive reform—and defeat these misguided bills that are coming before us.

GMO LABELING BILL

Speaking of misguided bills, I want to talk about another one, and that is the Roberts bill on labeling genetically modified organisms—or, should I say, not labeling genetically modified organisms, because the definition of GMO is so narrow that most of the products that really are engineered will not have to have the label.

If ever there were a bill that proves that leaders are out of touch, that leaders are elitist, it is this bill. People want information—information that is given in 64 nations, simple information. You go to the grocery store, and you see on a label whether the product you are buying is genetically modified. That is pretty straightforward. Don't create some definition that essentially exempts most of the products. What a scam on the American people, and what a scam to say: By the way, for some of the products that will still be labeled, you may have to use your smartphone or a Web site to find out what is in the product.

Call me old-fashioned, but I believe that if two-thirds of the world's population—64 countries—have this information, I want my constituents to have the information. Why should a Russian have this information and an American not? Why should a Chinese person have this information and an American not? Why should someone in New Zealand have this information and an American not? Why should a Japanese person have this information and an American not? Why should 64 nations give their people this simple information, and we can't do it here? Why are we punishing our people, giving them less information? Do we feel we are so smart and smug that we can keep this information from our people? I don't understand it. This bill should be rejected.

Is this an issue people care about? Yes. Ninety percent of Americans want to know if the food they buy has been genetically engineered. What this bill gives them is confusing at best and no information at worst. Let me be specific because I don't want someone to say: Oh, Senator BOXER is upset, but she hasn't given us the details.

Bear with me. Here are the details.

First, the bill's definition of genetically engineered, or GE food, as it is known—genetically engineered—is extremely narrow. The Food and Drug Administration, the FDA, says that many common foods made with genetically engineered corn syrup, sugar, and soybean oil would not be labeled under this bill. For example, products that many of us have right now in our kitchen—such as yogurt, salad dressings, cereal, ketchup, ice cream, pink lemonade, and even cough syrups—would not be required to have a label even though they are derived from genetically modified organisms.

It is important to know if your food is made with GMOs. I will tell you why. Many of us don't know yet if GMOs are fine. Let's say we think they are fine. We still need to know if they are in our food, No. 1, because it is our right to know but, secondly, because GMO crops are heavily sprayed with pesticides.

Let me repeat that. You may think GMOs are fine, and they may be fine. The jury is out. But we know GMO crops are heavily sprayed with pesticide. So if I have a little baby and I don't want to expose my baby to pesticides—if it is a GMO product, you know it has been sprayed heavily. According to USGS, the U.S. Geological

Survey, growers sprayed 280 million pounds of Roundup in 2012—a pound of herbicide for every single person in our country, a pound of pesticide sprayed for every single person in our country. GMO foods are heavily sprayed. I want to know when I go to the store—because sometimes I do shop for my grandkids—if it is a GMO product because, guess what, then I know it has been sprayed with pesticides.

Now I want to take us to the label. Let's set aside the narrow definition. Let's look at what somebody has to go through under the Roberts bill to find out if there are GMOs.

Here is a picture. This is a dad in his supermarket with his kids. One is in the basket with the products, and one is a toddler walking alongside—a pretty common sight. What would it be like for this dad with his two kids to get the information he wants under this bill? He is searching the shelves for items on his grocery list. We know what that is like. You have the two kids here, one in the basket, one over here. You have your list in front of you. He picks up a product, and he looks for a label to learn whether the food has been genetically engineered. Under this bill, the chances are overwhelming that there will not be a simple label on it, but there may be a phone number, a Web site, or a QR code. It is not clearly defined in this bill. But what it means is that this dad would have to stop shopping for every item on his list. He would have to pull out his phone to make a call or type in a long Web site or scan a QR code just to find out if the product he wants to buy is genetically engineered. Let's say he has 50 products in his basket—50. Does he have to make 50 phone calls? Can you imagine looking up 50 Web sites, scanning 50 different QR codes with a confusing cell phone app? You can't imagine it because it isn't going to happen because by that time these kids have melted down and so has dad, and he says: I can't. I give up. I give up. He is not going to make 50 phone calls. And even if he owns a smartphone—which, by the way, many Americans still do not—he may not really know exactly how to work it.

According to Pew Research, only 30 percent of Americans over 65 own a smart phone and just half of the people living in a rural area own one. Just because someone owns a smart phone, that doesn't mean they know how to use it.

Why are we putting Americans through hoops like this just to find out what they are feeding their families? Why? I will tell you why: Big Agriculture, special interests, campaign donations. We will be able to prove it.

Seventy groups are against this horrible legislation: Center for Food Safety, Empire State Consumer Project, Family Farm Defenders, Farm Aid, Food Alliance, Label GMOs, Maine Organic Farmers, Midwest Organic and Sustainable Education Service, Northeast Organic Farming, Our Family Farms, Rural Advancement Foundation International, Sierra Club, Slow Food USA, Sunnyside CSA, and Public Interest Research Group. It goes on and on. Believe me, my colleagues, you are going to hear from these people over the next several days until we vote on this.

Why are my friends in this body so afraid of letting consumers know what is in their food? Because they are doing the bidding of the big agricultural companies, and that is what I believe. It is my opinion. Why on Earth would we stop people in this country from getting the same information the people of Russia get, the people of Japan get, the people in the EU get, the people in Australia get, and the people in New Zealand get? Why would you do that? Don't you believe in the consumer's right to know? This bill should be entitled ''the consumer's right not to know''—not to know. That is what this bill is.

We know the people of this Nation are smart. They will use this information if we only give it to them in the best way they can. Some will decide they don't want GMOs. Some will decide they do. If the price is better and they don't have a problem, it is fine. Let the people decide. It is like the dolphin-safe label I created in the 1990s. The tuna fishermen were killing tens of thousands of dolphins a year because they were using purse seine nets. The dolphins were swimming over the tuna, and tens of thousands of dolphins a year were dying. The people wrote to me and said: Senator, is there a way you can help? I said: Yes, let's put a label on and say which tuna companies are fishing dolphin-safe, and let the consumer decide.

We have saved hundreds of thousands of dolphins over the years, but some people still will buy the other kind of tuna. That is their choice. All I am saying is to treat people with respect. Don't be an elitist. Don't keep information from them. Don't make them jump through hoops. I will tell you the truth. This is the biggest issue in this election. The government elite is telling people what they can know and what they can't know and is making them go through hoops and making them use a smart phone and defining GMO in such a way that many products aren't covered.

What a sick bill that is. If you don't want to have this done by the States, why don't you come to the table and negotiate in good faith? The FDA currently labels more than 3,000 ingredients. They require the labeling of more than 3,000 ingredients, additives, and processes. Millions of Americans have filed comments with the FDA urging the agency to label GE foods so they can have this information at their fingertips.

Ninety percent of the people want a simple label. What you are giving them in this so-called compromise is the narrowest definition of what is a genetically modified food so that most of that food is never going labeled. By the way, it could even be labeled organic, which is a travesty. You have 70 organizations, and counting, against it. Ninety percent of the people want a simple bill. But, oh, no, the elitists in this Chamber know better. Oh, they know better.

They took a simple concept—labeling just like we did on the tuna can—and they turned it into a nightmare for the consumer. The consumer will never find out. This dad will never know because while he has his kids there and his grocery list, he has to be looking at every single item that is in his cart, every single product, and most of them will not have a simple label. A lot of them are GMO, and they are not labeled. It seems to me that it is an embarrassment that we would even bring this bill up. I will do everything in my power to stop this bill.

I would rather do nothing than this sham of a bill that does the bidding of the special, powerful interests and says to the American people: You know what, sorry, folks, we don't really trust you with this information because we don't really know what you are going to do with it.

It is too bad that you don't know what they are going to do with it. You have no right as a Senator to determine what the American people will do with information. If it is a national security issue, of course, that is different. We know about that. If it is a consumer's right to know what is in their food, don't talk about how great this bill is because it is the opposite. It is completely the opposite of what it says. It is not truly a labeling bill. It is a phony sham, and I hope we defeat it whenever we get to it.

I yield the floor.

Mr. GRASSLEY. Madam President, almost 1 year ago to the day, a young woman was walking arm in arm with her father along a pier in San Francisco. She had hopes and dreams and a bright future ahead, but her life was cut short when she was tragically shot, dying in her father's arms. Her name was Kate Steinle.

The suspected killer, who was illegally in the country and deported five times prior to that day, was released into the community by a sanctuary jurisdiction that did not honor a detainer issued by Immigration and Customs Enforcement. The suspect in Kate's death admitted that he chose to be in San Francisco because of its sanctuary policies.

Unfortunately, nothing has changed in the last year. Sanctuary cities, including San Francisco, continue to harbor people in the country illegally.

Since Kate was killed, there has been a long list of tragedies, tragedies that could have been avoided—some that could have been avoided if sanctuary policies were not in place, some that could have been avoided if we had a more secure border and beefed-up penalties for those who enter the country illegally time and again. Allow me to

mention a few of the cases I have been following.

In July, Marilyn Pharis was brutally raped, tortured, and murdered in her home in Santa Maria, CA, by an illegal immigrant who was released from custody because the county sheriff does not honor ICE detainers.

In July, Margaret Kostelnik was killed by an illegal immigrant who also allegedly attempted to rape a 14-year-old girl and shoot a woman in a nearby park. The suspect was released because ICE refused to issue a detainer and take custody of the suspect.

In July, a 2-year-old girl was brutally beaten by an illegal immigrant in San Luis Obispo County, CA. He was released from local custody despite an immigration detainer and extensive criminal history and is still at large.

In September, 17-year-old Danny Centeno-Miranda from Loudoun County, VA, was allegedly murdered by his peers—people in the country illegally who also had ties to the MS–13 gang—while walking near his school bus stop.

In November, Frederick County Deputy Sheriff Greg Morton was attacked by an MS–13 gang member who was in the country illegally.

In January, my constituent, Sarah Root, was rear-ended and killed by a man in the country illegally who was street-racing and had a blood-alcohol level four times the legal limit. Sarah had graduated from college with perfect grades that very day. ICE refused to issue a detainer, and the suspect was released. He is still at large.

In February, Chelsea Hogue and Meghan Lake were hit by a drunk driver, leaving one injured and the other in a coma. The driver was in the country illegally and had previously been removed from the country five times.

In February, Stacey Aguilar was allegedly shot by a man who was in the country illegally. The suspect had also been previously convicted of a DUI.

Last month, five people were trapped by a fire and killed in a Los Angeles apartment building. The man who allegedly started the fire was in the country illegally and had been previously arrested for domestic violence and several drug charges. The man was known to immigration authorities, but he wasn't a priority for removal and was allowed to walk free. The fire killed Jerry Dean Clemons, Mary Ann Davis, Joseph William Proenneke, and Tierra Sue-Meschelle Stansberry—all my constituents from Ottumwa, IA.

When will this end? We can do something today by voting to proceed to S. 3100 and S. 2193.

Sanctuary policies and practices have allowed thousands of dangerous criminals to be released back into the community, and the effects have been disastrous. Even the Secretary of Homeland Security acknowledges that sanctuary cities are ''counterproductive to public safety.'' He has said these policies were ''unacceptable.'' Just last week, before the Senate Judiciary Committee, the Secretary said he wanted to see more cooperation from various counties and cities in working with immigration enforcement authorities. He said he has not been successful with Philadelphia and Cook County, IL. And we know that nothing has changed in San Francisco where Kate Steinle was killed.

The Stop Dangerous Sanctuary Cities Act, authored by Senator TOOMEY, addresses the problem of sanctuary jurisdictions in a common sense and balanced way. There seems to be consensus that sanctuary jurisdictions should be held accountable, so we do that with the power of the purse. This bill limits the availability of certain Federal dollars to cities and States that have sanctuary policies or practices.

The Toomey bill also provides protection for law enforcement officers who do want to cooperate and comply with detainer requests. It would address the liability issue created by recent court decisions by providing liability protection to local law enforcement who honor ICE detainers. Major law enforcement groups support this measure because it reduces the liability of officers who want to do their job and comply with immigration detainers.

Today, we will also vote on Kate's law, a bill honoring Kate Steinle and many others who have been killed or injured by people who have repeatedly flouted our immigration laws. Kate's law addresses criminals attempting to reenter the United States, many times after we have expended the resources to remove them. The bill creates a mandatory minimum sentence of 5 years for any alien who has been deported and illegally reenters the United States who is also an aggravated felon or has been twice convicted of illegal reentry. This is necessary to take certain individuals off our streets who are dangerous to our communities and have no respect for our laws.

This bill has broad support by law enforcement groups. It also has the support of groups that want enforcement of our immigration laws. And it has the support of the Remembrance Project, a group devoted to honoring and remembering Americans who have been killed by illegal aliens.

I would also mention that we could have the opportunity to vote on Sarah's law if we get on either one of these bills today. Sarah's law, which was introduced by Senators ERNST, SASSE, FISCHER, and myself last week, is a measure that would honor Sarah Root of Iowa. Sarah Root was a bright, talented, energetic young woman whose life was taken far too early by someone in the country illegally. ICE refused to issue a detainer on the drunk driver, and he was released from custody. Sarah Root's family is left wondering if they will ever have justice for their daughter's death.

Sarah's Law would amend the mandatory detention provisions of the Immigration and Nationality Act to require the Federal Government to take custody of anyone who entered the country illegally, violated the terms of their immigration status, or had their visa revoked and is thereafter charged with a crime resulting in the death or serious bodily injury of another person. The legislation also requires ICE to make reasonable efforts to identify and provide relevant information to the crime victims or their families. It is important that Americans have access to information about those who have killed or seriously harmed their loved ones.

Sarah's opportunity to make a mark on the world was cut short in part because of the reckless enforcement priorities of the Obama administration. By refusing to take custody of illegal criminal immigrants who pose a clear threat to safety, the Obama administration is putting Iowans at risk. It is time for this administration to rethink its policies and start enforcing the law.

Today we have the opportunity to vote to proceed to two bills to help protect Americans from criminal immigrants. For too long, we have sat by while sanctuary jurisdictions release dangerous criminals into the community to harm our citizens. It is time we work toward protecting our communities, rather than continuing to put them in danger. And, it is time that we institute real consequences for people who illegally enter the United States time and again.

Mr. LEAHY. Madam President, just over 3 years ago, the Senate overwhelmingly passed comprehensive, bipartisan immigration reform. That bill secured the border. It provided an earned path to citizenship that would bring millions out of the shadows and reformed and modernized our legal immigration system. It represented the Senate at its finest. It was a serious effort to solve a serious problem.

The two bills the Senate will turn to shortly stand in stark contrast. It appears that Republican leadership prefers instead an approach that is inspired by Donald Trump and the anti-immigrant rhetoric that is fueling his campaign. These efforts, embodied in the Toomey and Cruz bills, would take our immigration system in the opposite direction and pit local law enforcement and communities against each other, pushing hard-working immigrants back into the shadows. What a difference a change in leadership makes.

There are few topics more fundamental to our national identity than immigration. A consistent thread through our history is the arrival of new people to this country seeking a better life. Immigration has been an ongoing source of renewal for America—a renewal of our spirit, our creativity, and our economic strength.

The Senate reaffirmed its commitment to these ideals when we approved S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act 3 years ago. That legislation was supported by 68 Senators

from both parties. It was a remarkable, bipartisan effort that was the subject of an extensive amendment process in the Senate Judiciary Committee. It was an example of all that we can accomplish when we actually focus on the hard job of legislating.

The bills we begin considering today could not be more different. They are not bipartisan. They do not reflect a desire to meaningfully improve what we all agree is a broken immigration system. Instead, these bills scapegoat an entire population for the crimes of a few.

Those who support these bills point to a tragedy that captured our attention last summer. Any time an innocent person is killed, we have an obligation to understand what happened and try to prevent similar tragedies in the future. We all feel that way about the senseless and terribly cruel death of Kate Steinle. Her death was avoidable. Our system failed, period. And it is heart-wrenching that such a beautiful, young life was taken by a man who should never have been free on our streets.

We are motivated to do something in the wake of her death, just as we are motivated to act in the wake of the senseless killings of 49 innocent people at an LGBT nightclub in Orlando, FL—or nine men and women attending a bible study class at the historic Mother Emanuel African Methodist Episcopal Church in Charleston, SC—or the nine innocent people brutally murdered at an Oregon community college. These are moments that demand leadership. We should roll up our sleeves and address the problems that led us here, not seek bumper-sticker solutions that simply divide us further.

Not only does the rhetoric around the Toomey and Cruz bills unfairly paint immigrants and Latinos as criminals and threats to the public, they actually risk making us less safe. Senator TOOMEY's bill would require State and local law enforcement to become immigration agents and, in doing so, would undermine basic community policing principles. It would undermine the trust and cooperation between police officers and immigrant communities that is necessary to encourage victims and witnesses to step forward and report the crime that impacts us all. It would weaken law enforcement's ability to apprehend those who prey on the public. And the draconian penalties in this bill will hurt our communities, which rely on Community Development Block Grants to fund crime prevention programs, provide housing for low-income families, support economic development and infrastructure projects, and rebuild communities devastated by natural disasters. Not surprisingly, it is opposed by mayors, domestic violence groups, Latino and civil rights groups, and labor organizations.

Senator CRUZ's bill is also dangerous. By creating two new mandatory minimums that will cost us billions of dollars to enforce, the bill diverts valuable resources away from efforts that actually keep us safe, like supporting State and local law enforcement and victim services, and does nothing to fix the broken immigration system we have today. The penalties imposed in Senator CRUZ's bill would not have prevented Kate Steinle's murder. The man who murdered Kate served over 5 years for three separate illegal reentry violations and served a total of 16 years in prison. Judges already have the authority to impose long prison sentences, and this case proves they actually do.

It is troubling that the majority leader is seeking a vote on this punitive, partisan bill, instead of working to pass the meaningful criminal justice reform legislation that has strong bipartisan support. It is yet another example of his willingness to put politics above real solutions.

The problems plaguing our immigration system demand that we respond thoughtfully and responsibly. We can do better. We owe it to the American public to do better. I urge Senators to vote against cloture on these partisan bills that will not make us safer.

Mr. MCCAIN. Madam President, today the Senate is voting to achieve cloture on two bills that would improve the safety of our citizens and help ensure that foreign criminals convicted of a crime in the United States are no longer able to freely remain in our country.

This issue was brought to the Nation's attention with the tragic murder of Kate Steinle, who was shot and killed by Francisco Lopez-Sanchez as she walked along a San Francisco waterfront pier.

To be clear, this type of case is rare, but we should provide little lenience to convicted, repeat offenders that should not even be in the country.

This is not a debate about immigration reform. Francisco Lopez-Sanchez is not a representative of the immigrant community. He is a criminal and someone that should have been removed from the country when in the custody of the San Francisco's sheriff's department. For those that wish to defend this man or the policies that allowed him to stay here, I would recommend looking clearly at his criminal history and interactions with law enforcement while in the United States.

February 2, 1993: Lopez-Sanchez is convicted of felony heroin possession in Washington State criminal court and sentenced to 21 days in jail.

May 12, 1993: Lopez-Sanchez is convicted of felony narcotics manufacturing in Washington and sentenced to 9 months in jail.

November 2, 1993: Lopez-Sanchez is convicted of felony heroin possession in Pierce County, WA, and sentenced to 4 months in jail.

June 9, 1994: Lopez-Sanchez is convicted of misdemeanor imitation controlled substance in Multnomah, OR, and ordered to pay a fine.

June 10, 1994: Lopez-Sanchez is arrested by Immigration and Naturalization Service, INS, and convicted of a controlled substance violation and an aggravated felony. A Federal immigration judge orders him deported on June 20, and he is removed to Mexico.

July 14, 1994: Lopez-Sanchez illegally reenters the U.S. after his first deportation and falls into the hands of Arizona State authorities. His probation is revoked, and he is sentenced to 93 days in jail.

July 11, 1996: Lopez-Sanchez is arrested in Washington and convicted of felony heroin possession. He is sentenced to 12 months, plus 1 day in prison.

March 12, 1997: INS arrests Lopez-Sanchez on an order to show cause and charges him as a deportable alien because of his illegal reentry and his aggravated felony conviction. He is deported back to Mexico for the second time on April 4, 1997.

July 22, 1997: Lopez-Sanchez is arrested in Arizona for his first known act of violence on an assault and threatening/intimidation charge.

January 13, 1998: Lopez-Sanchez is arrested by U.S. Border Patrol agents. Two days later, an immigration judge orders him removed, and he is deported for the third time on February 2 of that year.

February 8, 1998: Lopez-Sanchez illegally reenters the U.S. 6 days after his previous deportation, but is apprehended by U.S. Border Patrol.

September 3, 1998: He is convicted of felony reentry in U.S. District Court and sentenced to 63 months in prison.

February 20, 2003: Seemingly at the end of his prison sentence, the U.S. Bureau of Prisons hands Lopez-Sanchez over to INS. He is deported again to Mexico on March 6.

July 4, 2003: Lopez-Sanchez again illegally reenters the U.S. and is apprehended by U.S. Border Patrol, this time in Texas.

November 7, 2003: Lopez-Sanchez is convicted of two Federal charges: reentry after removal and violation of a supervised Federal release. He is sentenced to 51 months and 21 months for the charges, respectively.

June 29, 2009: After a lengthy prison sentence, the U.S. Bureau of Prisons hands Lopez-Sanchez over to ICE. He is immediately deported to Mexico.

September 20, 2009: Lopez-Sanchez again reenters the U.S. illegally. This time, he is arrested by U.S. Customs and Border Protection agents in Eagle Pass, TX.

October 14, 2009: A U.S. attorney for the Western District of Texas files for a reindictment of Lopez-Sanchez for illegal reentry after removal. He is charged in September 2010 for violating Federal probation.

May 12, 2011: Lopez-Sanchez is sentenced to 46 months in prison and 36 months of supervised release for illegal reentry and probation violations. Two months later, ICE places a detainer request with the Bureau of Prisons upon

his release from prison. In October 2013, ICE's Southern California Security Communities Support Center places a similar detainer request with the Bureau of Prisons.

March 26, 2015: After serving his sentence in Federal prison in Victorville, CA, Lopez-Sanchez is released and handed over directly to the San Francisco sheriff's department, which had a warrant out for felony sale of marijuana. The next day, ICE received an automatic electronic notification that Lopez-Sanchez had been placed into the custody of the San Francisco sheriff's department. ICE then placed a detainer request with the sheriff to be notified prior to Lopez-Sanchez's release.

April 15, 2015: The San Francisco sheriff's department releases Lopez-Sanchez from its custody without notifying ICE.

July 1, 2015: Lopez-Sanchez allegedly shoots Steinle on San Francisco's Pier 14 as she is walking with her father and a friend. Steinle dies. Lopez-Sanchez is arrested soon after.

As you can see, Lopez-Sanchez was apprehended and deported five times by Customs and Border Protection. The system failed Kate Steinle when San Francisco, a sanctuary city that refuses to cooperate with ICE, decided to release a convicted felon rather than contact DHS to have him deported to Mexico.

The bills we are voting on today would help prevent a similar tragedy from happening again. S. 2193 will provide a 5-year mandatory minimum sentence for any illegal immigrant who reenters the United States after having been convicted of an aggravated felony or after having been twice convicted of illegally reentering the United States. S. 3100 will withhold certain Federal funds from cities with sanctuary policies in an effort to convince these cities to allow their law enforcement to cooperate with Federal immigration officials.

I urge my colleagues to vote for cloture on these two bills to prevent a further tragedy like that suffered by the Steinle family.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. Madam President, I ask unanimous consent to speak for as much time as I may consume.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FORMER SECRETARY CLINTON'S USE OF UNSECURED EMAIL SERVERS

Mr. SASSE. Madam President, yesterday, James Comey, the FBI Director, announced that his agency will not recommend that the Department of Justice bring Federal criminal charges against former Secretary of State Hillary Clinton regarding her use of a set of off-the-books, undisclosed, unsecured email servers, not only for her own personal correspondence but also for her official duties, including highly sensitive material related to foreign intelligence and related to terrorist targeting.

Director Comey's rationale for systematically and devastatingly recounting Secretary Clinton's many violations of the law and yet recommending against a prosecution is being hotly debated both outside and inside the FBI, as it should be.

I rise in this body today, as a matter of oversight, to speak to a slightly different matter than the prosecutorial discretion and decision. The debate about why the crimes are not being prosecuted in this case should not blind us to a broader, debasing problem in our civic life today. Simply put, lying matters. Public trust matters. Integrity matters. And woe to us as a nation if we decide to pretend this isn't so. This issue is not about political points or about Presidential politics. It is about whether the people can trust their representatives, those of us who are supposed to be serving them in government for a limited time.

I am going to read today a series of direct quotes from Secretary Clinton regarding this investigation, and then I will also read a series of direct quotes from Director Comey's statement yesterday, as well as from the State Department's official inspector general report on this issue. I will not provide a running commentary. I will, instead, simply recount the words and the assertions of Secretary Clinton, and I will hold them up to the light of what the FBI and the State Department investigations have found. Sadly, this will be damning enough.

When the story broke about the Secretary's use of a personal email account and set of undisclosed servers, she called a press conference at the United Nations on March 10 last year, and she emphatically and without qualification declared this:

> I did not email any classified material to anyone on my email. There is no classified material.

Period, full stop.

Yesterday, Director Comey said: That is not true.

> 110 e-mails in 52 e-mail chains have been determined by the owning agency to contain classified information at the time they were sent or received. Eight of those chains contained information that was Top Secret at the time they were sent; 36 chains contained Secret information.

Later, Secretary Clinton adjusted her defense to say: ''I did not send nor receive information that was marked classified at the time that it was sent or received.''

Yesterday, Director Comey directly addressed and directly dismissed this defense, noting that while only a small number of the emails containing classified information bore the markings indicating the presence of classified information, ''even if information is not marked 'classified' in an e-mail, participants who know—or should know—that the subject matter is classified are still obligated to protect it.''

Throughout this controversy, Secretary Clinton has maintained: ''I [have] fully complied with every rule I was governed by.''

She said: I have fully complied with every rule I was governed by.

The inspector general of her own State Department has concluded exactly the opposite.

> Sending emails from a personal account to other employees at their Department Accounts is not an appropriate method of preserving any such emails that would constitute a Federal record. Therefore, Secretary Clinton should have preserved any Federal records she created and received on her personal account by printing and filing those records with the related files in the office of the Secretary. At a minimum, Secretary Clinton should have surrendered all emails dealing with Department business before leaving government service and, because she did not do so, she did not comply with the Department's policies that were implemented in accordance with the Federal Records Act.

Regarding those subsequently surrendered emails, Mrs. Clinton has said:

> After I left office, the State Department asked former secretaries of state for our assistance in providing copies of work-related emails from our personal accounts. I responded right away and provided all my emails that could have possibly been work-related.

Yesterday, Director Comey explicitly rejected this claim, noting not only that several thousand emails were missing but, also, that some of the emails she withheld were in fact classified.

Director Comey said:

> The FBI also discovered several thousand work-related e-mails that were not in the group of 30,000 that were [initially] returned by Secretary Clinton to [the] State [Department] in 2014. . . . With respect to the thousands of emails we found that were not among those produced to [the] State [Department], agencies have concluded that three of those were [also] classified at the time they were sent or received, one at the Secret level.

Lest we be confused, here is Director Comey's summary of the situation:

> Any reasonable person in Secretary Clinton's position, or in the position of those government employees with whom she was corresponding about these [classified] matters, should have known that an unclassified system was no place for that conversation.

We could go on. There is more about the foreign adversaries—on which all of us in this body get our classified briefs—that we know were and are today trying to hack sensitive U.S. Government classified material. What I have presented here is not an opinion. This is not political talking point or spin. All we have done here is to recount some of the specific defenses, claims, and excuses Secretary Clinton has offered regarding her use of a set of unsecured, undisclosed off-the-books email servers and then contrasted those claims with how both the FBI's and the State Department's inspectors general have proved those claims to be clearly and knowingly false.

If any of Secretary Clinton's defenders in this body would like to come to the floor to dispute any of the FBI's assertions, I would welcome that conversation.

These are serious matters, and they deserve our serious attention. As elected officials, we have been entrusted for a time with the security of the Nation and with the trust of the people. Quite apart from the specific questions and debates about whether Secretary Clinton is going to be convicted for her crimes, we must grapple with the reality that the public trust, the rule of law, and the security of our Nation have been badly injured by her actions.

In the coming months, the next time that a career military or intelligence officer leaks an important secret that is a legally defined classified matter that relates to the security of our Nation and the security of our Nation's spies, who are putting their lives at risk today to defend our freedoms, one of two things is going to happen: Either that individual will not be held accountable because yesterday the decision was made to set a new, lower standard about our Nation's security secrets, and we will therefore become weaker, or, in the alternative, the decision will be made to hold that person accountable, either by prosecution or by firing. In that moment, that individual and his or her peers and his or her family will rightly ask this question: Why is the standard different for me than for the politically powerful? Why is the standard different for me, a career intelligence officer or a career soldier, than for the former Secretary of State? This question is about the rise of a two-tiered system of justice, one for the common man and one for the ruling political elites. If we in this body allow such a two-tiered system to solidify, we will fail in our duties, both to safeguard the Nation and for the people to believe in representative government and in equality before the law.

This stuff matters. Lying matters. The dumbing down and the debasing of expectations about public trust matter. Honor matters, and woe to us as a nation if we decide to forget this obvious truth of republican government.

RECESS

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

Thereupon, the Senate, at 12:47 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. FISCHER).

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Brian R. Martinotti, of New Jersey, to be United States District Judge for the District of New Jersey.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

The Senator from Pennsylvania.

Mr. TOOMEY. Thank you, Madam President.

SANCTUARY CITIES LEGISLATION

I rise to address the legislation we are going to be voting on later this afternoon, two procedural votes to take up legislation. Both bills were inspired by a horrendous event that occurred almost exactly 1 year ago. On July 1, 2015, a 32-year-old woman named Kate Steinle was walking on a pier in San Francisco with her dad, and out of nowhere comes a man who starts firing his weapon at her, shoots her, and within moments Kate Steinle bled to death in her father's arms.

As appalling as that murder was, one of the particularly galling things about it is that the shooter should never have been on the pier that day. The shooter had been convicted of seven felonies and had been deported from America five times because he was here illegally. Even more maddening is that just a few months earlier, San Francisco law enforcement officials had him in their custody. They had him, and the Department of Homeland Security, discovering that fact, put out a request that said: Hold on to this guy. Detain him until we can get one of our guys there to take him into custody because we want to get him out of this country. He is dangerous; we know he is.

What did the San Francisco law enforcement folks do? They said: Sorry, we can't help you. They released him onto the streets of San Francisco, from which he later shot and killed a perfectly innocent young woman.

Why in the world would the San Francisco law enforcement folks release a seven-time convicted felon, five-time deported person who was known to be dangerous, in the face of a request from the Department of Homeland Security? Why would they release such a person? Because San Francisco is a sanctuary city, which means it is the legal policy of the city of San Francisco to refuse to provide any information or to cooperate with a request to detain anyone when the Department of Homeland Security is requesting such cooperation with respect to someone who is here illegally. This is madness. It is unbelievable that we have municipalities that are willfully releasing dangerous people into our communities.

Let me point out that the terribly tragic case of Kate Steinle is not a unique case. According to the Department of Homeland Security in an analysis looking at an 8-month period in 2014—the most recent period for which we have data—sanctuary cities across America released 18,000 individuals and 1,800 of them were later arrested for criminal acts. That is what is happening across America, including in the great city of Philadelphia in my home State of Pennsylvania, which has become a sanctuary city.

Today we are going to vote on two different bills. We are going to take a procedural vote which will determine whether we can proceed to two bills inspired by this terrible tragedy. First is my legislation called the Stop Dangerous Sanctuary Cities Act, S. 3100. I am grateful for my cosponsors, Senators INHOFE, VITTER, COTTON, JOHNSON, CRUZ, and WICKER. Let me explain how this is structured.

There is a court ruling that has caused a number of municipalities that would rather not be sanctuary cities to believe they need to become sanctuary cities. The ruling is from the Third Circuit Court of Appeals, which has jurisdiction over my State of Pennsylvania, and also a Federal district court in Oregon. They have held that if the Department of Homeland Security makes a mistake—let's say it is the wrong John Doe—and they ask a police department somewhere to hold that person, if it turns out they are holding him wrongly, according to these court decisions, the local police department can be held liable even though they were just acting in good faith at the request of the Department of Homeland Security.

Well, that doesn't make any sense, and it is easily corrected. My bill will correct it. What my bill says is that if a person is wrongly held in such a circumstance where the local police are complying in good faith with a request from the Department of Homeland Security, if that happens, the individual wrongly held can still sue, they can still go to court, but they wouldn't go to court against the local police or local municipality, they would take their case against the Department of Homeland Security, where it belongs. After all, it was the error of the Department of Homeland Security that caused the person to be wrongly held. So that solves the problem of a municipality being concerned about a liability that would attach to their doing the right thing.

Given that solution, which is in our legislation, if we pass this and make this law, then there is no excuse whatsoever for any municipality willfully refusing to cooperate with Federal immigration and law enforcement officials.

The second part of my legislation says that if a community nevertheless—despite a lack of legal justification—chooses to be a dangerous sanctuary city, well, then, they are going to lose some Federal funds—specifically, community development block grant funds, which cities get from the Federal Government. They love to spent it on all kinds of things.

The fact is, sanctuary cities impose costs on the rest of us—security costs, costs to the risks we take, the unspeakable costs the Steinle family incurred—so I think it is entirely reasonable that we withhold this funding as a way to hopefully induce these cities to do the right thing.

I say there are two pieces of legislation we will be taking procedural votes